

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE  
CITY OF NEW BRUNSWICK,  
CHAPTER 8.40, "SOLID WASTE COLLECTION AND DISPOSAL."**

**BE IT ORDAINED**, by the City Council of the City of New of New Brunswick,

**SECTION I**

Section 8.40.020, entitled "Definitions" shall be amended to delete the following 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.

"Equipment and bulk material" means furniture, box springs, trunks, ceramics and other material similar in mass, but shall not include white goods (household appliances), scrap metal, tires, metal pipes, motor parts, batteries or other machinery.

"Litter" refers to and includes any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, or any top, cap, or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material but does not include the waste of the primary processes of mining or other extraction processes, logging, saw milling, farming or manufacturing.

"Plastic containers" means soda bottles made of PETE (SPI code #1) and milk, water and laundry product bottles made of HDPE (SPI code #2).

"Special materials" means all materials acceptable for collection which, because of their weight or dimensions cannot be placed in solid waste containers for collection

"White goods" means household appliances.

**SECTION II**

Section 8.40.020, entitled "Definitions" shall be amended to include the following 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.

"Equipment and Bulk Material" means all materials acceptable for collection which, because of their weight or dimensions cannot be placed in solid waste containers for collection, and shall include, but not be limited to the following: furniture, mattresses, box springs, trunks, dressers, toilets and other material similar in mass, but shall not include household appliances, scrap metal, tires, metal pipes, motor parts, batteries or other machinery.

"Household Appliances" means any device intended for domestic use that requires installation, including refrigerators, freezers, hot water heaters, dishwashers, disposals, air conditioners, water heaters, kitchen stoves, washing machines, clothes dryers, trash compactors, and any other household appliance that is not an electrical appliance or device such as a hot water heater. For purposes of this definition, "household appliances" does not include items that are not required to be installed, such as toasters, mixers, blenders, can openers, food processors, and other items that are considered to be small household appliances that do not require installation.

"Litter" refers to and includes any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, or any top, cap, or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material.

"Plastic Containers" means food or beverage bottles made of PETE (SPI code #1) and milk, water and laundry product bottles made of HDPE (SPI code #2).

**SECTION III**

Section 8.40.040 shall be amended to delete the following:

1. 8.40.040(C)(6).
2. 8.40.040(C)(7)

**SECTION IV**

Section 8.40.040C shall be amended to include the following new subsections:

6. Any solid waste container or recycling receptacle which may be stored or placed in the front or on the side yard of any property, including those properties that are corner lots, must be stored or placed inside an enclosure which fully protects it from the pedestrian traffic or must be screened by opaque fencing or shrubbery to the height of such container.
7. Glass containers, aluminum cans, plastic containers, steel cans, mixed paper, newspaper and small flat cardboard less than twelve (12) inches can be commingled (mixed together) and placed loose in an open rigid recycling 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.

**SECTION V**

Section 8.40.040 shall be amended to delete 8.40.040F in its entirety:

**SECTION VI**

Section 8.40.040 shall be amended to include a new subsection F, to read as follows:

F. Bulk items, 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 one p.m. the day before the scheduled collection.

1. Bulk items and household appliances 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 one p.m. the day before the scheduled collection. No residential user shall place for collection more than six (6) 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. A maximum of six (6) trash cans/bags or bulk items will be collected per unit.

2. No metal or demolition/construction/repair/ construction material is placed at the curb for collection by the city unless the resident or entity disposing of such material first obtains permission from the director of public works. Upon application by such resident or entity, the director shall render a decision whether or not the material is acceptable for disposal in a landfill or must be disposed of by private removal of which a resident or entity must pay a separate charge.

3. All contractors performing tasks generating building and site debris shall arrange for its prompt removal by private carting firms. Each contractor shall, contemporaneous with his or her application for a building permit, submit to the construction official a satisfactory plan for the disposal of any and all debris which may be generated by the activity for which the building permit is sought. Failure to submit such plan is sufficient cause for withholding or revocation of a building permit.

4. Household Appliances. Household appliances shall be placed at the curb only when scheduled in advance with the department of public works. All doors and/or lids must be removed prior to placement at the curb for collection.

5. All mattresses and box springs must be completely wrapped in plastic prior to collection

**SECTION VII**

Section 8.40.110 shall be amended to include a new subsection G, to read as follows:

G. No recyclable materials may be placed in a plastic bag for collection.

**SECTION VIII**

Section 8.40.110E shall be amended to include new subsections 17 and 18, to read as follows:

17. No items other than aluminum cans, steel cans, plastic containers, newspaper, corrugated cardboard, or mixed paper shall be placed inside of any recycling receptacle.
18. Plastic bags shall not be commingled with any mandated recyclables nor placed inside any recycling receptacle.

**SECTION IX**

Section 8.40.120C shall be deleted.

**SECTION X**

Section 8.40.120 shall be amended to include a new subsection C to read as follows:

- C. The owner/operator of a commercial facility shall submit or cause to be submitted to the municipality on a yearly basis a report of the materials recycled by weight. The report shall be submitted to the City's recycling coordinator by March 1<sup>st</sup> each year for the prior calendar year.

**SECTION XI**

Section 8.40.140A shall be amended to include the following new subsections (7) and (8) and (9) to read as follows:

7. Any solid waste container or recycling receptacle which may be stored or placed in the front or on the side yard of any property, including those properties that are corner lots, must be stored or placed inside an enclosure which fully protects it from the pedestrian traffic or must be screened by opaque fencing or shrubbery to the height of such container.
8. Glass containers, aluminum cans, plastic containers, steel cans, mixed paper, newspaper and small flat cardboard less than twelve (12) inches can be commingled (mixed together) and placed loose in an open rigid recycling 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.
9. No recyclable materials shall be placed inside a plastic bag.

**SECTION XII**

**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 XIII**

**REPEALER:**

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

**SECTION XIV**

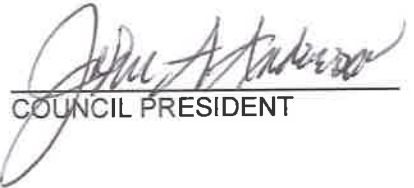
**EFFECTIVE DATE:**

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

ADOPTED ON FIRST READING :  
 DATED: October 2, 2019

  
 COUNCIL PRESIDENT

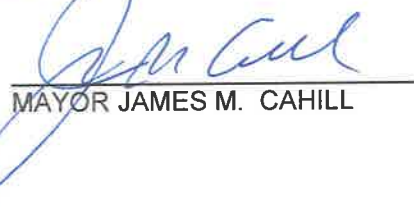
ADOPTED ON SECOND READING  
 DATED: October 16, 2019

  
 COUNCIL PRESIDENT

ATTEST:

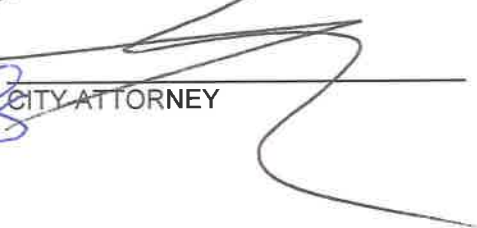
  
 City Clerk

APPROVAL OF THE MAYOR ON THIS 18<sup>th</sup> DAY OF October, 2019.

  
 MAYOR JAMES M. CAHILL

APPROVALS:

  
 BUSINESS ADMINISTRATOR

  
 CITY ATTORNEY

I, Leslie R. Zeldin, 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: **OCTOBER 16, 2019**  
*Leslie R. Zeldin*  
 Leslie R. Zeldin, City Clerk  
 Any reproduction of the Original Ordinance must contain the raised seal of the City of New Brunswick to be legally certified.

COUNCIL MEMBER	Y	N	AB	NV	N	NV	AB
EGAN	X						
SCORALDOWIG	X						
ANDERSON, PRES	X						
FLEMING, S	X						

COUNCIL MEMBER	Y	N	AB	NV	N	NV	AB
EGAN	X						
SCORALDOWIG, APM	X						
ANDERSON, PRES	X						
FLEMING, S	X						

FIRST READING-VOTE ON OCTOBER 2, 2019    APM=MOVED    S=SECOND NV=NOVOTE AB=ABSENT