

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

ORDINANCE 2022-9

**AN ORDINANCE AMENDING CHAPTER 286:
“LITTERING; SOLID WASTE AND RECYCLABLES
COLLECTION” OF THE BOROUGH’S REVISED
GENERAL ORDINANCES TO PROVIDE THE BOROUGH
COUNCIL WITH OVERSIGHT AUTHORITY REGARDING
PICK-UP SCHEDULES.**

Mayor Fox offered the following Ordinance and moved its introduction:

BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, and State of New Jersey as follows:

SECTION 1. Section 286-9 entitled “Residential Collection” of Article II entitled “Trash or Garbage” of Chapter 286 entitled “Littering; Solid Waste and Recyclables Collection” of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 286
LITTERING; SOLID WASTE AND RECYCLABLES COLLECTION**

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**ARTICLE II
TRASH OR GARBAGE**

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§ 286-9 Residential Collection.

- A. **Solid Waste Collection.** Each residential unit shall receive curbside solid waste pickup of up to five trash cans per collection day as described in Section 286-12 hereof, subject to the following:
- (1) All residential properties shall be provided municipal collection services for brush, leaves, recyclables, and bulk items in accordance with this Chapter and according to the schedules developed and announced by the Department of Public Works.
 - (2) No household trash, garbage, rubbish, or waste shall be disposed of in any trash can containing any recyclable bottles, cans or plastic containers.

- (3) All household trash, garbage, rubbish and waste shall be deposited in approved containers and placed at curbside not earlier than 5:00 p.m. on the night before collection day and no later than 5:00 a.m. on the day of collection. The containers shall be removed from the curb or place of collection by not later than 6:00 p.m. on the day of collection.
 - (4) Cardboard materials should be separated from household trash and included with recycling pursuant to Section 286-20 hereof.
 - (5) All containers for storage of solid waste should be stored or kept, as far as reasonably practicable, and appropriately shielded from public view using "screens" or "shields" to prevent visibility of containers from the street and such screens or shields should not be located in the front yard of any property.
- B. Bulk Items. Contractors and subcontractors and the like are prohibited from placing any bulk items solid waste, brush, leaves, recyclables, household furniture, bulk waste, white goods, light metal or any other items for collection and must arrange for private cartage. The Borough will collect bulk items in accordance with Article V of this Chapter 286.
- C. Holidays. The Borough will not make any collections on New Year's Day, Thanksgiving Day, and Christmas Day, or whenever the Director of Public Works declares an emergency, but collections will be made on the next regularly scheduled pickup.
- D. Schedule for Residential Pick-Up. The schedule for residential solid waste pick-up, shall be periodically reviewed by the Department of Public Works, to evaluate efficiency and effectiveness of services. The DPW may make recommendations for changes to the frequency of pick-ups for residential solid waste, based upon seasonality, staffing, and other variables. Published schedules for residential solid waste pick-up may be revised by majority vote of Council.

SECTION 2. Section 286-10 entitled "Nonresidential Collection" of Article II entitled "Trash or Garbage" of Chapter 286 entitled "Littering; Solid Waste and Recyclables Collection" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 286
LITTERING; SOLID WASTE AND RECYCLABLES COLLECTION**

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**ARTICLE II
TRASH OR GARBAGE**

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§ 286-10 Nonresidential Collection.

- A. Nonresidential properties shall receive curbside solid waste pickup of up to five trash cans per collection day as described in Section 286-12 hereof.
- B. Nonresidential properties which the Borough determines require a greater level of service than provided in Subsection A hereinabove, must contract with the approved private solid waste collection for each service.
- C. Municipal buildings, firehouses, first aid squads, and charitable organizations as defined by N.J.S.A. 45:1A-20 in the Borough shall receive solid waste collection by the Borough or its agents on a schedule to be determined by the Department of Public Works. All other public buildings and nontaxpaying properties shall be considered nonresidential properties for the purposes of this Chapter.
- D. No nonresidential garbage or waste shall be disposed of in any receptacle containing any recyclable bottles, cans or plastic containers.
- E. All nonresidential trash, garbage, rubbish and waste shall be deposited in approved containers and placed at curbside not earlier than 5:00 p.m. on the night before collection day and no later than 5:00 a.m. on the day of collection. The containers shall be removed from the curb or place of collection by not later than 6:00 p.m. on the day of collection.
- F. Cardboard materials should be separated from household trash and included with recycling pursuant to Section 286-20 hereof.
- G. All nonresidential containers for storage of solid waste should be stored or kept, as far as reasonably practicable, and appropriately shielded from public view using "screens" or "shields" to prevent visibility of containers from the street and such screens or shields should not be located in the front yard of any property.
- H. Schedule for Nonresidential Solid Waste Pick-Up. The schedule for nonresidential solid waste pick-up, shall be periodically reviewed by the Department of Public Works, to evaluate efficiency and effectiveness of services. The DPW may make recommendations for changes to the frequency of nonresidential pick-ups for solid waste, based upon seasonality, staffing, and other variables. Published schedules for nonresidential solid waste pick-up may be revised by majority vote of Council.

SECTION 3. Section 286-18 entitled "Residential Collection" of Article III entitled "Recycling" of Chapter 286 entitled "Littering; Solid Waste and Recyclables Collection" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 286
LITTERING; SOLID WASTE AND RECYCLABLES COLLECTION**

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**ARTICLE III
RECYCLING**

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§ 286-18 Residential Collection.

- A. **Recycling Collection.** Each residential unit shall receive curbside recycling pickup of up to five trash cans per collection day as described in Section 286-21 hereof, subject to the following:
- (1) All residential properties shall be provided municipal collection services for aluminum, corrugated cardboard, glass, high-grade paper, mixed paper, plastic, and tin and bimetal cans in accordance with this Chapter and according to the schedules developed and announced by the Department of Public Works.
 - (2) No household trash, garbage, rubbish, or solid waste shall be disposed of in any trash can containing any aluminum, corrugated cardboard, glass, high-grade paper, mixed paper, plastic, and tin and bimetal cans or other recyclables.
 - (3) All aluminum, corrugated cardboard, glass, high-grade paper, mixed paper, plastic, and tin and bimetal cans shall be deposited in approved containers and placed at curbside not earlier than 5:00 p.m. on the night before collection day and no later than 5:00 a.m. on the day of collection. The containers shall be removed from the curb or place of collection by not later than 6:00 p.m. on the day of collection.
 - (4) Cardboard materials should be separated from household trash and included with recycling pursuant to Section 286-20 hereof.
 - (5) All containers for storage of recyclables should be stored or kept, as far as reasonably practicable, and appropriately shielded from public view using "screens" or "shields" to prevent visibility of containers from the street and such screens or shields should not be located in the front yard of any property.
- B. **Holidays.** The Borough will not make any recycling collections on New Year's Day, Thanksgiving Day, and Christmas Day, or whenever the Director of Public Works declares

an emergency, but collections will be made on the next regularly scheduled pickup.

- C. Schedule for Residential Recycling Pick-Up. The schedule for residential recycling pick-up shall be periodically reviewed by the Department of Public Works, to evaluate efficiency and effectiveness of services. The DPW may make recommendations for changes to the frequency of pick-ups for residential solid waste, based upon seasonality, staffing, and other variables. Published schedules for residential recycling pick-up may be revised by majority vote of Council.

SECTION 4. Section 286-19 entitled "Nonresidential Collection" of Article III entitled "Recycling" of Chapter 286 entitled "Littering; Solid Waste and Recyclables Collection" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 286
LITTERING; SOLID WASTE AND RECYCLABLES COLLECTION**

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**ARTICLE III
RECYCLING**

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§ 286-19 Nonresidential Collection.

- A. Nonresidential properties shall receive curbside recycling pickup of up to five trash cans per collection day as described in Section 286-21 hereof.
- B. Nonresidential properties which the Borough determines require a greater level of service than provided in Subsection A hereinabove, must contract with an approved private recycling collection service and submit such proof of same as the Recycling Coordinator may require.
- C. Municipal buildings, firehouses, first aid squads, and charitable organizations as defined by N.J.S.A. 45:1A-20 in the Borough shall receive recycling collection by the Borough or its agents on a schedule to be determined by the Department of Public Works. All other public buildings and nontaxpaying properties shall be considered nonresidential properties for the purposes of this Chapter.
- D. Nonresidential establishments shall develop separate handling systems for the storage and ultimate recycling of aluminum, corrugated cardboard, glass, high-grade paper, mixed paper, plastic, and tin and bimetal cans pursuant to this Chapter.
- E. Schedule for Nonresidential Recycling Pick-Up. The schedule for nonresidential recycling pick-up, other than as noted in 286-19C above, shall be periodically reviewed by the

Department of Public Works, to evaluate efficiency and effectiveness of services. The DPW may make recommendations for changes to the frequency of nonresidential pick-ups for recycling, based upon seasonality, staffing, and other variables. Published schedules for nonresidential recycling pick-up may be revised by majority vote of Council.

SECTION 5. Section 286-19 entitled "Nonresidential Collection" of Article III entitled "Recycling" of Chapter 286 entitled "Littering; Solid Waste and Recyclables Collection" of the Revised General Ordinances of the Borough of Bradley Beach is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 286
LITTERING; SOLID WASTE AND RECYCLABLES COLLECTION**

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**ARTICLE V
BULK ITEMS**

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§ 286-34 Bulk Sticker Fees for Collection of Bulk Goods.

- A. The Borough of Bradley Beach shall arrange for the collection of certain bulk items. Persons desiring collection of these bulk items shall place the items at curbside and place the appropriate number of fee stickers on each item to be collected. The fee for each sticker shall be set by resolution of the Council and must be purchased from the Borough Clerk.
- B. The following schedule of the number of fee stickers required for each bulk item is based on four fee stickers for 25 pounds of weight. The weight of items used in this schedule are estimated weights formulated by the Department of Public Works. If any item not on this schedule is being placed for collection, the person placing the item should estimate the total weight to the item (in pounds) and divide that figure by 25 to arrive at the number of fee stickers required for that item. Any person unable to estimate the weight of an item may call the Department of Public Works for an estimate.

Item	Number of Stickers Required
Straight back chair	4
Dining room chair	6
Stuffed chair	6
End tables and nightstands	4
Sofa	10
Sofa bed	20

Item	Number of Stickers Required
Mattress	8
Box spring	6
Dresser or chest	8
Refrigerator (clean of any chemicals)	30
Freezer (clean of any chemicals)	30
Air conditioner less than 5,000 BTU (clean of any chemicals)	15
Air conditioner 5,000 BTU and over (clean of any chemicals)	30
Any unit containing chlorofluorocarbons (with the chemicals removed)	30
Washing machine	30
Clothes dryer	20
Water heater (clean of any chemicals)	20
Stove	30
Dishwasher	30
Carpet, 10 feet by 12 feet	10

- C. In addition to curbside collection, the Department of Public Works operates a trash/recycling lot at 1107 Main Street for residents to dispose of trash, recycling, yard waste, etc.
- D. All items containing any type of refrigerant must have the refrigerant removed and system flushed prior to being placed at curbside for pickup. Items placed at the curb containing a refrigerant or any other chemical will not be picked up and will be considered in violation of these regulations and subject to the penalties contained herein.
- E. Schedule for Bulk pick up. The schedule for bulk pick-up, shall be periodically reviewed by the Department of Public Works, to evaluate efficiency and effectiveness of services. The DPW may make recommendations for changes to the frequency of bulk pick-ups, based upon seasonality, staffing, and other variables. Published schedules for bulk pick-up may be revised by majority vote of Council.

SECTION 6. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 7. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 8. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

SO ORDAINED as aforesaid.


ERICA KOSTYZ
Municipal Clerk

LARRY FOX
Mayor

Introduced: July 26, 2022

Date of Hearing and Adoption: September 28, 2022