ORDINANCE 21-07C

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “CODE OF THE TOWNSHIP OF LONG BEACH, COUNTY OF OCEAN, STATE OF NEW JERSEY, (1997)” AS THE SAME IN CHAPTER 168, WHICH PERTAINS TO SOLID WASTE, AND CHAPTER 205, WHICH PERTAINS TO TRASH BINS**

**STATEMENT OF PURPOSE**

 This Ordinance amends Chapter 168 to clarify and revise the regulations relating to the storage of solid waste and amends Chapter 205 to revise the regulations relating to trash bins.

**SECTION I**

§168-2A is repealed and replaced with the following.

§168-2 Pickup zone; receptacle specifications; plastic bags.

A. All solid waste as defined in §168-1 and all recyclable materials shall be deposited in appropriate watertight receptacles covered with tight-fitting lids. The waste and recyclable material shall be placed no further than 5 feet from the curbline of the building which is the source of the waste before 6:30 a.m. on the morning of scheduled waste pickup and shall not be placed for collection prior to sunset of the evening before the scheduled collection day. Containers shall be removed within 24 hours after the waste or recyclable material has been collected or picked up. For properties with solid waste receptacle cribs in accordance with §205-25 which are no more than 5 feet from the property line, the collector will replace emptied receptacles in the cribs.

1. Except for properties authorized to use other types of receptacles pursuant to site plan approval or receptacles authorized by §115-4, all receptacles shall be of plastic or metal and shall not be greater than 32-gallon capacity and shall not, when filled, exceed 50 pounds in weight.
2. The use of plastic garbage bags of all types is prohibited except when placed completely inside a covered receptacle or when utilized for containment of brush and clippings.
3. Single-stream recycling must be placed in a specifically marked covered container. Recyclables may not be placed in plastic bags.
4. All receptacles containing solid waste or recyclables which are not being placed for collection or disposal shall be stored in such a manner as to minimize the potential negative impact upon the adjoining property owners and reasonably inconspicuous from adjacent streets. Receptacles should be stored indoors, in sheltered storage areas, or, if kept outdoors, receptacles shall be stored at the rear of each private dwelling not closer than 15 feet from the boundary line of the property or located in such other place that will not interfere with the health, safety and welfare of an adjoining owner.
5. Any receptacles for solid waste and recyclable materials except as those hereinabove specified and those set forth in §115-4 shall be and are hereby prohibited. Only receptacles as permitted by this Subsection shall be permitted for disposal of solid waste and recyclable materials.

**SECTION II**

§205-25 is repealed and replaced with the following.

§205-25 Trash bins/cribs.

A. In all zones, structures to hold trash receptacles and recycling receptacles shall be permitted as hereinbelow set forth.

(1) Bins/cribs for watertight receptacles permitted by Chapter 168 may be placed at the property line, but no more than 5 feet off the front property or easement line. Any structure so placed need not adhere to the side yard setbacks required in that zone.

(2) Bins/cribs which extend beyond 5 feet from the front property or easement line shall conform to all setback requirements of the zone.

B. No dumpsters or any other receptacle other than a watertight receptacle permitted by Chapter 168 is permitted in any residential zone, except as authorized pursuant to §115-4.

C. In all commercial and marine zones, structures to hold trash receptacles and recycling receptacles shall be permitted at business establishments as hereinbelow set forth.

1. Bins/cribs for watertight receptacles permitted by Chapter 168 may be placed at the property line but no more than 5 feet off the front property or easement line. Any structure so placed need not adhere to the side yard setbacks required in that zone.
2. Commercial receptacles and dumpsters as authorized pursuant to site plan approval.

**SECTION III**

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION IV**

 If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

 **Effective date.**

This ordinance shall take effect after final adoption and publication as required by law.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Township of Long Beach, County of Ocean, State of New Jersey, held on Monday, February 1, 2021 at 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Board of Commissioners to be held on Monday, March 1, 2021 at 4:00 p.m. at the Public Safety Building, 6805 Long Beach Blvd., Brant Beach, NJ 08008.

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 Danielle La Valle, RMC

 Municipal Clerk

First Reading: February 1, 2021

Publication: February 4, 2021

Second Reading: March 1, 2021

Final Publication: March 4, 2021

Effective:                    March 4, 2021

# CERTIFICATION

**I,** **DANIELLE LA VALLE, RMC,** Municipal Clerk for the Township of Long Beach do hereby certify that the foregoing Ordinance 21-07C was duly adopted by the Board of Commissioners at their meeting held on Monday, March 1, 2021 at 4:00 p.m.

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 Danielle La Valle, RMC

 Municipal Clerk

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