

ORDINANCE NO. 1441

AN ORDINANCE PROVIDING FOR SOLID
WASTE SERVICES IN THE TOWNSHIP OF
NEPTUNE, COUNTY OF MONMOUTH.

THEREFORE BE IT ORDAINED by the Township Committee of the Township of Neptune that a comprehensive Ordinance for Solid Waste Services shall state:

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SECTION II: DEFINITIONS; WORD USAGE.

A. For the purpose of this chapter, the following terms, phrases, words and their derivation shall have the meanings given hereafter. When not inconsistent with the context, words used in the present tense included the future; words in the plural number included the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely discretionary.

B. As used herein, the following terms shall have the meanings indicated:

1. ASHES - The residual from the burning of wood, coal, coke or other combustible materials.

2. BUILDING MATERIALS - Any material, such as lumber, brick, plaster, gutters, roofing singles or other substances accumulated as a result of repairs or additions to existing buildings, construction of new buildings or demolition of existing structures.

3. BUNDLES - Normally loose items which shall be collected if organized into bundles of not more than five (5) feet in length and tied with heavy twine, rope, wire, etc. "Bundles" shall be organized as to be conveniently handled by one (1) person. No "bundle" shall exceed fifty (50) pounds in weight.

4. BUSINESS DISTRICT - Those areas of the Township of Neptune wherein it is impossible to perform solid waste and recycling collection functions without detrimental visual and/or business effect on the area of its businesses. Designation is at the sole discretion of the Township Committee and may involve fees for collection.

5. BUSINESS TRASH - Any waste accumulation of dirt, dust, food, paper, cardboard, excelsior, rags or other accumulations other than household trash, which is usually attendant to the operation of stores, offices or similar businesses.

6. COMMERCIAL, INDUSTRIAL AND PROFESSIONAL PROPERTIES - Any retail, manufacturing, wholesale, governmental, or other non-residential establishment.

7. CONTAINER - See Receptacle.

8. COORDINATOR - The Solid Waste, Recycling and Clean Community Coordinator for the Township of Neptune.

9. DEPARTMENT - Shall mean the Township of Neptune, Road and Sanitation Department.

10. DIRECTOR OF PUBLIC WORKS - The Director of Public Works for the Township of Neptune.

11. GARBAGE - Putrecible animal and/or vegetative waste resulting from the handling, preparation, consumption or cooking of food, and shall include any fecal waste from any animal or bird (when fecal matter has been separated from other waste and is double bagged prior to placement for collection).

12. HAZARDOUS WASTE - Any waste or combination of wastes which pose a present or potential threat to human health, living organisms or other environment, including, but not limited to, waste material that is toxic, carcinogenic, corrosive, irritating, sensitizing, biologically infectious, explosive, flammable or radioactive and any waste so designated by the United States Environmental Protection Agency or the New Jersey Commissioner of Environmental Protection Department.

13. HOSPITAL/RED BAG WASTE - Includes, but not limited to, all instruments, supplies, containers, bandages, tubing, gloves, etc. used by health care practitioners and facilities as described in the New Jersey Department of Health regulations and New Jersey Law, Section 306 of the Manual of Standards for Hospital Facilities, and N.J.S.A. 2A:170-25.17.

14. HOUSEHOLD TRASH - Every waste accumulation of paper, sweepings, dirt, dust, rags, bottles, cans or other matter of any kind, other than garbage which is usually attendant to housekeeping.

15. INDUSTRIAL WASTE - All waste, including solids, semi-solids, sludges and liquids, created by factories, processing plants or other manufacturing enterprises.

16. INSTITUTIONAL PROPERTIES - Any non-taxable (exempt) property whether they be religious, educational, service facilities/organizations or institutional establishments which may be residential or non-residential at which garbage or trash may be generated.

17. LITTER - Any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material but does not include the waste of primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing (Section 6 d; all citations are from P.L. 1986, c. 187).

18. MULTIPLE DWELLING UNIT - Any building or structure and land appurtenant thereto containing two (2) or more apartments or rented or offered for rent to two (2) or more tenants or family units.

19. PERSON - Any person, firm, partnership, association, corporation, company or organization of any kind.

20. RECEPTACLE - A container constructed of such material and in such a manner as to hold solid waste and trash and other such items without breaking or collapsing. "Receptacles" shall have handles and covers so that the contents therein are not exposed to the weather, animals and vermin. A disposable plastic bag shall constitute a "receptacle" if it is of sufficient strength to hold its contents without breaking when collected. The "receptacle" shall be of such a design and weight as to be able to be conveniently handled by one (1) person. No "container" shall exceed fifty-five gallons in capacity nor weigh more than fifty (50) pounds when loaded. Receptacles which, in the opinion of the Department, are badly broken or fail to meet the requirements of this chapter may be classified as "garbage".

A disposable plastic bag shall constitute a receptacle if it is of sufficient strength and durability to hold its contents of solid waste, garbage, rubbish and trash, without breaking when collected.

21. RECYCLABLE MATERIALS - All waste materials which have the ability to be returned, through processing, to their former or alternate use. Following are examples, but not necessarily limited, to these:

(a) ALUMINUM CANS - Includes such beverage or food containers constructed or fabricated of aluminum or its alloys.

(b) BI-METAL CANS - Food and beverage containers which are composed of an aluminum top and steel sides and bottom.

(c) CARDBOARD/CORRUGATED PAPER - Includes kraft corrugated which has a brown liner made from kraft paper and regular corrugated which is gray or tan and is made from other types of paper such as newspaper.

(d) GLASS - Includes all products made from silica or sand, soda ash and lime, the product being transparent or translucent and being used as packaging and commonly known as "glass".

(e) HI GRADE AND MIXED PAPERS - Includes computer printouts, office paper and stationary.

(f) NEWSPAPERS - Includes papers of the type commonly referred to as "newsprint" and distributed at periodic intervals, usually daily or weekly. Expressly excluded, however, are all magazines or other glossy surfaced periodicals and all other paper products, e. g., wrappings from food products.

(g) WASTE OIL - Includes used oil drained from automobiles, motorcycles and lawnmowers, etc.

(h) YARD WASTE - Includes leaves, grass clippings, plant residue, tree limbs, branches and trunks.

21. REGULATIONS - Includes such rules, schedules or times promulgated by the Director of Public Works and adopted by the Township Committee to carry out the intent of this ordinance.

23. SINGLE RESIDENTIAL UNIT - Any dwelling place occupied by one (1) family.

24. SOLID WASTE - All garbage and rubbish normally generated by the occupants of residential and other property, disposed of by private and/or public collection and defined as "solid waste" by the New Jersey Solid Waste Management Act (N.J.S.A. 13:1E-3). Items classified as recyclables shall be prohibited from being placed commingled with other materials. The Township of Neptune is licensed by Solid Waste permit to collect three (3) types of waste:

(a) Type 10, Municipal Waste - Residential, commercial and institutional solid waste generated within a community.

(b) Type 13, Bulky Waste - Large items of solid waste which because of their size or weight require handling other than normally used for municipal waste. Bulky waste includes, but is not limited to, such items as tree trucks, parts of auto bodies, demolition or construction material, appliances, furniture and drums.

(c) Type 23, Vegetative Waste - Includes, but is not limited to, tree limbs, branches, leaves, grass clippings, plants and flower residue, etc.

25. STREET - Any right-of-way, avenues, boulevard, road, parkway, viaduct, drive or other way which is:

(a) An existing state, county or municipal roadway;
or

(b) Shown upon a plat approved by the Planning Board or Zoning Board of Adjustment and built in accordance with Township standards, and which may be either public or private; or

(c) Shown on a plat filed with the office of the County Clerk of the County of Monmouth prior to the creation of the Planning Board or Zoning Board of Adjustment of the Township of Neptune; and

(d) Not dedicated, in whole or in part, as a parking area or driveway which provides access to any building or structures.

26. SUPERINTENDENT - The Superintendent of Public Works Department of the Township of Neptune.

27. TOWNSHIP - The Township of Neptune.

27. YARD WASTE - Any waste accumulations of grass, leaves or shrubbery cuttings or clippings, tree branches, tree limbs, parts of trees, bushes, shrubbery or other material usually created as refuse in case of yard maintenance. Yard waste shall be free of dirt, rocks and other bulky and noncombustible materials and shall be separated for purposes of collection into, grass clippings and leaves and other materials.

SECTION III: LICENSE REQUIRED FOR COLLECTION.

No person or persons or corporation shall engage in the business of collecting or transporting garbage or refuse in the Township of Neptune without first obtaining a license to do so from the Board of Health of said Township.

SECTION III: LICENSE EXPIRATION DATE.

The expiration date of licenses shall be September 30 next after the same shall have been granted.

SECTION IV: APPLICATION FOR LICENSES: FEES.

All applications for licenses to collect and/or transport garbage or refuse shall be made in writing, addressed to the Board of Health of said Township. The license fee shall be as promulgated

by the Director of Public Works and approved by the Township Committee under separate cover entitled "Schedule of Fees for Solid Waste Services" and paid per vehicle.

SECTION V: VEHICLE REQUIREMENTS.

Every person or persons or corporations who shall transport any of the above through or along any street in said Township, shall use a vehicle properly constructed and furnished for its purpose with a sufficient covering so as to prevent the escape of the contents thereof.

SECTION VI: COLLECTION VEHICLES NOT TO STAND IN STREET.

No such vehicle shall stand in the streets or other public places at any time except when being loaded.

SECTION VII: SOLID WASTE HAULER REPORTS.

All licensed solid waste haulers servicing residential, commercial and/or institutional premises located within the boundaries of the Township shall be required to complete and submit tonnage reports of solid waste types collected within said boundaries, excluding recyclables, on a quarterly basis to the Board of Health of said Township.

SECTION VIII: SCHEDULING OF COLLECTION.

A. Collection sectors, together with the dates of collection, shall be established by regulation of the Public Works Department. In the event of emergent situations, and inclement weather such as ice and snow storms, high winds, flooding and/or heavy rains, the Department may suspend, restrict or otherwise modify the provisions of this chapter. Should any of the above situations occur, collection for the service which was suspended will resume on the next regularly scheduled collection day.

B. The following shall constitute holidays on which collections will not be made:

New Year's Day	Independence Day
Martin Luther King's Birthday	Labor Day
Lincoln's Birthday	Columbus Day
Washington's Birthday	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Day After Thanksgiving
	Christmas Day

Please note that: holidays falling on a Saturday shall be observed on the preceding Friday and holidays falling on a Sunday shall be observed on the following Monday.

SECTION IX: RESIDENTIAL GARBAGE COLLECTION

Property owners and their agents, lessees, tenants or other occupants residing in residential dwellings who wish to have their solid waste disposed by the Township shall:

A. Place solid waste from their dwelling unit in appropriate containers, receptacles, and/or bundles as specified at the street curb if one exists or adjacent to but not on the street pavement if there is no curb. The number of containers shall not exceed six (6) per dwelling on a single collection day. If residents plan to exceed six (6) items or put out items that are over four (4) feet in length or weigh over fifty (50) pounds, they must call the Public Works department between the hours of 7:00 A.M. and 3:30 P.M., at least one working day prior to their published collection day. They must describe the number of items placed out for collection, its volume, and provide their address. The Public Works Department shall reserve the right of decision in determining the maximum capacity per truck and therefore the right to limit the number of special collections according to volume per route.

B. Receptacles shall be placed as specified above beginning at dusk of the night preceding the scheduled collection day. All containers with solid waste shall be placed by 6:00 A.M. of the collection day, and those placed after said hour may not be collected if said collection activity has already taken place. Solid waste receptacles shall be removed from the curb or pavement edge by 6:00 P.M. of the evening of the collection day.

C. Residential properties shall be permitted to place solid waste for collection pursuant to this chapter and regulations issued by the Public Works Department. Said regulations shall as a minimum, state the type and number of receptacles and shall provide for regular, special and unlimited pickup, subject to limitations of the municipal budget of the Township of Neptune.

D. The Department may, provided that sufficient capacity of the routes remain, permit additional receptacles to be placed, provided that special prior arrangements have been made with the Department.

E. No collection of solid waste shall be accomplished on property outside of the dedicated public rights-of-way unless and until a release and a hold harmless and indemnification agreement between the property owner of record and the Township of Neptune shall be executed and in force. The owner of record shall also execute a license to the Township to permit access to the premises in question. Further, these premises shall only be served after the Public Works Department has deemed the roadway navigable and offers maneuverability to municipal equipment. It shall be the responsibility of the property owners and their agents, lessees, tenants or other occupants residing at said premises to maintain the roadway and vegetative overgrowth. Failure to meet these requirements will result in loss of services until such time that they are met as determined by the Public Works Department.

F. The Public Works Department provides an eight (8) cubic yard container for residents of the Township that desire to clean up their properties. There is a fee associated with this service, and is established by the Township Committee and charged as the per day fee by the Department. The container is delivered to the resident

requesting the same early in the AM and pulled the next succeeding business day. A running list on the first come first served basis is maintained and operated by the department. The fee is raised from time to time to keep up with escalating landfill tipping costs.

SECTION X: OTHER GARBAGE COLLECTION.

Solid waste disposal service shall be provided by the Township to other property owners, their agents, lessees, tenants or other occupants in accordance with the following provisions:

A. Residential charitable institutions - Will be served with vehicles to enter the institutional driveways to the extent that they are navigable and offer maneuverability.

1. Containerized or mechanically collected receptacles shall be required at the sole discretion of the Roads and Sanitation Department when the volume or weight of the solid waste generated exceeds the limit of containers and bundles imposed by the Township. In the event that the number or size of the containerized receptacles is found to be insufficient, the Department in its sole discretion may require additional containerized receptacles.

2. All containerized receptacles shall be provided by the institution at their own cost. All containerized receptacles shall meet and conform to specifications determined by the Public Works Department to ensure that they are compatible with Township's loading systems.

3. All containerized receptacles shall be located on private property within the dedicated area determined by the department in order that the containerized receptacle can be promptly, efficiently and safely emptied. The institution shall cause no obstruction to block, partially block or impede the Township from access to said containerized receptacle. In the event that the containerized receptacle cannot be emptied in the sole discretion of the Department, collection service shall be refused, and any subsequent service shall be at the expense of the institution.

4. No solid waste shall be removed unless the same is placed inside the containerized receptacle.

5. In the event of a holiday where collection activities are suspended, institutional collection activities shall return on the next regularly scheduled collection day without make-up collection.

B. Other charitable institutions will be served in accordance with the provisions of subsections A and B of 9, Residential garbage collection, provided that the maximum number of legal containers or bundles shall be six (6). No provisions are made for the collection of waste materials such as tires, waste oil and red bag (medical waste) or any other waste not collected from a private household.

C. Commercial, Industrial, and Professional properties - Place all solid waste (except materials noted above) from these properties at curbside in accordance with the provisions of Subsections A and B of 9, Residential garbage collection, provided that the maximum number of legal containers or bundles shall be six (6).

D. Business District - shall be created to deal with the concerns of those areas wherein it is impossible to perform solid waste and recycling collection functions without a detrimental visual and/or business effect on the district; and collection shall occur in this district on a daily basis (six times per week) during the months of May, June, July, August and September. The district shall be defined by the sole discretion of the Township Committee and transmitted to the Public Works Department by resolution each calendar year on or before April 15 of each year. The resolution will consider setting additional fees for the five months of additional service, in order that the Township residents as a whole are treated fairly and equitably. Services to the business district shall be accomplished on the same basis as described in this ordinance.

E. Governmental properties (Federal, State, and/or County) - No provisions are made in this ordinance for solid waste disposal services to these agencies or facilities unless they are a subdivision of the Township of Neptune.

SECTION XI: PROHIBITED MATERIALS.

The following items are prohibited from being placed for collection:

A. Construction materials, including, but not limited to, bulk roof shingles, dimensional framing lumber, bulk or sheets of plywood, paneling, plasterboard, sheetrock, etc.

B. Bulk grass cuttings and tree trimmings, except that these items may be collected if placed in reusable receptacles in the same manner as required for the collection of solid waste.

C. Hot ashes, dirt, earth, stone, blacktop, concrete, concrete block and macadam.

D. Industrial waste, including, but not limited to, processed scrap materials, packing materials and certain hazardous and dangerous materials, such as acids, paints, fluorescent tubes, bulk amounts of glass, toxic materials and highly volatile or explosive matter, either in liquid, gaseous, or solid form.

E. Bulk automotive parts, including, but not limited to, transmissions, engines, rear ends, wheels, tires, mufflers and other bulk items normally produced in quantity by vehicular repair operations.

F. Dead animals, animal waste and animal droppings.

G. Surgical dressings, syringes and disposable hospital-type waste items, also known as red bag waste.

H. New and used motor oils, petroleum based products, or antifreeze.

I. Hazardous waste classified pursuant to regulations issued by the New Jersey Department of Environmental Protection (NJDEP), adopted under authority of N.J.S.A. 13:1D-9 and 13:1E-6, as amended. Toxic chemicals commonly known as "commercial hazardous waste" and "household hazardous waste" would be excluded from the waste flow accepted from commingled disposal.

SECTION XII: BULKY ITEMS FROM RESIDENTIAL USE.

A. Domestic or household bulky items, such as washing machines, dryers, refrigerators, stoves, household appliances, and other household furnishings, such as chairs, sofas, rugs, padding, etc., shall not be placed at the curb for collection unless special arrangements have first been made, meeting the published collection schedule, of the Department of Public Works. No bulky item shall be of a weight or be of a size greater than can be conveniently handled by two (2) persons.

B. It shall be a violation of this chapter for any individual, association, partnership or corporation to leave outside of any building or dwelling, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator, freezer or dishwasher or any other item of any kind which has an airtight door, with or without lock, without first removing said airtight door.

C. It shall be a violation of this chapter for any individual, association, partnership or corporation to conduct a repair or salvage operation and use the services of the Township for solid waste collection.

SECTION XIII: BRANCHES.

Provided that special arrangements have first been made with the Public Works Department, branches, bulky tree limbs and tree trunks will be collected throughout the year if deposited at the street curb, if one exists, but not on the street pavement if there is no curb. Branches, bulky tree limbs and tree trunks may be placed at the curb in reasonable piles prior to the scheduled collection day.

SECTION XIV: LEAVES

The service listed under the nomenclature of "yard waste" in the annual Township calendar shall, during the months of October, November and December, consist of strictly leaf collection. During this time, leaves may be placed in neat piles at the curb or pavement edge for collection, provided that the piles do not constitute a

traffic hazard. It shall be a violation of this chapter for any private contractor to place leaves at the curb or pavement. Residents placing leaves for collection after said special leaf collection period shall be required to contain the leaves in reusable receptacles for their next regularly scheduled yard waste collection.

SECTION XV: GRASS CLIPPINGS.

Residents shall be required to contain grass clippings in reusable receptacles and place said receptacles at the curb or pavement edge separate from garbage or refuse for collection in accordance with the scheduling outlined in the Township Calendar under Yard Waste services for their sector. Any grass clippings placed at the curb or pavement edge during the months of leaf collection shall not be contained but be commingled with leaves placed for collection. It shall be a violation of this chapter for any private contractor to place grass clippings at the curb or pavement.

SECTION XVI: FEES FOR NON-COMPLIANCE.

Property owners of record shall be responsible for the placement of materials for collection as specified herein. The Township Committee shall be empowered to fix fees by regulation for the removal of materials not placed in accordance with the terms of this chapter which shall be the responsibility of the property owner of record.

SECTION XVII: TOWNSHIP HELD HARMLESS.

Property owners and their agents, lessees, tenants or other occupants who place materials not in accordance with this chapter shall hold harmless and indemnify for any or all losses the Township of Neptune, its employees and agents for all costs, direct and indirect, which are attributable, in the sole discretion of the Township, for materials which were placed for collection in violation of the terms of this chapter.

SECTION XVIII: OTHER COLLECTION FEES.

A schedule of fees shall be established by the Township Committee for services provided under Section 10: Other garbage collection. The approved fees may be charged for household containers and/or containerized receptacles, including but not limited to normal service, and recollection if collection activities are unable to be performed due to violation of this chapter.

SECTION XIX: COLLECTION OF ASSESSED FEES.

Fees not paid within thirty (30) days of assessment by the Department shall constitute a lien against the property which shall be collected via an action of law, and services shall cease until full restitution has occurred.

SECTION XX: ENFORCEMENT.

This chapter shall be enforced in Municipal Court upon a complaint signed by a member of the Board of Health, the Public Works Department or the Police Department of the Township of Neptune. Further, once a complaint has been signed and issued, the responsibility for disposal of solid waste shall lie with the violator, and/or shall be processed as a lien against the property and in accordance with law.

SECTION XXI: EXCEPTIONS FOR PHYSICALLY HANDICAPPED INDIVIDUALS.

The Public Works Department may issue regulations exempting from total or partial compliance those residential properties whose sole occupant or occupants are unable to meet the requirements of this chapter by reason of a physical disability.

SECTION XXII: DISPOSAL OF SOLID WASTE.

The Public Works Department shall forthwith transmit all solid waste collected pursuant to this chapter to lawfully licensed facilities designated by the County of Monmouth in the Monmouth County Solid Waste Plan and/or the State of New Jersey. If permitted by said Solid Waste Plan and if said users and markets exist on a positive-cost-benefit-ratio basis to the municipality, then the Township may elect to dispose of said solid waste or a portion thereof in an alternative manner pursuant to statute and regulation.

SECTION XXIII: OWNERSHIP.

The Township of Neptune shall assume ownership of items or materials classified as recyclable upon collection by the Township or upon delivery to a municipal drop-off center specified herein.

SECTION XXIV: APPOINTMENT OF SOLID WASTE OFFICIALS.

The Township Committee shall appoint a Clean Communities, Solid Waste and Recycling Coordinator and a Deputy selected from Public Works Department supervisory personnel required to act as liaison with Monmouth County and New Jersey State Solid Waste officials, keep records and perform the annual Tonnage Grant application process.

SECTION XXV: DESIGNATION OF RECYCLABLE MATERIALS AND SERVICES.

A. Upon classification of an item or material, presently or prospectively a part of commingled solid waste flow, as recyclable, residential and other property owners, except for the United States Government and the State of New Jersey, shall cause themselves or their agents, lessees, tenants or their occupants to separate said item or materials separately for collection, whether said collection is performed by a municipal agency or private contractor.

B. On and after the date fixed in the regulations and in accordance with the terms thereof, it shall be mandatory for all persons who are owners, lessors, renters or occupants of residential dwellings and commercial, industrial and institutional properties in the Township of Neptune to separate recyclable materials from all other solid waste generated. Commercial, industrial and institutional properties that are not serviced by the Township shall be required to negotiate with their private/hauler/contractor in accordance with the provisions of the Monmouth County District Recycling Plan.

C. At the present time, the waste materials to be recycled by New Jersey State mandate and designated as recyclables by the Township of Neptune are:

1. Aluminum cans.
2. Cardboard/corrugated paper.
3. Glass food and beverage jars.
4. Hi-grade and mixed paper - computer, office paper, stationery/envelopes.
5. Newspapers - NO magazines.
6. Waste Oil.
7. Yard waste - leaves, grass clippings, branches, vegetative waste.

NOTE: Additional recyclable materials shall be added in accordance with the time line of the New Jersey Source Separation and Recycling Act: S-1478/A-1781 and the Monmouth County District Recycling Plan, in order that the Township meet the volume requirements of said law. The Public Works Department shall issue further regulations classifying recyclables and providing for the method and manner of collection. Said classification shall be dependent upon the existence of lawful disposal, users or markets for said recyclables.

SECTION XXVI: MUNICIPAL DROP-OFF CENTER.

The Public Works Department shall, by regulation, designate a municipal drop-off center. Said center shall accept, as a minimum, used motor oils pursuant to N.J.S.A. 14A:3-11.1 et seq., as well as any items classified as recyclable by regulation of the Public Works Department.

SECTION XXVII: DISPOSAL OF RECYCLABLE ITEMS.

Materials classified as recyclable shall only be disposed of by:

A. Placing them for collection by the municipality pursuant to the terms of this chapter and regulations issued by the Roads and Sanitation Department in accordance with the provisions set forth in the Neptune Township Municipal Calendar.

B. Disposing of, giving, donating or selling them or permitting them to be collected by any person, partnership or corporation, whether operating for profit or not, provided that the material shall:

1. Be recycled.

2. Be collected from a point other than the curbside in districts with municipal collection of recyclable items or materials or at a municipal drop-off center, except with the permission of the Township of Neptune.

3. Be reported to the municipality by both the generator and the receiver of the recyclable items or materials in accordance with regulations of the Roads and Sanitation Department.

C. Recycling documentation in the form of weight slips or a signed business form letter shall be required from all those who market, collect, haul and/or generate recyclable materials, whether they be residential, commercial and/or institutional premises located within the boundaries of the Township of Neptune, as required by the Monmouth County District Recycling Plan. These records and reports shall be submitted to the Neptune Township Recycling Coordinator on a quarterly basis, specifically, not later than close of business January 1, April 1, July 1 and October 1 of a given year and beginning as of the effective date of this ordinance.

SECTION XXVIII: VIOLATIONS AND PENALTIES.

A. Each such collection in violation of this chapter and each day a violation or neglect is committed or permitted to continue shall constitute a separate offense and punishable as such.

B. Any person, firm or corporation who violates or neglects to comply with any provision of this chapter or any rule, regulation or directive promulgated pursuant thereto shall be punishable, upon conviction thereof, by a fine not to exceed one thousand dollars (\$1,000.00) or by up to ninety (90) days in jail, or both. If permitted by general law, a convicted person may be ordered to perform community service.

SECTION XXIX: REPEALER.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed insofar as such inconsistencies only. Ordinances 1129, 1302, 1309 and 1332 are repealed in their entirety.

SECTION XXX: WHEN EFFECTIVE.

This ordinance shall take effect after final passage and publication as provided by law.

APPROVED ON FIRST READING: January 23, 1989

APPROVED, PASSED AND ADOPTED ON: February 6, 1989

ATTEST:



Robert E. Rizas, Mayor



Barbara Bascom, Clerk