

Ordinance #201 7-1185

**AN ORDINANCE AMENDING ORDINANCES #2008-1073 and #2017-1180,
TO REGULATE THE COLLECTION AND DISPOSAL OF
BULK TRASH ITEMS, GARBAGE, MUNICIPAL WASTE AND SOLID WASTE
WITHIN THE BOROUGH OF MANVILLE**

WHEREAS, the Mayor and Council find that abandonment of bulk trash items, garbage, municipal waste and solid waste is becoming an increasing problem within the Borough, including the dumping or abandonment of same on adjacent or Borough-owned properties, and WHEREAS, the Mayor and Council by this ordinance intend to clarify Ordinances #2008-1073 and #2017-1180 to affirm that under the conditions and seven (7) days Notice as set forth in Section 13 of those prior Ordinances, the Director of Public Works may cause such dumping or abandonment to be removed and abated, now therefore:

BE IT ORDAINED by the Mayor and Council of the Borough of Manville, in the County of Somerset and State of New Jersey, as follows:

1. Ordinance #2008-1073, as previously amended by Ordinance #2017-1180, shall be further amended by modifying same by amending Section 2, DEFINITIONS, to now add an additional definition as follows:

ITEMS NOT ACCEPTED - Any items listed on "Schedule B" as "Items Not Accepted", which items shall not be accepted for bulk trash pick-up by the Borough of Manville.

2. Ordinance #2008-1073, as previously amended by Ordinance #2017-1180, shall be further amended by modifying same by amending SCHEDULE B, by revising and replacing the section labeled ITEMS NOT ACCEPTED to now read as follows

SCHEDULE B:

Bulk items NOT ACCEPTED

The following items shall not be accepted for bulk trash pick-up by the Borough of Manville, notwithstanding whether or not a sticker is affixed to same:

- **Automobiles or other Vehicles**
- **Abandoned automobiles or vehicles, car parts, tires, or batteries.**
- **Hazardous Waste - motor oil, anti-freeze, propane tanks, fluorescent tubes, oil-based paint or chemicals , or other hazardous waste .**
- **Masonry Items - concrete, cement, brick, block, stone , marble, granite, dirt or other masonry items.**
- **Medical Waste - contact a local hospital for information on the "Safe Syringe Program" .**
- **Recyclable Items - as outlined in the Annual County Recycling Schedule.**
- **Renovation/Remodeling Debris - lumber, tile, siding, masonry items, or roofing materials.**
- **Any household appliances containing Freon.**

2. Ordinance #2008-1073, as previously amended by Ordinance #2017-1180, shall be further amended by modifying same by amending SECTION 5. RESPONSIBILITIES FOR COLLECTION AND DISPOSAL to add a new Section 5.E, to read as follows:

E. DUMPING OR ABANDONMENT OF BULK TRASH ITEMS, GARBAGE, MUNICIPAL WASTE AND SOLID WASTE ITEMS:

(1) Any user who places on the street, or who places, dumps, or abandons on the user's own property, on adjacent property or properties, or on Borough-owned property, any bulk trash items, garbage, municipal waste, or solid waste, including but not limited to any item listed in Schedule B as ITEMS NOT ACCEPTED, shall at the user's own expense remove or cause same to be removed by a duly licensed and approved disposal service within thirty (30) days. Failure to do so shall subject said user to the provisions of Section 13 of #Ordinance 2008-1073 as amended by Ordinance #2017-1180, whereby the Borough of Manville may after notice, abate and remove same, upon which the property owner of the premises from which the items originated shall be subject to penalties and fines, or a charge for said abatement which charge shall be a lien against that property on the tax records, under the conditions of Section 13 as set forth in Ordinance #2017-1180.

(2) Where the items in question constitute dangerous or hazardous waste, or create a dangerous or hazardous condition, the Director of Public Works may with the concurrence of the Borough Engineer, certify to the Borough Administrator or Mayor that an emergent situation has arisen and may commence the abatement process described in the foregoing subparagraph on any date sooner than thirty (30) days, on such emergent schedule as the Director of Public Works at his or discretion may deem to be in the best interest of public safety.

3. Except as amended or modified herein, Ordinances No. 2008-1073 and 2017-1180 shall remain full force and effect.

4. Severability: In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

5. Inconsistency with other Ordinances: Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, the inconsistent provisions of such other prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

6. Effective Date: This ordinance shall be effective ten (10) days after final approval and publication in accordance with law.

Borough of Manville,



Richard M. Onderko, Mayor

ORDINANCE #201 7-1185

FIRST READING:

ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
√		SZABO	√			
		CAMACHO	√			
		MAGNANI	√			
	√	PETROCK	√			
		PETRONE	√			
		SKIRKANISH	√			
		MAYOR ONDERKO				

INTRODUCED this 10th day of **April**, 2017



Attest: Pamela Borek, Borough Clerk

SECOND READING:

ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
	√	SZABO	√			
		CAMACHO	√			
		MAGNANI	√			
√		PETROCK	√			
		PETRONE	√			
		SKIRKANISH	√			
		MAYOR ONDERKO				

ADOPTED this 24th day of **April**, 2017

Attest:



Pamela Borek, Borough Clerk