

Chapter 302. Solid Waste

Article V. Construction Dumpsters

[Adopted 8-11-2004 by Ord. No. 04-11 (Sec. 22-5 of the 2002 Revised General Ordinances)]

§ 302-27. Restrictions.

No person, as herein defined, shall place or permit to be placed in any public area, as herein defined, in the Township of Clark a construction dumpster or similar container commonly used for the collection of building materials, except in compliance with this article.

§ 302-28. Definitions.

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

DUMPSTER

A container or debris-transfer body commonly used for the placing or collection of debris and building materials during construction or renovation.

ENFORCEMENT AUTHORITY

The Construction Code Official of the Township of Clark, who shall be the person authorized to issue licenses hereunder. The Clark Department of Public Safety shall be authorized to issue summonses for any violation hereof.

PERSON

Includes any person, firm, partnership, association, corporation, company, organization or entity of any type.

PUBLIC AREA

Includes any public street, sidewalk, highway, lane, alley, parking lot or other public place in any zone within the Township.

RESIDENTIAL ZONE

Any residential zone as defined in Chapter 195 of the Code of the Township of Clark.

§ 302-29. Permit required; placement; removal; maintenance.

- A. No person shall place or utilize a dumpster or permit a dumpster to be placed or utilized in a public area in the Township of Clark without first having obtained a permit therefor. Permits will be issued for an initial thirty-day time period and may be extended for subsequent thirty-day time periods, subject to approval of the Department of Public Safety.
- B. Dumpsters may be placed in public areas only upon the determination of the Department of

Public Safety that there is no safe or practical place where the dumpster may be placed other than in the public area.

- C. All dumpsters placed in public areas are required to comply with the following conditions:
 - (1) Planking or other wood sheeting of sufficient size is required to be placed under the wheels or road contact areas to protect the roadway from damage. If the dumpster has wheels, they must be chucked to prevent movement.
 - (2) All roll-off dumpsters and containers shall be equipped with and display such markers and warnings as may be required by the provisions of N.J.S.A. 27:51-1.
 - (3) No dumpster shall be permitted in a public area, the placement of which interferes with the free and safe flow of traffic or which otherwise stands in a hazardous location.
 - (4) Dumpsters shall not be permitted to be placed in a public area on certain holidays, sale days and special event days that occur from time to time during the year.
- D. Upon removal of the dumpster, the public area shall be swept clean of all loose debris and restored to its former condition in accord with the standards of the Township Engineering Department.
- E. All dumpsters shall at all times be kept in good repair and shall be structurally sound and leakproof and be painted as to prevent the show of rust or deterioration and shall be constructed to stand firmly upright.
- F. Temporary dumpsters may only be allowed on private property in conjunction with a valid building permit or authorization and must be removed prior to final inspection and the issuance of a certificate of occupancy. Under no circumstances will a dumpster be permitted to remain on the property for a period of more than 10 days after completion of work, expiration of building permits or upon order by a municipal official.

§ 302-30. Violations and penalties; enforcement.

- A. Each day that a dumpster is placed or utilized in violation of the terms of this article shall constitute a separate offense. Each offense hereunder shall be punishable by a minimum fine of \$50.
- B. This article shall be enforced by the Construction Code Official of the Township of Clark.