

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 144 SOLID WASTE, SECTIONS §144-2; §144-5; §144-17; §144-19; §144-21; §144-23; AND CHAPTER A210 FEES

WHEREAS, the Mayor and Council for the Borough of Mount Arlington reviewed the suggestions of the Borough Code Committee and desires to amend and supplement Borough Code Chapter 144 Solid Waste, Section §144-2 Definitions to include a new definition for Large Ridge Plastics; to amend the definition of Plastic Bottles to include codes 1, 2, 4, 5 and 7; to amend Section §144-5 Collection of recyclable materials to amend Plastic Bottle codes to include codes 1, 2, 4, 5 and 7; to amend Section §144-17 Included users and charges to update the quarterly fee to \$75.00 per dwelling and direct that the Borough Tax Collector address the arrearages; to amend Section §144-19 Preparation for collection and disposal to adjust the gallons and pounds of acceptable containers and bags, and remove sub-section K; to amend Section §144-21 and Section §144-23 to amend the title to Municipal Administrator; and to amend Chapter A210, entitled "Fees" to update the fees for Chapter 144, Solid Waste, Section §144-17 to \$75.00 per dwelling.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 144 Solid Waste, Section §144-2 Definitions include a new definition for Large Ridge Plastics; and the definition of Plastic Bottles be amended to include codes 1, 2, 4, 5 and 7 and is hereby amended and supplemented to read in relevant part as follows:

§ 144-2. Definitions.

LARGE RIDGE PLASTICS: – harder and thicker plastics than the plastic bottles. Large plastic toys, laundry baskets, soda and milk crates, plastic pet carriers, kitty litter buckets, plastic storage containers, plastic garbage and recycling containers, empty and dry plastic paint cans, plastic shelving, plastic outdoor furniture without PVC pipes, 5 gallon buckets without metal handles.

PLASTIC BOTTLES (CODED 1, 2, 4, 5 AND 7): — Plastic bottles coded to indicate that they are comprised of the specific types of plastic compounds (polymers) known as polyethylene terephthalate (PETE) or high density polyethylene (HDPE). See symbols below. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown to the left is specifically omitted from this definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc. should not be recycled.

Coded 1  Coded 2  Coded 4  Coded 5  and Coded 7 

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 144 Solid Waste, Section §144-5 Collection of recyclable materials be amended to include to the Plastic Bottle codes the codes 1, 2, 4, 5 and 7 and is hereby amended and supplemented to read in relevant part as follows:

§ 144-5. Collection of recyclable materials.

A. Separation of designated recyclable materials and required practices for residential users. The recyclable materials stated herein must be separate from other solid waste and must conform to the following regulations:

- (1) The owner or occupant of the premises shall keep clean and in safe handling condition all glass bottles and jars, aluminum cans, plastic bottles (coded 1, 2, 4, 5 and 7), and steel (tin) cans, which may be commingled, shall be reasonably cleaned and stored in standard solid waste containers. All containers and brown paper bags shall be placed, prior to collection, at curbside or as near to the street to be readily accessible to the collector without providing obstruction to pedestrians. 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 container shall be removed from the curbside by no later than 7:00 p.m. of the day of collection in accordance with the schedule adopted and advertised by the borough, or they may be deposited in designated areas of the Borough Recycling Center during designated hours.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 144 Solid Waste, Section §144-17 Included users and charges be amended to update the quarterly fee to \$75.00 per dwelling and direct that the Borough Tax Collector address the arrearages and is hereby amended and supplemented to read in relevant part as follows:

§ 144-17. Included users and charges. [Amended 3-6-1991 by Ord. No. 91-2; 2-19-1992 by Ord. No. 92-1; 10-21-1992 by Ord. No. 92-14; 2-19-1997 by Ord. No. 97-3; 12-7-1998 by Ord. No. 98-25; 7-9-2001 by Ord. No. 01-15]

- A. Each single-family, two-family, three-family and four-family residence shall be serviced by the borough and shall pay a quarterly fee of \$75.00 per dwelling unit for the disposal of their garbage, bulk waste, vegetative waste and recyclables. Included users shall be entitled to collection of three containers of garbage once per week. **[Amended 3-25-2002 by Ord. No. 02-13]**
- B. The Borough of Mount Arlington shall bill the record owner of each residence, church and school for garbage pickup on an annual basis. Such charges shall constitute a lien on the property in question and, if not paid, shall be collected in the same manner as collection for delinquent taxes as provided by law. The Borough Tax Collector shall be directed to place a notation on any search for municipal liens conducted on the property in question that arrearages exist which must be paid before the property in question can be sold or otherwise transferred free and clear of said garbage charge.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 144 Solid Waste, Section §144-19 Preparation for collection and disposal be adjusted so the gallons and pounds of acceptable containers and bags

are current; and sub-section K removed and is hereby amended and supplemented to read in relevant part as follows:

§ 144-19. Preparation for collection and disposal.

Except as otherwise noted, all included and excluded users shall be subject to the following rules and regulations set forth within this section.

- A. Containers for garbage shall be provided by the owner, tenant, lessee or occupant of the premises and shall be maintained in a clean, safe and good condition. Any container that does not conform to the provision of this section or that may have ragged or sharp edges or any defect liable to hamper or injure the person collecting the contents thereof shall not be utilized. The collector shall have authority to refuse collection services for failure to comply herewith.
- B. Appropriate containers.
 - (1) The containers shall be galvanized of plastic composition, shall not exceed thirty two (32) gallons in capacity, shall be no heavier than fifty (50) pounds when filled, shall have a lid or cover and shall have two sturdy handles.
 - (2) Plastic bags not less than two mils thick nor larger than thirty two (32) gallons may be used if properly tied, and shall be no heavier than fifty (50) pounds.
- K. (Reserved.)

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 144 Solid Waste, Section §144-21 be amended to update the title to Municipal Administrator and is hereby amended and supplemented to read in relevant part as follows:

§ 144-21. Restrictions on collectors.

- B. All solid waste collection contractors shall comply with the ordinances of the Borough and rules and regulations and orders of the Municipal Administrator, as well as all applicable state, county and federal laws and regulations.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter 144 Solid Waste, Section §144-23 be amended to update the title to Municipal Administrator and is hereby amended and supplemented to read in relevant part as follows:

§ 144-23. Violations and penalties; enforcement. [Amended 3-15-1995 by Ord. No. 95-1; 7-8-02 by Ord. No. 02-23]

- B. This article shall be enforced by the Municipal Administrator or the Health Officer or any of their authorized representatives or any Mount Arlington Police Officer.

BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the Borough Code Chapter A210 of the Borough Code, entitled

"Fees", for Chapter 144, Solid Waste, Section §144-17, is hereby amended and supplemented to read in its entirety as follows:

Chapter 144, Solid Waste

§ 144-17A

Disposal of garbage	\$75.00 per quarter
for 1-, 2-, 3-,	per dwelling unit
and 4-family residence	

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 3. 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 separable.

SECTION 4. This Ordinance shall take effect upon final publication as provided by law.


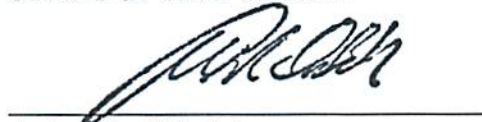
I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on August 6, 2013 and will be further considered after a Public Hearing held on September 3, 2013 at the Municipal Building at 7:00 P.M.

INTRODUCED:

PUBLISHED:

ATTEST:

BOROUGH OF MOUNT ALRINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY


Linda DeSantis, Borough Clerk
Arthur Ondish, Mayor

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