

**TOWNSHIP OF MANALAPAN
ORDINANCE NO. 2009-25**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE MUNICIPAL CODE OF THE TOWNSHIP OF MANALAPAN
CHAPTER 198, SOLID WASTE, ARTICLE II, "RECYCLING"**

BE IT ORDAINED by the Township Committee of the Township of Manalapan, County of Monmouth, and State of New Jersey that Chapter 198, Article II, Recycling be and is hereby amended and supplemented and renumbered as follows:

(Text added is underlined, deleted text is [*bracketed*])

Section I.

§ ARTICLE II, Recycling

§ 198-7. Purpose. NO CHANGE

§ 198-8. Mandatory Recycling Program Established

Delete in its entirety and replace:

- A. On or after October 1, 1987, or other date promulgated by the County of Monmouth, the Township of Manalapan hereby established a Mandatory Recycling Program.
- B. On and after March 12th, 2009 or other date promulgated by the County of Monmouth for commencement of mandatory recycling, it shall be mandatory for all owners, lessees and occupants of business and industrial property and of private and governmental institutions and buildings to separate and place following materials in the appropriate containers at curbside or other designated areas in the manner and schedule as published: aluminum cans , tin & bi-metal cans, glass bottles & jars, pour able plastic containers (#1 & #2), newspaper, corrugated cardboard and clean mixed paper.
 - 1. The following bulky recyclables shall not be placed with trash for waste collection: concrete, asphalt, brick, block, tree parts (stumps and limbs that are 3 inch in diameter), metal appliances or other bulk metal items larger than one cubic foot and/ or five pounds.
 - 2. Leaves shall be kept separate from other vegetative waste, and may only be placed for collection the manner and scheduled as shall be designated

by the township. Grass clippings may not be placed with other materials for solid waste collection.

3. No liquids of any type may be placed with recyclables or solid waste for disposal. No chemicals, paints, pesticides, herbicides, reactive polishes or cleansers, cleaning or automotive products may be placed with recyclables or solid waste for disposal (“hazardous waste exclusion”)
4. All residents, businesses and institutions are required to separate and place recyclables in the appropriate rigid containers that are to remain covered at all times and prohibits the spilling, dumping, leaking or otherwise discharge from the containers, no plastic bags.
5. All apartments and other multi-family complexes, schools, businesses and institutions shall provide separate and clearly marked containers for use of residents, students, employees, customers or other visitors, for trash and various categories of recyclables: aluminum cans , tin & bi-metal cans, glass bottles & jars, pour able plastic containers (#1 & #2), newspaper, corrugated cardboard and clean mixed paper.
6. On and after the adoption of this article, and in accordance with existing state regulations (N.J.A.C. 14A:3-11), all service stations, oil retailers and motor vehicle re-inspection stations with used oil holding tanks shall accept up to five gallons at a time of used motor oil from individuals changing oil from cars, lawn mowers or motorcycles and shall post a sign informing the public that they are used oil collection sites.
7. No construction or demolition permits shall be issued for any property within Manalapan Township until after a Debris Management Plan for handling solid wastes and recyclables generated during such activity is issued. This Plan shall include the estimated number and types of containers to be used in the disposition of such materials. A deposit bond of \$500 shall be required upon issuance of a permit and held until such time as documentation is produced to the satisfaction of the Township Construction Official. The Construction Official shall have the discretion to grant exemptions to small quantity generators engaged in minor home improvements.

C. Limited Exemptions to Source Separation Requirements

1. Pursuant to N.J.S.A. 13:1E-99.16d and requirements found in the NJ State Solid Waste Plan, the Township Committee may exempt persons occupying commercial and institutional premises within its municipal boundaries from source separation recycling requirements, provided that the affected waste generator annually provides written documentation to the municipality of the total number of tons recycled

- (a) Appropriate forms shall be provided to those waste generators wishing to seek such source separation exemptions.
 - (b) A copy of any form submitted to the Township Committee shall also be provided to the County Recycling Coordinator for review and recommendation, prior to Municipal approval.
 - (c) Failure of the exempted business or institution to comply with municipal approval or reporting requirements, or to show letter of exemption to enforcement officers or recycling coordinator when requested, will expose the exempted waste generator to minimum base penalties of \$3,000.00 for each violation, as per N.J.A.C. 7:26A-10.3
2. Notwithstanding the specific statutory and regulatory requirements allowing exemptions to the general source separation requirements, generators and haulers of bulky waste from construction, renovation and demolition sites may mix the mandated bulky recyclables with bulky waste materials in a single container, without seeking specific exemption from the local municipal governing body, provided they can demonstrate the load of mixed bulky waste and recyclables was brought to a licensed Material Recovery Facility (MRF) with suitable arrangements for the recovery of mandated and other recyclables from the mixed waste (e.g. copy of dumping ticket from MRF disposal site).
- (a) Quantities of the Corrugated Cardboard boxes from windows, lighting fixtures, appliances and other items commonly delivered to construction or renovation projects are NOT to be included in bulky waste loads; this materials is difficult to separate if placed with other bulky waste, and must be handled and stored separately.
- D. Computer, computer monitors and related electronics hardware, as well analog or digital televisions, are prohibited from being placed with other solid waste for disposal. They can be placed in the proper containers at the Manalapan Township Recycling Center.

§ 198-9 Definitions

The following definitions shall be added and/or amended.

HIGH GRADE PAPER – Includes white and/or off-white stationary and photocopy, computer paper and mixed paper, including chipboard

PLASTIC – Includes pourable containers #1 and #2

WOOD WASTE – Stumps and limbs over three (3) feet long

§ 198-10 Recycling Coordinator

The following section shall be added to the ordinance.

A. through C. **NO CHANGE**

D. The Manalapan Township Recycling Coordinator shall be a Certified Recycling Professional (CRP).

[**§ 198-11 Rules and Regulations**] Delete in its entirety and replace:

§ 198-11 Recycling Coordinator Duties and Responsibilities

- A. The Recycling Coordinator, subject to the approval of the Township Committee, shall establish and promulgate reasonable rules and regulations as to the manner, days and times for collection, sorting, transportation, sale and marketing of recyclable material in order to encourage the preservation of material resources while minimizing the cost of the recycling program to the Township of Manalapan.
- B. The Recycling Coordinator shall also, prepare any annual reports as required by state or county agencies regarding local solid waste and recycling programs; review performance of local schools and municipal agencies in conducting activities periodic review of local residential and business recycling practices and compliance, review and recommend on local subdivision and site plan submittals and local construction and demolition projects for appropriate solid waste and recycling provisions, report to the Township Committee on the implementation and enforcement of the provisions of this ordinance, and other reports or responsibilities as may be requested by the Municipal Governing Body.

§ 198-12 Collection Methods

A. through B. **NO CHANGE**

C. Designated mandatory recyclables shall not be accepted for disposal at any solid waste disposal facilities within the County of Monmouth

§ 198-13 Collection by unauthorized persons prohibited. NO CHANGE

[§ 198-14 Direct disposal of recyclable material by residents.]

§ 198-14 Recycling Center

- A. The Manalapan Township Recycling Center located on 207 Route 522 shall accept newspapers, corrugated cardboard, mixed paper and glass/plastic pourable #1 and #2, metal bottles and cans, scrap ferrous and non ferrous metals, electronics and computer equipment.
- B. Businesses and institutions generating less than two (2) thirty (30) gallon containers of recyclables per week, shall have the option to use the Township Recycling Center, providing they register with the Township.

§ 198-15 Registration of recycling haulers and facilities. NO CHANGE

§ 198-16 Reporting Requirements

Shall be amended to add

- A. It shall be mandatory for all nonresidential establishments not served by the municipal recycling program and/or any hauler registered in accordance with **[§198-17] §198-15** to provide a record to the Township of Manalapan of the types and quantities of materials recycled. White receipts and/or letters on official company stationery should clearly describe the quantity and disposition of each material and shall be submitted to the municipality quarterly within 30 days following the closing of each quarter.

B. and C. **NO CHANGE**

§ 198-17 Violations and Penalties

A. through C. **NO CHANGE**

- D. Enforcement. A summons alleging a violation of this article may be issued by an official or employee of the Township of Manalapan, any law enforcement official, the Recycling Coordinator, the Code Enforcement Officer, and the Monmouth County Health Department or any civilian provided that the summons is issued pursuant to the Rules of the Court.

Section II

If any section, paragraph, subdivision, clause or provision of this ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

Section III

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

Section IV

This Ordinance shall take effect immediately upon final passage and publication according to law.

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and committee of the Township of Manalapan, in the County of Monmouth, New Jersey held on the 14th day of October 2009 and introduced and read by title and passed on the first reading. The Township Committee will further consider the same for the second reading and final passage thereof at a meeting to be held on the 10th day of November 2009 at the Municipal Complex, 120 Route 522 & Taylors Mills Road, Manalapan, New Jersey at 8:00 p.m. at which time and place a public hearing will be held thereon by the Township Committee and all persons and citizens in interest shall have an opportunity to be heard concerning same. The proposed Ordinance in its entirety is on file in the Municipal Clerk's office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township website www.twp.manalapan.nj.us by clicking on the Ordinance title listed on the agenda posted for the Township Committee meeting of November 10, 2009.

Rose Ann Weeden, Clerk
Township of Manalapan