

SHRINK WRAP ORDINANCE – Shrink Wrap is covered in the Township's ordinance relating to recycling, Section 27-3, specifically in Section 27-3.3 Definitions:

Plastic film shall mean stretch/**shrink wrap**, plastic shopping bags only for warehouses, retail establishments, marinas, and supermarkets with twenty-five (25) or more employees.

CHAPTER XXVII SOLID WASTE MANAGEMENT

27-1 SOLID WASTE CODE.

27-1.1 Short Title.

This section shall be known and may be cited as "The Solid Waste Code of the Township of Woodbridge." (1974 Code § 12-25)

27-1.2 Definitions.

As used in this section:

Solid Waste Code of New Jersey shall mean that certain printed Code approved and adopted by the New Jersey State Department of Health on March 16, 1959, being a Code regulating the manner in which solid waste may be stored, collected and disposed of; declaring and defining certain conditions as nuisances; fixing the responsibilities and duties of persons storing, collecting or disposing of solid waste; and providing for issuance of permits to collect solid waste.

Whenever the following words, terms or phrases are used in the Solid Waste Code of New Jersey (1959), as amended and supplemented from time to time, they shall have the following meanings:

Board of Health shall mean the Division of Health in the Department of Health and Welfare of the Township.

Municipality shall mean the Township of Woodbridge.
(1974 Code § 12-26; Ord. #07-30)

27-3 RECYCLING PROGRAM.

27-3.1 Findings.

On June 2, 1994, the Board of Chosen Freeholders of the County of Middlesex, New Jersey (the "County") adopted an amendment to the Middlesex County Solid Waste Management Plan (the "County Plan"), which, among other things, established a strategy for recycling at least sixty (60%) percent of the County's total solid waste stream and added the following material to the list of recyclables that must be source separated and recycled by the municipalities in the County: steel cans, plastic containers, mixed paper, textiles and brush. (All mandatory source-separated recyclable materials designated by the County plan hereinafter are referred to as "Designated Recyclables.")

The Township is desirous of conforming to the County Solid Waste Management Plan by including the following materials to the list of recyclables that must be source separated and recycled within the municipality: newspapers, aluminum cans, glass containers, plastic containers, steel cans, corrugated paper products, cardboard paper products, mixed paper, textiles, motor oil, leaves and brush. (All mandatory source-separated recyclable materials designated by the Township hereinafter are referred to as "Designated Recyclables.")

In addition, for those municipalities that desire to maintain their own recycling program consistent with the County's Plan, the Authority intends to provide grant funds to offset a portion of the costs associated with such a program which grants shall be funded from the Resource Recovery Investment Tax Fund established pursuant to the McEnroe amendments to the Solid Waste Management Act, N.J.S.A. 13:1E-136 et seq. and made available to the Authority for that purpose ("Grant Funds").

The Township presently provides on its own or by contract for the collection and marketing of certain Designated Recyclables generated in the geographic boundaries of the Township.

In order to obtain Grant Funding from the authority, the Township must revise its recycling ordinance mandating the additional designated recyclables be included in the recycling collection program.

Recycling of the additional items mandated by the County Plan will reduce the amount of waste going to the County Landfill and is in the public interest.

The County has mandated that the additional designated recyclables must be source separated and recycled by October 1, 1995. (Ord. #95-59 Preamble; Ord. #05-15)

27-3.2 Title.

The short title of this section shall be "Recyclable Material Collection," and the same may be cited in this manner. (1974 Code § 12-127; Ord. #87-44; Ord. #95-89 § 12-127)

27-3.3 Definitions.

As used in this section:

Aluminum cans shall mean food and beverage containers made entirely of aluminum.

Authority shall mean the Middlesex County Improvement Authority, a public body corporate and politic of the State of New Jersey, organized by the County pursuant to the County Improvement Authorities Law (N.J.S.A. 40:37A-44 et seq.)

Board shall mean the Board of Chosen Freeholders of the County of Middlesex, New Jersey.

Brush shall mean branches, woody plants, and other like vegetative material that do not exceed five (5) inches in diameter and Christmas trees. "Brush" does not include leaves.

Cardboard paper products as used herein shall mean and include all products constructed of stiff, moderately thick paperboard.

Commencement date shall mean the date upon which the Authority and Municipality agree that the municipality, through its designated agent, will commence the provision of Recycling Services.

Commingled containers shall mean a minimum of size twenty (20) gallon, plastic containers to be used by the residents to place plastic containers, glass containers, aluminum cans and steel cans at the curb for collection by the Township, or such other container designated by the Township for such use.

Corrugated shall mean boxes and packaging generally made from wood pulp and consisting of two (2) smooth sides and corrugated inner layer. Brown paper grocery bags are included.

County shall mean the County of Middlesex, New Jersey.

County Plan shall mean the Middlesex County District Solid Waste Management Plan, adopted by the Board of Chosen Freeholders pursuant to the Solid Waste Management Act, which provides for the collection, disposal and/or recycling of solid waste generated within the geographic boundaries of the County, as the same may be amended from time to time.

DEP shall mean the New Jersey Department of Environmental Protection or any successor agency.

Designated recyclables shall mean all recyclable materials that are designated by the County in the County Plan, and any and all recyclable materials designated by the Township as materials that must be source-separated from Municipal Solid Waste at the point of generation at all residential, including multifamily, private business, commercial, industrial, institutional and governmental offices and establishments of all kinds. On the date of execution of this Agreement, the recyclables designated by the County in the County Plan, and by the Township in this section are newspaper, aluminum cans, glass containers, corrugated cardboard, cardboard, steel cans, plastic containers, mixed paper, textiles, leaves, grass clippings, brush and motor oil. The County and/or the Township may add or delete certain recyclable materials to designated recyclables from time to time pursuant to a duly adopted amendment to the County Plan approved by the DEP.

Electronics shall mean computers, CPUs, monitors, laptops, televisions and mercury containing devices.

Fluorescent bulbs shall mean lamps that contain mercury.

Glass containers shall mean all glass containers used for packaging food or beverages.

June 2, 1994 Amendment shall mean the amendments to the County Plan (Nos. 1994-2 and 1994-3), adopted by the Board on June 2, 1994, that, among other things, establishes the County-Wide Recycling Program.

Leaves shall mean vegetative material from trees that have fallen to the ground.

Masonry paving material shall mean asphalt, block, brick, cinder and concrete.

Mixed paper shall mean glossy inserts, magazines, junk mail, colored paper, computer paper, office paper, fine paper and paper-board or food boxes, telephone books, nonmetallic wrapping paper, soft cover books and hard cover books with covers removed.

Mixed paper container shall mean a covered fourteen (14) gallon container in which residents will place mixed paper at the curb for collection by the contractor, or such other container designated by the Authority for such purposes.

Motor oil shall mean a petroleum based or synthetic oil whose use includes, but is not limited to, lubrication of internal combustion engines, which through use, storage or handling has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.

Municipality shall mean the Township of Woodbridge, a Municipal corporation of the State of New Jersey.

Municipal solid waste shall mean I.D. Type ten (10) waste as defined by N.J.A.C. 7:26-2.13(g) (l) (i).

Newspaper shall mean paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

Plastic containers shall mean soda bottles and custom beverage bottles made of PETE (SPI code #1) and milk, water and laundry product bottles made of HDPE (SPI code #2). Specifically excluded in this section are SPI code #1 and #2 bottles that contain motor oil or anti-freeze.

Plastic film shall mean stretch/shrink wrap, plastic shopping bags only for warehouses, retail establishments, marinas, and supermarkets with twenty-five (25) or more employees.

Rechargeable batteries shall include Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), Lithium Ion (Lit0ion) and Small Sealed Led (Pb).

Recycling Ordinance shall mean Chapter XXVII, Section 27-3 of the Solid Waste Management Code of the Township, the ordinance enacted by the municipalities establishing the mandatory municipal recycling program implemented in accordance with the Solid Waste Management Act and the County Plan, as the same will be amended by the Municipality to include the additional designated recyclables as set forth in subsection 27-3.4 and as the same may be amended in the future from time to time for other purposes.

Recycling services shall mean all of the duties, obligations and services to be provided by the Municipality or its designated agent, that are related to the collection, transportation, separation, processing, storage, sale or disposition or any combination thereof of the designated mandated recyclables and the return of the same to the economic mainstream in the form of raw materials or products.

Residents shall mean all persons who are owners, tenants, occupants of residential properties, private businesses, commercial, institutional and governmental properties located within the geographical boundaries of the municipality that are required to recycle designated recyclables pursuant to the Recycling Ordinance.

Steel cans shall mean tin-plated, bi-metal and other ferrous food and beverage containers.

Textile bag shall mean a special bag to be provided by the Authority for the collection of textiles or such other container to be designated by the Authority for such purpose.

Textiles shall mean clean, dry clothing or other fabric measuring at least one (1) foot by one (1) foot in size.

Tires shall mean rubber-based scrap automotive, truck and equipment tires.

Used oil collection center shall mean any private inspection center licensed by the Division of Motor Vehicles in the Department of Law and Safety, except those private inspection centers licensed pursuant to N.J.S.A. 39:8-14, retail service station which has an active used oil collection tank on the premises, or any site which accepts used motor oil for recycling.

White goods shall mean washers, dryers, ranges, refrigerators, air conditioners, humidifiers, dehumidifiers, microwaves, and water coolers.

Wood scrap shall mean unfinished lumber from construction projects including pallets. Unfinished shall mean non-chemically treated, non-pressure treated or impregnated with preservatives, insecticides, fungicides, creosote or not painted, resin-coated or otherwise surface treated. (Only for new construction).

(1974 Code § 12-128; Ord. #87-44; Ord. #91-42; Ord. #95-59 § 12-128; Ord. #05-15; Ord. #07-30; Ord. #08-27)

27-3.4 Separation Required.

On or after the date fixed and promulgated by regulation issued by the Director of the Department of Public Works and Parks of the Township in accordance with the terms hereof, it shall be mandatory for all persons who are owners, tenants or

occupants of residences, private business, commercial, institutional, or governmental properties, to separate the following categories of designated recyclables:

Designated Recyclables

- a. Newspaper
- b. Aluminum Cans
- c. Glass Containers
- d. Plastic Containers
- e. Steel Cans
- f. Corrugated Paper Products
- g. Cardboard Paper Products
- h. Mixed Paper
- i. Textiles
- j. Motor Oil
- k. Leaves
- l. Brush
- m. Masonry/Paving Material
- n. Rechargeable Batteries
- o. Tires
- p. White Goods, Mixed Metal

It shall also be the responsibility of all persons who are owners, tenants or occupants of private business, commercial, institutional or governmental properties to separate the following categories of designated recyclables.

- q. Electronics
- r. Plastic Film
- s. Fluorescent Bulbs
- t. Wood Scrap

(1974 Code § 12-129; Ord. #87-44; Ord. #91-42; Ord. #95-59 § 12-129; Ord. #05-15; Ord. #07-09; Ord. #07-30; Ord. #08-27)

27-3.5 Recycling Requirements.

Pursuant to the Recycling Act, each resident of the Township shall be required to comply with the recycling plan of Woodbridge Township, adopting the Middlesex County Recycling Plan to meet the State mandated recycling goals. To effectuate and implement the Township Recycling Plan it is hereby required that:

a. *Municipality.*

1. The Township hereby adopts this section to provide for recycling within its borders pursuant to the Recycling Act adopting herein in the Middlesex County Recycling Plan as its official municipal recycling program; and

2. All residential and commercial contracts for solid waste/recycling collection and/or disposal within the Township shall be consistent with this section and the Middlesex County Recycling Plan.

3. The Township shall heretofore provide for a collection system for leaves generated from residential premises, and require that persons occupying residential premises within these municipal boundaries shall source-separate leaves from solid waste generated at those premises and, unless leaves are stored or recycled for composting or mulching by the generator, place the leaves for collection in the manner provided in subsection 27-3.6.

4. The Township shall heretofore provide for a collection system for brush generated from residential premises, and require that persons occupying residential premises within these municipal boundaries shall source-separate brush from solid waste generated at those premises, and place the brush for collection in the manner provided in subsection 27-3.6.

5. The Township shall, at a minimum, within thirty (30) days after the adoption of this section and at least once every six (6) months thereafter, notify all persons occupying residential, commercial, and institutional premises within these municipal boundaries of recycling opportunities and the source-separation requirements of its ordinance and the Middlesex County Recycling Plan. In order to fulfill the notification requirements of this subsection, this municipality may, in its discretion, place an advertisement in a newspaper circulating in the municipality, post a notice in public places where public notices are customarily posted, include a notice with other official notifications periodically mailed to residential taxpayers, or any combination thereof, as the municipality deems necessary and appropriate.

6. The Township shall prepare and distribute additional literature and other educational materials describing, among other things:

- (a) The municipal recycling program established pursuant to the Recycling Ordinance;
- (b) The County Wide Recycling Program and the recycling services to be provided within the geographic boundaries of the municipality;
- (c) The designated recyclables to be source-separated;
- (d) The manner or method of preparing source-separated material for collection, and
- (e) The location and schedules for collection. All such literature and other educational materials shall be prepared in accordance with written guidelines established by the Authority prior to distribution.

7. On the commencement date, the Township will commence the provision of recycling services for the designated recyclables for all residents. The designated recyclables shall be collected by the Township, at curbside at a. all single-family or duplex residential locations, b. all multifamily dwellings with four (4) or less units, and all small businesses that are currently receiving municipal collection services. All multifamily dwellings with five (5) or more institutions shall deposit the designated recyclables in on-site containers to be provided by the Township and/or the private contractor.

8. The Township shall collect designated recyclables on a bi-weekly basis and at the times and the days to be established by the Director of Public Works and Parks as described herein.

9. At the time of placement of recyclable materials designated for collection at the curb of residential units, the materials shall be considered a conscious contribution by that resident to the Township Recycling System for collection by the Township or its agent.

10. This section shall not prohibit or restrict any owner, agent, lessee or occupant of premises from making his or her own arrangements or agreements for private collection provided that the arrangement receives the approval and is registered with the Department of Public Works and Parks and the MCIA. Unauthorized scavenging of any of the designated recyclables is strictly prohibited and punishable by fines prescribed in subsection 27-3.8 of this chapter.

11. For soiled newspapers, corrugated cardboard or mixed paper that is soiled with foodstuffs or other foreign material, or paper that is used to wrap solid waste, they may be discarded or disposed of for collection with the usual solid waste.

12. The Municipal Council may, in accordance with its statutory authority, negotiate and enter into franchises or agreements with qualified persons to make the collections of designated recyclables and for the sale or disposition of same if it so deems that this is in the best interest of the Township.

(Ord. #1974 Code § 12-130; Ord #87-44; Ord. #88-75; Ord. #91-42; Ord. #95-89 § 12-130; Ord. #05-15; Ord. #07-09)

27-3.6 Method of Separation and Preparation for Collection.

a. From the time of placement at the curb by any resident of newspapers, aluminum cans, steel cans, glass, plastic, paper, textiles, leaves and brush for collection by the Township of Woodbridge or its agent, in accordance with the terms hereof, such newspapers, aluminum cans, steel cans, glass, plastic, cardboard and corrugated paper products and mixed paper, textiles, leaves and brush shall be and become the property of the Township of Woodbridge or its authorized agent. It shall be the responsibility of the owners, tenants, or occupants of the premises to place all newspapers, aluminum cans, steel cans, glass, plastic, cardboard and corrugated paper products and mixed paper, textiles, leaves and brush herein required for collection immediately adjacent to the curb, but not in the roadway. The recyclable materials to be disposed of shall be placed as specified herein in the containers and at the times and on the days to be established by the Director of the Department of Public Works and Parks of Woodbridge Township as provided herein. It shall be a violation of this section for any person unauthorized by the Township to collect or pick up or cause to be collected or picked up any such newspapers, aluminum cans,

steel cans, glass, plastic, cardboard and corrugated paper products and mixed paper, textile, leaves and brush. Each such collection in violation hereby shall constitute a separate and distinct offense punishable as hereinafter provided.

b. The Township shall be responsible for collecting at the curbside the mandated designated recyclables that have been separated and prepared for collection as follows:

1. Newspaper and corrugated cardboard must be placed at the curb in segregated, tied bundles with string or cord only (no wire or tape), not greater than twelve (12) inches in height, or thirty (30) pounds in weight.
2. Mixed paper must be placed at the curb in the mixed paper container;
3. Glass containers, aluminum cans, plastic containers and steel cans shall be rinsed with water and reasonably clean and all glass shall have lids removed, and all these items shall be placed together commingled in the commingled container.
4. Any of the designated recyclables that are not prepared for collection in the manner specified by the Township will be left at the curb.

c. The Township will be responsible for collecting at the curb leaves and brush.

1. Leaves shall be placed at the curb in biodegradable paper leaf bags. Residents who wish to place leaves in the gutter, loose and not bagged, shall pay a service fee for the collection as stipulated by subsection 27-2.7d. Loose leaves shall not be placed in the gutter more than seven (7) days prior to the scheduled collection and shall not be placed within ten (10) feet of any storm drain inlet. Leaves containing branches, stones or other debris will not be picked up by the Township. Leaves must be source separated from other solid waste on or about November 1 through December 31, on the dates established and promulgated by the Director of Public Works and Parks.

2. Reserved.

3. Brush. The Township will collect tree branches, shrubbery and other yard clippings by appointment only. Residents must notify the Department of Public Works and Parks of requests for collection services. Christmas trees shall be collected during the first two (2) weeks of January and according to a published schedule. Tree branches and shrub branches shall not be longer than four (4) feet in length, or exceed seventy-five (75) pounds in weight. All brush must be bundled with string only (no wire), and must be free of stones, dirt, metal, garbage, sweepings and rakings. No lumber or construction materials are permitted. All materials shall be placed at the curb not earlier than 4:00 p.m. on the day prior to the scheduled collection day. Any material placed at the curb that does not conform with these specifications will not be picked up by the Township.

d. *Motor Oil and Textiles.* The Township shall maintain and operate a drop off site for used motor oil and textiles. This site will be the Township Public Works and Parks facility located at 225 Smith Street, Keasbey, N.J. This site may be accessed by all persons who are owners, tenants or occupants or residential properties wishing to dispose of their used motor oil and textiles. The hours of operation shall be daily from 7:00 a.m. till 6:00 p.m. All persons who are owners, tenants, occupants or private business, commercial, institutional and governmental properties (excluding Woodbridge Township) must dispose of their motor oil at a licensed used oil collection center.

(1974 Code §§ 12-130, 12-131; Ord. #87-44; Ord. #88-75; Ord. #91-42; Ord. #95-59 § 12-131; Ord. #95-88 § 1; Ord. #96-74; Ord. #05-15; Ord. #06-04; Ord. #07-09; Ord. #07-30)

27-3.7 Enforcement and Administration.

The Director of the Woodbridge Township Department of Public Works and Parks and his designees are hereby authorized and directed to enforce this section. The Director of Public Works and Parks is hereby authorized and directed to establish and promulgate reasonable regulations as to the containers to be used for and the manner, days and times for the collection of designated mandated recyclables in accordance with the terms hereof and any other matters required to implement this section. (1974 Code § 12-132; Ord. #87-44; Ord. #91-42; Ord. #95-59 § 12-132; Ord. #07-09)

27-3.8 Violations and Penalty.

Any person, firm, corporation or any other entity which violates or neglects to comply with the provisions of this section or any other regulations thereof shall be punished by a fine not to exceed fifty (\$50.00) dollars upon the first conviction and one hundred (\$100.00) dollars for each subsequent conviction. The above fines shall not be applicable to a conviction for violating subsection 27-3.6 hereof, which shall be punishable by a fine not to exceed five hundred (\$500.00) dollars. (1974 Code § 12-133; Ord. #87-44; Ord. #95-59 § 12-133; Ord. #95-88 § 2)

27-3.9 Vegetative Waste.

It is prohibited and will be deemed a violation hereof for any owner, tenant or occupant of any residential, commercial, professional or governmental property in the Township to put into or cause to be put into the solid waste collection system of the Township leaves, brush or any other vegetative waste. (1974 Code § 12-134; Ord. #87-44; Ord. #95-59 § 12-134; Ord. #05-15)

27-3.10 Method of Promulgating Regulations.

The initial promulgation by the Director of the Department of Public Works and Parks of the Township of Woodbridge of regulations authorized by this section shall include at least one (1) notice in an official newspaper of the Township and a notice mailed or delivered to every property owner in the Township. (1974 Code § 12-135; Ord. #87-44; Ord. #95-59 § 12-133; Ord. #07-09)