

TOWNSHIP OF CRANBURY

ORDINANCE NO. # 01-19-02

AN ORDINANCE REGULATING THE PLACEMENT OF DUMPSTERS ON PUBLIC ROADWAYS

WHEREAS, the Township Committee desires to formalize the regulation of dumpsters on public roadways in the Township; and

WHEREAS, the placement of dumpsters on public roadways without proper notification to the Township and without proper demarcation presents safety hazards for Township residents and visitors;

BE IT ORDAINED, by the Township Committee of the Township of Cranbury, County of Middlesex, State of New Jersey as follows:

SECTION ONE. Chapter 121 (Refuse Containers and Dumpsters) of the Township Code is hereby amended as follows:

§ 121-2. Definitions.

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) — A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by Cranbury Township or other public body, and is designed and used for collecting and conveying stormwater.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

REFUSE — Solid waste material, including garbage and rubbish. Garbage includes, but is not limited to, mostly decomposable food waste; rubbish includes, but is not limited to, mostly dry material such as glass, paper, cloth, or wood.

REFUSE CONTAINER — Any waste container that a person controls, whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

STORMWATER — Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, and is captured

by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

WATERS OF THE STATE — The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the state of New Jersey or subject to its jurisdiction.

§ 121-3. Prohibited conduct.

- A. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.
- B. "Covered" shall mean any of the following:
 - (1) The container is kept within an area that has walls and a roof which will prevent loose refuse from being carried away by wind, rain or other means;
 - (2) The container has a permanently affixed, hinged cover made of a sturdy material such as plastic or metal;
 - (3) On a temporary basis, a tarp made of plastic or a heavyweight fabric, which is attached and secured to the container or dumpster until a more permanent cover, as described above, can be obtained.
- C. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semiliquids or solids to the municipal separate storm sewer system(s) operated by Cranbury Township.
- D. Any person who wishes to place a refuse container or dumpster on a public roadway within the Township shall provide the Township Zoning Official with the following information prior to the placement of the container or dumpster:
 - 1) Proposed location of dumpster
 - 2) Reason or need for dumpster
 - 3) Type of refuse expected to be placed in the dumpster
 - 4) Anticipated duration of the dumpster placement.
- E. Any dumpster placed on a public road must be clearly marked with cones or other signs or symbols that would be visible at night. Placement of the safety markers must be made to the satisfaction of the Township Zoning Official.
- F. The placement of refuse in a public roadway or Township right of way without a container is prohibited.

§ 121-5. Enforcement.

This chapter shall be enforced by the ~~Police Department, Health Department~~ and/or other Municipal Officials of Zoning Official for Cranbury Township.

SECTION TWO. Repealer. All ordinances and resolutions, or parts thereof, inconsistent with this Ordinance, are hereby repealed.

SECTION THREE. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION FOUR. Effective Date. This Ordinance shall take effect immediately upon its passage and publication, as required by law.

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on January 14th, 2019. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the Meeting Room of Town Hall, 23-A North Main Street, in the Township of Cranbury on January 28th, 2019 at 7:00 P.M. and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office or by going to the Township's web site: www.cranburytownship.org, click on Document Library and then "New Ordinances" to members of the general public who shall request same.

Debra A. Rubin, RMC
Municipal Clerk