

Chapter 16

SOLID WASTE MANAGEMENT

Editor's Note: Prior ordinance history includes 2002 Code §§ 8.28.010 — 8.28.90, 8.28.110; prior code § 3-15.10 and Ordinance Nos. 6-12-06B, 2007-6, 2007-25, 2008-3, 2008-14, 2009-08, 2009-09, 2009-10.

§ 16-1. GENERAL PROVISIONS.

§ 16-1.1. Consistency. [Ord. No. 2010-27]

All ordinances or parts of ordinances inconsistent herewith are hereby supplemented insofar as such inconsistencies only; specifically, Chapters 14, Property Maintenance; and Chapter 3, Section 3-2, Littering. Chapter 16 shall be deemed controlling in the event of any such inconsistency.

§ 16-1.2. Definitions. [Ord. No. 2010-27; Ord. No. 2011-08]

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given hereafter. Any term, phrase, word or derivation provided for elsewhere in the Borough Code or in the Borough newsletter that is also provided hereafter shall be supplemental hereto insofar as it is not inconsistent. As used in this section:

ASHES — Shall mean residual from the burning of wood, coal, coke or other combustible materials.

BRUSH — Shall mean branches, limbs and debris from cutting and pruning of trees, bushes and shrubbery. Leaves and grass clippings do not constitute brush.

BULK ITEMS — Shall include, but not be limited to: major and household appliances, used furniture, bicycles, rugs, carpeting, padding, toys or items deemed acceptable by the DPW Supervisor.

CANS — Shall mean all cans made exclusively with aluminum, tin or bimetel.

CONSTRUCTION MATERIALS — Shall mean any building material, such as building fixtures, carpet, bulk roof shingles, dimensional framing lumber, bulk or sheets of plywood, paneling, plaster or plasterboard, sheetrock, brick, or other substances accumulated as a result of repairs or additions to existing buildings, constructions of new buildings or demolition of existing structures.

CONTRACTOR — Shall mean a private entity that the Borough contracts with to handle the disposal of solid waste and recyclable materials.

CORRUGATED CARDBOARD — Shall mean paper products with a waffle section between layers used to package merchandise and other materials for delivery or storage, excluding food contaminated cardboard (e.g. pizza boxes) or waxed cardboard.

EXTRA BAGGED TRASH — Shall mean trash that does not fit in a Borough approved container as described in subsection 16-2.3 that may only be placed for collection by the Borough in trash bags during specifically published weeks commonly identified as "Special Trash Overflow Collection Weeks."

GARBAGE — Shall mean any waste material in the process of or subject to decomposition or decay, incident to ordinary domestic or business use or purpose, and including, among other things, kitchen refuse, animal or vegetable matter, and decaying and decomposing substances.

GLASS BOTTLES AND JARS — Shall mean glass bottles and jars regardless of size or color.

HAZARDOUS WASTE — Shall mean any waste material, or combination thereof, which poses a present or potential unreasonable risk or threat to the health and/or safety of humans or other living organisms, or to property including, but not limited to, waste material classified pursuant to regulations issued by the New Jersey Department of Environmental Protection (NJDEP), adopted under authority of N.J.S.A. 13:1D-9 and 13:1E-6, as amended. Hazardous substances contained in waste of a type generated in relative quantity by a typical single-family household, or of a type generated by a nonresidential entity that is essentially the same as hazardous waste substances generated in relative quantity by a typical single-family household, and commonly known as "household hazardous waste," "commercial hazardous waste," and/or "industrial hazardous waste" would be excluded.

HOUSEHOLD REFUSE — Shall mean all trash as described within this subsection.

LEAVES — Shall mean and include vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns within the Borough.

MAJOR APPLIANCES — Shall mean but is not limited to washers, dryers, stoves, water heaters, freezers, refrigerators, air conditioners, and furnaces from residences. Each major appliance shall be subject to a special pickup and drop-off fee, as more fully described in subsection 16-4.1 and 16-6.2, respectively.

MIXED PAPER — Shall mean letterhead, envelopes, magazines, colored and white paper; junk mail, paper, bags soft cover books and chip board.

NEWSPAPER — Shall mean dry paper of the type commonly referred to as newsprint.

OTHER SCRAP METAL — Shall mean other metals, except aluminum.

PLASTIC BOTTLES — Shall mean containers classified under the Plastic Bottle Code as PETE (or PET) and (HDPE).

RECYCLABLES — Defined by the County of Monmouth which shall include newspaper, mixed paper, glass bottles and jars, aluminum, tin and bimetal cans, corrugated cardboard, plastic pourable containers (#1 and #2) and such other materials as may be required by law to be segregated from trash for the purpose of recycling.

RESPONSIBLE PARTY OR PARTY — Shall mean owner, lessee, occupant, or person having charge of any dwelling house or other building in the Borough.

RUBBISH — Shall mean all materials, other than garbage, of a type generated by a typical single-family household, or of a type generated by a nonresidential entity that is essentially the same as materials, other than garbage, generated by a typical single-family household, and not specifically listed herein as recyclables, or described as prohibited materials in subsection 16-7.1.

SPECIAL MATERIALS — Shall mean motor oil, household batteries, hazardous waste,

and some packaging material. Disposal of these items is very restrictive and complete details can be found in the Monmouth County Recycling Directory.

TRASH — Shall mean all combustible and noncombustible waste materials and substances, except brush, leaves, and recyclables, of a type generated by a typical single-family household or of a type generated by a nonresidential entity that is essentially the same as waste materials and substances generated by a typical single-family household including, but not limited to the following: garbage, rubbish, plastic, paper, textiles, rags, clothing, cartons, boxes, containers, cans, bags, broken glass, crockery, rubber, leather goods, metals, mineral matter, metal products, small appliances, and other material not defined as recyclable or prohibited material as described in subsection 16-4.1, which can fit into a container as described in subsection 16-2.3. The term "household refuse," as used within the Borough Code or within the Borough newsletter, is interchangeable with the term "trash."

§ 16-2. COLLECTION OF TRASH.

§ 16-2.1. Single- and Two-Family Homes and Certain Nonresidential Entities; Schedule of Collection. [Ord. No. 2010-27]

The Borough's Department of Public Works shall only provide regular pickup of trash for residents of single- and two-family homes, and nonresidential entities existing within the Borough on or before January 1, 2004, according to the Borough published schedules that shall be available at the Borough Municipal Building, and may also be posted on the Borough website calendar as a convenience.

§ 16-2.2. Disposal Methods. [Ord. No. 2010-27; Ord. No. 2011-08]

The responsible party shall dispose of all solid waste as defined in this Ordinance in one of the following manners:

- a. Regular pickup by the Contractor and/or Borough;
- b. Special pickup arranged by the responsible party with the Borough or private contractor;
- c. Privately.
- d. Delivery to the County, or an alternate facility.

§ 16-2.3. Garbage/Trash Containers; Fees. [Ord. No. 2010-27; Ord. No. 2011-08; Ord. No. 2016-05]

- a. All containers used for garbage/trash shall be Borough designated only. Each residence or applicable nonresidential entity may obtain from the Borough free of charge one Borough approved container for trash, of any size described in subsection 16-2.3c.
- b. The Borough approved container for trash is grey in color.
- c. Fees for Additional Containers. Additional containers may be purchased from the Borough as follows: \$30 for a 35 gallon container; \$50 for a 65 gallon container;

and \$55 for a 95 gallon container.

- d. Tipping Fees. (Fee restated at subsection 2-56.1, Fee Schedule.) Tipping fees will be assessed to the individual requesting an additional container at a rate per garbage/trash container of \$25 per month, billed annually.

§ 16-2.4. Placement of Trash Containers; Cardboard; Extra Bagged Trash; Storage of Containers. [Ord. No. 2010-27; Ord. No. 2011-08; Ord. No. 2015-09]

- a. All household trash may be placed in Borough approved containers each having securely fastened lid, and may be placed at the outside edge of pavement or delineated travel lanes abutting one's property, provided the containers are placed in such a manner as not to obstruct pedestrian, bicycle or vehicular traffic upon that portion of the right-of-way designated therefor, after 5:00 p.m. on the evening immediately prior to the day when the contractor and/or Borough collects trash in that zone, and such containers shall be removed completely from the public right-of-way within 24 hours after garbage/trash collection is made. Containers shall be placed curbside no later than 6:00 a.m. the day of collection. All trash items placed for collection shall fit into its respective Borough approved container, and shall have a lid securely fastened thereon.
- b. Placement of Containers; Time for Placement.
 1. Household trash and recyclable items may be placed in Borough approved containers, each having a securely fastened lid, and may be placed at or near the edge of the roadway butting one's property, provided the containers are placed in such a manner as not to obstruct pedestrian or vehicular traffic upon that portion of the right-of-way designated therefor after 5:00 p.m. on the evening immediately prior to the day when the contractor and/or Borough collects garbage/trash and recyclables in that zone and that such containers shall be removed completely from the public right-of-way within 24 hours after garbage/trash and recyclables collection is made. Containers shall be placed curbside no later than 6:00 a.m. on the day of collection.
 2. The approved container for garbage/trash is grey in color. The approved container for recyclables is blue in color.
 3. A list of items designated as suitable for recycling is previously defined in this ordinance.
- c. Excess Bagged Trash. During the Special Trash Overflow Collection Weeks as published by the Borough, a responsible party may place up to four bags of extra bagged trash for collection in accordance with the published collection schedule. All trash items placed for collection as extra bagged trash shall be placed in trash bags that are securely fastened.
- d. Trash containers or excess bagged trash shall not be stored or placed within front yard area prior to the time at which materials are permitted to be placed at the curblines for collection. Such containers or excess bagged trash may be stored in either rear or side areas, but if stored in side areas, they shall be screened from the view of street areas with planting or fencing.

§ 16-3. COLLECTION OF RECYCLABLES.**§ 16-3.1. Single- and Two-Family Homes and Certain Nonresidential Entities; Schedule of Collection. [Ord. No. 2010-27; Ord. No. 2011-08]**

The contractor and/or Borough shall provide regular pickup of recyclables according to the published schedules.

§ 16-3.2. Recyclables Defined; Separation Mandatory; Packaging. [Ord. No. 2010-27; Ord. No. 2011-08]

- a. The list of items designated as "recyclables" is outlined in subsection 16-1.2, Definitions, and is also available at the Borough Clerk's Office, and may also be posted on the Borough website as a convenience.
- b. Separation Mandatory. It shall be mandatory for the responsible party of each dwelling, house or other building in the Borough of Fair Haven to separate all recyclables from all trash placed for pickup and collection.
- c. Packaging of Recyclables. Used newspaper, other paper, and corrugated cardboard shall be packaged as described in the published Borough newsletter. All other recyclables placed for collection by the Borough shall be placed in Borough approved containers only.

§ 16-3.3. Disposal Methods. [Ord. No. 2010-27; Ord. No. 2011-08]

- a. The responsible party shall dispose of all solid waste and recyclables in one of the following manners:
 1. Regular curbside pickup by the Department of Public Works;
 2. Special pickup arranged by the responsible party with the Borough or private contractor.
 3. Delivery to the Borough Public Works Facility in accordance with Section 16-6; or
 4. Privately.
 5. Delivery to the County or an alternate facility.
- b. All nonresidential entities existing within the Borough after January 1, 2004 shall only dispose of recyclables privately.

§ 16-3.4. Recycling Containers; Fees. [Ord. No. 2010-27; Ord. No. 2011-08]

- a. All recyclables as outlined in this chapter shall be placed in the same Borough-issued recycling containers in the single stream method. All recycling shall be placed in the automated recycling containers as provided or approved by the Borough.
- b. The Borough approved container for recycling is blue in color.

- c. Fees for Additional Recycling Containers. Additional containers for recycling may be purchased from the Borough as follows: \$30 for a 35 gallon container; \$50 for a 65 gallon container; and \$55 for a ninety-five gallon container.

§ 16-3.5. Placement of Recycling Containers; Storage of Containers. [Ord. No. 2010-27; Ord. No. 2011-08; Ord. No. 2015-10]

- a. All recyclable items may be placed for collection in Borough approved recycling containers, each having a securely fastened lid, and may be placed at the outside edge of pavement or delineated travel lanes abutting one's property, provided the containers are placed in such a manner so as not to obstruct pedestrian, bicycle or vehicular traffic upon that portion of the right-of-way designated therefor, after 5:00 p.m. on the evening immediately prior to the day when the contractor and/or Borough collects recyclables in that zone, and such containers shall be removed completely from the public right-of-way within 24 hours after the collection is made. Containers shall be placed curbside by no later than 6:00 a.m. on the day of collection.
- b. Recycling containers shall not be stored or placed within front yard area prior to the time at which such containers are permitted to be placed at the curblines for collection. Such containers may be stored in either rear or side areas, but if stored in side areas, they shall be screened from the view of street areas with planting or fencing.

§ 16-3.6. Recyclables Become Property of Municipality or its Designee. [Ord. No. 2010-27; Ord. No. 2011-08]

From the time of placement at the curb by any resident of any recyclable for collection in accordance with the terms hereof, such recyclable shall be and become the property of the municipality. It shall be a violation of this section for any person unauthorized by the municipality to collect or pick up or cause to be collected or picked up any such other recyclable during the twenty-four-hour period commencing at 4:00 p.m. on any day preceding a day designated for collection by the municipality in accordance with the terms hereof. Any and each such collection in violation hereof from one or more residences during the twenty-four-hour period shall constitute a separate and distinct offense punishable as hereinafter provided.

§ 16-3.7. Separate Recycling Drives Allowed. [Ord. No. 2010-27]

This section is in no way intended to prohibit separate recycling drives by nonprofit or charitable organizations authorized by the Governing Body on days other than those designated for collection by the Borough.

§ 16-4. COLLECTION OF BULK ITEMS.

§ 16-4.1. Residential Bulk Items Curbside Collection by Borough; Fees; Rescheduling/Cancellation; Relocating Residents. [Ord. No. 2010-27; Ord. No. 2011-08]

- a. Bulk item curbside collection by the Borough is available for single- and two-family residential dwellings only. Any responsible party of any single- or two-

family residential dwelling within the Borough seeking bulk item curbside collection, including any such party who is relocating in or out of the Borough, shall arrange in advance at Borough Hall for the pickup of bulk items by the Department of Public Works. A special pickup may include bulk items from more than one Fair Haven Borough property, provided the bulk item is picked up from a single location. The responsible party shall place upon each major appliance placed for curbside collection an appliance pickup sticker, which may be obtained from the Borough. The number of scheduled bulk item collections per week at a particular property shall be in the discretion of the Borough.

- b. (Fees restated at subsection 2-56.1, Fee Schedule.) The responsible party shall pay a nonrefundable bulk item pickup fee of \$50 for up to five bulk items placed for collection plus \$10 for each additional item, and \$15 for each additional major appliance included in the pickup. Bulk items shall not be placed curbside for collection prior to the scheduling for pickup and remitting of the appropriate fee to the Borough.
- c. In lieu of each bulk item placed for collection, Borough residents who are relocating in or out of the Borough may place a sealed bag of trash.

§ 16-5. COLLECTION OF BRUSH AND LEAVES.

§ 16-5.1. Regular Pickup of Brush and Leaves; Grass Clippings; Rakings and Plantings Placement Prohibited. [Ord. No. 2010-27; Ord. No. 2011-08; Ord. No. 2015-11]

- a. Placement of Brush and Leaves. Residents shall place brush and leaves at the outside edge of pavement or delineated travel lanes for collection only during the days and times as may be designated by the Borough Council and/or published in the Leaf and Brush Collection Schedule. Brush and leaves shall be placed separately in the street adjacent to the curb and abutting the party's property. Brush and leaves shall not be placed in plastic bags or other types of containers, except for properties on River Road. Piles of brush or leaves shall not obstruct pedestrian, bicycle or vehicular travel lanes.
- b. Grass Clippings, Rakings and Plantings; Placement Prohibited. Grass clippings, rakings and plantings shall not be placed, raked, blown or otherwise caused to be disposed upon the Borough streets or curbs. They shall not be picked up by the Borough.
- c. Brush and Leaf Violations: (Fines restated at 2-56.1, Fee Schedule.)
 - First offense: \$50
 - Second offense: \$100
 - Third or more offenses: Court appearance required

§ 16-6. PERSONAL DELIVERY OF BULK ITEMS AND RECYCLING TO BOROUGH PUBLIC WORKS FACILITY.

§ 16-6.1. Responsible Party Only; Proof of Residency; Valid Registration on All

Entering Vehicles; Rules. [Ord. No. 2010-27; Ord. No. 2011-08]

- a. The responsible party may deliver bulk trash and recyclables to the Borough Public Works facility during times designated by the Borough Council. A fee for major appliances is required and may be found in the fee ordinance. No one other than a responsible party as herein defined shall deliver or cause to be delivered materials to the Borough Public Works facility. Each such responsible party shall present proof of such status when requested.
- b. All Borough residents who desire to dispose of refuse and recyclables at the Borough Public Works facility during the designated hours shall present proof of legal residence in Fair Haven which will permit access to the Borough Public Works facility.
- c. Persons utilizing the Borough Public Works facility must comply with the following:
 1. Proof of residency must be provided upon entering the facility.
 2. Drivers must enter and exit using extreme caution following posted traffic patterns/directions. Pedestrians have the right-of-way at all times.
 3. Unattended vehicles must be in park, emergency brake on, and engine shut off. No idling vehicles are permitted.
 4. Children under age 10 must remain in their vehicle for their own safety.
 5. Pets are prohibited from being walked or loose in the facility, and should remain in the vehicles.
 6. Any incident should be reported immediately to the Department of Public Works personnel.
 7. Recyclables should be placed in proper bins and must not be thrown.
 8. Directions or instructions of Public Works employees must be followed at all times.
 9. No loitering or unauthorized access to the Public Works facility is allowed.
 10. All items disposed of at the Public Works facility shall be considered Borough property and shall be further disposed of according to the Borough policy.

§ 16-6.2. Delivery of Major Appliances; Fees; Rules. [Ord. No. 2010-27; Ord. No. 2011-08]

- a. Major appliances may be delivered to the Borough garage, provided an appliance drop-off sticker is affixed thereto. Major appliance drop-off stickers may be obtained by responsible parties from the Borough during normal office hours.
- b. The responsible party shall pay to the Borough a major appliance drop-off fee of \$15 for each major appliance to be delivered to the garage.
- c. The responsible party utilizing the Borough garage must comply with the

following:

1. Proof of residency must be provided upon entering the facility.
 2. Drivers must enter, park, and exit using extreme caution following posted traffic patterns/directions. Pedestrians have the right-of-way at all times.
 3. Unattended vehicles must be in park, emergency brake on, and engine shut off. No idling vehicles are permitted.
 4. Children under age 10 must remain in their vehicle for their own safety.
 5. Pets are prohibited from being walked or loose in the facility, and should remain in the vehicles.
 6. Any incident should be reported immediately to the Department of Public Works personnel.
 7. Directions or instructions of public work employees must be followed at all times.
 8. No loitering allowed.
 9. Vehicles must be parked in designated location.
- d. Recyclables deposited at the Borough Recycling Center shall be placed in appropriate on-site containers. All individuals depositing recyclables at the Center shall enter the garage through the main entrance gate.

§ 16-7. COLLECTION RESTRICTIONS.

§ 16-7.1. Prohibited Materials. [Ord. No. 2010-27; Ord. No. 2011-08]

Notwithstanding trash and recyclables as described in subsection 16-1.2, the following items are prohibited from being placed for trash, recycling, and scheduled bulk collection, or included in bulk drop and recycling off at the Department of Public Works facility.

- a. Demolition and construction materials, including but not limited to building fixtures, bulk roof shingles, doors and windows, dimensional framing lumber, bulk or sheets of plywood, paneling, plasterboard, sheetrock, etc.
- b. Tree trimmings, tree stumps, brush, leaves and grass clippings.
- c. Wood pallets.
- d. Propane tanks.
- e. Hot ashes, dirt, earth, stone, blacktop, concrete, concrete block and macadam.
- f. Industrial waste, including but not limited to: processed scrap materials, packing materials and certain hazardous and dangerous materials, such as acids, paints, fluorescent tubes, toxic materials and highly volatile or explosive matter, either in liquid, gaseous or solid form.

- g. Bulk automotive parts, including but not limited to transmissions, engines, rear ends, rims, tires, wheels, mufflers, car batteries and other bulk items normally produced in quantity by vehicular repair operations.
- h. Dead animals.
- i. Surgical dressings, syringes and disposable hospital-type waste items, also known as "red bag waste." Note: Health care providers and residents who are producing and/or creating red bag components in conducting daily activities or are maintaining their health shall be required to make appropriate arrangements with their suppliers to correctly contain and process for disposal their red bag waste materials.
- j. New and used motor oils, petroleum based products or antifreeze.
- k. Hazardous waste classified pursuant to regulations issued by the New Jersey Department of Environmental Protection (NJDEP), adopted under authority of N.J.S.A. 13:1D-9 and 13:1E-6, as amended. Toxic materials, commonly known as "commercial hazardous waste" and "household hazardous waste," would be excluded.

§ 16-8. SEPARATE RECYCLING DRIVES ALLOWED. [Ord. No. 2011-08]

This section is in no way intended to prohibit separate recycling drives by nonprofit or charitable organizations authorized by the Governing Body on days other than those designated for collection by the Borough.

§ 16-9. VIOLATIONS; PENALTIES. [Ord. No. 2010-27; Ord. No. 2011-08]

Any person who violates any provision of this chapter shall be liable for a fine of \$50 for the first offense (court appearance not required); a second offense a \$100 fine; and for subsequent offenses a mandatory court appearance.

§ 16-10. ENFORCEMENT; REGULATIONS. [Ord. No. 2007-25 § 27; Ord. No. 2011-08]

The Code Enforcement Officer, the municipal Department of Public Works, a Police Officer, and any agent designated by the Borough Council, are authorized and directed to enforce the provisions of this chapter. The Governing Body or their designee, is authorized and directed to establish and promulgate reasonable regulations as to the manner, days and times for collection of trash, garbage, bulk items, brush, leaves, and recyclables in accordance with the terms hereof.

§ 16-11. DUMPSTERS.

§ 16-11.1. Dumpsters on Private Property. [Ord. No. 2011-01]

The following minimum regulations are established for dumpsters located on private property in the Borough of Fair Haven: Any dumpster located at a commercial or industrial establishment or multifamily building in the Borough shall be bordered on three sides by six-foot stockade fence or block wall, with a six-foot high gate located at the front of the dumpster; provided, further, that where the dumpster is located abutting

a building or existing structure, there shall be required only, in addition to the gate, a border on only the two open sides.

§ 16-11.2. Refuse Containers/Dumpsters-Purpose. [Ord. No. 2011-01]

The purpose of this section is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Fair Haven and/or the waters of the State so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply.

§ 16-11.3. Definitions. [Ord. No. 2011-01]

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 section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in 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.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — Shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) that is owned or operated by Fair Haven Borough or other public body, and is designed and used for collecting and conveying stormwater.

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

REFUSE CONTAINER — Shall mean any waste container that a person controls whether owned, leased or operated, including dumpsters, trash cans, garbage pails and plastic trash bags.

STORMWATER — Shall mean water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, and is captured by separate storm sewers or other sewerage or drainage facilities or is conveyed by snow removal equipment.

WATERS OF THE STATE — Shall mean the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 16-11.4. Prohibited Conduct. [Ord. No. 2011-01]

Any person who controls, whether owned, leased, or operated a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must insure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Fair Haven.

§ 16-11.5. Exceptions to Prohibition. [Ord. No. 2011-01]

- a. Permitted temporary demolition containers.
- b. Litter receptacles (other than dumpsters or other bulk containers).
- c. Individual homeowner trash and recycling containers.
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

§ 16-11.6. Enforcement. [Ord. No. 2011-01]

This section shall be enforced by the Code Enforcement Officer of the Borough of Fair Haven.

§ 16-11.7. Penalties. [Ord. No. 2011-01]

Any person(s) who is found to be in violation of the provisions of this section shall be subject to the penalties outlined in Section 1-5 of the Code of Fair Haven Borough.