

MANDATORY RECYCLING OF WASTE

Chapter 53

MANDATORY RECYCLING OF WASTE MATERIALS

- § 53-1. Definitions.
- § 53-2. General obligations of property owners.
- § 53-3. Exemption from recycling program.
- § 53-4. Residential properties; separation and placement for collection.
- § 53-5. Nonresidential properties: separation and placement for collection.
- § 53-6. Promulgation of additional rules and regulations.
- § 53-7. Recyclable materials to be Borough property upon placement for collection.
- § 53-8. Authorized groups or individuals permitted to collect recyclable materials.
- § 53-9. Enforcement officer designated.
- § 53-10. Notification of recycling opportunities to be given.
- § 53-11. Violations and penalties.
- § 53-12. Disposal of roofing, concrete construction and demolition materials and/or debris.
- § 53-13. Commercial disposal of automotive tires, batteries and motor oil.
- § 53-14. Disposition of household-generated batteries.
- § 53-15. Yard waste collection and disposal program.
- § 53-16. Proper handling of yard waste.

**[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge 12-19-1988 by Ord. No. 88-21.<sup>1</sup> Amendments noted where applicable.]**

GENERAL REFERENCES

Littering — See Ch. 170.

**§ 53-1. Definitions.**

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

**ALUMINUM** — Recyclable aluminum cans.

**CLOSED STORAGE AREA** — An area set aside on a parcel of property which includes a structure with a roof and which shall be totally enclosed. The facility shall be constructed in accordance with the local Building Code.

**COMMINGLED RECYCLABLES** — The accumulation in a separate container of aluminum, glass, plastics and tin.

**CONCRETE MATERIALS** — All such concrete and cement material being a part of, by way of illustration and not limitation, masonry steps, foundations, porches and/or patios used in connection with the construction of buildings or other improvements to real estate within the Borough of Wood-Ridge. **[Added 9-21-1992 by Ord. No. 92-18]**

**CONSTRUCTION AND DEMOLITION DEBRIS** — Source-separated nonputrescible recyclable material generated from the construction, alteration, repair, maintenance and/or demolition of structures within Bergen County. This material shall include concrete, bricks, block, ferrous and nonferrous scrap, asphalt shingles, recyclable wood scrap and any and all other

---

<sup>1</sup> Editor's Note: This ordinance also repealed former Ch. 53, Mandatory Recycling of Waste Materials, adopted 10-19-1987 by Ord. No. 87-25.

material generated from the construction, alteration, repair, maintenance and/or demolition of a structure or structures within Bergen County that a municipality may deem recyclable. [Added 5-16-1994 by Ord. No. 94-12]

**CORRUGATED CARDBOARD** — Cardboard of the type used to make boxes, cartons or similar containers and which said cardboard is commonly characterized by its wrinkled, furrowed or ridged-like quality.

**FERROUS SCRAP** — All metal scrap containing steel or cast iron. [Added 5-16-1994 by Ord. No. 94-12]

**GLASS** — All products made from silica or sand, soda ash and limestone which are transparent or translucent and used for packaging or bottling of various matter and all other materials commonly known as "glass"; excluding, however, blue and flat glass commonly known as "window glass."

**HIGH-GRADE OFFICE PAPER** — Paper products used by commercial and institutional entities for general office purposes.

**HOUSEHOLD-GENERATED BATTERIES** — Any type of button, coin, cylindrical, rectangular or other shaped, enclosed device or sealed container consisting of a combination of two (2) or more voltaic or galvanic cells, electrically connected to produce electric energy, composed of lead, lithium, manganese, mercury, mercuric oxide, silver oxide, cadmium, zinc, copper or other metals, or any combination thereof, and designed for household use, including any alkaline, manganese, lithium, mercuric oxide, silver oxide, zinc-air or zinc-carbon battery, nickel-cadmium, rechargeable battery or sealed lead rechargeable battery. [Added 3-20-1995 by Ord. No. 95-2]

**LEAVES** — Leaves only, for the purposes of this chapter, and shall not include grass clippings, brush or other growing matters.

**MIXED PAPER** — Source-separated mixture of all types of paper, including but not limited to corrugated, high-grade paper, newspaper, magazines, telephone directories, wrapping paper, box board, books, grocery bags and junk mail. **[Added 5-16-1994 by Ord. No. 94-12]**

**MULTIFAMILY** — Those buildings which contain more than six (6) attached dwelling units other than condominiums.

**PLASTIC CONTAINERS** — Any hermetically sealed or made airtight with a metal or plastic cap container with a minimum wall of thickness of not less than ten-thousandths (0.010) inch and composed of thermoplastic synthetic polymeric material.

**RECYCLABLE CONTAINER** — That receptacle designated and approved by the Recycling Coordinator for the gathering and accumulation of recyclable materials and so marked with the recycling insignia of the Borough of Wood-Ridge.

**RECYCLABLE MATERIALS:**

- (1) Those materials, including aluminum, glass, tin cans, newspaper, certain plastic containers, white goods, magazines, corrugated and other cardboard, high-grade office paper, motor oil, leaves, ferrous scrap and mixed paper. **[Amended 5-16-1994 by Ord. No. 94-12]**
- (2) In addition, those materials which would otherwise become municipal solid waste and which may be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

**RECYCLING COORDINATOR** — That person duly designated by the Mayor with the advice and consent of the Council to administer the recycling program of the Borough of Wood-Ridge.

REGULATIONS — Includes such rules, implementation dates, schedules of times and such other requirements promulgated by the Recycling Coordinator and approved by the Borough Council as may be necessary to carry out the purposes and objectives of this chapter.

ROOFING MATERIALS — All such sheathing, shingles, tiles and/or lumber being a part of, by way of illustration and not limitation, or used in connection with roofing of buildings or other improvements to real estate within the Borough of Wood-Ridge. [Added 9-21-1992 by Ord. No. 92-18]

(Cont'd on page 5305)

**USED NEWSPAPER** — Includes paper of the type commonly referred to as “newsprint” and having printed thereon news and opinions and containing advertisements and other matters of public interest. Magazines or similar periodicals as well as catalogs and junk mail and the like shall also be construed as “used newspaper” for the purposes of the chapter.

**WHITE GOODS** — Those materials commonly used in the production of household appliances. Refrigerators, dishwashers, clothes dryers and washers, gas or electric stoves, microwave or toaster ovens, air conditioners, water heaters, furnaces, standard or wall-mounted radiators and metal pipe made from iron, steel or lead, by way of example but not by way of limitation, shall be construed as “white goods” for purposes of this chapter. **[Amended 5-16-1994 by Ord. No. 94-12]**

**YARD WASTE** — Includes grass clippings, brush, twigs or other growing matter.

- B. In addition to the above enumerated definitions, all those definitions set forth in N.J.S.A. 13:1E-99.12 are hereby incorporated in this chapter by reference as if more particularly set forth herein.

**§ 53-2. General obligations of property owners.**

All persons, except those physically disabled, who are owners, lessees and occupants of residential, institutional, commercial or industrial property in the Borough of Wood-Ridge shall separate used newspapers, corrugated cardboard, tin cans, glass, aluminum, certain plastics, motor oil, high-grade office paper and leaves from any other trash and garbage produced by such residential, institutional, commercial or industrial properties and shall separately bundle or contain the same for pickup, collection and recycling in accordance with all applicable borough regulations.

- A. Residential properties. All residential occupants, whether owners or lessees, except those physically

disabled, must recycle in accordance with the provisions of this chapter. The occupant, lessee, owner or their designee shall place at curbside in a recyclable container or otherwise bundled or stacked at scheduled times those materials designated in §§ 53-2 and 53-4 of this chapter.

- B. Multifamily properties. All multifamily property owners shall provide at their expense two (2) closed storage areas to be used as a recyclable facility. The storage area shall be clearly posted and easily accessible to residents. One (1) storage area shall include an area for used newspaper collection, and the other storage area shall provide for commingled recyclables. The storage area shall be properly cared for and maintained in conformity with the applicable ordinances of the Borough of Wood-Ridge. The owner shall contract with a scavenger to directly remove such recyclable materials from the property. The owner shall be responsible to forward tonnage slips (actual weight of removed materials) to the Recycling Coordinator on a yearly basis.
- C. Institutional, commercial or industrial properties.
- (1) All institutional, commercial or industrial owners, lessees and/or occupants of property shall provide adequate recycling facilities and attendant scavenger service at their expense. The owner, lessee and/or occupant shall clearly designate the location of such facility and the nature of the materials which shall be placed in such facility. A designated scavenger contractor shall be provided to the Recycling Coordinator as the chosen entity to remove the required recyclable material from the property, and the scavenger, owner, lessee and/or occupant, as the case may be, shall forward a copy of the tonnage slip (actual weight of removed materials) directly to the Recycling Coordinator on a yearly basis.
  - (2) In the alternative, all institutional, commercial and/or industrial owners, lessees and/or occupants of

property may utilize the borough recycling facility located at the Department of Public Works yard for disposal of the required commingled recyclable materials. The separation methods required for residential units as set forth in § 53-4 shall apply in such event.

**§ 53-3. Exemption from recycling program.**

All owners, lessees or occupants of institutional, commercial or industrial properties who are users of recyclable materials shall file, on an annual basis, a request for exception from mandatory municipal recycling form to be considered exempt from the recycling collection dates and times promulgated by the Borough of Wood-Ridge. The form must be filed by May 1 of each year with the Recycling Coordinator of the Borough of Wood-Ridge. Each owner, lessee or occupant of institutional, commercial or industrial properties shall forward to the Recycling Coordinator a yearly tonnage report of recyclable materials removed from his respective property. All reports must be completed by May 1 on forms made available by the Recycling Coordinator.

**§ 53-4. Residential properties; separation and placement for collection.**

All separated recyclable material collected by residents, excluding multifamily, commercial, industrial and institutional properties, shall be placed for curbside pickup, collection and recycling in strict conformity with the following requirements:

- A. Used newspaper shall be separated and secured in bundles, not to exceed twelve (12) inches in height. Such bundles shall not be placed in plastic bags nor weigh more than thirty (30) pounds each.
- B. Aluminum, glass, plastic and tin materials shall be rinsed and commingled in the recyclable container and placed at curbside for collection in accordance with the

schedule established by the Recycling Coordinator. All commingled materials shall be washed or rinsed with all labels removed.

- C. Leaves shall be bagged in biodegradable paper bags and placed curbside from September 1 to December 1 of each year. In the alternative, leaves may be swept into the street as close to the curb as possible from September 1 to December 1 of each year. At all other times, leaves shall be bagged as hereinabove noted and placed curbside for pickup by the Department of Public Works of the Borough of Wood-Ridge. **[Amended 3-21-1994 by Ord. No. 94-8]**
- D. Used motor oil must be collected by resident occupants and deposited at automobile service stations in containers not exceeding one (1) gallon in weight.
- E. White goods shall be collected on the date established by the Recycling Coordinator and more particularly provided for in such regulations promulgated under this chapter. **[Amended 5-16-1994 by Ord. No. 94-12]**
- F. Condominium developments shall collect and dispose of all recyclable materials in accordance with the provisions of this section, except that specific rules and regulations shall be promulgated by the Recycling Coordinator in accordance with this chapter for the removal of such recyclable materials, taking into account the physical characteristics and needs of each such condominium development.

**§ 53-5. Nonresidential properties: separation and placement for collection.**

- A. All other classes of property owners, users and/or occupants not provided for hereinabove in § 53-4 of this chapter shall collect and dispose of recyclable materials in accordance with the provisions set forth in §§ 53-2B and C and 53-3 of this chapter.

- B. Commercial, industrial and/or institutional property owners and/or occupants thereof shall provide the borough with information relating to the disposal of corrugated cardboard materials and high-grade office paper. If such material is privately carted from the borough, a yearly report of the total tons generated shall be submitted to the Recycling Coordinator no later than May 1 of each year. The borough shall provide a storage area for corrugated cardboard and high-grade office paper, and each such owner or occupant utilizing the same shall prepare the cardboard and high-grade office paper into tied bundles of four by four (4 x 4) feet and deposit the same at the designated Department of Public Works facility during normal daily working hours.

**§ 53-6. Promulgation of additional rules and regulations.**

The Recycling Coordinator on January 1 of each year shall promulgate reasonable rules and regulations establishing the dates for mandatory separation of recyclable material and the manner, dates and times for the collection of the same in accordance with the terms of this chapter. Any such regulations promulgated by the Recycling Coordinator shall be approved by the Borough Council and may be changed, modified, repealed or amended in whole or part by majority vote of the Borough Council at its annual reorganization meeting or such other meeting which shall occur thereafter. A copy of such regulations promulgated by the Recycling Coordinator and approved by the Borough Council shall be available for public inspection at the office of the Borough Clerk during regular office hours.

**§ 53-7. Recyclable materials to be borough property upon placement for collection.**

From the time of placement at the curb for pickup and collection, recyclable material shall be the property of the Borough of Wood-Ridge or its duly authorized agent. No person unauthorized by the Borough of Wood-Ridge shall collect, pick

up or cause to be collected or picked up any such recyclable material. Each collection or pickup of recyclable material in violation hereof from any one (1) or more separate properties shall constitute a separate and distinct offense.

**§ 53-8. Authorized groups or individuals permitted to collect recyclable materials.**

No provision herein shall be construed to prohibit groups or individuals who shall be authorized by the Recycling Coordinator from collecting or picking up recyclable material at curbside or otherwise in such manner and under such terms and conditions as shall be prescribed by the Coordinator. No such collection or pickup shall conflict with or interfere with pickup and collection by the Borough of Wood-Ridge and/or its authorized agent(s).

**§ 53-9. Enforcement officer designated.**

The Borough of Wood-Ridge Recycling Coordinator or his or her duly authorized designee is hereby designated and authorized as the enforcement officer of this chapter.

**§ 53-10. Notification of recycling opportunities to be given.**

Within six (6) months of the effective date of this chapter and at least once every six (6) months thereafter, the Recycling Coordinator shall notify all persons occupying residential, commercial, industrial and institutional premises within the borough of the local recycling opportunities provided for by the borough as well as the source separation requirements of this chapter.

**§ 53-11. Violations and penalties.**

- A. Any owner, renter, lessee, occupant and/or other applicable class of person who shall violate or fail to comply with any provision of this chapter or of any regulation promulgated hereunder shall be refused garbage removal service by the borough scavenger. Each general refuse container in violation of this chapter shall be marked with a warning sticker to signify that recyclable materials exist in such container, and the contents of the same will not be disposed of until the recyclable materials are removed. A final and second warning sticker shall be placed on any such violating refuse container. Thereafter, any such subsequent violation and conviction under this chapter shall result in the application of the general penalty provisions established in the Code of the Borough of Wood-Ridge.<sup>2</sup>
- B. Any person, firm, corporation, entity or other applicable class of persons who or which shall violate or fail to comply with any provision of this chapter or of any regulation promulgated pursuant hereto shall, upon conviction thereof, be punished in accordance with the general penalty provision of the Code of the Borough of Wood-Ridge.<sup>3</sup>

**§ 53-12. Disposal of roofing, concrete construction and demolition materials and/or debris. [Added 9-21-1992 by Ord. No. 92-18; amended 5-16-1994 by Ord. No. 94-12]**

- A. Upon the issuance of a building or demolition permit by the Construction Code Official of the Borough of Wood-Ridge, there shall be delivered to the contractor or other applicant for the same a recycling form which shall be completed by said contractor or applicant and returned

---

<sup>2</sup> Editor's Note: See Ch. 1, General Provisions, Art. II.

<sup>3</sup> Editor's Note: See Ch. 1, General Provisions, Art. II.

to the Building Department with the original or certified copy of a weight slip from an authorized recycling facility respecting the disposal of roofing, concrete, construction and demolition materials and/or debris generated at the applicable job site.

- B. All roofing, concrete, construction and demolition materials and/or debris removed from any job site within the Borough of Wood-Ridge shall be disposed of at an authorized recycling facility.
- C. No final approvals, inspections and/or certificates of occupancy shall be conducted or issued without compliance by the contractor or other applicant with the requirements of Subsections A and B above.

**§ 53-13. Commercial disposal of automotive tires, batteries and motor oil. [Added 9-21-1992 by Ord. No. 92-18]**

All commercial retail and/or industrial property owners, lessees and/or occupants, including but not limited to any commercial garage, public garage and service station, as those terms are defined at Chapter 248, Zoning, § 248-4, of the Code of the Borough of Wood-Ridge, New Jersey, shall dispose of automotive tires, motor oil and batteries at an authorized recycling facility in accordance with § 53-2C(1) of the Code of the Borough of Wood-Ridge, New Jersey.

**§ 53-14. Disposition of household-generated batteries. [Added 3-20-1995 by Ord. No. 95-2]**

All household-generated batteries shall be deposited at an approved depository as may be from time to time designated by the Borough Recycling Coordinator and thereafter disposed of by the borough at a Bergen County Utilities Authority sponsored Household Hazardous Waste Collection Programs facility.

**§ 53-15. Yard waste collection and disposal program.**  
**[Added 2-8-2005 by Ord. No. 2005-4]**

- A. Purpose. A section to establish a yard waste collection and disposal program in the Borough of Wood-Ridge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- B. Definitions. For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**CONTAINERIZED** — The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

**PERSON** — any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

**STREET** — Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing state, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

- C. Yard waste collection. Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard

waste at the curb or along the street at any other time or in any other manner is a violation of this section. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section.

- D. Enforcement. The provisions of this section shall be enforced by the Department of Public Works of the Borough of Wood-Ridge.
- E. Violations and penalty. Any person(s) who violates any of the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

**§ 53-16. Proper handling of yard waste. [Added 2-8-2005 by Ord. No. 2005-5]**

- A. Purpose. A section to establish requirements for the proper handling of yard waste in the Borough of Wood-Ridge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.
- B. Definitions. For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**CONTAINERIZED** — The placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

STREET — Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing state, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

- C. Prohibited conduct. The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street, except as provided for under Ordinance No. 2005-4 (Yard Waste Collection Program).<sup>2</sup> If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section.
- D. Enforcement. The provisions of this section shall be enforced by the Department of Public Works of the Borough of Wood-Ridge.
- E. Violations and penalty. Any person(s) who violates any of the provisions of this chapter shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

---

<sup>2</sup> Editor's Note: See § 53-15.