

**BOROUGH OF PALMYRA**

**ORDINANCE 2013-26**

**AN ORDINANCE OF THE BOROUGH OF PALMYRA AMENDING CHAPTER 230: SOLID WASTE, ARTICLE III: COLLECTION, OF THE CODE OF THE BOROUGH OF PALMYRA.**

BE IT ORDAINED by the governing body of the Borough of Palmyra, in the County of Burlington and State of New Jersey as follows:

Chapter 230: SOLID WASTE, Article III: Collection shall be amended as follows:

**§230-24 Covered containers required**, should be deleted in its entirety and replaced with the following:

It shall be unlawful to place or permit to remain anywhere in the Borough any garbage, trash, debris or other material subject to decay, other than leaves, except in a tightly covered plastic container provided by or obtained from the Borough of Palmyra.

**§230-26 Windblown trash prohibited**, should be deleted in its entirety and replaced with the following:

It shall be unlawful to cause or permit to accumulate anywhere in the Borough any garbage, trash, debris or other material such that it can be blown away by the wind, unless said material is in a tightly covered plastic container provided by or obtained from the Borough of Palmyra.

**§230-27 Deposit on streets prohibited**, should be deleted in its entirety and replaced with the following:

It shall be unlawful to deposit or permit to fall from any vehicle any garbage, trash, debris or other material on any public street or alley in the Borough, provided that this section shall not be construed to prohibit placing garbage, trash, debris or other material in a container complying with the provisions of this article preparatory to having such material collected and disposed of in the manner provided herein.

**§230-28 Preparation for collection**, should be deleted in its entirety and replaced with the following:

A. Garbage, trash and debris shall be thoroughly drained of all water and placed in a tightly covered plastic container provided by or obtained from the Borough of Palmyra so as to prevent spillage or leakage of their contents. No recyclables shall be placed in the garbage receptacle.

B. Garbage, trash and debris must be placed in a tightly covered plastic container provided by or obtained from the Borough of Palmyra. Where the materials are of such a nature that they cannot be deposited in an approved container, the same shall be securely and properly tied into bundles or packages to prevent any spilling while being handled by such person(s) responsible for the materials and transferred by said person(s) to the Public Works facility for depositing into containers approved by the Borough during days and times permitted by the Borough.

C. No container shall be placed for collection in front of any street, alley or public place or in front of or alongside of the property owned or occupied by another without the consent of such

owner or occupant. No container or material to be collected shall be placed between the curb and the sidewalk, or in the street adjacent to the curb in the case of Borough provided containers, for collection prior to 5:00 p.m. of the day preceding the nearest collection day and no later than 6:00 a.m. of the day of collection, and such containers must be removed from the curb by 9:00 a.m. the day following the collection.

D. The Borough shall make available for distribution, sale or lease plastic containers for garbage, trash and debris at a cost approved by the governing body and in quantities per the following schedule:

1. Single-family dwellings are permitted two (2) containers maximum.
2. Multi-family dwellings are permitted one (1) container per dwelling unit.
3. Business and commercial properties are permitted two (2) containers per the number of authorized sewer connections (based on sewer utility fees paid).

**§230-29 Noncollectible refuse; temporary trash containers,** should be deleted in its entirety and replaced with the following:

The following refuse shall be considered not acceptable for collection by the Borough:

A. Waste materials generated by industrial, general manufacturing and special manufacturing uses, or substances such as poisons, acids, caustics, paint, chemicals, asbestos, propane or natural gas tanks, gasoline tanks or cans, infected materials, construction debris, debris generated from major home or business remodeling or demolition, materials generated from removal of trees including limbs unless generated by the Borough or a Borough-authorized contractor, items generated by a commercial contractor, electronic items including but not limited to televisions, computers and related components, explosives and ammunition or any other materials likely to cause injury to persons employed or damage to equipment used in making collections.

B. Items authorized and eligible for collection under the Borough's recycling program.

C. Temporary trash containers

**[Added 10-9-2007 by Ord. No. 2007-14]**

(1) Except as otherwise permitted under Article III of Chapter 230 of the Code of the Borough of Palmyra, no trash or garbage containment device including but not limited to dumpsters, trash containers, or roll-off boxes (hereinafter collectively referred to as "trash containers") shall be placed on any street within the Borough of Palmyra or other public right-of-way unless a written permit is first obtained from the Construction Official or her designee.

(2) On a form to be provided by the Construction Office, any applicant for a permit for any trash container shall provide the following information:

- (a) The name, address and telephone number of the applicant;
- (b) A twenty-four-hour emergency contact name and telephone number of the applicant;
- (c) The size of the temporary trash container in cubic yards of storage and dimensions in feet;
- (d) The proposed location of the trash container;
- (e) Such other information that is reasonably required to enable the Construction Official to fulfill her obligations under this subsection.

(3) Prior to the issuance of any such permit, the applicant shall pay to the Borough for the initial permit a fee of \$50 per temporary trash container. If the trash container will be placed for a period longer than five days, then an additional fee of \$25 per trash container shall be charged for each additional five-day period or any portion thereof. Prior to the issuance of any such permit, the Construction Official or her designee shall verify the following:

- (a) Written permission has been obtained from the Palmyra Police Department;
- (b) The temporary trash container shall be adjacent to or as close as possible to the work area, placed 50 feet from any intersection, placed at least 15 feet from any hydrant;
- (c) The temporary trash container must contain certain approved safety markings such as alternating red and white two-inch-wide retroreflective type or barricades with an attached flashing yellow light;
- (d) The use of the temporary trash container is limited to public streets or ways wide enough to provide clearance for emergency vehicles when a temporary trash container is in use and will not interfere with the general flow of traffic in either direction.
- (e) The use of a temporary trash container is limited to the temporary storage of trash, garbage or refuse generated at the location where the temporary trash container is placed.
- (f) The temporary trash containers may be located in a rear yard but shall not be located closer than five feet to a property lot line.

(4) The area around the temporary trash container shall be kept free of debris and litter; any temporary trash container producing or causing noxious, foul or offensive odors shall be immediately removed or cleaned to eliminate the odor; and a full temporary trash container shall be removed from the property within two days. The owner of the temporary trash container, the applicant for the permit, the contractor and/or the property owner shall be liable to the Borough and responsible for any damage to the sidewalks, curbs, or streets that results from the placement or use of any temporary trash container. Temporary trash containers must be placed in a safe manner and to avoid insects, animals, and pests. If, in the opinion of the Construction Official, the temporary trash container needs a cover, she may so order.

**§230-30 Bulk trash collections**, should be deleted in its entirety and replaced with the following:

A. There shall be special bulk trash collection days as scheduled by the Borough from time to time.

B. Bulk trash items shall be placed for collection between the curb and the sidewalk.

C. Bulk trash items shall not be placed for collection prior to 5:00 p.m. of the day preceding the nearest collection day and no later than 6:00 a.m. of the day of collection, and any such items, which are not collected (items not approved for collection) must be removed from the curb by 9:00 a.m. the day following the collection.

D. Bulk trash items shall not be placed for collection in front of any street, alley or public place or in front of or alongside of any property owned or occupied by another without the consent of such owner or occupant.

E. The following bulk trash items are permitted to be placed for collection:

- Furniture (single item only: sofas, bookcases, etc.)
- Rugs and carpet (must be rolled and tied in 4' lengths maximum)
- Mattresses and box springs (single item of each only)
- Large plastic toys
- Mirrors or glass table tops that have been covered with newspaper and taped to prevent breakage
- Bathroom fixtures (single item only: tubs, sinks, toilets)
- White goods and appliances (single item only: dishwasher, range, refrigerator)
- Wood (bundled and tied 2x4's, 4' in length and 50 lbs. maximum)
- Concrete, block and bricks (manageable pile equivalent to one 4'x4' sidewalk pad)
- Tires (on or off rims)
- Metal items (50 lbs. maximum)
- Pressure-treated wood (bundled and tied separately from regular wood, 50 lbs. maximum)
- Single items from minor home repair (wood door, bathroom vanity, 50 lbs. maximum)
- Unused and/or unauthorized plastic and metal trash cans (empty)

F. Bulk trash items may also be transferred by such person(s) responsible for the materials to the Public Works facility for depositing into containers approved by the Borough during days and times permitted by the Borough.

G. There shall be special collection day(s) for Christmas Trees as scheduled by the Borough. Christmas trees shall be placed for collection between the curb and the sidewalk, shall not be covered in plastic bags, and shall have all tinsel, ornaments and stands removed.

**§230-31 Brush and limb collection**, should be deleted in its entirety and replaced with the following:

A. There shall be special brush/limb collection days as scheduled by the Borough from time to time.

B. Brush and limbs shall be placed for collection between the curb and the sidewalk with all cut-ends of the brush and limbs facing the same direction.

C. Brush and limbs should be cut into lengths not exceeding 4-foot, with all cut-ends facing the same direction, and bundled neatly with string. Each bundle should not exceed 50 lbs. maximum.

C. Brush or limbs shall not be placed at curbside for collection prior to 9:00 a.m. of the day preceding the nearest collection day and no later than 6:00 a.m. of the day of collection, and any such items, which are not collected (items not approved for collection) must be removed from the curb by 9:00 a.m. the day following the collection.

D. Brush or limbs shall not be placed for collection in front of any street, alley or public place or in front of or alongside any property owned or occupied by another without the consent of such owner or occupant.

F. Brush and limbs may also be transferred by such person(s) responsible for the materials to the Public Works facility for depositing into containers or areas approved by the Borough during days and times permitted by the Borough.

**§230-32 Leaf collection**, should be deleted in its entirety and replaced with the following:

A. There shall be special leaf collection days as scheduled by the Borough from time to time.

B. Leaves shall be placed for collection in the street at curbside.

C. Leaves shall not be placed at curbside for collection prior to two calendar days preceding the scheduled date of collection.

D. Leaves shall not be placed for collection in front of any street, alley or public place or in front of or alongside any property owned or occupied by another without the consent of such owner or occupant.

**§230-33 Violations and penalties**, should be deleted in its entirety and replaced with the following:

Any person who violates the provisions of this article shall be subject to a fine not exceeding \$1,000 or imprisonment for a period not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof, in the discretion of the Municipal Court. For any violation which is of a continuing nature, each day during which it continues shall constitute a separate and distinct defense.

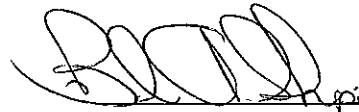
All other provisions of Chapter 230: Solid Waste, Article III: Collection of the Code of the Borough of Palmyra shall remain unchanged.

All ordinances or parts of ordinances inconsistent with the Ordinance are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect after final adoption and publication according to law.

**CERTIFICATION OF CLERK**

I, Barbara Sheipe, Clerk of the Borough of Palmyra, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an ordinance introduced by the Borough Council held on \_\_\_\_\_, 2013. A public hearing and adoption of the foregoing Ordinance to be held on August 19, 2013.

  
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Barbara Sheipe  
Borough Clerk