

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO. O-4-2021-010

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL  
AMENDING CHAPTER 52 OF THE CODE OF THE TOWNSHIP OF MONROE,  
COUNTY OF MIDDLESEX, ENTITLED “GARBAGE, RUBBISH AND REFUSE”

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**BE IT ORDAINED** by the Township Council of the Township of Monroe, in the County of Middlesex, New Jersey as follows:

**SECTION 1.** Chapter 52 entitled “Garbage, Rubbish and Refuse” of the Code of the Township of Monroe, shall be amended as follows: (new text is in **red and underlined**, text to be deleted is **struck**)

§52-1.2 Definitions

**BULKY WASTE: Large items of non-food related and non-rotting waste material, such as appliances and furniture, and small project debris, generated by a Resident at a residential dwelling in the Municipality.**

DROP OFF CENTER — The site owned and/or operated by the municipality and located where designated recyclables **and Bulky Waste** are delivered by the municipality or residents of the municipality for collection and/or preparation for market.

RESIDENTS — ~~Private, commercial and institutional residents of the municipality that are required to recycle designated recyclables pursuant to this Recycling Chapter.~~ **Individual owners, lessees, tenants, and occupants that permanently reside at a residential dwelling in the Municipality.**

§52-2.4 Residential, business, commercial and industrial recycling

**D. All residents, owners, lessors, lessees, tenants, occupants and users of any real property, living accommodations, commercial enterprises or other facilities located within the Municipality may deposit designated recyclables listed in §52-2.3 at the Drop Off Center, which shall be bundled and cleaned in accordance with §52-2.3. Residents shall use their personal automobiles to deposit the recyclable materials designated in this section at the Drop Off Center. Businesses or other organizations located within the Municipality may use small commercial vehicles to deposit the recyclable materials designated in this section at the Drop Off Center. No tractor trailers or large commercial vehicles, including but not limited to dump trucks, will be permitted to deposit recyclables at the Drop Off Center. Anyone depositing recyclables at the Drop Off Center shall submit proof that they are a Resident of the Municipality, or own, operate, or are employed by a business, association, or organization located within the Municipality.**

§ 52-2.6. Ownership of recyclable items.

From time of placement of a recyclable item in a designated drop-off receptacle or at the curb by any resident, **business, association, and/or organization** for collection by the township or the township's designated recycling contractor, such materials shall become the property of the township and it shall be a violation of this section for any person, firm, organization, association, business or corporation, other than the township, or any of its agents, servants, employees, or duly authorized recycling contractors to tamper with or to take or remove or convert to its own use in any way, such material. Each such tampering, removal and/or conversion in violation hereof from one (1) or more receptacles and/or residents during the period shall constitute a separate and distinct offense.

### §52-3 Collection and Deposit of Bulky Waste

#### §52-3.1 Purpose

The purpose of this section to provide rules for the collection of Bulky Waste from residents of the Municipality, and for the depositing of Bulky Waste by residents of the Municipality at the Municipality's Drop Off Center.

#### §52-3.2 Curbside Collection of Bulky Waste

The Department of Public Works shall offer to pick up Bulky Waste directly from residential dwellings in the Municipality between April and October. Each residential dwelling in the Municipality shall receive only one curbside collection of Bulky Waste each calendar year. Residents must make an appointment with the Department of Public Works to schedule the collection of Bulky Waste. All curbside collections of Bulky Waste are limited to the carrying capacity of one standard 8-foot bed pick-up truck.

#### §52-3.3 Permission to Deposit Bulky Waste at Drop Off Center

- A. All deposits of Bulky Waste at the Drop Off Center are limited only to Bulky Waste generated by Residents at their own residential dwellings in the Municipality, and subject to all restrictions and limitations provided in this chapter.
- B. Any user of the Drop Off Center, when depositing Bulky Waste, must submit proof that they are a current Resident of the Municipality. Acceptable forms of proof include, driver's license, voter registration card, or other government issued photo identification card that clearly identifies that the individual currently resides at a residential dwelling in the Municipality. The Municipality's participation in any County-wide drop-off program will require proof of residency in Middlesex County for anyone depositing such materials.
- C. No Bulky Waste generated by commercial activities or business operations of any sort, including but not limited to, retail stores, eateries, professional offices, real estate agencies, landlords, contractors, landscapers and agricultural business enterprises, shall be permitted to be deposited at the Drop Off Center.

#### §52-3.4 Limitations on Deposit of Bulky Waste at Drop Off Center

- A. Residents may deposit Bulky Waste at the Drop Off Center using only their personal automobile bearing general registration plates. Commercial vehicles of any kind are not permitted to deposit Bulky Waste at the Drop Off Center.
- B. The Department of Public Works shall limit the number of trips that each Resident shall make to deposit Bulky Waste at the Drop Off Center as follows:
  - i. Resident's personal automobile with up to 4' x 8' storage capacity: there shall be no limit to the number of trips such vehicles can make to the Drop Off Center.
  - ii. Resident's personal non-commercial pick-up truck with more than 4' x 8' storage capacity, or a Resident's non-commercial trailer: the Resident's dwelling shall be limited to two (2) such trips per quarter to the Drop Off Center.
- C. Under extenuating circumstances within reason, the Director of Public Works or his/her designee has the authority to allow reasonable deviations from the limitations in this section.

§ 52-2.9 **§ 52-4 Enforcement.**

**A.**

The Recycling Coordinator of the Township of Monroe is hereby appointed the Enforcement Officer of this Code. The Recycling Coordinator shall have the authority to issue "Notice of Warnings" and "Notice of Violations and Order to Pay Penalties," pursuant to this section.

**B.**

Any firm, entity, organization, association, business, corporation or company found to have violated any of the ~~Township recycling, yard waste collection and containerized yard waste~~ provisions **in this Chapter** shall be fined not less than \$50 nor more than \$500.

**C.**

Any residential property owner found to have violated any of the ~~Township recycling, yard waste collection and containerized yard waste~~ provisions **in this Chapter** shall be fined not more than \$25.

§ 52-3 **§ 52-5 Validity of chapter and severability.**

§ 52-3.1 **§ 52-5.1 Severability.**

If any section, paragraph, subsection, clause or provision of this chapter shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this chapter shall be deemed valid and effective.

§ 52-3.2 **§ 52-5.2 Repealer.**

All sections of the Township Code which contain provisions contrary to the provisions of this chapter shall be and are hereby repealed. This chapter shall be a substitute for and be included as Chapter 52 of the Code of the Township of Monroe.

§ 52-3.3 **§ 52-5.3 Chapter amendments.**

This chapter may be amended from time to time by the governing body after the appropriate referrals, notices, hearings and other requirements of law.

§ 52-3.4 **§ 52-5.4 Effective date.**

This chapter shall take effective immediately upon adoption and publication according to law.

**SECTION 2.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

**SECTION 3.** If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

**SECTION 4.** This ordinance shall take effect twenty days after final passage, adoption and publication as provided by law.

**SO ORDAINED**, as aforesaid.

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MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – April 5, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin	X		X			
Councilman Dipierro		X	X			
Councilman VanDzura			X			
Council V. President Schneider			X			
Council President Cohen			X			

**NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on April 5, 2021. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on May 3, 2021 at 6:30 p.m. via Zoom at <https://us04web.zoom.us/j/106827708>. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

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PATRICIA REID, Township Clerk

<b>RECORDED VOTE – SECOND READING &amp; FINAL ADOPTION– May 3, 2021</b>						
<b>COUNCIL</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Councilman Baskin</b>						
<b>Councilman Dipierro</b>						
<b>Councilman VanDzura</b>						
<b>Council V. President Schneider</b>						
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**MAYORAL APPROVAL**

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.

\_\_\_\_\_  
STEPHEN DALINA, Mayor

Date signed: \_\_\_\_\_