

## Chapter 118: RECYCLING

[HISTORY: Adopted by the Township Committee of the Township of Sandyston 7-6-1993 by Ord. No. 5-93. *Editor's Note: This ordinance also superseded former Ch. 79, Garbage, Rubbish and Refuse, Art. I, Separation of Used Materials, adopted 4-7-1988 by Ord. No. 4-88. Amendments noted where applicable.*]

### GENERAL REFERENCES

Solid waste — See Ch. 173.

### § 118-1. General definitions.

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

**BULKY WASTE** — All mixed waste from construction and demolition sites, tires, white goods, furniture, tree stumps, scrap metals, pipes, wiring, Sheetrock, concrete, asphalt, asbestos, etc., classified as Waste Type No. 13.

**COLLECTION** — Curbside collection (private or municipal service) and/or municipal depot for designated recyclable materials.

**DESIGNATED RECYCLABLE MATERIALS** — All materials selected for recycling which are named in the approved Sussex County District Recycling Plan.

**MUNICIPAL SOLID WASTE** — New Jersey Department of Environmental Protection and Energy classified as Waste Type No. 10 which consists of food waste, scrap paper, plastics, glass, ceramics, etc., from homes, restaurants, commercial, industrial and institutional establishments.

**REPORTING** — Recording and maintaining documentation (weight slips and facility identification) for designated materials and other recyclable materials generated within the municipality and filing necessary reports to the county and state as required.

**SOURCE SEPARATION** — The act of separating from disposable trash, at the point of generation, materials which can be effectively recycled or reused, as a means of reducing the overall waste for disposal.

**TRANSPORTER** — Those persons conveying source-separated recyclable materials to either in-state or out-of-state recycling centers and manufacturers for the purpose of processing, manufacturing or marketing.

### § 118-2. Class A material definitions.

As used in this chapter, the following Class A materials shall be defined as follows:

**ALUMINUM CANS** — Food and beverage containers made entirely of aluminum.

**CORRUGATED** — Domestic corrugated cardboard used for shipping, made of sturdy layers of kraft-type paper with a zigzag layer between. (Foreign corrugated is yellow/green in color and usually has shredded paper and fiber between the paper layers.)

**DRY-CELL BATTERIES** — Batteries used for radios, watches, recorders, toys, etc. (i.e., AAA through D).

**GLASS** — All glass bottles, jars and jugs in flint, green and amber color. This does not include window glass, drinking glass, crystal, pottery, ceramic, glass dinnerware, glass cookware, glass ovenware (tempered glass) and similar glassware items.

**GRASS CLIPPINGS** — Grass clippings derived from the mowing of lawns and other grassy areas.

**HDPE PLASTIC BOTTLES** — Bottles bearing the triangular recycling symbol surrounding a number "2" and the letters "HDPE" below. This shall include dairy jugs, water, juice and pigmented detergent containers, etc., with the exception of containers used for motor oil or antifreeze. Also not included are any other containers not in bottle form.

**LEAVES AND BRUSH** — Leaves, brush and other yard trimmings, excluding grass clippings from homes, institutions, commercial or industrial sources.

**MAGAZINES AND JUNK MAIL** — Includes catalogs, weekly and monthly publications, junk mail, manila envelopes, window envelopes, file folders and similar items, excluding telephone books and newspaper or newsprint.

**MIXED OFFICE PAPER** — Items listed in the computer printout/white ledger category when mixed with envelopes, manila folders and colored paper. Material is generated by commercial/institutional sources.

**NEWSPAPER** — All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Paper Institute Grade Nos. 6, 7 and 8 news).

**OFFICE PAPER** — Consists of computer paper (white bond and green bar), stationery, envelopes (without windows), etc.

**OLD CLOTHING/TEXTILES** — This consists of any old clothing or cloth materials, such as draperies, blankets, sheets, etc., and similar items.

**PETE PLASTIC BOTTLES** — PETE plastic soda and similar beverage bottles are bottles bearing the triangular recycling symbol surrounding a number "1" and the letters "PETE" below. Not included are microwave plates or other containers.

**TIN AND BIMETAL CANS** — Food and beverage cans only. These cans are generated through residential, commercial and institutional sources. "Tin and bimetal cans" does not include paint cans, aerosol cans or any similar container used for a nonfood source.

**USED MOTOR OIL** — A petroleum based or synthetic oil, which use includes but is not limited to lubrication of internal combustion engines and which, through use, storage or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. This does not include brake fluid, transmission oil or antifreeze; none of these items should be combined with used motor oil.

### **§ 118-3. Other recyclable materials (Class B).**

- A. Any residential, commercial or institutional site must provide documentation to the Municipal Recycling Coordinator as to the type of material, weight of the material and the location where the material was taken for the purpose of recycling. Material must be source separated at the site prior to transportation. The following materials are acceptable for recycling:

Tires	Concrete
Asphalt	Asphalt roofing shingles
Wood scraps	Wood pallets
Tree stumps/parts	Aluminum siding
Ferrous metal	Nonferrous metal
White goods	Automobile scraps
Other plastics	Other glass
Petroleum-contaminated soils	Antifreeze
Lead acid batteries (auto)	Food scraps

- B. The list above in no way limits anyone to only these materials. Any other materials which can be recycled and are marketed for such, with proper documentation, shall be included.

#### **§ 118-4. Collection.**

- A. Upon the effective date of this chapter, it shall be mandatory for all persons who are owners, lessees and occupants to separate recyclables from all other solid waste produced by any such residences and nonresidences and to bundle the same recyclables for collection and recycling.
- B. All private haulers in Sandyston Township shall report all violations to the Code Enforcement Officer, who is authorized to enforce this chapter. Residents who do not have recyclable pickup by a private hauler may take their recyclables to SCMUA, 34 Route 94 South, Lafayette, New Jersey, so long as Sussex County provides such service. Leaves will be picked up by the Sandyston Township Road Department on the first, second and third Monday in October of each year. Leaves must be contained securely in plastic garbage bags and placed curbside. The Road Department will then transport same to a licensed leaf composting facility. **[Amended 7-1-2003 by Ord. No. 3-03; 7-11-2006 by Ord. No. 6-06]**
- C. Separation and placing for removal. The occupant or owner of any building within the Township of Sandyston who shall place for disposal, removal or collection the following items shall do so in strict conformity with the following regulations:
  - (1) Newspaper shall be bundled separately and secured in bundles, crosstied, not to exceed 50 pounds.
  - (2) Glass shall be cleaned and/or rinsed, all tops removed.
  - (3) Aluminum and bimetal cans shall be rinsed.
  - (4) Magazines and junk mail shall be bundled separately, crosstied and secured in bundles not to exceed 50 pounds.
- D. The aforementioned regulations shall be promulgated and effective not later than 30 days from the date hereof. Within 30 days from the date of the promulgation and publication of said regulations, the Township Committee may, by majority vote, change, modify, repeal or amend any portion of said rules and regulations.

#### **§ 118-5. Commercial, industrial and institutional recycling.**

- A. The commercial, industrial and institutional operations within the municipality must comply with the recycling responsibilities for all of the designated materials, as noted in § 118-2 of this chapter if, in fact, they generate it on site. Generation may be through their normal operation or within their break rooms or lunchrooms.
- B. Facilities, such as delicatessens, fast-food and similar type operations, whereby the customer clears his own table, must also provide containers for the customer to separate his recyclable materials from the trash. Post offices must provide containers for the patrons to dispose of junk mail. Litter and recycling containers must be provided for patrons in all recreation areas where picnicking or other food service is provided. These containers must be maintained by the owner or management of the property.
- C. It is the responsibility of the owner or management of any commercial, industrial or institutional operation to provide for the collection or transportation of the designated recyclable materials generated on their sites to an approved market. It is also the responsibility of the owner or management of the property to document all weights, types of material and location where it was marketed and to forward such information to the Municipal Recycling Coordinator.

#### **§ 118-6. Enforcement.**

- A. Due to the fact that the State of New Jersey has mandated that recycling must be done and

has set goals for municipalities and counties to achieve, compliance with the program is important and must be attained.

- B. Any person or persons found in violation of this chapter or any section thereof shall be prosecuted in the manner as prescribed herein:
- (1) A notice of violation shall be issued within a ten-day time frame to achieve compliance. Should any person continue to be found in noncompliance with the chapter and all sections herein at the end of 10 days, a summons shall be issued by the local Department of Health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection and Energy on behalf of the Municipal Recycling Coordinator and the municipality. The only exceptions shall be transporters and scavengers. Due to the severity of their acts, a summons shall be issued immediately upon a complaint of a violation.
    - (a) Residents. Penalty for violations shall carry a fine of no less than \$100 or 40 hours of community service or both, per offense.
    - (b) Commercial, industrial and institutional. Penalty for violations shall carry a fine of no less than \$250 per offense.
    - (c) Transporters. Any person or persons who deliberately place source-separated materials within their vehicles along with the putrescible waste shall be in violation of this chapter, the County Solid Waste Management Plan and the State of New Jersey Source Separation Act and shall be subject to a penalty, and fines shall be no less than \$1,000 per offense.
    - (d) Scavengers. Any person or persons, other than contracted haulers removing recyclable materials placed at the curb or from the municipal recycling depot, shall be considered in violation of this chapter and shall be subject to a fine of no less than \$1,000 per offense.
- C. Violations under this chapter shall be prosecuted by the local Department of Health, the Sussex County Department of Health or the New Jersey Department of Environmental Protection and Energy, as the case may be, in the Municipal Court having jurisdiction over the matter.