

ARTICLE I  
Collection

**[Adopted 7-8-1976 as Section 10-7 of the Revised General Ordinances of 1975]**

**§ 153-1. Findings.**

It is found by the Mayor and Council that conservation of recycling materials has become an important public concern in improving our environment, and the growing problem of solid waste disposal has shown the increasing necessity to conserve our natural resources. It is further a finding that the Board of Chosen Freeholders has advised that, because of the lack of space at the county sanitary landfill areas under their jurisdiction and control, after April 1, 1975, the acceptance of newspaper at any county sanitary landfill area as part of refuse delivered for disposal will be prohibited. It is further a finding that the separation of newspaper and magazines from refuse is in the best interest of the borough and promotes the general welfare.

**§ 153-2. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**COMMERCIAL ESTABLISHMENT** — Includes any and all establishments which conduct general business such as the supplying of goods and or services. **[Added 1-15-1991 by Ord. No. 1120]**

**CONTAINER** — A watertight metal or plastic waste can with a tight-fitting cover; plastic disposable bag of not less than three mils' thickness, suitably tied; craft-paper disposable bag of 100 pounds' wet strength; or other receptacle as may be approved.

**DWELLING UNIT** — Includes one-family homes, two-family homes, multifamily homes and apartments, and, where applicable, shall include commercial establishments.

**GARBAGE** — Any accumulation of animal, fruit or vegetable waste matter resulting from the use, storage or consumption of food.

**INDUSTRIAL ESTABLISHMENT** — Includes all establishments which conduct general manufacturing or processing of material for future resale. **[Added 12-27-1990 by Ord. No. 1116]**

**MAGAZINES** — Periodicals with a glossy finish known as "coated stock," not including normal rotogravure sections of newspapers which may be included with newspapers.

**REFUSE** — Includes garbage, ashes and all other waste materials but shall not include recyclable materials. **[Added 12-27-1990 by Ord. No. 1116; amended 1-15-1991 by Ord. No. 1120]**

**RUBBISH** — Household appliances, fixtures and furniture; screens; storm windows; yard waste; grass and hedge clippings; weeds and shrubbery resulting from the normal maintenance of lawns, gardens and grounds; and other waste of a similar nature and kind, including grass trimmings and tree branches.

**USED NEWSPAPER** — Includes 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.

WASTE — All refuse, and shall also include and not be limited to garbage, ashes, yard waste, bulk refuse, rubbish, litter and dead animals; excluding, however, organic human waste or parts.

### § 153-3. Storage.

- A. All garbage and rubbish shall be stored in and collected from containers not to exceed 30 gallons in capacity and 65 pounds in gross weight.
- B. All yard waste shall be stored in either plastic disposable bags of not less than three mils' thickness, suitably tied, or craft-paper disposable bags with 100 pounds wet strength, suitably sealed. **[Amended 9-20-2005 by Ord. No. 1454]**
- C. No waste shall be stored in or collected from containers which are rusted or damaged to the extent they are not rodent-, fly- or watertight.<sup>1</sup>

### § 153-4. Separation of newspapers and magazines.

All owners, lessees or occupants of dwelling units or commercial establishments shall be required from May 22, 1975, to separate from their garbage all newspapers and magazines, which shall be picked up and disposed of separately by employees of the borough or such other persons or organizations who may be duly authorized by the borough; the time and day of such pickups and all other rules and regulations not included herein shall be determined by resolution of the Mayor and Council. Such separation shall be in accordance with the following terms and conditions:

- A. All newspapers will be bundled with twine or other secure arrangements to ensure that they will not be capable of being windblown or distributed on the public streets, provided that the maximum weight of any bundle does not exceed 30 pounds (approximately 12 inches high).
- B. All magazines will be bundled with twine and other secure arrangements to ensure that they will not be capable of being windblown or distributed on the public streets, provided that the maximum weight of any bundle does not exceed 30 pounds (approximately 12 inches high).
- C. Storage of newspapers and magazines prior to the pickup day as determined by the Mayor and Council shall be in a location within an enclosed structure. In the case of dwelling units other than one- and two-family homes, the owner of the dwelling unit and/or commercial establishment shall ensure that a special place is designated for the storage of the magazines and newspapers, and all lessees or inhabitants of the dwelling unit or commercial establishment shall be required to separate such items and place the same in the designated place. Prior to the establishment of the

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1. Editor's Note: Former Sections 10-7.4 and 10-7.5, which immediately followed this section and dealt with disposal and private contractors, respectively, were deleted 8-15-1995 by Ord. No. 1226.

designated place, the owner shall advise the Superintendent of Public Works and the Borough Fire Chief as to the location, which shall be subject to their approval.

- D. The owner, lessee or occupant of any dwelling and/or commercial establishment shall place such separate newspapers and magazines at the curb prior to 7:00 a.m. of the day designated for pickup by the Mayor and Council. From the time of placement on the curb, such materials shall become and be the property of the Borough of Palisades Park. [Amended 8-15-1995 by Ord. No. 1226]

**§ 153-5. Curbside collection of newspapers and magazines; private disposal through sale or gift.**

- A. Collection from the curbside of newspapers and magazines shall be made by the borough employees or by any other such duly authorized persons or organizations or by contract for outside services as directed by the Mayor and Council of the borough.
- B. Nothing in this section shall be deemed to prohibit any owner, lessee or occupant from disposing of newspapers and magazines privately through sale or gift of the person concerned, provided that in no event shall such newspapers and magazines be left at the curb for any private pickup and further provided that in no event shall any newspapers or magazines be disposed of as part of the solid waste pickup by the borough in accordance with the normal pickup by the borough.

**§ 153-6. Unauthorized collection prohibited.**

It shall be a violation of this article for any person not authorized hereunder to collect or pick up or cause to be collected or picked up any such newspapers or magazines for any purpose whatsoever once the same have been placed on the curb. Any and each such collection in violation hereof from one or more premises shall constitute a separate and distinct offense punishable as established in Chapter 1, General Provisions, § 1-15.

**§ 153-7. Signs on vehicles of authorized collectors.**

The Borough Clerk shall cause a sign measuring not less than 11 inches by 14 inches and bearing the legend "authorized newsprint collector, Borough of Palisades Park," as the case may be, to be issued to the authorized collector, which sign or signs shall be displayed conspicuously on the exterior of any truck or vehicle employed by the collector within the borough.

**§ 153-8. Rules and regulations; pickup schedule.**

The Mayor and Council shall, by appropriate resolution, promulgate all rules and regulations for the collection of garbage, newspapers and magazines and shall, by appropriate resolution, establish a schedule of pickup of the aforesaid.

**§ 153-8.1. Industrial establishments.<sup>2</sup> [Added 12-27-1990 by Ord. No. 1116]**

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2. Editor's Note: See Article III of this chapter.

- A. Commencing January 1, 1991, owners of industrial establishments shall at their sole cost and expense provide for refuse collection and disposal of refuse generated by said properties. No municipal refuse collection shall be provided for said properties.
- B. After January 1, 1991, any refuse placed at curbside for municipal pickup by an establishment designated in Subsection A of this section will be tagged by municipal works and left at curbside.
- C. Any refuse so tagged shall be immediately removed from curbside by the owner of the property.
- D. Refusal to remove refuse tagged pursuant to this section within 24 hours shall result in the issuance of a summons returnable in Municipal Court.

**§ 153-8.2. Commercial establishments.<sup>3</sup> [Added 1-15-1991 by Ord. No. 1120]**

- A. Commencing February 1, 1991, owners of commercial establishments shall at their sole cost and expense provide for refuse collection and disposal of refuse generated by said properties. No municipal refuse collection shall be provided for said properties.
- B. After February 1, 1991, any refuse placed at curbside for municipal pickup by an establishment designated in Subsection A of this section will be tagged by municipal works and left at curbside.
- C. Any refuse so tagged shall be immediately removed from curbside by the owner of the property.
- D. Refusal to remove refuse tagged pursuant to this section within 24 hours shall result in the issuance of a summons returnable in Municipal Court.

**§ 153-8.3. Yard waste. [Added 9-20-2005 by Ord. No. 1454; amended 11-26-2013 by Ord. No. 1608]**

Sweeping, raking, blowing, or otherwise placing yard waste that is not containerized within the cartway is prohibited. If such placement of yard waste occurs, the party responsible for the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this section. At no time shall yard waste be placed for collection in plastic bags; however, pursuant to § 153-3B, it may be stored prior to collection in suitable plastic bags.

**§ 153-9. Administration and enforcement.**

The Police Department and all members thereof, the Superintendent of the Department of Public Works and members thereof authorized by the Superintendent, and the Health Officers of the borough shall have the right to issue summonses to all persons violating this article.

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3. Editor's Note: See Article III of this chapter.