

**ORDINANCE NO. 27-09**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 63, ENTITLED “GARBAGE, RUBBISH AND WASTE MATERIAL”, ARTICLE V ENTITLED “RECYCLING” AND ARTICLE VII ENTITLED “BULKY WASTE AND BRUSH COLLECTION” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON**

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 63 entitled “Garbage, Rubbish and Waste Material”, Article V, entitled “Recycling”, as follows:

**SECTION 2.** Chapter 63, Section 27 entitled “Definitions” is hereby amended and supplemented as follows:

**§ 63-27 – Definitions:**

**GLASS CONTAINERS:** -- Bottles and jars made of clear, green or brown glass. Expressly excluded are noncontainer glass, plate glass, blue glass, porcelain products, ceramic products and light bulbs.

**PLASTIC** – Any “plastic” beverage container which would include PET bottles, “plastic” milk containers, cider, soda, water containers and detergent containers. Expressly excluded are all other forms of plastics.

**SECTION 3.** Chapter 63, Section 28 entitled “Program Established” shall be deleted in its entirety and replaced with the following:

**§ 63-28 – Recycling Program Established**

(A) The Recycling Coordinator shall establish and promulgate reasonable rules and regulations as to the manner, days and times for collection, sorting, transportation, sale and/or marketing of said recyclable material in order to encourage the preservation of material resources while minimizing the cost of the recycling program to the Township of Jackson. The rules and regulations provided for hereunder shall be adopted by resolution of the Township Council. Copies shall be maintained in the office of the Township Clerk and be available for inspection and/or purchase.

(B) Recyclable material shall be the property of the Township of Jackson once placed at curbside or brought to a drop-off center.

(C) It shall be a violation of this chapter for any person unauthorized by the Township of Jackson to pick up or cause to be picked up said Recyclable material. Each such collection in violation hereof shall constitute a separate distinct offense punishable as hereinafter provided.

(D) The Township may use municipal personnel to collect residential recyclable material set forth herein at curbside and/or from a drop-off center and shall sell said recyclable material if a market exists therefore pursuant to N.J.S.A. 40A:11-1 et seq.

(E) The Township may elect to enter into agreements with any person, partnership, corporation, or municipality authorizing him or it to collect said recyclable material at curbside or from a drop off center and to sell said recyclable material.

**(F)** It is mandatory for all Residents, Homeowners, and Renters, to recycle as mandated by the Ocean County Solid Waste Plan from all other solid waste produced by such residence for collection and ultimate recycling of said materials.

**(G)** It is mandatory for Businesses, Commercial Establishments, Institutional Establishments, Educational Institutions, and Civic, Religious, and Non-profit organizations within the boundaries of Jackson Township to recycle as mandated by Jackson Township and the Ocean County Solid Waste Plan. These entities will be responsible for removal of their own recycling by having it hauled by a private vendor or taking it to a registered Recycling Facility. Jackson Township will not be responsible for removal or receiving recycling from these establishments. Businesses or institutions hauling their own recyclables shall provide the Municipal Recycling Coordinator with quarterly reports on the quantity and destination of recyclables.

**(H)** All residents will be issued one (1) Yellow Recycling Container per household, not to exceed 32 gallons that will be placed curbside on a weekly basis as scheduled by the Department of Public Works. For descriptive purposes, residents will be defined as owners or renters of single-family dwellings, duplexes, mobile homes, Condominiums and Town homes. Apartment dwellers are required to recycle and will use the containers placed in designated areas by their management office.

**(I)** Yellow Recycling Containers are issued to new residents or residents who have never been issued one. Residents are responsible for replacement containers, whether they are lost, stolen or damaged, at a cost of \$13.00.

**(J)** Residents also have the option of using one of their own containers as long as it is 32 gallons or less, and bears a yellow Jackson Township Recycling Sticker. Recycling Stickers are available in the Department of Public Works and are free of charge for residents.

**(K)** There is hereby established a Curbside Single Stream Recycling Program for use by residents. The following recyclable materials from the Municipal solid waste stream will be placed together in uncovered yellow recycling containers as described in § 63-27 –  
Definitions:

- 1) Aluminum and Tin Cans
- 2) Glass Jars and Bottles
- 3) Plastic Containers
- 4) Newspapers
- 5) Mixed Paper
- 6) Magazines
- 7) Corrugated

**(L)** Items that should be excluded are:

- 1) Cereal and Pizza Boxes
- 2) Plastic Bags
- 3) Paper Plates and plastic utensils
- 4) Food Containers that held take out food or deli type food
- 5) Aluminum foil and trays
- 6) Cans that contained motor oil or any type of hazardous liquid
- 7) Drinking Glasses
- 8) Light bulbs
- 9) Regular household trash

**(M)** If any of the above is found in the Recycling Containers, the load will be left and deemed “Contaminated”.

**(N)** All recycling shall be placed curbside by 6:00 a.m. on the day of the scheduled pickup. It is recommended that the container be placed curbside the night before.

(O) Residents also have the option of disposing of their recycling at the Transfer Station located on Don Connor Blvd.

(P) All recycling regulations are to be in compliance with N.J.A.C 7:26A et seq. Copies of regulations are on file in the Department of Public Works and The Office of the Township Clerk are available to the public during normal business hours.

**SECTION 4.** Chapter 63, Section 34 (A) entitled “Violations and Penalties” shall be deleted in its entirety and replaced with the following:

**§63-34 - Violations and Penalties**

(A) Any person, firm or corporation violating any provisions of this article or any regulations adopted hereunder shall be subject to a fine of not less than \$250.00 nor more than \$1,000.00 or imprisonment of up to thirty (30) days for each offense.

**SECTION 5.** Chapter 63, Article VII, entitled “Bulky Waste and Brush Collection”, Section 53 (B) and (C) entitled “Violations and Penalties” shall be deleted in its entirety and replaced with the following:

**§63-53 - Violations and Penalties**

(B) Upon a second violation, the resident shall be issued a \$100.00 fine by the Division of Code Enforcement.

(C) A third offense under this Article shall be punishable, upon the conviction in Municipal Court, by a fine of not less than \$1,000.00 or by imprisonment not exceeding 90 days or both.

**SECTION 6.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 7.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 8.** This ordinance shall take effect after second reading and publication as required by law and in accordance with N.J.S.A. 40:69A-181(b).

\_\_\_\_\_  
DATE

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MAYOR MICHAEL REINA

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **September 22<sup>nd</sup>, 2009** and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **13<sup>th</sup> day of October, 2009**, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

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**ANN MARIE EDEN, RMC**  
Township Clerk, Township of Jackson