

*Township of Buena Vista, NJ  
Wednesday, December 21, 2011*

## **Article I. Recycling**

[Adopted 5-14-1990 by Ord. No. 216-1990]

### **§ 83-1. Title.**

This article shall be known and may be cited as the "Recycling Ordinance of the Township of Buena Vista."

### **§ 83-2. Definitions.**

The words, terms and phrases used in this article shall have the following meanings:

#### **ALUMINUM CANS**

All aluminum beverage containers and all aluminum pet food or other containers.

#### **CARDBOARD or CORRUGATED PAPER**

Clean, heavy box materials commonly known as "cardboard boxes" and similar heavy paper packaging containers that are free of plastic, foam and other contaminants, also including food packaging boxes and other commercial packaging that is free of food contaminants, plastic, wax and foam materials that would make it undesirable for recycling purposes. All cardboard and packaging must be opened and flattened for ease of handling.

#### **COMMERCIAL ESTABLISHMENTS**

Those properties used primarily for commercial purposes.

#### **FERROUS CONTAINERS**

Empty steel or tin food or beverage containers.

#### **GLASS CONTAINERS**

Bottles and jars made of clear, green or brown glass. Expressly excluded are noncontainer glass, plate glass, blue glass and porcelain and ceramic products.

#### **INSTITUTIONAL ESTABLISHMENTS**

Those facilities that house or serve groups of people, including but not limited to hospitals, schools, nursing homes, libraries and government offices.

#### **MULTIFAMILY RESIDENCES**

All residential living units containing four or more dwelling units.

#### **PAPER**

Newsprint and other forms of paper and paper products such as magazines, telephone books, catalogs, white office paper, computer paper, etc., excluding those soiled (i.e., containing carbon, adhesive or plastic) or unfit due to health and/or sanitary reasons. Newspapers shall also be deemed soiled if they have been exposed to substances rendering them unusable for recycling (i.e., water).

#### **PERSON**

Every owner, lessee and occupant of a residence, commercial or institutional establishment within the boundaries of the Township of Buena Vista.

**PLASTICS**

Plastic soda, juice and liquor bottles; plastic laundry and dish detergent bottles; plastic bleach bottles. In addition, any plastic bottles or containers that have the recycling symbol or the initials PETE or HDPE stamped on the container.

**RECYCLABLE MATERIALS**

Those materials which would otherwise become municipal solid waste and which may be collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

**RESIDENCE**

Any occupied single or multifamily dwelling having up to four dwelling units per structure from which a municipal or private collector collects solid waste.

**SOLID WASTE**

Garbage, refuse and other discarded solid material normally collected by a municipal or private hauler.

**§ 83-3. Program established.**

- A. There is hereby established a mandatory program for the separation of the following recyclable materials from the municipal solid waste stream by all persons within the Township of Buena Vista, hereinafter referred to as the "municipality," as follows:
- (1) Residences and multifamily residences shall recycle aluminum cans, glass containers, plastic containers, newspapers and paper goods.
  - (2) Commercial and institutional establishments shall recycle aluminum cans, glass containers, plastic containers, cardboard, newspapers and paper goods such as white office paper and computer paper.
- B. As the municipality sees fit to include other recyclable materials in the program, all persons falling under this Article will be required to separate these items from the Township of Buena Vista solid waste stream.

**§ 83-4. Source-separation of material; placement for disposal.**

- A. The recyclable materials designated in § 83-3 of this Article, excluding newspapers, shall be put in a suitable container, separate from other solid waste and placed at the curb or such other designated area for collection at such times and dates as may be hereinafter established in the Township's recycling regulations. The container for recyclable materials shall be clearly labeled and placed at the curb or such other designated area for each collection.
- B. Newspapers shall be bundled and tied with twine or placed in a craft paper (brown paper) bag and placed at the curb or other designated area for collection at such times and dates as are established in the Township's recycling regulations. The maximum weight of each bundle of newspapers shall not exceed 30 pounds [approximately 12 inches high].
- C. Aluminum and glass containers shall be rinsed, lids removed and placed commingled in such suitable container.
- D. Plastic containers shall be rinsed, lids removed, flattened and placed in suitable container.
- E. Cardboard shall be flattened and placed along side other recyclable materials.
- F. White office paper and computer paper shall be placed in a craft paper (brown paper) bag or in a suitable container separate from other recyclable materials.

**§ 83-5. Regulations for condominiums, apartments and multifamily units.**

- A. The owner/manager or association of every multifamily dwelling (apartment, townhouse or condo) shall designate space for the placement and storage of newspaper, glass, aluminum, plastic and all other recycled materials. The owner/manager or association also has the option of arranging for curbside pickup service from the Atlantic County Utilities Authority. All lessees/owners of these dwelling units shall be required to separate items as mentioned in § 83-3 and place them in the designated place.
- B. All multifamily residences that provide private collection for recyclable materials named in § 83-3 of this Article shall submit written documentation to the Township and to the Atlantic County Utilities Authority by June 1 of the total amounts of recyclables collected in the prior calendar year. The only exception to this collection and documentation method will be if the multifamily dwelling is serviced by the Atlantic County Utilities Authority Collection Program. Multifamily residences have the choice of private or county collection for recycled materials, but the Township Recycling Coordinator and Atlantic County Utilities Authority (ACUA) must be notified of the collection method selected.

**§ 83-6. Commercial and institutional establishments.**

Commercial and institutional establishments may transport their recyclables to the containers at the Township dropoff facility or to the Atlantic County intermediate processing facility or contract with a private hauler to collect them. It is the responsibility of the commercial or institutional establishment to properly separate or have separated and store or have stored all recyclable items on their premises prior to periodic disposal of these materials. Yearly documentation of amounts recycled by a private hauler must be made to the Township Administrator and the ACUA prior to June 1 for the preceding calendar year. Materials taken to the county facility will be recorded for the Township. Township records will be maintained for materials disposed of at the dropoff facility and credit given to those participating commercial and institutional establishments accordingly. The only exception to this collection method is if the commercial or institutional establishment participates in the Atlantic County Collection Service Program.

**§ 83-7. Leaves.**

- A. All persons within the Township shall, for the period from October 15 through December 1 and March 15 through April 30 each year, separate leaves from other solid waste generated at their premises and, unless the leaves are stored or recycled for composting or mulching on the premises, place the leaves at the curb or other designated collection area at such times and dates and in the manner established by the Township's recycling regulations. The use of biodegradable leaf bags may be used in the manner established by the Township's recycling regulations as an alternative to loose leaves placed at the curb.
- B. All commercial lawn services will dispose of leaves collected within the Township of Buena Vista at the composting facility within the city yard and submit, prior to June 1 of each year, the total amount collected in the prior calendar year.

**§ 83-8. Alternative collection.**

Any person may donate or sell recyclable materials to individuals or organizations authorized by the Township of Buena Vista in its recycling regulations. These materials may either be delivered to the individual's or organization's site or they may be placed at the curb for collection by said individual or organization on days in the Township of Buena Vista's recycling regulations. Said individuals or organizations may not collect recyclable materials on or within the 24 hours immediately preceding a regularly scheduled curbside collection day and shall, prior to June 1 of each year, provide written documentation to the Township of Buena Vista of the total amount of material recycled during the preceding calendar year.

**§ 83-9. Unauthorized collection.**

It shall be a violation of this Article for any unauthorized person or organization to collect or pick up or cause to be collected or picked up within the boundaries of the Township of Buena Vista any of the recyclable materials designated in § 83-3 of this Article. Each such collection in violation of this Article shall constitute a separate and distinct offense punishable as hereinafter provided.

**§ 83-10. Development plans.**

In accordance with the New Jersey Statewide Mandatory Source Separation Recycling Act of 1987, *Editor's Note: See N.J.S.A. 13:1E-99.32 et seq.* proposals for new developments of 50 or more single-family units and/or five multifamily units and/or 100 square feet or more of commercial or industrial space must incorporate provisions in the site plan for recycling. Master Plans must be updated for recycling every three years and must incorporate a recycling plan element into the Township of Buena Vista Master Plan.

**§ 83-11. Administration; enforcement; Recycling Coordinator.**

- A. The Township Committee of the Township of Buena Vista is hereby authorized to establish and promulgate reasonable regulations to be adopted by resolution of the Township Committee of the Township of Buena Vista detailing the manner, days and times for the collection of the recyclable materials designated in § 83-3 of this Article. Such regulations shall take effect only upon the approval of the Township Committee of the Township of Buena Vista by adoption of a resolution implementing the same.
- B. The municipality is hereby authorized and directed to enforce the provisions of this Article and any implementing regulations adopted hereunder.
- C. The position of the Township of Buena Vista Recycling Coordinator as per N.J.S.A. 13:1E-99.13b(1) is hereby established and will be held by the person who shall be appointed by resolution of the Township Committee of the Township of Buena Vista. The Township of Buena Vista Recycling Coordinator's name and telephone number shall be forwarded to the Atlantic County Utilities Authority.

**§ 83-12. Refusal to collect waste.**

The Township of Buena Vista or any other person collecting solid waste generated within the Township of Buena Vista may refuse to collect solid waste from any person who has clearly failed to source separate recyclables designated under any applicable section of this Article.

**§ 83-13. Violations and penalties.**

- A. Any person, firm or corporation violating the provisions of any section of this Article shall be issued a warning for the first and second offense and will then be subject to a fine of not less than \$100 nor more than \$1,000 for each offense and/or 15 to 30 days community service and/or 15 to 90 days jail sentence.
- B. Each and every day in which a violation of any of the provisions of this Article exists shall constitute a separate offense.
- C. Action shall be taken to enforce the provisions of this Article immediately upon municipal approval.
- D. Any person, firm or corporation placing nonrecyclable materials at the recycling dropoff facility within the Township of Buena Vista shall be subject to a fine of not less than \$100 nor more than \$1,000 for each offense.