

ORDINANCE 2021-09

AN ORDINANCE AMENDING CHAPTER 276, ARTICLE II OF THE EXISTING LINDENWOLD ORDINANCE FOR SOLID WASTE UTILITY FOR THE ADDITION OF VEGETATION

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, it has been determined that there is a need for the addition of codes relating to the collection and container for vegetative yard waste.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold wishes to add to the following sections of Chapter 276, Article II as follows

Article II
Solid Waste and Recyclable Collection Program

§ 276-5 Definitions.

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

VEGETATIVE YARD WASTE COLLECTION

The **Weekly** collection of brush, tree parts, grass clippings and garden recyclables placed in Borough issued Carts. (Shall not mean dirt or soil.)

The **Monthly** collection of bulk brush and tree parts. (Shall not mean dirt or soil.)

VEGETATIVE YARD WASTE CONTAINER

A specially designed wheeled black ninety-six-gallon container with green lid issued by the Borough to its residents to accommodate the automated collection operation to be used for the deposit, disposal, and collection of weekly yard waste. These containers shall remain the property of the Borough.

§ 276-6 Intention.

It is the intention of the Borough to provide automated curbside solid waste and automated recycling collection to residential users. Automated curbside collection does not apply to certain multifamily structures that are located in areas that have been deemed unsuitable for the automated curbside collection process.

A. Residential curbside solid waste must be properly placed into Borough-issued black ninety-six-gallon solid waste cart containers with the wording "trash only" on the black lid, Residential recyclables must be properly placed in black ninety-six-gallon cart containers with the wording "recycling only" on the blue lid and Residential weekly yard waste must be properly placed in black ninety-six-gallon cart containers with the wording "yard waste only" on the green lid. Carts shall not exceed the container's 335-pound container rating. These containers must be placed in the roadway within three feet from the curb and within the limits of the residence.

(1) Where the residence lies within an area deemed unsuitable for automated pick-up (multifamily structures), residents shall use approved dumpster containers and follow the same regulations.

B. It is the responsibility of all residential users and nonresidential users to ensure source separation of recyclable material from solid waste, as set forth in this chapter.

C. Such waste must be generated within the premises collected.

D. Waste must conform to all other requirements specified by the Borough.

§ 276-7 Collection schedule.

The Mayor and Council or designee shall have the authority to establish, alter or amend the schedule for the collection of residential solid waste and recyclables.

A. Holidays. There will be no collection on Borough holidays.

B. Recyclables. Recyclable materials, shall be collected one time per week. Additional collections will be provided for a fee, which is outlined in Chapter **150** (additional solid waste removal).

C. Solid waste. Solid waste shall be collected at no additional charge one time per week. Additional collections will be provided for a fee, which is outlined in Chapter **150** (additional solid waste removal).

- D. Time and placement for collection. Residents shall only use areas suitable for curbside solid waste, yard waste, and recyclable collection, and shall not be permitted to place solid waste, yard waste, and recyclables at the collection point earlier than 4:00 p.m. on the evening before the scheduled collection day for that location. Thereafter, empty containers shall be removed from curb no later 8:00 p.m. after the regular collection day for that location. All solid waste, yard waste, and recyclables must be placed at the collection point prior to 6:00 a.m. on the scheduled collection day.

§ 276-8 Mandatory source separation requirements; exemption.

- A. Within the Borough of Lindenwold, it shall be mandatory for all residential users, and nonresidential users, which shall include but not be limited to retail and other commercial locations, as well as government, school and other institutional locations within the Borough of Lindenwold, to separate designated recyclable materials from all solid waste. Designated recycling of paper, cardboard, glass, metal and aluminum cans, plastics, motor oil and yard waste and e-waste recyclables materials shall be deposited separate and apart from other solid waste generated by the owners, tenants or occupants of such premises.
- B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16d, the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requiring persons generating municipal solid waste within its municipal boundaries to source-separate from the municipal solid waste stream the specified recyclable materials, if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this section, a commercial or institutional generator of solid waste shall file an application for exemption with the Municipal Recycling Coordinator. The following information is needed: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Municipal Recycling Coordinator of the total number of tons collected and recycled for each designated material.
- C. Violations. It is a violation of this section for the residential user and/or nonresidential property owner to fail to properly separate recyclables and yard waste from solid waste.
- D. Penalties/Remedies. See § 276-9.

§ 276-9 Points of collection.

- A. All Borough-issued black ninety-six-gallon solid waste cart containers with the wording "trash only" on the black lid, Borough-issued black ninety-six-gallon recycling cart containers with the wording "recycling only" on the blue lid and the Borough-issued weekly yard waste must be properly placed in black ninety-six-gallon cart containers with the wording "yard waste only" on the green lid. Are to be placed in the roadway within the limits of the residence. Cart containers must be placed at least 10 feet from any motor vehicle and no more than three feet in front of the curb or edge of the roadway, and maintaining a minimum of three feet of spacing between containers and any other obstructions which may be present in the roadway. When placed in the roadway, carts should be situated in a manner by which the handles of the carts are facing the front of the residential structure and the arrow on lid facing the roadway.
- B. A second black ninety-six-gallon solid waste cart container with the wording "trash only" on the black lid and/or a second black ninety-six-gallon solid waste cart container with the wording "recycling only" on the blue lid (maximum of two solid waste/recycling cart containers per residence) may be requested, however, there is a one-time fee associated with this service, which is outlined in Chapter 150 (additional solid waste/recycling cart container). The solid waste/recycling cart container will remain property of the Borough, and will be subjected to all of the same rules and regulations of the Borough concerning solid waste/recycling cart containers. There will be no sale of additional yard waste containers.
- C. Only one collection point shall be permitted per residential user. In the case of corner lots, solid waste,

recyclables and yard waste shall be placed at the curbside of an improved roadway which is most convenient to the collection vehicle or as directed by the Public Works Superintendent.

- D. The Public Works Superintendent has the right to designate collection points located on dead-end and one-way streets, which provide the most efficient and safe route to accommodate automated solid waste, yard waste, and recyclables collection.
- E. No collection of solid waste, yard waste, or recyclables will be provided to dwellings under construction, dwellings being remodeled, vacant or unoccupied dwellings, vacant lots or vacant lands or those properties/residences without a valid certificate of occupancy.
- F. Dumpster collection of multifamily dwellings will be collected at the designated collection points on the scheduled day(s) set forth by the Public Works Superintendent. Optional additional collections will be provided for a fee, which is outlined in Chapter **150** (additional solid waste removal). Contracts and payments must be made for entire year by January 1 and are nonrefundable.

§ 276-11 Preparation of recyclable materials for curbside collection.

All residential recyclable material, including yard waste, shall be placed for collection according to the following minimum standards:

- A. Preparation of residential recycling, shall be placed into Borough-issued black ninety-six-gallon solid waste cart containers with the wording "recycling only" on the blue lid, which are property of the Borough and are the responsibility of the homeowner to maintain in a safe and sanitary manner. When placed curbside, the container lid should be closed shut and nothing protruding from the top opening of the container. It is the responsibility of the homeowner to report any damage to the container which would threaten to hinder its use effectively for the purpose of solid waste collection. In all instances, it is the responsibility of the resident to ensure that all possible precautions are being taken to protect the solid waste containers and any contents from vermin, insect, and other animal intrusions.
 - (1) Single stream recycling. Newspaper, corrugated cardboard, phonebooks, chipboard paperboard boxes, beverage cartons, cardboard beverage carriers, paper bags, file folders, office paper and paper towel rolls, paperback books, magazines, brochures, inserts, greeting cards, regular and junk mail, aluminum and metal cans, #1, #2, #4, #5 and #7 plastic bottles, steel bottle caps and metal jar lids, shall be placed together in the Borough issued black ninety-six-gallon recycling cart containers with the wording "recycling only" on the blue lid provided by the Borough.
 - (2) All containers must be empty and rinsed, plastic lids and caps must be removed.
 - (3) No plastic bags are to be placed in recyclable containers.
 - (4) Loose recyclables placed outside the cart or bucket is prohibited.
- B. Appliances/scrap iron/white goods, as defined above, are collected on a scheduled day one time per week. Residents must call the Department of Public Works to schedule collection of these items on a weekday assigned.
- C. Concrete/asphalt, as defined above, are collected on a scheduled day one time per week. Residents must call the Department of Public Works to schedule collection of these items on a weekday assigned. These items must be neatly stacked at curbside or contained for collection (100 pounds maximum).
- D. Stumps and logs, as defined above, are collected on a scheduled day, one time per week. Residents must call the Department of Public Works to schedule collection of these items on a weekday assigned. These items must be 12 inches diameter or larger and/or over 50 lbs. per log and be neatly stacked curbside.
- E. Vegetation/yard waste collection, as defined above, are collected on a scheduled day, one time per week only January through October.
 - (1) Weekly Yard Waste, grass clippings, leaves, vegetative waste from lawns/flower beds and tree brush/shrubs able to fit in the Borough issued cart container only. Items shall be placed into the Borough-issued black ninety-six-gallon solid waste cart containers with the wording "Yard Waste Only"

on the green lid, which are property of the Borough and are the responsibility of the homeowner to maintain in a safe and sanitary manner. When placed curbside, the container lid should be closed shut with nothing protruding from the top opening of the container. It is the responsibility of the homeowner to report any damage to the container which would threaten to hinder its use effectively for the purpose of Yard Waste collection.

- (2) Monthly Bulk Brush Collection, tree brush/shrubs that is unable to fit in the weekly yard waste container. Not to consist of more than one pile of vegetation/yard waste, not to exceed two cubic yards will be collected per residence. Yard waste must be placed curbside, behind or beside the solid waste and recycling containers, a maximum of four feet behind the curb or edge of the roadway, in front of the residential structure. No individual item bundle shall weigh in excess of 50 pounds. Larger branches and limbs shall be cut into four-foot lengths and securely tied in bundles with total weight not in excess of 50 pounds. Recyclables shall not be mixed with solid waste. Commingling of solid waste and recyclables is a violation and will be subject to a penalty described in § 276-8B.
- (3) Placement of all yard waste, including but not limited to grass clippings, leaves and brush in plastic bags for Borough collection is prohibited and will not be collected by the Borough. It is recommended that residents consider a "cut it and leave it" program where grass cuttings are left on the lawn.
- (4) Any yard waste generated from a commercial landscaper/lawn service contractor/tree removal contractor will not be collected by the Borough. Any landscaper/lawn service contractor/tree removal contractor performing services within the Borough shall remove all trimmings, branches, trees, stumps, grass cuttings and other waste materials generated from the services performed by them from the premises in which they service.
- F. Seasonal leaf collection. Municipal collection of leaves is limited to the months of November, December and first week of May only. Municipal collection schedules are annually identified by newsletter and development yard signs noting the week of collection. Sweeping, raking, blowing or otherwise placing leaves that are not containerized at the curb or along the street is only allowed during the 14 days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Leaf waste generated from a commercial landscaper/lawn service contractor/tree removal contractor will not be collected by the Borough. If such placement of leaves occurs, the party responsible for placement of the leaves must remove the leaves from the street or said party shall be deemed in violation of this section.
- G. Prohibited curbside recycling material: Electronics, motor oil, automotive batteries, CFLs, fluorescent lamps and household hazardous materials shall not be placed curbside and are to be brought to the Department of Public Works for recycling.

§ 276-13 Solid waste, recycling cart, and vegetative yard waste containers.

- A. Solid waste cart containers. All solid waste is to be placed into Borough-issued black ninety-six-gallon solid waste cart containers with the wording "trash only" on the black lid. Additional cart containers can be obtained for a fee, which is outlined in Chapter 150 (additional solid waste and recycling cart containers).
- B. Recycle cart containers. All recycling is to be placed into Borough-issued black ninety-six-gallon recycling cart containers with the wording "recycling only" on the blue lid. Additional cart containers may be obtained for a fee, which is outlined in Chapter 150 (additional solid waste and recycling cart containers).
- C. Yard waste containers. All weekly yard waste is to be placed into Borough-issued black ninety-six-gallon yard waste cart containers with the wording "yard waste only" on the green lid.
- D. Contents placed into the cart container shall not exceed the maximum rating of 335 pounds, and shall not have items protruding through the top side opening of the cart container which would prevent the lid from properly closing. It is the responsibility of the residential user to maintain the cart container in a clean, sanitary, and overall safe manner. Additionally, it is the residential user's sole responsibility to alert the Borough of damage to the cart container that prohibits the ability for the container to be effectively used for collection and disposal of materials.

- E. Borough-issued and any additionally requested cart containers are the property of the Borough of Lindenwold. Cart containers assigned to every address must remain with the property at all times. If the property is transferred or sold, the cart container shall stay with the property, otherwise the cart container will be considered stolen and reported to the authorities.
- F. The containers shall not be defaced, marked, or painted upon. Every cart container is registered and recorded with a serial number and no other identification is necessary. If the serial number is unknown, it can be obtained by calling the public works during regular business hours. Defacement of the container in any way shall cause the responsible party to incur the cost of replacing the container.
- G. Storage of cart containers. All cart containers stored outside residential buildings shall be placed behind the extended front face of the structure. Cart containers shall be concealed to the extent that they are not visible from the public right-of-way or adjacent properties.
- H. Regular cans and/or carts purchased privately cannot be used with the automated solid waste, yard waste, or recycle collection system. Plastic disposal bags, grocery bags shall not be considered acceptable solid waste containers and are thereby also prohibited.
- I. Spill. Residential users shall remove any solid waste spilled by animals or vandals as a result of defective or inadequate lids on cart containers.
- J. Vermin/animals. All cart containers should be stored and placed for collection in such a way so as to discourage intrusion by vermin and animals.
- K. Placement of cart containers. See §§ [276-7](#) and [276-9](#) for permitted schedule of cart containers and placement at the collection point.

INTRODUCED: June 9, 2021

ADOPTED: July 14, 2021

Richard E. Roach, Jr.
Mayor

Deborah C. Jackson
Borough Clerk