

CHAPTER 154 GARBAGE, RUBBISH AND REFUSE

[HISTORY: Adopted by the Township Committee of the Township of Hanover as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Littering — See Ch. [171](#).

Property maintenance — See Ch. [218](#).

Offensive odors — See Ch. [304](#).

ARTICLE I Collection (§ 154-1 — § 154-5)

[Adopted 8-14-1980 by Ord. No. 16-80]

§ 154-1 Placement and removal of garbage and recycling receptacles on certain roadways restricted.

[Amended 2-25-1999 by Ord. No. 11-99]

A.

No person shall set or place out for collection any household garbage, refuse, other household materials, recyclables or grass clippings, other than leaves and brush, along New Jersey State Highway Route No. 10 and Ridgedale Avenue for collection by the Township's Public Works Department, the Morris County Municipal Utilities Authority or by any private scavenger/hauler before 6:00 p.m. of the day prior to the collection day that household refuse or recyclables are to be collected between April 2 through September 30 of any calendar year. Between October 1 through April 1 of any calendar year, household garbage, refuse, other household materials, recyclables or grass clippings may be placed at curbside starting at 4:30 p.m. on the day prior to the day that garbage or recyclables are to be collected.

B.

All garbage and recycling receptacles placed along New Jersey State Highway Route No. 10 and Ridgedale Avenue are to be removed by 11:00 a.m. of the same day the garbage or recyclables have been collected.

§ 154-2 Placement and removal of garbage and recycling receptacles on public streets restricted.

[Amended 2-25-1999 by Ord. No. 11-99]

A.

No person shall set or place out for collection any household garbage, refuse, other household materials, recyclables or grass clippings, other than leaves and brush, along any other streets or public thoroughfares in the Township of Hanover for collection by the Township's Public Works Department, the Morris County Municipal Utilities Authority or by any private scavenger/hauler before 6:00 p.m. of the day prior to the collection day that household refuse or recyclables are to be collected between April 2 through September 30 of any calendar year. Between October 1 through April 1 of any calendar year, household garbage, refuse, other household materials, recyclables or grass clippings may be placed at curbside starting at 4:30 p.m. on the day prior to the day that garbage or recyclables are to be collected.

B.

All garbage and recycling receptacles placed along any Township street or public thoroughfare, other than New Jersey State Highway Route No. 10 and Ridgedale Avenue, are to be removed by 7:00 p.m. of the same day the garbage or recyclables have been collected.

§ 154-2.1 Removal of receptacles due to unforeseeable conditions.

[Added 2-25-1999 by Ord. No. 11-99]

The time provisions governing the removal of garbage and recycling receptacles set forth in §§ [154-1](#) and [154-2](#) shall not apply when unforeseeable circumstances, such as weather-related conditions, prohibit the Township's Public Works Department, the Morris County Utilities Authority or a private scavenger from collecting household solid waste and/or recyclables on the designated collection dates.

§ 154-3 Preparation of refuse for collection.**A.**

Garbage, rubbish, refuse and similar solid waste materials shall be placed in strong, watertight plastic or metal receptacles not exceeding 32 gallons and equipped with proper handles and tight-fitting detachable or removable lids. Permanently attached lid containers cannot be used. Such receptacles shall be kept tightly covered, and the weight thereof, including the contents, shall not exceed 50 pounds in weight. Garbage shall be sufficiently drained and wrapped and/or placed in paper or plastic bags before it is deposited in the receptacles. Furthermore, all garbage

receptacles shall be kept in a clean and sanitary condition and placed at curbside for collection, all in accordance with the Township's sanitation and recycling schedules.

[Amended 10-27-1994 by Ord. No. 26-94 ; 10-23-2008 by Ord. No. 29-08]

B.

All brush and tree limbs must be cut into pieces no more than four feet in length, tied into bundles and placed at the curb for collection.

C.

No grass clippings, hedge or hedge clippings, shrubbery, shrubbery clippings, tree cuttings or other similar material shall be placed, pushed, raked or swept in or onto any public walk, sidewalk, gutter, road, roadway or public thoroughfare, except that during the months of October and November leaves, and leaves only, may be raked or pushed into the gutter in connection with the leaf collection program. For the purposes of the collection of such items as grass clippings, hedge or hedge clippings, tree cuttings or other similar material, these items shall be placed in strong, watertight plastic or metal containers not exceeding 32 gallons and equipped with proper handles and tight-fitting detachable or removable lids. Permanently attached lid containers cannot be used. The total weight of each receptacle, including its contents, shall not exceed 50 pounds in weight. Such containers shall be placed at curbside for collection in the manner prescribed under § [154-11](#) of Article [II](#) of this chapter and in accordance with the Township's sanitation and recycling schedules.

[Amended 10-27-1994 by Ord. No. 26-94 ; 10-23-2008 by Ord. No. 29-08]

§ 154-4 Enforcement.

[Amended 5-28-1998 by Ord. No. 15-98]

The Police Department and Property Maintenance Officer of the Township of Hanover are hereby authorized to enforce this article.

§ 154-5 Violations and penalties.

[Amended 7-11-1991 by Ord. No. 16-91]

The owner or user of any property whereon a violation of this article occurs, or any person employed in connection therewith, shall each be guilty of a violation and, upon conviction thereof, shall be subject to a fine not exceeding \$1,000 and/or to imprisonment for up to 90 days. Each and every day that such a violation occurs shall be deemed a separate and distinct violation.

ARTICLE II Source Separation and Recycling (§ 154-6 — § 154-17.4)

[Adopted 4-24-2008 by Ord. No. 9-08]

Editor's Note: This ordinance repealed former Art. II, Recycling, adopted 10-27-1994 by Ord. No. 26-94, as amended.
]

§ 154-6 Mandatory recycling program; establishment of goals.

A.

There is hereby established a mandatory recycling program for all residential, commercial, governmental and educational institutions located within the Township of Hanover for the purpose of separating recyclables from other waste products.

B.

In accordance with regulations promulgated by the New Jersey Department of Environmental Protection, the Morris County Municipal Utilities Authority, and pursuant to the March 2007 Morris County Solid Waste Management Plan amendment, the Township shall make every good-faith effort to achieve the recycling of 50% of municipal solid waste generated within its borders; to recycle 50% of its municipal solid waste by the year 2015; and to monitor its level of recycling and solid waste disposal.

§ 154-7 Definitions.

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

COMMINGLED

A combining of nonputrescible source-separated recyclable materials for the purpose of recycling.

DESIGNATED RECYCLABLE MATERIALS

Those materials designated within the Morris County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include:

A.

ALUMINUM CANS

— Cans made from aluminum that was manufactured to hold a serving of a beverage. Specifically omitted from this definition are aluminum foil and aluminum pie plates.

B.

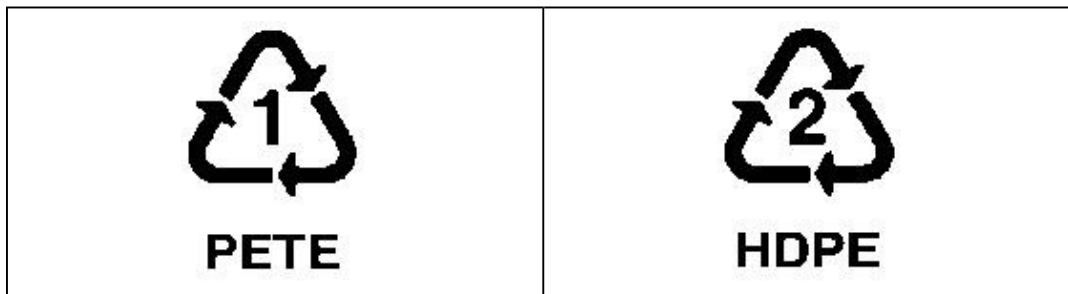
GLASS BOTTLES AND JARS

— Bottles and jars made from glass including clear, brown and green glass. A "bottle" is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. A "jar" is defined as a wide-mouthed container that can be capped. Caps and lids not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.

C.

PLASTIC BOTTLES (CODED 1 AND 2)

— Plastic bottles coded to indicate that they are comprised of the specific types of plastic compounds (polymers) known as polyethylene terephthalate (PETE) or high-density polyethylene (HDPE). See symbols below. A "bottle" is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids are not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown below is specifically omitted from this definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc., should not be recycled.



D.

STEEL
(TIN)
CANS

— An air-tight container for the

distribution or storage of goods, composed of thin, usually ferrous, metal. Examples are soup cans and tuna fish cans.

E.

NEWSPAPER

— A publication containing news, information and advertising, usually printed on low-cost paper called newsprint. Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time.

F.

CORRUGATED CARDBOARD

— Shipping containers made with kraft paper linerboard and corrugated medium.

G.

MIXED PAPER

— Various categories of recyclable paper, including but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, softcover books.

H.

LEAVES

— Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.

I.

GRASS CLIPPINGS

— Vegetative material generated when grass (lawns) are cut.

J.

BRUSH

— Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.

K.

NATURAL WOOD WASTE

— Logs, stumps, branches and other wood tree parts. Dimensional lumber is omitted from inclusion in this definition.

L.

OIL-CONTAMINATED SOIL

— Nonhazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 and #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be nonhazardous in accordance with the standards set forth in N.J.A.C. 7:26.

M.

USED MOTOR OIL

— Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.

N.

LEAD-ACID BATTERIES

— Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep-cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.

O.

HAZARDOUS DRY-CELL BATTERIES

— Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small-sealed lead acid, etc. These are often used as substitutes for nonrechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are nonrechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Nonrechargeable hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that domestically manufactured alkaline and carbon zinc nonrechargeable batteries made after circa 1994 eliminated mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.

P.

METAL APPLIANCES

— Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the

refrigerant must be recovered accordingly.

Q.

WHOLE TIRES

— Tires that are whole, not chipped into small pieces. [NOTE: Tires are allowed to be recycled and/or incinerated for energy recovery.]

ELECTRONIC WASTE

A computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode-ray tube, a cathode-ray-tube device, a flat panel display or similar video display device with a screen that is greater than four inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones.

MULTIFAMILY DWELLING

Any building or structure, or complex of buildings, in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (See N.J.S.A. 13:1E-99.13a.) and shall include hotels, motels, or other guesthouses serving transient or seasonal guests as those terms are defined under Subsection (j) of § 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (N.J.S.A. 55:13A-1 et seq.).

MUNICIPAL RECYCLING COORDINATOR

The person or persons appointed by the Township Committee to fulfill the requirements of the Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act and those rules and regulations promulgated therefor.

MUNICIPAL RECYCLING ENFORCEMENT COORDINATOR

The person or persons named by the Township Committee who shall fulfill the responsibilities with respect to recycling enforcement coordination detailed in the March 2007 Morris County Solid Waste Management Plan amendment Section 8.6. This person may be the same person designated as the Municipal Recycling Coordinator.

MUNICIPAL SOLID WASTE (MSW) STREAM

All solid waste generated at residential, commercial, and institutional establishments within the boundaries of the Township of Hanover, which is not bulky waste or construction and demolition debris.

RECYCLABLE MATERIAL

Those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

SOURCE-SEPARATED RECYCLABLE MATERIALS

Recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

SOURCE SEPARATION

The process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

§ 154-8 Collection procedures and regulations.

It shall be the responsibility of the Township's Recycling Coordinator, in cooperation with the Superintendent of the Public Works Department, to develop and implement procedures and regulations governing the collection of mandated recyclable materials from residential, nonresidential, commercial, industrial, educational, governmental and other institutions, in accordance with the March 2007 Morris County Solid Waste Plan amendment and in compliance with the rules and regulations of the New Jersey Department of Environmental Protection. Such regulations shall also include the types of recyclables and manner in which such mandated recyclables may be dropped off at the Township's Recycling Center.

§ 154-9 Source separation; exemption.

A.

Mandatory source separation. It shall be mandatory for all persons who are owners, tenants, or occupants of residential and nonresidential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the Township of Hanover to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid

waste generated by the owners, tenants, or occupants of such premises. Designated recyclable materials shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the Township of Hanover.

B.

Exemptions.

(1)

Pursuant to N.J.S.A. 13:1E-99.16d, the Township Committee may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the article which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials.

(2)

To be eligible for an exemption pursuant to this article, a commercial or institutional generator of solid waste shall file an application for exemption with the Municipal Recycling Coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Municipal Recycling Coordinator of the total number of tons collected and recycled for each designated material.

§ 154-10 Collection of recyclable materials.

A.

All containers and brown paper bags containing recyclable materials shall be placed, prior to collection, between the curb and the sidewalk, or, in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without obstructing pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be disposed of shall be placed at curbside in accordance with §§ [154-1](#) and [154-2](#) set forth above under Article [I](#), entitled "Collection."

B.

All receptacles or dumpsters shall be kept clean and in a safe manner and consistent with any regulations governing receptacles or dumpsters as established by the Building Department, Health Department and/or the Department of Public Works.

§ 154-11 Placement of recyclables at curbside, single-family residential units.

[Amended 10-23-2008 by Ord. No. 29-08]

The following regulations constitute the manner in which all owners and occupants of single-family residential units shall place designated recyclable materials for collection at curbside by the Morris County Municipal Utilities Authority. Unless specified otherwise, recyclable materials shall be placed in strong, watertight plastic or metal containers with proper handles and tight-fitting detachable or removable lids. Permanently attached lid containers cannot be used. These containers must be no larger than 32 gallons in size, and the weight of the recyclables, including the contents, shall not exceed 50 pounds.

A.

Commingled aluminum cans, glass bottles and jars, plastic bottles (coded 1 and 2), and steel (tin) cans must be placed in receptacles as specified above. All such commingled materials should be rinsed thoroughly but not crushed or broken and loosely placed together.

B.

Newspaper shall be bundled and tied with string no higher than 12 inches or placed loose in a reusable receptacle with a tight-fitting lid. Newspaper not prepared in this manner shall not be collected at curbside or accepted at the Township's Recycling Center. Newspaper may include glossy inserts which come with the newspaper. Junk mail, magazines or advertisements that arrive through the mail should not be bundled or placed with newspaper for recycling.

C.

Mixed paper (including junk mail) must be placed in receptacles not exceeding 32 gallons in weight.

D.

"Corrugated cardboard" means shipping containers made with kraft paper linerboard and corrugated medium. This material must be flattened and tied into manageable bundles.

- § 154-11.1 Collection by Public Works Department.
- § 154-12 Other materials mandated to be source separated and recycled.
- § 154-13 Residential dwelling compliance.
- § 154-14 Nonresidential establishment compliance.
- § 154-15 New Developments of Multifamily Residential Units or Commercial, Institutional or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16.c.).
- § 154-16 Prohibition of collection of solid waste mixed with recyclable materials.
- § 154-17 Sale of recyclables permitted; restrictions.
- § 154-17.1 Appointment of Municipal Recycling Coordinator; duties.
- § 154-17.2 Appointment of Municipal Recycling Enforcement Coordinator; duties.
- § 154-17.3 Enforcement.
- § 154-17.4 Violations and penalties; trust fund.
- ARTICLE III Solid, Pathological and Infectious Waste (§ 154-18 — § 154-26)
- ARTICLE IV Dumpsters/Roll-off Containers (§ 154-27 — § 154-37)
- ARTICLE V Yard Waste Collection Program (§ 154-38 — § 154-42)
- ARTICLE VI Containerized Yard Waste Collection Program (§ 154-43 — § 154-47)
- ARTICLE VII Construction, Renovation and Demolition Debris Recovery Plan (§ 154-48 — § 154-56)