

**ARTICLE I      Recycling (§ 412-1 — § 412-13)**

[Adopted 8-10-1988 by Ord. No. 16-88 (Ch. 45, Art. III of the 1967 Code)]

**§ 412-1      Definitions.**

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

**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.

[Amended 5-21-2008 by Ord. No. 4-08]

**AUTHORIZED DISPOSAL SERVICE**

A firm, organization or corporation authorized by the Township of Jefferson Municipal Council to perform regular pickup service of recyclable materials defined herein.

**BRUSH**

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

[Added 5-21-2008 by Ord. No. 4-08]

**COMMERCIAL**

Any nonresidential building or establishment, including but not limited to those used for retail, wholesale, dining, offices, professional services, shipping and receiving areas and cafeterias.

**CORRUGATED CARDBOARD**

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

[Amended 5-21-2008 by Ord. No. 4-08]

**DESIGNATED MATERIALS**

Those recyclable materials listed in the Morris County District Recycling Plan which are mandated to be source separated for recycling, namely, glass (bottles and jars), aluminum beverage cans, newspaper and yard waste for residential areas; glass, aluminum cans, corrugated cardboard and office paper for commercial and institutional establishments; tires; vehicular batteries; white goods (appliances); CFC's must be recovered where applicable; motor oil; oil-contaminated soil (nonhazardous Type 27); stumps (logs, branches, natural wood waste); asphalt roofing shingles; and household dry-cell batteries.

[Amended 9-1-2004 by Ord. No. 28-04]

**GLASS**

Bottles and jars made of silica, soda ash and limestone, being transparent or translucent and breakable. Specifically excluded are plastics or any other glass products, such as window glass and ceramics.

**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 are not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.

[Added 5-21-2008 by Ord. No. 4-08]

**GRASS CLIPPINGS**

Vegetative material generated when grass (lawns) is cut.

[Added 5-21-2008 by Ord. No. 4-08]

**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, A, 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 CFR 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.

[Added 5-21-2008 by Ord. No. 4-08]

#### INSTITUTION

An established organization or foundation dedicated to public service or culture, including but not limited to religious, educational, health care and governmental establishments.

#### 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.

[Added 5-21-2008 by Ord. No. 4-08]

#### LEAVES

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

[Added 5-21-2008 by Ord. No. 4-08]

#### 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.

[Added 5-21-2008 by Ord. No. 4-08]

#### MINIGENERATOR BUILDING

Commercial, business and industrial buildings where more than one tenant occupies space in the building.

[Added 9-1-2004 by Ord. No. 28-04]

#### 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, and soft cover books.

[Added 5-21-2008 by Ord. No. 4-08]

#### NATURAL WOOD WASTE

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

[Added 5-21-2008 by Ord. No. 4-08]

#### 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.

[Amended 5-21-2008 by Ord. No. 4-08]

#### OFFICE PAPER

High-grade papers, generally used in offices, that are of high quality and do not have a glossy finish, including but not limited to computer, letterhead, ledger and photocopy paper.

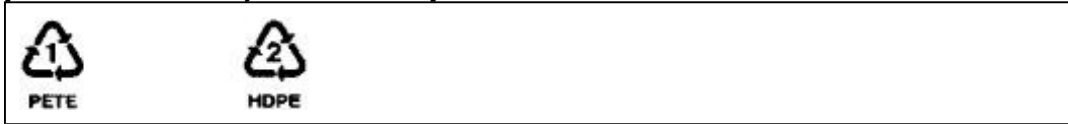
#### OIL-CONTAMINATED SOIL

Nonhazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, No. 4 and No. 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.

[Added 5-21-2008 by Ord. No. 4-08]

**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 above, is specifically omitted from this definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc., should not be recycled. [Added 5-21-2008 by Ord. No. 4-08]



**RESIDENT**  
Any person who owns, leases and/or

occupies a dwelling within the municipality, including those persons in multifamily dwellings and/or single-family developments.

**STEEL (TIN) CANS**

An airtight container for the distribution or storage of goods, composed of thin, usually ferrous, metal. Examples are soup cans and tuna fish cans. [Added 5-21-2008 by Ord. No. 4-08]

**USED MOTOR OIL**

Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose. [Added 5-21-2008 by Ord. No. 4-08]

**WHOLE TIRES**

Tires that are whole, not chipped into small pieces. (Tires are allowed to be recycled and/or incinerated for energy recovery). [Added 5-21-2008 by Ord. No. 4-08]

**YARD WASTE**

Includes fallen leaves and brush (chippable, up to three inches in diameter).

**§ 412-2            Purpose.**

[Added 5-21-2008 by Ord. No. 4-08]

Editor's Note: This ordinance also provided for the redesignation of former §§ [412-2](#) through [412-5](#) as §§ [412-3](#) through [412-6](#) and §§ [412-6](#) through [412-11](#) as §§ [412-9](#) through [412-14](#), respectively.

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As set forth in N.J.S.A. 13:1E-99.13 Subdivision 3b(4)(c), Jefferson Township accepts the goal of the recycling of 50% of the municipal solid waste by 2015 and shall monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.

**§ 412-3            Director of Recycling; additional rules; enforcement.**

[Amended 9-1-2004 by Ord. No. 28-04 ; 5-21-2008 by Ord. No. 4-08]

There is hereby created in the Township of Jefferson, the Office of Director of Recycling, who is authorized to direct and enforce the provisions of this article. He is further authorized and directed to establish and promulgate reasonable regulations as to the manner, days and time for the collection of recycling of materials in accordance with and consistent with the terms and intents of this article. In addition to the Director of Recycling, any member of the Jefferson Township Police Department or Health Officer or Sanitarian of the Township or the Jefferson Township Code Enforcement Official or the Jefferson Township Director of Public Works is hereby authorized and directed to enforce all provisions of this article.

**§ 412-4            Mandatory source separation.**

[Amended 5-21-2008 by Ord. No. 4-08]

On and after the date of final approval of this article, it shall be mandatory for residential, institutional and commercial inhabitants of Jefferson Township to source separate designated materials from all other solid wastes

for recycling. This shall be done in the manner described in this article. The following items are to be considered mandatory recycling materials: aluminum cans, glass bottles and jars, plastic bottles (Type 1 & 2), steel cans, newspaper, corrugated cardboard, mixed paper, leaves, grass clippings, brush, natural wood waste, oil-contaminated soil, used motor oil, lead-acid batteries, hazardous dry cell batteries, metal appliances, electronic waste and whole tires.

#### **§ 412-5                    Residential collection procedures.**

[Amended 9-1-2004 by Ord. No. 28-04 ; 5-21-2008 by Ord. No. 4-08 ]

##### A.

On and after the effective date of this article, it shall be mandatory for all residents who are subject to municipal garbage collection to separate newspapers, glass and aluminum cans from all other solid waste produced by any such residences and to bundle or place said recyclable material in containers for collection and recycling. The manner in which newspapers are to be bundled and the containers used for glass and aluminum cans shall be promulgated by the Director of Recycling.

##### B.

On the designated dates for collection, the residents, subject to the provisions of this article, shall place the designated materials at the curb or roadside for collection where the normal garbage collection pickups occur. From the time of placement for roadside pickups on the days designated by regulation, the designated materials shall be and become the property of the Township of Jefferson or its authorized agent. It shall be a violation of this article for any person unauthorized by the Township of Jefferson to collect or pick up or caused to be collected or picked up any such designated materials. Each such collection in violation hereof from one or more residents shall constitute a separate and distinct offense, punishable as hereinafter provided.

##### C.

Yard waste materials shall be deposited at areas and at times designated by the Director of Recycling. Yard waste may be collected at curbside. Composting by residents is encouraged to be recycled and/or incinerated for energy recovery.

#### **§ 412-6                    Commercial and industrial collection procedures.**

[Amended 5-21-2008 by Ord. No. 4-08 ]

On and after the effective date of this article, all commercial and institutional users as defined herein, including multi- and single-family developments, not subject to municipal garbage collection shall separate designated materials as defined herein from all other solid wastes and shall arrange for periodic pickup of designated materials, including corrugated cardboard and office paper. All commercial and institutional users and multi- and single-family developments not subject to municipal garbage collection, within 90 days of the passage of this article, shall file with the Director of Recycling a plan showing the method of separation of designated materials from other solid waste and the name and address of the hauler who has been contracted for the removal of said designated materials, who shall be a hauler licensed by the State of New Jersey.

#### **§ 412-7                    Recycling plan requirements for subdivision and site plan applications.**

[Added 5-21-2008 by Ord. No. 4-08 ]

Any application to the Jefferson Township Planning Board or Board of Adjustment for subdivision or site plan approval for the construction of multifamily dwellings of three or more units, single-family developments of 50 or more units or any commercial, institutional or industrial development for the utilization of 1,000 square feet or more of land must include a recycling plan. This plan must contain, at a minimum, the following:

##### A.

A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and

##### B.

Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.

##### C.

Prior to the issuance of a certificate of occupancy by the Township, the owner of any new multifamily housing or

commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company, for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

D.

Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

**§ 412-8                    Designation of local municipal enforcement authority (LMEA).**

[Added 5-21-2008 by Ord. No. 4-08]

The local municipal enforcement authority for the Township of Jefferson is hereby designated to be the Director of Recycling.

**§ 412-9                    Documentation of recycling.**

A.

All commercial, institutional, multi- and single-family developments which are not serviced by municipal recycling collection systems must submit recycling documentation on a quarterly basis to the Municipal Director of Recycling. The due dates for report periods are as follows:

	<b>Reporting Period</b>	<b>Due Date</b>	<u>B.</u>
	January 1 to March 31	April 8	The Director of Recycling will compile all recycling documentation and report to the County Director of Recycling on a quarterly basis by the 15th of the months stated above under "Due Date."
	April 1 to June 30	July 8	
	July 1 to September 30	October 8	
	October 1 to December 31	January 8	

C.

Those not complying will be subject to enforcement penalties as defined herein.

**§ 412-10                    Sale and donation of material.**

Anything herein to the contrary notwithstanding, any person who is the owner, lessee or occupant of a residence may donate or sell designated material to any person, partnership or corporation. Any unauthorized disposal service, person, firm or organization may collect recyclable materials from occupants or any residence or commercial or industrial establishment, provided that the same are voluntarily given, and further provided that the collections are made on nondesignated pickup days for regular recyclable material collection, and further provided that such collections are made in accordance with rules and regulations promulgated by the Director of Recycling. In addition, such persons, firms or organizations shall, prior to any collection being made in the Township, register with the Director of Recycling. The registration shall be required to be done annually. Rules and regulations for nonauthorized disposal services for recyclable materials shall be promulgated by the Director of Recycling. Any person, firm or other organization conducting nonauthorized disposal services for recyclable materials in the Township shall be required to submit periodically (as specified by the Director of Recycling) copies of all receipts obtained for the disposal of recyclable material collected in the Township of Jefferson.

**§ 412-11                    Recyclables to be segregated from solid waste.**

A.

It shall be unlawful to combine designated, unsoiled recyclables with other solid waste. Failure to source separate designated materials for recycling is a violation of this article.

B.

It shall be unlawful for solid waste collectors to collect solid waste that contains visible signs of designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste/recyclables which visibly display a warning notice, sticker or some other device indicating that the

load of solid waste contains designated recyclable materials and therefor should not be removed for disposal.

C.

It shall be the responsibility of the nonrecycler whose solid waste was not removed because it contained recyclables to properly segregate the uncollected waste for proper recycling. Allowing such unseparated refuse to accumulate will be considered a violation of this article and the local sanitary code.

**§ 412-12            Scavengers.**

[Added 9-1-2004 by Ord. No. 28-04]

Recyclable materials placed at the curb are the property of the hauler under contract with the Township of Jefferson. It is a violation of this article for any person unauthorized by the Township of Jefferson to collect or pick up or cause to be collected or picked up any such recyclables. Any and each such collection in violation hereof shall constitute a separate and distinct offense, punishable as hereinafter provided in § [412-10](#).

**§ 412-13            Violations and penalties.**

Any person, firm or corporation who violates or neglects to comply with any provision of this article or any regulation promulgated pursuant thereto shall, upon conviction thereof, shall be punishable by a fine not to exceed \$500 for each separate violation. Each and every day that said violation continues shall be considered a separate offense.