

Chapter 146. Garbage, Rubbish and Refuse

Article III. Recycling

[Adopted 5-19-1986 by Ord. No. 86-267]

§ 146-8. Definitions.

[Amended 11-20-1989 by Ord. No. 89-351; 9-9-1991 by Ord. No. 91-387; 6-17-2002 by Ord. No. 02-579; 8-8-2016 by Ord. No. 16-799]

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

ALUMINUM BEVERAGE CONTAINERS

All containers normally used in the consumption of alcoholic and nonalcoholic beverages both in the home and in retail establishments dispensing the same for on- or off-premises consumption, the same being made entirely of aluminum.

BIMETAL (TIN/STEEL) CANS

Aluminum and tin or tin-plated steel food and beverage containers, including those for fruits, vegetables, juices and pet food.

COMMERCIAL SOURCE

Wholesale, retail, service or manufacturing establishments, including but not limited to restaurants, markets, offices, retail and wholesale outlets, industrial establishments and theaters.

FERROUS SCRAP

Metal that is magnetic and rusts such as structural steel or cast iron components.

GLASS FOOD AND BEVERAGE CONTAINERS

All containers and objects commonly used in residential and nonresidential premises, such as bottles, jars, glasses, jugs and all other vessels made entirely and exclusively of glass.

INSTITUTIONAL SOURCES

Churches, synagogues, colleges, schools, municipal or municipally supported bodies, not-for-profit organizations and the like.

LEAD ACID BATTERIES (VEHICLE BATTERIES)

Types that contain lead and lead oxide with the sulfuric acid electrolyte produces a voltage.

LEAVES

Foliage material naturally formed from trees and bushes that are suitable for composting and mulching.

MIXED OFFICE PAPER

A combination of paper products found in an office environment; typically, it means high-grade papers such as copier paper, computer printout, and stationery. It also includes magazines, catalogs, brochures, white envelopes, advertising flyers and most mail.

OLD CORRUGATED CONTAINERS

All corrugated cardboard of the type commonly used for boxes, shipping containers and packing material having exterior cardboard plies separated by air spaces created by one or more fabricated cardboard plies.

§ 146-9. Mandatory separation of materials.

[Amended 6-17-2002 by Ord. No. 02-579; 8-8-2016 by Ord. No. 16-799]

There is hereby established a program for the mandatory source separation from the municipal solid waste stream by the single-family and multifamily residential, commercial, office park, industrial, institutional and governmental solid waste generators of the Township at the point of generation of the following items:

Residential:	Commercial:	Institutional:
Newspapers	Newspapers	Newspapers
Mixed paper (i.e., junk mail, office paper, all marketable grades)	Office paper (all marketable grades)	Office paper (all marketable grades)
Old corrugated containers	Old corrugated containers	Old corrugated containers
Glass food and beverage containers	Glass food and beverage containers	Glass food and beverage containers
Aluminum beverage containers	Aluminum beverage containers	Aluminum beverage containers
Leaves	Leaves	Leaves
Used motor oil	Used motor oil	Used motor oil
White goods	White goods	White goods
Lead acid batteries (vehicle batteries)	Lead acid batteries (vehicle batteries)	Lead acid batteries (vehicle batteries)
Plastics (#1 and #2)	Plastics (#1 and #2)	Plastics (#1 and #2)
Steel/tin containers	Steel/tin containers	Steel/tin containers
Ferrous scrap	Ferrous scrap	Ferrous scrap

And such other recyclable material to be added or deleted as designated recyclables by the County of Essex pursuant to a duly adopted amendment to the County Solid Waste Management Plan approved by the New Jersey Department of Environmental Protection.

§ 146-10. Ownership of recyclables; unauthorized collection.

- A. From the time of placement at the curb by any person of recyclables for collection by the Township of Cedar Grove or its authorized representative, pursuant to the regulations established herein, such recyclables shall become the property of the Township of Cedar Grove or its authorized agent.
- B. It shall be unlawful for any person, firm or corporation not authorized by the Township of Cedar Grove to collect or pick up or cause to be collected or picked up any such recyclables for any purpose whatsoever. Each such collection in violation hereof from one or more residences shall constitute a separate and distinct offense, punishable as hereinafter provided.

§ 146-11. Methods of disposal.

[Amended 6-17-2002 by Ord. No. 02-579]

All designated materials shall be disposed of in the manner set forth in the regulations of the Township of Cedar Grove. Such regulations may include but need not be limited to curbside collection and the municipal dropoff center. At no time shall the Township or its agent or designee be required to enter onto private property to retrieve designated materials.

- A. Residential properties. The occupant, lessee, owner or their designee shall place at curbside in a recyclable container or otherwise bundled or stacked, separated designated materials in the following manner:
 - (1) Used newspaper shall be separated and secured in bundles, not to exceed 12 inches in height. Such bundles shall be either placed in plastic bags weighing not more than 30 pounds or secured with string or twine only.
 - (2) Aluminum, glass, plastic and tin materials shall be rinsed and commingled in a recyclable container and placed at curbside for collection in accordance with the schedule established by the Township.
 - (3) Mixed paper products shall be secured in bundles or as otherwise designated by the Township.
 - (4) Corrugated cardboard must be clean, flattened and tied in bundles with twine. Bundles may not exceed four feet zero inches by four feet zero inches or weigh over 50 pounds.
 - (5) Motor oil, tires and car batteries shall be disposed of at service stations, automotive repair facilities or in any other lawful manner at the resident's own expense.
 - (6) All designated materials may be dropped off at the municipal dropoff center in the manner described above during normal operating hours to be established by the Township.
 - (7) The following items must be source-separated and disposed of at the resident's expense:

- (a) Construction debris;
- (b) Concrete material;
- (c) Demolition material;
- (d) Hazardous materials;
- (e) Industrial by-products; and
- (f) Roofing material.
- (g) Used motor oil.

[Added 8-8-2016 by Ord. No. 16-799]

- B. Commercial and institutional properties. All lessees, occupants, owners or their designee shall comply with the procedures set forth in Subsection A of this regulation. In the alternative, commercial and institutional residents may contract independently and at their own expense with a private scavenger service for the removal of designated recyclable materials. Upon selecting this alternative, the resident shall provide the Township with proof of compliance with the mandatory recycling of designated material. Such proof shall include a copy of the contract with a scavenger contractor and a copy of the tonnage slip of the actual weight of designated materials disposed of at an authorized recovery facility. This mandatory reporting shall be provided to the Township within six months of the promulgation of these regulations and every six months thereafter.
- C. At the option and expense of the resident, designated materials may be disposed of by any other lawful means, including but not limited to contributions of the material to charitable drives, subject to the mandatory reporting requirements. However, under no circumstances shall designated materials be picked up curbside by anyone other than the Township of Cedar Grove or its authorized agents without prior written approval by the Township.

§ 146-12. Administration and enforcement.

The Township Manager is authorized and directed to administer the provisions of this article. This article shall be enforced by the Code Enforcement Officer or the Township Health Officer or the Cedar Grove Police Department.

§ 146-13. Violations and penalties.

[Amended 6-17-2002 by Ord. No. 02-579; 8-8-2016 by Ord. No. 16-799]

- A. Any person, firm or organization found guilty of violating a provision of this article shall, upon conviction, forfeit and pay a fine of \$75 for the first offense, \$150 for the second offense and, for the third and any subsequent offenses, shall be subject to one or more of the following: a minimum fine of \$250 but not exceeding \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days.
- B.

In addition to the foregoing penalties, where a container includes designated recycling material mixed with solid waste, the container will not be collected.

- C. Fines levied and collected pursuant to the provisions of this article shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent).