

Ord.#25-2018 An Ordinance of the Township of Mount Olive, County of Morris, State of New Jersey, Amending Chapter 338, "Solid Waste Disposal; Recyclable Materials," Article III, "Dumpsters," Section 338-16, Roll-Off Dumpsters or Containers," of the Township Code to Include Private Property.

CLERK:

Delivered to Mayor:

Date: 10/3/2018

Time: 9:30am

Signed: _____

Township Clerk
Michelle Masser

MAYOR:

Action by Mayor:

Approved: ☒

Date: 10/3/18

Vetoed: ☐

Date: _____

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

Signed: _____

Mayor

CLERK:

Returned:

Date: 10/3/18

Time: 9:40

Not returned with in (10) days

Date: _____

Signed: _____

Township Clerk

ORD.#25-2018

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY OF MORRIS,
STATE OF NEW JERSEY, AMENDING CHAPTER 338, "SOLID WASTE DISPOSAL;
RECYCLABLE MATERIALS," ARTICLE III, "DUMPSTERS," SECTION 338-16,
"ROLL-OFF DUMPSTERS OR CONTAINERS," OF THE TOWNSHIP CODE TO
INCLUDE PRIVATE PROPERTY**

WHEREAS, Section 338-16, Roll-Off dumpsters or containers, of the Township Code regulates only "roll-off dumpsters" or "roll-off containers," on or along any roadway or public property; and

WHEREAS, the Mayor and Township Council find that it is in the best interest of the Township to also regulate "roll-off dumpsters" or "roll-off containers," on private property.

NOW, THEREFOR, BE IT ORDAINED by the Township Council of the Township of Mount Olive, County of Morris, State of New Jersey as follow:

Section 1. Section 338-16, Roll-Off dumpsters or containers, is hereby amended to read as follow:

- 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.

Section 2. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of the Ordinance.

Section 3. All ordinances or parts of ordinances of the Township of Mount Olive that are inconsistent herewith are repealed to the extent of such inconsistency.

Section 4. This Ordinance may be renumbered for purposes of codification.

Section 5. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 9/18/2018

Adopted: 10/2/2018

Effective Date: 10/26/2018

TOWNSHIP OF MOUNT OLIVE



Joe Nicastro, Township Council President

Attest: 10/2/2018



Michelle Masser, Township Clerk