

ORD.#19-2023


**An Ordinance of the Township of Mount Olive,  
County of Morris, State of New Jersey, to Revise  
and Replace Chapter 338, Solid Waste Disposal;  
Recyclable Materials, of the Township Code**

**CLERK:**

Delivered to Mayor:


Date: 7/12/2023

Time: 9:00 am

Signed:   
Township Clerk  
Michelle Masser

**MAYOR:**

Action by Mayor:


Approved: 

Date: 7-12-23

Vetoed: \_\_\_\_\_

Date: \_\_\_\_\_

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

  
Signed: \_\_\_\_\_  
Mayor

**CLERK:**

Returned:

Date: 7/12/23

Time: 9:14 am

Not returned with in (10) days

Date: \_\_\_\_\_

Signed:   
Township Clerk  
Michelle Masser

**ORD. #19-2023**

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY  
OF MORRIS, STATE OF NEW JERSEY, TO REVISE AND REPLACE  
CHAPTER 338, SOLID WASTE DISPOSAL; RECYCLABLE  
MATERIALS, OF THE TOWNSHIP CODE**

**WHEREAS**, Chapter 338 of the Township of Mount Olive Code regulates solid waste disposal and recyclable material in the Township; and

**WHEREAS**, the Administration has determined that there is a need to revise and replace Chapter 338 in its entirety to update the information contained therein.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mount Olive, County of Morris, State of New Jersey as follows:

**SECTION 1.** Part II, General Legislation, is hereby amended to replace Chapter 338, Solid Waste Disposal; Recyclable Materials, in its entirety with the following language:

**Article I. Recyclable Materials**

**§ 338-1. Definitions.**

[Amended 9-27-1994 by Ord. No. 13-94; 10-10-1995 by Ord. No. 32-95]

As used in this article, the following terms shall have the meanings indicated:

**ALUMINUM BEVERAGE CONTAINERS**

Cans of one-piece seamless construction, made entirely of aluminum.

**ANTIFREEZE**

An automotive engine coolant consisting of a mixture of ethylene glycol and water or propylene glycol and water.

**ASPHALT ROOFING SHINGLES**

Building materials used to cover the roof or sides of a building in which the material consists of petroleum and/or coal/tar substances.

**AUTOMOTIVE BATTERIES**

Batteries used to power motor vehicle engines, including those for automobiles, trucks and boats.

**CONSTRUCTION AND DEMOLITION DEBRIS**

Recyclable components of the construction/demolition waste stream, including but not limited to concrete, brick, concrete and cinder block, asphalt-based roofing scrap, paving material (concrete asphalt and stones), non-chemically treated wood waste, wood pallets and heavy iron (structural steel or ferrous metal and cast-iron components).

**CORRUGATED CARDBOARD**

Alternating ridged and grooved heavy paper stock used in manufacturing of boxes and shipping containers.

**GLASS BOTTLES AND JARS**

All products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for the packaging or bottling of various matter and all other material commonly known as "glass," excluding, however, blue and flat glass commonly known as "window glass," ceramics, light bulbs and fluorescent tubes.

**HOUSEHOLD AND COMMERCIAL BATTERIES**

Household batteries composed of alkaline, carbon zinc and zinc air in the following sizes: AAA, AA, 9-volt lantern batteries, C, D and button cell batteries and commercial batteries composed of mercury, silver oxide and lithium batteries.

**MAGAZINES/ADVERTISING SUPPLEMENTS**

Periodicals made of glossy-type paper.

**MIXED PAPER**

Junk mail, envelopes, coupons, NCR paper, direct mail ads, fax paper, manila file folders and Pendaflex® folders.

**MOTOR OIL**

A petroleum-based or synthetic oil limited to lubrication of internal-combustion engines.

**OFFICE PAPER**

Bond paper, letterhead paper, photocopy paper, memo paper, colored paper and computer paper.

**OIL FILTERS**

A filter to screen out impurities from the motor oil of automobiles and trucks.

**PERSONS**

All individuals, partnerships, corporations, owners, tenants, lessees, occupants, associations and organizations residing, owning or operating, managing, leasing or occupying any premises or business, commercial or industrial, or engaged in the collection or disposal of solid waste and other refuse matter within the Township of Mount Olive. This definition includes commercial buildings such as apartment buildings, hotels, office buildings, restaurants, taverns, supermarkets, etc., and institutions such as schools and hospitals.

**PETROLEUM-CONTAMINATED SOIL**

Nonhazardous soils containing petroleum hydrocarbons resulting from spills, leaks or leaking underground storage tanks used for gasoline or any other commercial fuel.

**PLASTIC BOTTLES**

All plastic bottles, other than those which contain hazardous materials such as motor oil or other automotive additives or products, should be recycled. Recyclable plastics can be identified by a logo located on the container with number 1 or 2 within it.

[Amended 3-11-2008 by Ord. No. 14-2008]

**RECYCLABLES**

All items of solid waste which are required by this article to be separated from all other solid waste so as to be collected apart from the ordinary solid waste stream. Residents shall use separate recycling containers for each type of recyclable.

**SOLID WASTE**

Includes garbage and rubbish normally placed at the curb by all persons residing in Mount Olive Township and received for regular municipal collection.

**STEEL CONTAINERS**

Rigid containers for food which are constructed of steel or tin.

**STORAGE TANKS**

Any large receptacle used to hold fluids or gases, including but not limited to oil, gasoline or propane.

**STUMPS, LOGS and TREE PARTS**

Unfinished wood from land clearing consisting of stumps, logs and tree parts.

**TIRES**

All passenger and automobile and truck tires.

**USED NEWSPAPER**

Paper of the type commonly referred to as "newsprint," but does not include magazines, periodicals, books, paper bags and such other paper products.

**WHITE GOODS**

All large appliances such as washing machines, dryers, refrigerators/freezers and stoves/ranges. Chlorofluorocarbons (CFC) contained in certain "white goods" shall not be released into the atmosphere but shall be recovered by persons in accordance with acceptable standards for CFC recovery.

**YARD WASTE OTHER THAN THAT RESULTING FROM LAWN MOWING**

Vegetative matter generated from the residential process of yard or ground maintenance, including leaves, limbs, shrubbery with no root balls, vines, garden waste and brush no longer than four feet in length.

**YARD WASTE RESULTING FROM LAWN MOWING**

All grass, weeds, clover or other residual vegetative matter generated from the residential process of lawn mowing or lawn maintenance.

## **YARD WASTE REQUIRING CHIPPER SERVICE**

All tree limbs and branches (no vines) with a four (4) inch maximum diameter generated from the residential process of yard or ground maintenance. (does not include work performed by contractors or extensive tree clearing)

### **§ 338-2. Separation and collection.**

[Amended 9-27-1994 by Ord. No. 13-94]

- A. It shall be mandatory for all persons, except the handicapped or disabled, to separate recyclables from all other solid waste produced in or disposed of by such residential or nonresidential occupants.
- B. Recycling goals. Mount Olive Township will implement such programs so as to achieve the state policy directive of reaching a fifty-percent recycling rate of municipal solid waste by 1995.
- C. Recyclable items are hereby declared to be aluminum beverage containers, antifreeze, automotive batteries, construction and demolition debris, glass bottles and jars, household and commercial batteries, mixed paper, magazines, plastic bottles, used newspapers, motor oil and oil filters, corrugated office paper, steel/tin food containers, stumps, logs and tree parts, tires, white goods, used storage tanks, yard waste resulting from lawn mowing and yard waste other than that resulting from lawn mowing, chipboard and/or greyboard. All mandated recyclable material shall be banned from the Morris County disposal system, which includes the transfer station facilities and out-of-state landfills. (Note: Asphalt shingles shall continue to be delivered to the transfer station site for recycling, not disposal.)  
[Amended 10-10-1995 by Ord. No. 32-95; 11-28-1995 by Ord. No. 34-95]
- D. On dates established on an annual basis by the Township, the following recycling services shall be provided:
  - 1. Single Stream Recyclables containing plastic bottles, mixed/office paper, magazines, corrugated cardboard, glass bottles and jars, aluminum beverage containers, steel containers and used newspapers, shall be placed at curbside for collection by the Township municipal trucks or by such agent or certain designated firms specifically authorized by the Township to make such collection on a weekly basis. Single Stream Recyclables shall be placed in containers specifically labeled for recycling, preferably in one 96 or 65 gallon container.
  - 2. White goods, furniture, metal items, electronics, tires and other bulk waste, shall be picked up with special arrangement, placed on the curb with a purchased sticker from the Public Works Department as defined in Article V.

3. Yard waste other than yard waste resulting from lawn mowing shall be placed curbside for collection by the Township municipal trucks or by such agents or certain designated firms specially authorized by the Township to make such collection on a weekly basis from March through April and October through December. Waste shall be bagged in paper bags or placed in a clean trash container. No container or bag shall be of such volume or weight as to exceed 34 gallons or 40 pounds.
  4. Yard waste resulting from lawn mowing shall be placed curbside for collection by the Township municipal trucks or by such agents or certain designated firms specially authorized by the Township to make such collection on a weekly basis from May through October. Waste shall be bagged in paper bags or clean trash container. No bag shall be of such volume or weight as to exceed 34 gallons or 40 pounds.
  5. Yard waste requiring chipper service, shall be picked up with special arrangement, stacked neatly on the curb with all branches facing the same direction, from April through May. Waste piles must be limited to ten (10) feet long, four (4) feet high and to the depth of the limbs. Large piles will not be picked up. Residents are limited to two special arrangements a year.
  6. Household Hazardous waste such as, antifreeze, automotive, household and commercial batteries, motor oil, oil filters, pesticides, herbicides and fertilizers, fire extinguishers and mercury-containing devices, shall be delivered to the Morris County Municipal Utilities Authority or other approved and licensed recycling facility.  
[Amended 10-10-1995 by Ord. No. 32-95; 3-25-1997 by Ord. No. 13-97; 9-25-2001 by Ord. No. 20-2001; 3-11-2008 by Ord. No. 14-2008]
- E. Where used newspapers are used to wrap solid waste, they may be discarded or disposed of for collection with usual solid waste.
- F. Construction and demolition debris must be recycled and properly disposed of through a private contractor. It shall be both mandatory and a condition precedent to the issuance of any permanent certificate of occupancy or final work inspection for the owner of the property, agent or contractor in charge of a construction or demolition site to recycle and source-separate all applicable construction or demolition debris components, including asphalt roofing shingles, as defined, resulting from a construction or demolition project. The construction or demolition debris shall be brought to a state-approved recycling center, and written documentation of the total amount of material recycled during the previous calendar year shall be provided to Mount Olive Township by February 1 of each year. No permit for construction or demolition shall be approved until an origin and destination form<sup>III</sup> is completed and submitted with the permit application to the Mount Olive Division of Inspections and Code Enforcement of the Department of Planning, Zoning and Code Enforcement and a copy is submitted to the Recycling Coordinator. Likewise, receipts or other certified documentation evidencing proof of the disposal of construction and/or demolition debris in a lawful manner shall accompany each application for a certificate of occupancy or certificate of approval. If the owner of property, agent or contractor is performing only a demolition project, receipts or other certified documentation evidencing



proof of disposal of demolition debris shall be presented to this office within 15 days upon completion of the project.

[1] *Editor's Note: Said form is available from the Township offices.*

- G. All storage tanks must be disposed of in accordance with all state and local laws concerning removal and disposal of storage tanks. The owner of the property must provide written proof of disposal, as set forth in Subsection **H** hereinafter, to the Division of Inspection and Code Enforcement of the Department of Planning, Zoning and Code Enforcement for transmittal to the Township's Health Department.  
[Amended 3-11-2008 by Ord. No. 14-2008]
- H. Disposal of recyclables or yard waste with solid waste prohibited.  
[Amended 10-10-1995 by Ord. No. 32-95]
- (1) No person engaged in the collection or disposal of solid waste shall collect solid waste that contains visible signs of designated recyclable materials in garbage bags, trash containers, dumpsters or any other container. All solid waste shall be source-separated in accordance with state statutes.
- (2) All property owners and tenants in the Township of Mount Olive must dispose of all yard waste resulting from lawn mowing by one of the following methods:  
[Amended 3-25-1997 by Ord. No. 13-97]
- (a) Cut and leave yard waste resulting from lawn mowing on owner's property.
- (b) Composting on owner's property.
- (c) Delivery to a legally approved composting facility or other legally approved disposal facility.
- (d) The volume or weight of such bag or container shall not exceed 34 gallons or 40 pounds, and the bag or container shall be placed curbside so as to not cause any obstructions or hazards.  
[Amended 3-11-2008 by Ord. No. 14-2008]
- I. Yard waste, as herein defined, shall be banned from disposal at the Morris County transfer station on Goldmine Road in Mount Olive by all persons. It shall be the Township policy to promote the cut-it-and-leave-it grass program and composting of leaves.  
[Amended 10-10-1995 by Ord. No. 32-95]
- J. All persons are hereby prohibited from releasing CFC refrigerants into the atmosphere through shearing, shredding, bailing or other methods. All CFCs from white goods must be recovered in accordance with all state and local laws.

**§ 338-3. Enforcement; modifications to regulations.**

[Amended 9-27-1994 by Ord. No. 13-94]

- A. The Director of the Department of Public Works is hereby authorized and directed to enforce this article and to establish a reasonable schedule of regulation as to the manner, days and times for collection of recyclables, in accordance with the terms of this article. Said schedule of regulation shall become effective upon passage of the ordinance. The Director of the Department of Public Works is also hereby authorized to amend the schedule of regulations. Said amendments to the schedule shall be published in the official newspaper of the Township at least 20 days prior to their effective date. Amendments to the schedule of regulations shall become effective 20 days after their publication, unless the Council adopts a resolution rejecting or modifying said amendments.  
[Amended 9-25-2001 by Ord. No. 20-2001]
- B. Residential, commercial and institutional solid waste shall be inspected periodically by the Recycling Coordinator and personnel of the Sanitation Department.
- (1) Residential offenders. A warning letter shall be sent to a violator providing 10 days to correct the violation. A summons shall be issued if the violation continues or has not been corrected. Violation stickers shall be affixed by the Recycling Coordinator and/or sanitation personnel to solid waste which contains visible signs of recyclables or should recyclables be placed for collection at the curb and not in conformity with the procedures established herein.
  - (2) Commercial and institutional offenders. A warning letter shall be sent to a violator providing 30 days to correct the violation. A summons shall be issued if the violation continues or has not been corrected.
  - (3) The Recycling Coordinator shall send warning letters to solid waste haulers who violate any provision of this article by collection of solid waste with visible signs of recyclables. A summons will be issued if the hauler does not correct the violations within 10 days.

**§ 338-4. Unauthorized collections.**

[Amended 9-25-2001 by Ord. No. 20-2001; 3-11-2008 by Ord. No. 14-2008]

From the time of placement at the curb, such material shall be and become the property of the Township of Mount Olive or its authorizing agent, and it shall be a violation of this article for any person not expressly authorized by the Township to collect or pick up or cause to be picked up any such recyclables. Each collection in violation hereof from one or more residence shall constitute a separate and distinct offense punishable as herein provided. Nothing contained herein, however, shall be construed to limit volunteer or charitable organizations from conducting newspaper drives. The date, time, place and nature of collection shall be presented, in writing, to the Department of Public Works prior to any such newspaper drive, and the Director of the Department of Public Works shall approve or disapprove the date, time, place and manner of collection in accordance



with regulations promulgated under this article. Regularly scheduled or established collections need only be reported once in each calendar year.

**§ 338-5. Disposition of collected recyclables.**

- A. The Business Administrator of the Township of Mount Olive shall, by bid or contract, establish the destination for all municipally collected recyclables.
- B. Receipts from all sales of recyclables, whether by the municipality or a duly authorized volunteer or charitable organization, shall be recorded by the Department of Public Works and reported to the appropriate state agency for rebate. Proceeds from sales and rebates of municipally collected recyclables shall be returned to the general treasury to be used to underwrite the cost of the disposal of solid waste and promotion of recycling activities.  
[Amended 3-11-2008 by Ord. No. 14-2008]
- C. Tonnage grant funds received by the Township shall be utilized as a line item in the sanitation budget for use in recycling activities to promote increased compliance.
- D. A "small business" by definition is one which generates two to four yards of trash per week. Any small business which generates recyclable material shall separate the recyclable material from the trash as per Mount Olive recycling regulations. The recyclable material will be picked up at the owner's request by the Mount Olive Sanitation Department for a fee of \$30 per month. If the amount of recyclable material is two times greater than the average amount of recyclable material generated by all the small businesses being picked up, the monthly fee may be proportionally greater. Mount Olive Township may initiate or cancel any recycling pickup.

**§ 338-6. Tonnage grant requirements.**

[Amended 9-17-1994 by Ord. No. 13-94]

- A. Annual recycling tonnage shall be reported annually to the Municipal Recycling Coordinator by all businesses, institutions, apartment complexes, solid waste haulers and market/vendors collecting recyclables in the Township no later than March 1 of each year.
- B. A complete copy of the annual Recycling Tonnage Report shall be reported to the County Recycling Coordinator.

**§ 338-7. Violations and penalties.**

- A. Any person, firm or corporation who violates any provision of this article shall, upon conviction thereof, be punishable by one or more of the following: by imprisonment for a term not exceeding 90 days or by a minimum fine of \$100 and a maximum fine of \$2,000 per offense or by a period of community service not exceeding 90 days.  
[Amended 9-27-1994 by Ord. No. 13-94; 3-11-2008 by Ord. No. 14-2008]
- B. Any owner of property, agent or contractor who performs construction/demolition work in the Township and does not provide the Mount Olive Division of Inspections and Code

Enforcement of the Department of Planning, Zoning and Code Enforcement with certified documentation evidencing proof of disposal of construction/demolition debris shall also not be given any permit(s) for future demolition project(s) until all court proceedings have been satisfied.

**§ 338-8. Education and publicity.**

[Added 9-27-1994 by Ord. No. 13-94; amended 9-25-2001 by Ord. No. 20-2001]

The Director of the Department of Public Works is hereby authorized and directed to establish and implement a recycling education and publicity program in accordance with the terms of this article. The programs shall be directed at the residential, commercial and industrial sectors of the community and shall include, but not be limited to, publication and distribution of recycling information, recycling presentations and workshops, education programs in the Township school system, assistance to businesses in locating vendors to accept types of recyclables not collected by the Township and public notification of the penalties for violation of the article.

**Article II. Sanitation District**

**§ 338-9. Users included in district.**

[Amended 9-15-2020 by Ord. No. 17-2020]

The Sanitation District shall continue to include the entire Township, but collection of solid waste and recyclable items shall be limited to residential users or customers and nonprofit educational or religious establishments and shall not include any nonresidential users or garden apartment complexes after the effective date of this article. The Sanitation District shall be expanded to include Stedwick Village I. If at a point in time the Township decides it is in its best interest to expand the sanitation district to collect commercial recyclables, it may do so.

**§ 338-10. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**RECYCLABLE ITEMS**

All items of solid waste which are required by Article **I** of this chapter of the Township Code to be separated from other solid waste so as to be collected apart from the ordinary solid waste stream.

**SOLID WASTE**

Any garbage, refuse, sludge or any other waste material, excluding:

- A. Solid animal or vegetable wastes collected by swine producers licensed by the State Department of Agriculture who collect, prepare and feed such wastes to swine on their own farms.
- B. Recyclable items of solid waste, which includes litter, rubbish and debris.

**§ 338-11. Users subject to taxation.**

- A. Nonresidential users or customers shall not be subject to taxation for the support of the Sanitation District for services. Services provided would be paid for by a fee.
- B. Residential users shall be subject to taxation for the support of the Sanitation District, with the rate to be fixed by the Township Council.

**§ 338-12. Weekly collection to be provided.**

[Amended 9-25-2001 by Ord. No. 20-2001]

The Township shall provide for municipal collection for solid waste and for recyclable items on a once-a-week basis. The days of collection for both solid waste and recyclable items for each section of the Township shall be as established by the Township's Director of Public Works, and where a collection day falls on a legal holiday, collection for solid waste and recyclable items shall occur the following workday or as published by the Township in the sanitation schedule.

**§ 338-13. Placement of material for collection.**

- A. No person shall leave for residential collection by the municipality:  
[Amended 8-19-2014 by Ord. No. 19-2014]
  - (1) Solid waste. No more than the one ninety-six-gallon or one sixty-five-gallon container provided by the municipality as part of its automated trash collection program.
  - (2) Recycling. Single-stream recycling must be in containers, not to exceed 40 pounds. There is no limit on the number of recycling containers.
  - (3) Recycling containers bearing the logo of the Township of Mount Olive and in a capacity of 65 gallons shall be available for sale by the Department of Public Works for \$50 per container. Proceeds will be dedicated to the Recreation Utility.
  - (4) This provision is waived for holiday collection on Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.
- B. Additional containers/receptacles will be collected, provided that an appropriate sticker is affixed, which sticker may be obtained at the Public Works Department at the rate of \$2 per sticker.  
[Amended 3-11-2008 by Ord. No. 14-2008]
- C. The placing of items for collection and the separating of recycling items shall be done in accordance with Article I of this chapter of the Code of the Township of Mount Olive.
- D. No person shall set or place any garbage, ashes, refuse or other material on the curblane for collection from any house, apartment or residence unit before 6:00 p.m. of the day prior to the collection day for the district in which the same is situated, nor allow any empty

containers to remain on the curblin, as herein provided, after 7:00 p.m. of the day of collection, and containers must be stored in such a manner as to not create a nuisance or annoyance to adjacent neighbors. Garbage and refuse in plastic bags shall not be placed on the curblin for collection prior to 5:00 a.m. of the day of collection.

[Added 7-13-2004 by Ord. No. 15-2004]

### Article III. **Dumpsters**

#### **§ 338-14. Requests for dumpster service.**

[Amended 3-11-2008 by Ord. No. 14-2008]

The Township will make available to any resident one nine-cubic-yard dumpster for cleanup purposes. Any resident requesting this service shall comply with the following procedure:

- A. The resident shall call the Public Works Department of the Township of Mount Olive, which will then forward to the resident an appropriate form of application.
- B. The resident shall fully complete the application and return same to the Township with the appropriate fee. The fee for a household trash dumpster is \$260 for each dumpster load.
- C. The Township's Sanitation Department will then place a dumpster, not exceeding nine cubic yards, on the resident's property and will permit the dumpster to remain there for a period not to exceed two weeks, at which time the Township shall remove the dumpster and dispose of its contents. Residents may dispose of any item requiring a sticker without additional cost. Large appliances shall be placed on the curb and not inside the dumpster. The total items placed should not exceed the volume of the dumpster. Township is not responsible for any property damage — driveways, sidewalks, lawns, etc. — while placing dumpster on private property.

#### **§ 338-15. Limitations.**

[Amended 3-11-2008 by Ord. No. 14-2008]

- A. The service is not for the benefit of contractors or builders, and if used in such a manner, it will create a violation of this article.
- B. Residents shall not place any material which is designated as "hazardous waste," as the same is defined in the statutes and administrative regulations, into the dumpster.
- C. The dump site shall be used essentially for household items and waste.

#### **§ 338-16. Roll-off dumpsters or containers.**

[Added 9-27-1994 by Ord. No. 14-94; amended 10-2-2018 by Ord. No. 25-2018]

- A. No person shall park or leave unattended any waste or refuse container, commonly known as a "roll-off dumpster" or "roll-off container," on or along any roadway or public property without the written consent of the appropriate municipal, county or state authority having jurisdiction over the roadway or public property. Consent shall be valid and remain in effect

for a period of not more than 30 days but may be renewed by the appropriate official upon application therefor. To warn the operators of vehicles of the presence a traffic hazard requiring the exercise of unusual care, any roll-off dumpster or roll-off container parked on or along any roadway shall be equipped with display markers consisting of all yellow reflective diamond-shaped panels having a minimum size of 18 inches by 18 inches. These panels shall be mounted at the edge of the dumpster or container at both ends nearest the path of passing vehicles and facing the direction of oncoming traffic. These markers shall have a minimum mounting height of three feet from the bottom of the panels to the surface of the roadway. "Roll-off dumpsters" or "roll-off containers" placed on private property shall be limited to an initial period of not more than 30 days with the approval of the Construction Official but may be renewed upon application thereafter for active construction sites. "Roll-off dumpsters" or "roll-off containers" shall be placed a minimum of 10 feet away from any permanent structure.

- B. A person who is convicted of a violation of this section shall pay a fine of not more than \$100 for each violation. In default of the payment of a fine, imprisonment in the county jail for a period of not more than 90 days may be imposed.

#### **§ 338-17. Violations and penalties.**

Any person, firm or corporation who violates any provision of this article shall, upon conviction thereof, be punishable by one or more of the following: by imprisonment for a term not exceeding 90 days or by a fine not exceeding \$1,000 or by a period of community service not exceeding 90 days.

### **Article IV. Dumping**

#### **§ 338-18. Dumping prohibited.**

It shall be unlawful in the Township of Mount Olive for any person, partnership or corporation, firm or other entity to dispose, dump, deposit or leave unattended any waste material on any property or right-of-way other than that person's own property. "Waste material" shall include but not be limited to solid waste, garbage, refuse, debris, junk, vehicles or vehicle parts, rubber tires, appliances, furniture, and any other solid or liquid matter commonly disposed of by placing it into the waste stream for ultimate burial, incineration or other permanent disposition.

#### **§ 338-19. Applicability.**

This article shall not apply to:

- A. Temporary storage of waste material by a contractor, subcontractor or a public agency where the storage of waste material is due to a construction, demolition or rehabilitation project.
- B. A transfer station which is operating under a permit issued by the New Jersey Department of Environmental Protection.

C. Any facility owned or operated by the Township of Mount Olive.

**§ 338-20. Presumption of ownership.**

In the event that waste material is found and a violation of this article is charged and heard in the Municipal Court, the presence in the waste material of documents, envelopes or other tangible evidence bearing the name, address or other identifying data of the defendant shall create a rebuttable presumption that the waste material was owned by the defendant and the defendant was the person who dumped the waste material.

**§ 338-21. Violations and penalties.**

Any person, firm or corporation who violates any provision of this article shall, upon conviction thereof, be punishable by one or more of the following: by imprisonment for a term not exceeding 90 days or by a fine not exceeding \$1,000 or by a period of community service not exceeding 90 days. Each day that waste material remains unattended shall constitute a separate and distinct offense.

**Article V. Large Items and Special Collections**

**§ 338-22. Definitions.**

The following terms shall have the meanings indicated:

**LARGE ITEM**

[Amended 3-11-2008 by Ord. No. 14-2008]

- A. Any item that will not completely fit into a container whose volume is 34 gallons when said container is capped, covered or contained. This definition shall include any "large items" and any "other large items."
- B. Any type of "large item" as defined above that a resident may wish to dispose of, including refrigerators, washers, dryers, riding lawn mowers, freezers, stoves/ranges, rugs/carpeting, mattresses/box springs, furniture, hot-water heaters, bathtubs, doors and such other items as the Township Director of Public Works shall deem to be within this category. Refrigerators and freezers must have their doors removed before they will be collected by the Township.

**OTHER LARGE ITEM**

Any type of "large item" as defined above that the resident may wish to dispose of, including air conditioners, bicycles, metal railings, small machinery, swing sets, televisions, push/walk lawn mowers and such other items as the Township Director of Public Works shall deem to be within this category.

[Amended 3-11-2008 by Ord. No. 14-2008]



**§ 338-23. Stickers required.**

[Amended 3-25-1997 by Ord. No. 13-97; 3-11-2008 by Ord. No. 14-2008; 6-24-2008 by Ord. No. 33-2008]

- A. Township residents shall be required to obtain a sticker from the Township Department of Public Works in order to dispose of a large item or to have tire collection done at their residence. The fees for these stickers shall be as follows:
  - (1) Large items, excluding those containing Freon: \$10 to \$25 per item; Freon items: \$15.
  - (2) Other large items: \$5 per item.
  - (3) Household trash dumpster: \$260 per pickup.
  - (4) Additional garbage container/bag: \$2 per item.
  - (5) Propane tank disposal: \$10.
  - (6) Tires: \$2 per tire without rim.
- B. Residents requesting a sticker can purchase it at the Department of Public Works or request an application for the same through the mail or from the Township website..
- C. The collection of "other large items," tires and "large items" will not occur until the resident has purchased the appropriate sticker. The sticker must be affixed to the item to be collected prior to its collection and placed curbside.

**§ 338-24. Collection schedule.**

[Amended 3-11-2008 by Ord. No. 14-2008]

Large metal items, as defined above, shall not be put curbside for regular curbside collection. Large items, as defined above, will be collected during specially designated days to be scheduled by the Department of Public Works. Tires will be collected on a regular collection day, provided that a \$2 sticker is affixed.

**§ 338-25. Violations and penalties.**

- A. Any resident who violates any section of this article shall be subject to a fine of not less than \$100 and not more than \$1,000 and/or not more than 90 days in jail and/or not more than 90 days of community service.
- B. In addition to any penalties that shall be imposed in the preceding subsection, the cost per sticker required for pickup will increase twice the amount of the collection fee per item after the first week that the item(s) is left for pickup without the appropriate sticker. The cost of the sticker will continue to increase twice the amount of the collection fee per item for each additional week that the item(s) remains for pickup without the appropriate sticker.

**SECTION 2.** If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

**SECTION 3.** All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.


**SECTION 4.** This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 6/27/2023

Adopted: 7/11/2023

Effective Date: 8/3/2023

TOWNSHIP OF MOUNT OLIVE

  
\_\_\_\_\_  
Joe Nicastro, Township Council President

Attest: 7/11/2023

  
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Michelle Masser, Township Clerk