

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL
ORDINANCES OF THE CITY OF NEW BRUNSWICK
TITLE 8, "HEALTH AND SAFETY"**

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

Title 8, Chapter 8.40 "Solid Waste Collection and Disposal" is hereby amended in those sections noted to read as follows:

Chapter 8.40.020 Definitions.

"Containerized" means the placement of leaves in a biodegradable leaf bag to prevent the leaves from spilling or blowing out into the street and coming into contact with storm water.

"Residential Rental House" means a dwelling with four or less units.

"Waste paper products" means all uncontaminated paper material such as used newspaper, magazines, books, paper, cardboard boxes, wrapping paper, bags and discarded letters and envelopes.

Chapter 8.40.030 – Collections.

D. Automated Collection

7. Cardboard. Large quantities of cardboard can be flattened and tied no larger than 4' x 4' by 1' or flattened and placed neatly and secured tightly so as to secure the cardboard inside a 2' x 2' box.

E. Collection District Map.* Which may include designated businesses, houses of worship and designated residential units in the CCD as reflected on the map, which is attached to the ordinance codified in this section and is on file with the City Clerk as Schedule A.

*Automated collection has been extended to include:

- Easton Avenue up to Huntington Street
- George Street from Morris Street to Commercial Avenue
- Bayard Street and Paterson Street up to the railroad tracks

Chapter 8.40.040 – Regulations.

- C. 1. Each container shall have a capacity of not more than thirty-two (32) gallons. Plastic containers are recommended. Plastic disposal bags not less than three mils thick with a minimum of 13 gallon capacity are acceptable solid waste containers, provided they are properly tied and bound.
 - a. No residential solid waste container or bag weighs more than fifty (50) pounds when placed the curb for collection.
7. Glass containers, aluminum cans, plastic containers, steel cans, mixed paper, newspaper and small flat cardboard less than 12 inches can be comingled (mixed together) and placed loose in an open rigid container. Each collection container shall have a capacity of not more than thirty-two (32) gallons; a capacity of twenty (20) gallons is recommended. No residential recyclable material collection container shall weigh more than fifty (50) pounds when placed at the curb for collection. Placement of recyclable materials inside of a plastic bag is prohibited.
- F. Special materials, except for metal, demolition/construction/repair materials, and yard debris, may be placed at the curb for collection on the second trash collection day of the week, providing an appointment has been scheduled with the division of sanitation of the city prior to 1 p.m. the day before the scheduled collection.
 1. Equipment and bulk material shall have all doors or lids removed prior to placement at the curb for collection, providing the department of public works of the city has been notified by 1 p.m. the day before the scheduled collection. No residential user shall place for collection more than six combined bulk items and trash bags per dwelling unit on a given collection day with a maximum of thirty (30) items per residential multifamily complex.
5. All mattresses and box springs must be completely wrapped in plastic prior to collection.

Chapter 8.40.070 – Use of Litter Receptacles.

Litter receptacles and their servicing are required at the following public places which exist in the municipality, including: sidewalks used by pedestrians in active retail commercially zoned area, buildings held out for use by the public, including schools, government buildings and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service stations island; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat launching areas; public and private piers operated for public use; beaches and bathing areas; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses, and festivals. The proprietors of public places or the sponsors of special events are responsible for providing and servicing the receptacles such that adequate containerization is available.

Chapter 8.40.100 – Enforcement.

C. Failure to Observe Recycling Provisions. Any person, firm, or organization found guilty of placing mandatorily recyclable materials in the city's normal waste stream is subject to the following penalties:

1. First Offense. \$100.00
2. Second Offense. \$200.00
3. Third Offense. \$400.00
4. Fourth Offense. \$800.00
5. Upon the fourth conviction under this section, garbage pick-up service to the offender is suspended for a period of six months.
6. In addition to the foregoing penalties, where a container includes recyclable materials mixed with normal solid waste, the waste materials will not be collected.

D. Any person, firm, or organization found guilty of failing to comply with recycling procedures as set forth herein, is subject to the following penalties after the City of New Brunswick has made three (3) direct communication attempts under the Recycle Right program as set forth under section G below:

1. First Offense. \$75.00
2. Second Offense. \$150.00
3. Third Offense. \$300.00
4. Fourth Offense. \$500.00

A second or subsequent offense under this section shall require a mandatory court appearance.

E. This section is enforced by the director of public works and/or his or her designee, the sanitation inspector and the police department.

F. The Recycle Right program does not preclude the Middlesex County Improvement Authority (MCIA), The Middlesex County Division of Solid Waste Management (MCDSWM) or the private recycling collection contractor from rejecting and not collecting recyclable material that is contaminated or is placed inside of plastic bags at any time without prior notification.

G. The Recycle Right program includes:
Educational outreach via social media and printed material, as well as, inspection of curbside recyclable material on recycling collection days. When an infraction is identified, the City of New Brunswick will take the following steps:

1st Infraction:

The front door is posted indicating the type of infraction.

A letter is mailed to the property owner informing them of the infraction and what steps they should take to remedy the problem.

A recycling instruction flyer is mailed to each residential unit at the time of the 1st infraction.

2nd Infraction:

The front door is posted indicating the type of infraction

A letter is mailed to the property owner informing them of the 2nd infraction and what steps they should take to remedy the problem

A flyer informing the occupants they must use an open rigid container, not a bag to contain recyclable material, is mailed to each residential unit at the time of the 2nd infraction if utilizing bags as a container was the issue.

3rd Infraction:

The front door is posted indicating the type of infraction.

A rejection sticker is posted on bags of recycling or contaminated recycling and recyclables are not collected.

A letter is mailed to the property owner informing them of the 3rd infraction that rejected recycling was not collected and that their property is then referred for enforcement.

Chapter 8.40.110 – Mandatory Recycling.

- E. 5. Newspapers. All newspapers shall be separated from other residential waste and placed at the curb inside an open rigid recycling container comingled with glass, aluminum cans, steel cans, and plastic containers and placed for collection on specific days scheduled by the department of public works.
- 6. Corrugated Cardboard. Corrugated cardboard is flattened and securely tied with string in bundles not more than four (4) feet x four (4) feet x one (1) foot in thickness and placed at the curb for collection on specific days scheduled by the department of public works. Under no circumstances is corrugated cardboard containers used as receptacles for any other type of solid waste. Small flat cardboard less than 12 inches can be comingled with recyclable material in an open rigid recycling container.
- 7. Mixed Paper. Mixed paper shall be separated from other residential waste and placed in a rigid container and placed for collection at the curb on specific days scheduled by the department of public works and can be comingled with other loose recyclable material.
- 8. Textiles. Textiles shall be recycled at drop boxes designated to support charities.
- 16. Electronics: Televisions, CPUs, computers, monitors, laptops and printers shall be taken by residents to the designated e-waste recycling drop-off location.
- F. 1. Electronics: televisions, CPUs, monitors, laptops, printers, fax machines, and mercury-containing devices.

Chapter 8.40.120 – Commercial Compliance.

Each residential rental house shall be provided with, at minimum, one (1) designated 20 gallon open rigid recycling container for each residential dwelling unit by the property owner.

SECTION II

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:
DATED: March 06, 2019



COUNCIL PRESIDENT

ADOPTED ON SECOND READING:
DATED: March 20, 2019



COUNCIL PRESIDENT

I, Leslie R. Zeledon, City Clerk of the City of New Brunswick, NJ, do hereby certify the foregoing Ordinance is a true copy of the Original Ordinance adopted on second and final reading at a regular meeting of the New Brunswick City Council at its meeting on:
Leslie R. Zeledon
MARCH 20, 2019
Leslie R. Zeledon, City Clerk
Any reproduction of the Original Ordinance must contain the raised seal of the City of New Brunswick to be legally certified

COUNCILMEMBER	Y	N	NV	AB	COUNCILMEMBER	Y	N	NV	AB
EGAN	X				SICCHIAFFELLO				X
M	X				ANDERSON Pres	X			
ISCUAR	X								
FLEMING	S								

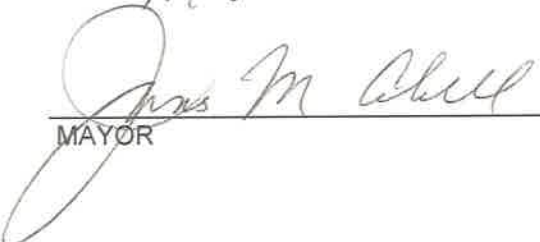
COUNCILMEMBER	Y	N	NV	AB	COUNCILMEMBER	Y	N	NV	AB
EGAN	X				ANDERSON Pres	X			
M	X								
ISCUAR	X								
FLEMING	X								

FIRST READING VOTE ON MARCH 06, 2019 M= MOVED S= SECOND NV= NO VOTE AB= ABSENT

ATTEST:


CITY CLERK

APPROVAL OF THE MAYOR ON THIS 22nd DAY OF March, 2019.


MAYOR

APPROVALS:


CITY ADMINISTRATOR


CITY ATTORNEY

TKS/kc