

TOWNSHIP OF CHESTERFIELD

ORDINANCE NO. 2021-7

AN ORDINANCE AMENDING CHAPTER 156 OF THE CODE OF THE TOWNSHIP OF CHESTERFIELD ENTITLED "RECYCLING"

WHEREAS, Chapter 156 of the Code of the Township of Chesterfield, does not fully reflect current recycling practices carried out by the Township of Chesterfield or as set forth in the Burlington County Solid Waste Management Plan; and

WHEREAS, the Township Committee of the Township of Chesterfield desires to update and clarify various sections of Chapter 156 of the Code of the Township of Chesterfield.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Chesterfield, County of Burlington and State of New Jersey, that all ordinances, or portions of ordinances, that presently are codified in Chapter 156 of the Township Code of the Township of Chesterfield, hereby are amended as follows and to the extent set forth below:

ARTICLE I. AMENDMENTS AND NEW SECTIONS

A. 156-1, entitled "Purpose" is hereby amended to read as follows:

The Township of Chesterfield finds that reducing the amount of solid waste and conservation of recyclable materials is an important public concern and is necessary to implement the requirements of the New Jersey Solid Waste Management Act, N.J.S.A. 13:1E-1, et. seq., and of the County Plan. The recycling of certain materials by the residential, commercial and institutional establishments in the Township of Chesterfield will conserve existing landfill capacity, facilitate the implementation and operation of other forms of resource recovery and conserve natural resources through reduced energy consumption, reduced water and air pollution, as well as reduce the demand on raw material extraction. While the Township recognizes the importance of recycling, the Township does not have the capacity to accept all designated recyclable materials nor will the Township handle, process, collect, or transfer recyclable materials from nonresidents or any commercial, industrial or non-profit entity.

B. 156-3, entitled "Definitions" is hereby amended such that the following amended and new definitions shall apply:

BRUSH

All natural material, with the exception of bagged leaves, derived from trees and bushes no greater than six inches in diameter or ten feet in length. For the

purposes of the chapter, brush does not include any natural material that still contains soil laden root mass.

CONSUMER ELECTRONICS

Computer equipment, including desktop and laptop computers and related components, including monitors, circuit boards, terminals, and CPUs, and peripheral equipment including keyboards, printers, copiers, and fax machines. It shall also include televisions that use tube technology, flat screen televisions with displays using LCD, plasma or LED technology, VCRs, CD players, DVD players, and cellular phones.

COUNTY

The Burlington County Board Commissioners, and its successors and assigns, acting through the Burlington County Division of Solid Waste Management.

MUNICIPAL RECYCLING DEPOT

A site owned and operated by a municipality for the receipt and temporary storage of certain designated Class A recyclable materials delivered by residents of the Municipality for a period not exceeding two months, prior to their transport to a recycling center or end market.

C. 156-6, entitled "Sources separation and collection of designated recyclables for the curbside program" is hereby amended to add Section E., which shall read as follows:

E. Removal or exchange of recycling carts or containers provided by the Municipality or by the County by any person is prohibited.

D. 156-7, entitled "Municipal drop-off," is deleted and is replaced with a new section 156-7 to be designated as Establishment of Municipal Recycling Depot" which shall read as follows:

A. There is hereby established a Municipal Recycling Depot for the convenience of residents only. All persons wishing to use the Municipal Recycling Depot shall be required by the township to produce identification with proof of residency. Failure to provide proof of residency when using the Municipal Recycling Depot shall serve as prima facie evidence of violation of this chapter.

B. No commercial, industrial or nonprofit users are permitted to use the Municipal Recycling Depot. No commercially registered equipment, vehicles or vehicle drawn devices/trailers are permitted to use the Municipal Recycling Depot. Dump trucks, dumping trailers, and trailers greater than twelve feet in length are prohibited from using the Municipal Recycling Depot. Any resident who does not have benefit of a non-commercially registered vehicle shall first obtain written approval from the

Township Clerk, before attempting to use or access the Municipal Recycling Depot. Such written approval shall be issued on a per-occasion basis and shall not be continued beyond the single occasion such approval was issued.

C. Source-separated recyclables listed below may be brought to the Municipal Recycling Depot only during the times and days the facility is open to the public as established by the Municipality.

- (1) Aluminum cans.
- (2) Corrugated cardboard.
- (3) Glass containers.
- (4) Paper.
- (5) Plastic bottles (coded 1 and 2).
- (6) Steel (tin) cans.
- (7) Consumer electronic devices.
- (8) Textiles.
- (9) Non-bagged Leaves.
- (10) Lead acid batteries.
- (11) Brush, wood waste and tree parts not exceeding 6' diameter or 10' in length.
- (12) Plastic bags and plastic film.
- (13) Other recyclable materials as may be designated by the Municipality.

D. Hours of operation.

The hours of operation of the Municipal Recycling Depot shall be established by Resolution of the Township Committee following the adoption of this Chapter and as often as may be necessary to adequately accommodate the recycling needs of the residents of the Municipality while maintaining a safe, secure, and user-friendly facility which requires servicing and maintenance by the staff of the Township Public Works Department. The days and times of operation for the Municipal Recycling Depot are subject to weather conditions and seasonal influences affecting the types and quantities of materials brought for recycling. Due to the ever-changing demand placed on the facility, the Township of Chesterfield reserves the right to periodically adjust the hours of operation for the facility. Information of such adjustment to hours and days of operation shall be provided to the residents of the Municipality by various means typically used to communicate with citizenry. Notification mechanisms may include, but are not limited or expressly identified as, the official Township Website, notices posted on the official bulletin board of the Municipality located inside the Municipal Building at 295 Bordentown-Chesterfield Road, notices published in an official Township newspaper as designated annually by Township Committee Resolution during the reorganization meeting of the Township Committee, by placing signage or temporary amendments to signs posted at the entrance to the Municipal Recycling Depot, or by using then-available social media platforms that may from time-to-time become widely used by and for residents and the Township of Chesterfield.

E: 156-11, entitled "Unlawful activities; nuisance", Section 156-11.A.(3) is amended to read as follows:

Any person to place or to cause to be placed any material at or near the Municipal Recycling Depot, which material is not designated for collection at the Municipal Recycling Depot.

F: 156-11, entitled "Unlawful activities; nuisance", Section 156-11.A.(7) is amended to read as follows:

Any nonresident or any commercial, industrial or non-profit entity to place or to cause to be placed any material, whether recyclable or otherwise, at or near the Municipal Recycling Depot.

G: 156-11, entitled "Unlawful activities; nuisance", is hereby amended to add Section (8) which shall read as follows:

Any person to drop-off or place any material in any location not specifically designated for receipt of such materials whether they be recyclable or otherwise

H: 156-16, entitled "Violations and penalties" Section A.(8) is hereby amended to read as follows:

For any nonresident person or commercial entity or industrial entity or non-profit entity convicted of placing or causing to be placed any material, whether recyclable or otherwise, at or near the Municipal Recycling Depot: a fine of not less than \$500 and nor more than \$2,000

I: 156-16, entitled "Violations and penalties," is hereby amended to add Section (8) which shall read as follows:

Any person to drop-off or place any material in any location not specifically designated for receipt of such materials whether they be recyclable or otherwise: a fine of not less than \$500 and nor more than \$2000.

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and

effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage and publication in accordance with the law.

CHESTERFIELD TOWNSHIP COMMITTEE

Introduced: June 10, 2021

Adopted: June 24, 2021

RECORD OF VOTE ORDINANCE 2021-7													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S Dhopte	X				X		S Dhopte	X					X
D Koetas-Dale	X						D Koetas-Dale	X					
J Liedtka				X			J Liedtka	X					
L Panfili	X						L Panfili	X					
M Russo	X					X	M Russo	X				X	
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													