

Ordinance 2018-06

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN.” REGARDING CONTAINERS, PORTABLE STORAGE UNITS AND DUMPSTERS

WHEREAS, the Construction and Zoning Official of the Borough finds there is a need to amend Subsection 18-1-4 entitled “Containers” and Subsection 28-10-16 entitled “Portable Storage units and Dumpsters” of the “Revised General Ordinances of the Borough of Hightstown”; and

WHEREAS, the Mayor and Council concur with the recommended changes for the health, safety and quality of life for the Borough residents.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 18, entitled “Garbage and Rubbish” Subsection 18-1-4, entitled “Containers” of the “Revised General Ordinances of the Borough of Hightstown”; is hereby amended and supplemented in order to add the following (additions are shown with underline, deletions are shown with ~~strike through~~):

Subsection 18-1-4 Containers.

a. One garbage container shall be provided by the Borough to each residential dwelling unit and non-residential user and shall remain the property of the Borough. Each dwelling can only place their one designated garbage container out for pickup. ~~Placing more than one container per dwelling out for pickup is a violation of this ordinance.~~ Each container shall be identified with a serial number and a log shall be maintained by the Public Works department of all containers distributed and their location. Users shall have a choice of a 95-gallon or 65-gallon container. Containers shall be maintained by the user in a clean, safe and good condition..

b. The Borough shall not be obligated to furnish more than one garbage container for each residential dwelling unit or nonresidential user within the Borough. Requests for additional garbage containers shall be submitted to the Borough Clerk on forms provided by him or her. Each such request shall be investigated by the Borough to determine if the requestor is in compliance with all portions of Chapter 18 of the *Revised General Ordinances of the Borough of Hightstown* and all laws regarding recycling and the disposal of solid waste. Additional containers will be provided only in cases of extraordinary and documented need, as determined by the Solid Waste Committee, following review of the information submitted in writing by the applicant.

c. Except as provided in subsection 18-1.5, garbage will not be collected unless contained within containers provided by and registered with the Borough.

BE IT FURTHER ORDAINED, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 28, entitled “Zoning” Subsection 28-10-16, entitled “Portable Storage Units and Dumpsters” of the “Revised General Ordinances of the Borough of

Hightstown”; is hereby amended and supplemented in order to add the following (additions are shown with underline, deletions are shown with ~~strike through~~):

Subsection 28-10-16 Portable Storage Units and Dumpsters.

a. Usage of Portable Storage Unit. A portable storage unit may be used for holding personal property when work in a structure may require personal property to be placed elsewhere, or for loading or unloading personal property when moving to or from a structure.

b. Usage of Dumpsters. A dumpster may be used for holding refuse, garbage, waste, construction materials, debris or recyclables while work in a structure is under way requiring a place to throw away large amounts of waste materials, or for holding waste materials. The dumpster shall not be used to hold construction debris or any hazardous, harmful or offensive materials from offsite locations.

c. Frequency and Duration. An “event” shall consist of the delivery and pick-up of the portable storage unit or multiple deliveries and pick-ups within thirty (30) days. Temporary portable storage units and dumpsters may not exceed the following durations of stay:

(1) In any of the Residential Zoning Districts, events shall be a maximum of thirty (30) calendar days per event with a maximum of four (4) events per structure per calendar year. There shall be at least one (1) month between each event.

(2) In Residential Zoning Districts, the Zoning Officer may approve an event lasting more than the maximum of thirty (30) calendar days described above, but not more than ninety (90) days provided a permit for construction or rehabilitation has been obtained for the subject property.

d. Placement. Portable storage units and dumpsters may not be placed in streets or public rights-of-way or on easements for utility maintenance or forward of the front wall of the principal structure unless authorized by the Zoning Officer. Such authorization shall be controlled by the availability and practicality of placing the portable storage unit or dumpster elsewhere on the property.

e. Responsibility of user. Portable storage units and dumpsters shall be in good condition, free from deterioration, weathering, discoloration, rust, ripping, tearing or other holes, breaks or leaks. When not in use, the portable storage unit shall be kept locked. Dumpster lids and doors shall be kept tightly and completely closed when not in use. The user is responsible to ensure no hazardous substances are stored or kept within a portable storage unit or dumpster. The area surrounding the dumpster shall also be kept clean and free of debris. (Ord. No. 2010-08)

Section 2. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduced:

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor