

ORDINANCE NO. 18-2016

**AN ORDINANCE AMENDING CHAPTER 230
REGARDING SOLID WASTE
IN THE BOROUGH OF FRANKLIN,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY**

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Franklin, Sussex County, New Jersey, as follows:

SECTION I

The Code of the Borough of Franklin is hereby modified to replace the Section 230-2 through 230-4 as follows:

§ 230-2. Receptacle requirements.

A. The owner, agent, lessee, tenant, or occupant of every dwelling house or other premises where refuse accumulates shall provide and keep on such premises sufficient and suitable receptacles with tight-fitting covers for receiving and holding the refuse.

- (1) "Sufficient" is defined for the purpose of this section to be at least one receptacle for each family unit or other occupant of premises and at least two such receptacles for each commercial or business establishment where the aforesaid refuse shall accumulate, but each occupant of premises shall provide sufficient receptacles to store all refuse which may be accumulated there between the times when such refuse is disposed of as hereinafter provided.
- (2) "Suitable" is defined for the purpose of this section to be a watertight metal, rubber or plastic receptacle with a tight-fitting cover so constructed as to prevent spilling or leakage of its contents.

B. Each receptacle for use at a single residence shall have a capacity of not more than 32 gallons and be equipped with a pull handle or handles.

C. Receptacles for refuse from multi-dwelling units or industrial premises may have a greater capacity than that prescribed in Subsection B of this section, provided that they meet the other qualifications of a suitable receptacle and are equipped for handling by motorized equipment, cleaned and sanitized as needed after emptying and replaced by the same type of receptacle if removed for emptying. Receptacles permitted by this Subsection must be of the type and meet specifications to be serviced by the Municipal Solid Waste Vendor using Trucks and Equipment currently serving the Borough. The Burden shall be on the property owner to contact to the Vendor to confirm that the receptacles are the proper type.

D. Receptacles that are badly broken or otherwise fail to meet the requirements of this section may be classed as refuse and collected and disposed of as such by the person or agency responsible for the collection of refuse, provided that such receptacle shall not be collected if it appears to have been suitable under the definition of this section at some previous time without a

written notice being delivered to the owner of the fact that the receptacle is not deemed suitable at least 10 days before the receptacle is collected.

E. Receptacles shall be conveniently located on premises for the storage of refuse and maintained in such a manner with the cover in place as to prevent creation of a nuisance or menace to public health.

§ 230-3. Preparation for collection.

A. Garbage shall be thoroughly and completely drained of all liquids, wrapped securely in paper or placed in paper bags and placed in a receptacle as herein described.

B. Combustible or noncombustible waste of such a nature that it cannot be deposited in a receptacle shall be securely and properly tied into bundles or packages to prevent spilling or scattering. The bundles or packages shall be of a size and weight to permit ease of handling by one man and shall be packaged or otherwise assembled in quantities weighing not more than 40 pounds.

C. The person occupying any premises whereon a business or industry is conducted shall arrange for the removal of refuse from such premises each day unless sufficient and suitable facilities are provided and used for the storage of such refuse within a building on such premises until the refuse is removed.

D. Receptacles or other items to be disposed of shall be placed as noted above any time after 5:00 p.m. of the day immediately preceding the day of collection, but no later than 6:00 a.m. of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 p.m. of the day of collection.

E. Bulk items such as carpets, furniture, TVs, mattresses, building materials and white goods (stove, dishwashers, dryers, etc.) will be picked up on the same day as your regular garbage collection at no additional cost.

F. Building materials must be cut to four-foot lengths, tied and bundled, not exceeding 40 pounds and not to exceed four bundles per pickup.

§ 230-4. Residential garbage collection.

A. Garbage shall be collected curbside at the nearest public street by a contractor contracted by the Borough of Franklin weekly on a schedule to be adopted by the Borough Council and posted in the municipal building.

B. The maximum number of containers per residential unit shall be three (3) thirty-two-gallon receptacles.

C. Vegetative waste, including grass clippings and leaves, may not be disposed in the regular municipal solid waste collection. Leaves may be disposed of by placing them in biodegradable brown bags and placing them curbside on dates designated by the Borough Council for collection. Brush or limbs will also be collected, but brush or limbs are not to exceed a three-inch diameter, no longer than four-foot lengths and should be bundled and tied.

D. Christmas trees will be collected during designated days in January. The trees must have the stand and ornaments removed and cannot be in plastic or other bags.

SECTION II All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

BOROUGH OF FRANKLIN



ROBIN HOUGH, CLERK



NICK GIORDANO, MAYOR

DATED:

NOTICE

TAKE NOTICE that the above entitled Ordinance 18-2016 was introduced at a regular meeting of the Borough Council of the Borough of Franklin on July 12, 2016 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of Franklin to be held on July 26, 2016 at 7:00 p.m. in the Municipal Building, 46 Main Street, Franklin, New Jersey.



Robin Hough, Municipal Clerk