

Ordinance 2004-05

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE TO AMEND SECTION 18-2, "RECYCLING," OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN REGARDING DISPOSAL OF GRASS CLIPPINGS

BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown as follows:

Section 1. Section 18-2 of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended in its entirety to read as follows (additions underlined; deletions in ~~strikeout text~~):

18-2.1 Collection Program Established. There is hereby established a program for separate collection of metal containers; plastic and plastic containers; paper, newsprint, magazines, cardboard; glass; batteries; grass clippings; yard and garden waste and additional materials that may be designated by Borough, County or State policies, from the residences of the Borough of Hightstown for recycling purposes. Such collections shall be made periodically in accordance with a schedule by the Borough Council promulgated as set forth in subsection 18-2.2.

18-2.2 Promulgation of Regulations. The Borough Council shall establish and, through the Clerk, promulgate regulations as to the manner, days and times of collection of recyclables, and the type, handling, location and time of placement of materials for collection, in accordance with any agreement ~~the Borough's agreement may hold~~ with a contract collector.

18-2.3 Separation of Recyclables From Refuse. The recyclable items listed in subsection 18-2.1 shall be kept separate from and not mixed with regular garbage and refuse which is collected by the Borough's collection contractor. Newspapers shall be considered clean and uncontaminated if they have not been exposed to substances or conditions rendering them

INTRO DATE: 3/1/2004							ADOPT DATE: 3/15/04					
	Move	2nd	Aye	Nay	Abstain	Absent	Move	2nd	Aye	Nay	Abstain	Absent
HOLTZCLAW			✓					✓	✓			
LAUDENBERGER		✓	✓				✓		✓			
QUATTRONE			✓						✓			
SCHNEIDER			✓						✓			
SIKORSKI	✓		✓						✓			
THOMPSON			✓						✓			
PATTEN												

ADVERTISE INTRO: 3/4/2004

ADVERTISE ADOPT: 3/18/04

EFFECTIVE DATE: 3/18/04

unusable for recycling. Persons may wrap solid waste in used newspapers and discard the same with regular solid waste even if such wrapping does not render the newspapers unusable for recycling.

18-2.4 Procedures for Placement of Grass and Weeds, Shrubbery Clippings, Limbs, Branches and Other Garden Waste; Collection to be Made by Borough Public Works Department.

- a. During the period from September 1 through December 31 of each year, leaves shall be placed in piles along the curbline of the street. The piles shall not exceed five (5) feet in width from the curbline. The Superintendent of Public Works may require that leaves be bagged and shall provide the public with notice of such requirement.
- b. All grass, weeds and lawn and similar growth clippings shall be placed in a container so that they may be easily emptied in the collectors' vehicle.
- c. Hedge and shrubbery clippings, tree trimmings and garden waste will be collected if tied in bundles not to exceed four (4) feet in length and not to exceed two (2) feet in diameter. The total volume placed at the curb for one (1) day's pickup will not exceed ten (10) bundles and must be placed so that they will not spill out in the gutter, street or on sidewalks.
- d. The Borough will remove and chip limbs and small trees which do not exceed six (6) feet in length and five (5) inches in diameter, when placed at curbside in an orderly manner.
- e. Removal from property of trees larger than five (5) inches in diameter and stumps or limbs which are larger than five (5) inches in diameter will be at the expense of the owner and shall not be the responsibility of the Borough.

18-2.5 Procedures for Disposal of Grass Clippings; Schedule; Fee.

- a. During the period from April 15 through October 15 of each year, the Borough of Hightstown Public Works Department will collect grass clippings from those residents wishing to dispose of them. Such collections will be made weekly on Mondays without the need for appointments.
- b. Grass clippings shall be kept separate from and not disposed of with regular garbage and refuse which is collected by the Borough's collection contractor.
- c. Grass clippings shall be contained in special biodegradable compost bags to be sold by the Borough. No grass will be collected that is not contained in compost bags purchased from the Borough. The bags will available at the office of the Borough Clerk and at the Public Works office during normal business hours. In addition, bags may be sold through commercial/retail outlets located in the Borough, as approved by Resolution of the Borough Council.

d. Bags will be sold at a price which reflects the per-bag cost of refuse, collection and disposal, which price may be revised from time to time by Resolution of the Borough Council. The initial cost per bag will be \$2.00.

18-2.6 **18-2.5 Recyclables to Become Borough Property After Placement at Curb.** From the time of placement at the curb by any resident of glass and aluminum containers and used newspapers for collection by the Borough pursuant to the program established hereby and the rules and regulations issued hereunder, such materials shall become and be the property of the Borough, and it shall be violation of this Section for any person, other than persons authorized by the Borough or the resident, to collect or pick up, or cause to be collected or picked up, such materials. Each such collection in violation hereof from one (1) or more residences during the period shall constitute a separate and distinct offense. Notwithstanding the foregoing, upon collection of the materials by the Borough's collection contractor, all such materials shall become the property of the Borough's collection contractor.

18-2.7 **Enforcement.** The Borough of Hightstown Recycling Coordinator and the Hightstown Borough Police Department are hereby authorized and directed to enforce this Section. Enforcement may include random inspections of garbage set out for disposal in order to determine compliance.

18-2.8 **18-2.6 Violations and Penalties.** Any person, firm or corporation who violates or neglects to comply with any provision of this section or any regulation promulgated pursuant thereto shall, upon conviction thereof, be liable to the fine as stated in Chapter I, Section 1-5, except that the maximum fine for failure to comply with subsection 18-2.3 shall not exceed twenty-five (\$25.00) dollars.

18-2.9 **18-2.7 Donation or sale of recyclables.** Any resident may donate or sell glass and aluminum containers and used newspapers to any person, partnership or corporation, whether operating for profit or not for profit. The person, partnership or corporation may not, however, under any circumstances pick up the glass or aluminum containers or used newspapers from the curbside in the Borough.

Section 2. This Ordinance shall take effect upon final passage and publication in accordance with the law.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

ATTEST:

Candace B. Gallagher
Municipal Clerk

Robert F. Patten
Mayor