
1st Reading

ORDINANCE 2021-01

**AN ORDINANCE AMENDING CHAPTER 280 OF THE CODE OF THE TOWNSHIP OF OXFORD ENTITLED
"GARBAGE, RUBBISH AND REFUSE"**

WHEREAS, The Township Committee of the Township of Oxford has determined that changes to Chapter 280 of the Township code are required due to a variety of factors including, but not limited to, recycling market changes, the closure of Covanta and increasing solid waste regulations; and

WHEREAS, The Township Committee of the Township of Oxford has recommended that the following changes be made to Chapter 280;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Oxford, County of Warren, State of New Jersey that Chapter 280 be amended in its entirety as follows:

Article I Garbage, Rubbish and Refuse

§ 280-1 Title.

This article shall be known as the "Rubbish Ordinance of the Township of Oxford."

§ 280-2 Definitions and word usage.

A.

Word usage. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

B.

Definitions. For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given herein:

COMMERCIAL AND INDUSTRIAL WASTES

The by-products of building contractors or demolition contractors engaged in the business of the repair and construction of homes or other buildings or structures; by-products or waste of any manufacturing plant; all items traded in as merchandise from commercial retailers and repair services; and automobiles and vehicles or parts thereof.

GARBAGE

All refuse, entrails and waste of animals and fish and all vegetable matter which has been or was intended to be used as food; all clam, oyster, crab and lobster shells; and all other material so specified by the State of New Jersey.

PERSON

Any person, firm, partnership, association, corporation, company or organization of any kind.

REFUSE or RUBBISH

All solid wastes, consisting of both combustibles and noncombustibles, such as paper, wrappings, cardboard, tin cans, yard clippings, leaves, wood, glass, rags, waste wood or cardboard and other combustible waste solids of a nonvolatile or nonexplosive nature, bedding, crockery and similar materials, street cleanings, ashes and dead animals, except commercial and industrial wastes, as defined herein.

§ 280-3 Collection and fees.

[Amended 5-4-2011 by Ord. No. 2011-03]

A.

General collection. Garbage and refuse, except commercial and industrial wastes, as defined herein, and except items described in § [280-11](#) and materials from sources described in § [280-12](#), accumulated in the Township shall be collected, conveyed and disposed of by the Township or its duly authorized contractor for such purposes (hereinafter collectively referred to as the "collector"), in strict compliance with the provisions of this article and any other applicable law, rule, regulation, contract or ordinance.

B.

Business establishments.

(1)

The Township will collect reasonable amounts of garbage and refuse or rubbish from sales and service business establishments located in the Township; provided, however, that no material defined herein as commercial and industrial wastes and no material described in § [280-11](#) or [280-12](#) shall be collected from such establishments, and further provided that all regulations contained in this article are complied with.

(2)

The sanitation truck driver may make a determination that the amount of garbage, refuse or rubbish to be disposed of from any business establishment is unreasonable. In the event such a determination is made by the sanitation truck driver, written notice thereof shall be mailed to the owner or operator of the business establishment by certified mail, return receipt requested, which notice shall contain a notification that the Township will cease collecting garbage, refuse and rubbish from the establishment no less than 30 days after the date of the notice. The owner or operator of the business establishment may appeal the sanitation truck driver's determination to the Township Committee by filing a written notice of appeal no later than 15 days after the date of notice of termination of service. The decision of the Township Committee following a hearing on the appeal shall be final.

C.

Fees. Each occupant, excluding, Oxford Public School, Oxford Fire Department or Oxford Emergency Squad as that term is defined herein, from whom garbage, refuse or rubbish is collected by the Township of Oxford, shall remit payment to the Township quarterly for solid waste removal:

(1)

Quarterly solid waste disposal fees shall be established by resolution of the Township Committee not less than annually. These fees shall be enumerated as follows: regular residential disposal fees; commercial dumpster (as defined herein) disposal fees; bulk solid waste disposal fees. The range of aforesaid fees shall be as follows:

Regular residential Type 10 garbage disposal (quarterly)	\$50.00	-	\$90.00
Commercial dumpster (quarterly)	\$75.00	-	\$150.00
Bulk (Type 13) Disposal Sticker (each)	\$10.00	-	\$20.00
Extra Type 10 (32 gallons) Waste Sticker (each)	\$1.00	-	\$5.00

(2)

Collection Limits. Each occupant, other than commercial occupants utilizing a properly authorized commercial dumpster shall be limited to pickup of a total of ninety-six (96) gallons of Type 10 waste per week. Pickup of amounts in excess of ninety-six (96) gallons per week shall be permitted with a properly affixed extra Type 10 waste sticker. Collection of bulk or Type 13 waste shall be limited to one (1) item per month with a properly affixed bulk or Type 13 waste sticker. Pickup of bulk waste items shall occur on the last garbage pickup day of each month. Pickup of bulk or Type 13 waste shall further be subject

to various rules and regulations which may be promulgated by the Township Administrator with advice and consent of the Township Committee.

D.

Payment. Quarterly payments shall be due on the first day of each quarter: January 1, April 1, July 1 and October 1 of each year.

[Amended 6-1-2011 by Ord. No. 2011-07]

E.

Past due amounts as lien. Garbage fees as provided herein shall be a first lien or charge against the property billed for the services rendered. Any part of the amount due and payable interest shall accrue at a rate of interest equivalent of that established for delinquent garbage fees pursuant to **N.J.S.A. 40:48-2.14**. Liens levied in accordance with this section shall be enforceable in the manner provided for real property tax liens in Section 5 of Title 54 of the Revised Statutes. At any such time where quarterly payment(s) become(s) past due, collection/pickup will be suspended immediately and without further notice. Owners/occupants of residential dwellings and/or commercial establishments without collection service will be required to remove or otherwise dispose of any and all refuse, rubbish or solid waste from the premises within 72 hours after the receipt of written notice to that effect. In the event the Township finds it necessary to provide services for the removal or destruction of the solid waste when the owner or tenant refuses or neglects to remove or destroy the solid waste in the manner and within the time required by this ordinance, service fees will continue to accrue and past due amounts shall be a first lien or charge against the property billed for the services rendered as set forth in this ordinance.

F.

Actions at law. Notwithstanding the remedies available under the preceding section of this article, the Township may elect to maintain the actions at law to recover any monies due to the Township under this article. In the event that the Township is forced to maintain an action at law to recover said monies, then the property owner, upon successful outcome of the litigation by the Township, shall also be responsible to the Township for any costs of suit, as well as reasonable attorney's fees and the interest set forth herein.

§ 280-4Collection by producers or owners.

This article shall not prohibit the actual producers of refuse or the owners of premises upon which refuse has accumulated from personally collecting, conveying and disposing of such refuse or from contracting with rubbish contractors, provided that such producers or owners comply with the provisions of this article and with any other applicable law, rule, regulation or ordinance.

§ 280-5Pickup points.

The pickup location shall be approved by the Township Committee and in cooperation with any rubbish contractor. The pickup location shall be at the roadside adjacent to the property being serviced. No persons, party, firm or corporation not having property within the Township of Oxford shall deposit, cast or place rubbish at a pickup location within the Township.

§ 280-6Supervision by Township Committee.

Garbage and refuse accumulated in the Township shall be collected, conveyed and disposed of by the collector under the supervision of the Township Committee. The Township Committee shall have the authority to make necessary and reasonable rules and regulations concerning the days and time of collection, type and location of waste containers and such other matters pertaining to the collection, conveyance and disposal of refuse and other materials as it shall find necessary in the public interest.

§ 280-7Preparation for collection.

Garbage and refuse shall be placed in proper containers in accordance with the provisions hereof.

A.

All garbage, before being placed in the container for collection, shall have drained from it all free liquids or must be securely wrapped in paper.

B.

All rubbish shall be drained of excessive liquid before being deposited in the container for collection.

C.

Tree trimmings, hedge clippings and similar material need not be placed in a container but may be cut into lengths not to exceed five feet and securely tied in bundles before being deposited for collection.

D.

It is the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep, and cause to be kept, the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind and to keep sidewalks, areaways, backyards, courts and alleys free of litter.

E.

No person will be permitted to sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property must keep the sidewalk in front of his or her premises free of litter. All litter sweepings must be collected and properly containerized for disposal.

§ 280-8Containers.

A.

Containers shall be provided by the owner, tenant, lessee or occupant of the premises. Refuse containers shall be maintained in a clean, safe and good condition. Any container that does not conform to the provisions of this article or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall not be utilized. The collector shall have the authority to refuse collection services for failure to comply herewith.

B.

The container shall be of galvanized metal or of plastic composition, shall not exceed 64 gallons in capacity, shall have a lid or cover and shall have two sturdy handles. Plastic bags of not less than 1.5 mils' thickness nor larger than 40 gallons may be used if properly tied.

C.

Wooden, cardboard, composition paper, fiber or similar containers are specifically prohibited for use as refuse containers. The collector may, at his election, refuse to collect refuse in such container or remove such container and dispose of it as refuse.

D.

No container, when loaded with refuse and placed for collection, shall exceed a gross weight of 60 pounds. The collector may, at his discretion, refuse to collect refuse in containers whose combined gross weight exceeds 60 pounds.

E.

Larger containers of the mechanical dumping type may be utilized when specifically approved by the collector and the Township Committee for special problem areas.

F.

All businesses, apartment complexes of more than six apartments and trailer courts of more than six trailers are hereby required to place their trash in dumpsters which are compatible with the Township trash truck. Said dumpsters shall have a length from arm to arm of no less than 78 inches and no more than 80 inches, shall be able to be rear-end winch-loaded, shall have a hook center at the rear of the dumpster and shall have four wheels. All dumpsters shall be kept in good repair and free of excessive rust, holes or deformities which allow for refuse, odors or liquids to escape and/or which interfere with

the dumping mechanism of the Township trash truck. All dumpsters shall be stored upon a level, paved surface consisting of concrete or asphalt in order to allow for the dumpster to be rolled toward the Township trash truck. Dumpsters and/or dumpster pads which do not conform to this ordinance shall be subject to refusal of service and/or penalties in accordance with this ordinance.

(1)

Access. Adequate access shall be provided to all solid waste storage facilities. Such access shall accommodate the type of vehicle normally used for the collection of wastes.

(2)

Location.

(a)

Storage of wastes which produce no discernible odor may be outdoors.

(b)

Outdoor solid waste storage facilities shall be visually screened from elsewhere on the project and from all property lines. Visual screens shall be provided through landscaping or other means as approved by the Board. Such screens shall be designed and constructed in such a manner as to provide a solid barrier obstructing the view of the area to be screened on a year-round basis. All screens shall be shown on the landscape plan.

(c)

Storage of wastes which produce a discernible odor shall be within a building.

G.

It is unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins on his or her property.

§ 280-9 Accumulation; unlawful deposits.

A.

No person shall place any garbage or industrial wastes in any street, alley or other public place or upon any private property, whether owned by such person or not, except in proper containers for collection; nor shall any person throw or deposit any garbage, refuse or industrial waste in any stream or storm drain.

B.

Any accumulation of refuse on any premises except in the manner herein provided is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within 30 days after the effective date of this article shall be deemed a violation of this article.

C.

No person shall cast, place, sweep or deposit any grass clippings, brush, sod or other refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place within the Township hereafter.

§ 280-10 Placement of containers for collection.

Each owner or occupier of premises desiring to have his refuse collected shall place the same in proper containers at the roadside the night before or prior to 7:00 a.m., prevailing time, on the day designated for his area. Containers may not be left at the roadside after 6:00 p.m. of the day of collection.

§ 280-11 Disposition of other materials.

A.

Highly flammable, corrosive or explosive materials shall not be placed in containers for collection but shall be disposed of by the owner at the expense of the owner or possessor thereof.

B.

The Township Committee is hereby authorized and directed to promulgate rules for the disposal of household furnishings and waste material not included within the definition of "refuse" where such waste material originates within the Township of Oxford. Any person desiring to dispose of such waste

shall do so in strict accordance with such rules and regulations and in accordance with the statutes of New Jersey.

C.

The actual producers of refuse or the owners of premises upon which refuse is accumulated who desire personally to collect and dispose of such refuse, persons who desire to dispose of waste material not included in the definition of "refuse," and collectors of refuse from outside of the Township who desire to haul over the streets of the Township shall use a watertight vehicle provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and refuse or waste material from being blown, dropped or spilled therefrom.

§ 280-12 Disposal of materials which are responsibility of producer or owner.

Disposal of items such as and similar to automobiles, vehicles, parts of vehicles, tires, building materials, material from building alterations, material from wrecked buildings, plumbing fixtures, plaster, stone, sod, soil, concrete, large tree limbs or branches, tree stumps, tree trunks, furniture, refrigerators, bedsprings, sofas and similar items of household furnishings, machinery, commercial and industrial wastes, any explosive or other extremely hazardous materials, material from state and county buildings and material from industrial plants shall be the responsibility of the producers or owners thereof.

§ 280-13 Frequency of collection.

Collections will be made at least once a week for all areas of the Township for all eligible items.

§ 280-14 Violations and penalties.

Any person who shall violate any of the provisions of this article shall, upon conviction, be punished for each offense by a fine not to exceed \$1,000 or by imprisonment for a term not to exceed 90 days in the county jail, or both.

Article II Recycling

[Adopted 8-18-1988 by Ord. No. 88-8 (Ch. 75 of the 1974 Township Code)]

§ 280-15 Establishment of program; Recycling Coordinator.

[Amended 10-20-1988 by Ord. No. 88-13; 3-21-2007 by Ord. No. 2007-03]

A.

There is hereby established a program for separate collection of glass, by color, aluminum cans and newspaper from each residential dwelling in the Township of Oxford for recycling purposes. Such collections will be made periodically by the Township Department of Public Works or the Township Committee designee, under the supervision of the Recycling Coordinator.

B.

The Recycling Coordinator shall be appointed by the Township Committee for a term of one year, expiring December 31 of each year. The term of the person first appointed as Recycling Coordinator shall expire December 31 of the year of that person's appointment.^[1]

[1]

Editor's Note: Former Subsection C, which immediately followed this subsection, was repealed 3-21-2007 by Ord. No. 2007-03. This ordinance also repealed former § 75-2, Regulations.

§ 280-16 Separation of glass, aluminum, bimetal cans, plastic beverage containers and newspapers.

[Amended 10-20-1988 by Ord. No. 88-13]

Separate containers are required for each individual material. Glass must be separated into three colors, clear, green and amber, and placed into respective containers of considerable strength, excluding paper and plastic bags. Used newspapers shall be considered clean and uncontaminated if they have not been exposed to substances or conditions rendering them unusable for recycling. Newspapers shall be securely tied into bundles not to exceed one foot in height. All containers shall be provided by the resident.

§ 280-17 Ownership of recyclables; collection by unauthorized persons prohibited.

[Amended 10-20-1988 by Ord. No. 88-13]

From the time of placement at the curb by any resident of glass, aluminum, bimetal cans and plastic beverage containers by the Township of Oxford pursuant to the program established hereby and the rules and regulations issued hereunder, such materials shall become and be the property of the Township of Oxford, and it shall be a violation of this article for any person other than the authorized personnel of the Township Public Works Department or the Committee's designee to collect, pick up or cause to be collected or picked up such materials. Each collection in violation hereof from one or more residences during said period shall constitute a separate and distinct offense.

[§ 280-18 Violations and penalties.](#)

Any person, firm or corporation, who violates or neglects to comply with any provision of this article or any regulation promulgated pursuant thereto shall, upon conviction thereof, be punishable by a fine not to exceed \$500, except that the maximum fine for failure to comply with § 75-16 hereof shall not exceed \$25 per offense.

[§ 280-19 Additional methods of disposal.](#)

[Amended 10-20-1988 by Ord. No. 88-13]

Any person may donate or sell glass, aluminum, bimetal cans and plastic beverage containers to any person, partnership or corporation, whether operating for profit or not for profit. Said person, partnership or corporation may not, however, under any circumstances pick up said glass, aluminum, bimetal cans and plastic beverage containers from the curbside in the Township of Oxford.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of the Township of Oxford held on February 17, 2021, at 7:00 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on March 17, 2021, at 7:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 11 Green Street, Oxford, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Laurie A. Barton, RMC

Township Clerk