

§ 127-15 Materials required to be deposited in recycling center; definitions.

[Amended 12-19-1985 by Ord. No. 13-85 ; 8-18-1994 by Ord No. 7-94 ; 3-20-2008 by Ord. No. 3-08]

A.

It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or 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 which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials. 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 Borough of Kinnelon, to separate designated recyclable materials, as defined in this section, from all other solid waste. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article. Designated recyclable materials shall be deposited separate and apart from all other solid waste generated by the owners, tenants or occupants of such premises. Upon placement of the designated recyclable materials in the Borough Container Pickup Facility, no person, other than those authorized by the Borough of Kinnelon, shall tamper with, collect, remove or otherwise handle designated recyclable materials.

B.

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:

(1)**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.

(2)**CONSTRUCTION AND DEMOLITION WASTE**

— Includes all components of the construction and demolition waste stream as designated by N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1.4. Of these materials, only wood waste and scrap lumber may be deposited at the Borough Recycling Center. For disposal of other items, see § [127-18](#).

(3)**CORRUGATED CARDBOARD**

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

(4)**FERROUS CONTAINERS and FERROUS SCRAP**

— Includes steel and bimetal objects; any metal a magnet will stick to.

(5)**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.

(6)

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, soft cover books.

(7)

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.

(8)

OIL-CONTAMINATED SOIL

— Nonhazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, Nos. 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.

(9)

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 not included. Any item made of plastic that is not a bottle, and any plastic bottles without any 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.



(10)

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.

(11)

LEAVES

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

(12)

GRASS CLIPPINGS

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

(13)

BRUSH

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

[\(14\)](#)

[NATURAL WOOD WASTE](#)

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

[\(15\)](#)

[USED MOTOR OIL](#)

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

[\(16\)](#)

[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 sulphuric 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.

[\(17\)](#)

[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 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.

[\(18\)](#)

[WHOLE TIRES](#)

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

[\(19\)](#)

[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.

[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 rent 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 section 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 Borough DPW Supervisor, who shall fulfill the requirements of the Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act

Editor's Note: See N.J.S.A. 13:1E-99.11 et seq.
and those rules and regulations promulgated therefor.

MUNICIPAL RECYCLING ENFORCEMENT COORDINATOR

The Assistant Zoning Official of the Borough, 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.

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 purpose of recycling.

C.

Borough residents shall deposit designated recyclable materials at the Borough Recycling Center.

[Amended 2-16-2006 by Ord. No. 7-06 ; 3-20-2008 by Ord. No. 3-08]

D.

Commercial, institutional and multifamily dwellings are not permitted to deposit recyclable materials at the Borough Recycling Center as directed by the signs and/or attendants at the site. Instead, each establishment shall be individually responsible for establishing recycling programs for the collection, transportation and marketing of designated recycling material.

[Amended 3-20-2008 by Ord. No. 3-08]

E.

All commercial, institutional and other nonresidential establishments which are not serviced by municipal or recycling collection systems must submit recycling documentation to the Municipal Recycling Coordinator on an annual basis, on or before January 15 of the year following the year to which the documentation relates. The Municipal Recycling Coordinator will complete all recycling documentation and submit a complete copy of the annual recycling tonnage report that is submitted to the New Jersey Department of Environmental Protection and Energy (DEPE) to the County Recycling Coordinator. After DEPE's formal implementation of its modified documentation procedures is instituted, municipalities' recycling markets will begin to report tonnage information directly to the state. Any establishments not complying with the requirements as set forth above will be subject to the enforcement penalties set forth in § [127-20](#) below.

F.

Any requests for exemptions from source separation requirements on the part of commercial or institutional establishments will be processed and reviewed in accordance with the guidelines set forth in the current County Solid Waste Management Plan Amendment and N.J.S.A. 13:1E-99.16(d).

[Amended 3-20-2008 by Ord. No. 3-08]