

**ORDINANCE #08-23**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER XIII OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO AMEND**  
**SECTION 13-11 "PERMIT DUMPING AND FEES"**

**WHEREAS**, the Borough has established Section 13-11, "Permit Dumping and Fees", to provide for the depositing of non-putrescible trash by Borough residents at a site in the Borough of Sayreville to be designated by the Mayor and Borough Council; and,

**WHEREAS**, the Superintendent of Public Works and the Recycling Coordinator of the Borough reviewed the current Section 13-11 of the Revised General Ordinances of the Borough of Sayreville and recommended the Borough that it is in the best interest of the Borough to amend said Section in accordance with the revisions set forth herein; and,

**WHEREAS**, the Mayor and the Borough Council desire to amend Section 13-11, "Permit Dumping and Fees", to update existing Ordinance in accordance with recommendations of the Superintendent of Public Works and the Borough Recycling Coordinator; and,

**WHEREAS**, all additions are shown in ***bold italics with underlines***. The deletions are shown as *strikeovers in italics*. Those sections of Section 13-11 that will remain unchanged are shown in normal type.

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows:

**SECTION ONE.** Section 13-11.1 through 13-11.7 shall be amended as follows:

**~~13-11 PERMIT DUMPING AND FEES.~~ RECYCLING CONVENIENCE CENTER/ FORT GRUMPY**  
**DUMPING REGULATIONS**

**13-11.1 Purpose.** The purpose of this section is to provide for the depositing of non-putrescible trash by Borough residents at a site in the Borough of Sayreville to be designated by the Mayor and Borough Council. Non-putrescible trash is hereby defined as non-rotting household garbage or other materials or debris generated at a Borough residence. The use of this site is limited to residents and their trash and is not intended for use by contractors or other commercial establishments.

**13-11.2 Application and Eligibility.** Sayreville residents shall be eligible to utilize the designated drop-off site upon the provision of proof of residency to the operating attendant(s) at the site. Proof of residency shall be in the form of a current driver's license, utility bill, lease or certified statement of the landlord as to residency.

**13-11.3 ~~Permit Entitlement and Fee.~~ Borough Resident Dumping Privileges.** Residents will continue to be afforded dumping at no charge for dumping of one (1)

three-quarter ( $\frac{3}{4}$ ) ton truck load (**standard 6' to 8' bed**) at the Public Works Recycling Center ("Fort Grumpy"). Residents will continue to be afforded dumping at no charge when the trash or debris is delivered in a personal automobile. ~~as defined in subsections 13-11.3a, and 13-11.3b, hereof. Pursuant to subsections 13-11.3c, and 13-11.3e, the permit fee for a resident's pickup truck, van or other vehicle with a three-quarter ( $\frac{3}{4}$ ) ton or two and one-half ( $2\frac{1}{2}$ ) cubic yards shall be fifty (\$50.00) dollars for each additional load. The fees outlined in this section shall be paid at the office of the Department of Public Works during normal office hours.~~

- ~~a. Resident's personal automobile: there shall be no limit to the number of trips such vehicles shall make to the site.~~
- ~~b. Resident's personal van (equipped with two (2) rear bench seats): there shall be no limit as to the number of trips such vehicles shall make to the site.~~
- ~~c. Resident's pickup trucks or other vehicles (including vans with the passenger seats removed) which have a maximum capacity of three-fourths ( $\frac{3}{4}$ ) ton or two and one-half ( $2\frac{1}{2}$ ) cubic yards: such vehicles shall be entitled to one (1) free deposit per year and shall be subject to a fifty (\$50.00) dollar charge for each additional deposited load thereafter. In no event shall there be more than one (1) pickup load per Saturday.~~
- ~~d. Rented or borrowed vehicles which have a maximum capacity of three-fourths ( $\frac{3}{4}$ ) ton or two and one-half ( $2\frac{1}{2}$ ) cubic yards: such vehicles shall be entitled to one (1) free deposit per year. In all instances, the permit holder must be present when dumping at the site.~~
- ~~e. Trailers which have a maximum capacity of three-fourths ( $\frac{3}{4}$ ) ton or two and one-half ( $2\frac{1}{2}$ ) cubic yards:  
  
Such vehicles shall be entitled to one (1) free deposit per year in lieu of registering a pickup truck under the provisions contained herein. In the event a pickup truck is registered to the same owner as the trailer, a fee of fifty (\$50.00) dollars shall be charged for the second vehicle.~~
- ~~f. Vehicles/trucks which have a storage capacity in excess of three-fourths ( $\frac{3}{4}$ ) ton or two and one-half ( $2\frac{1}{2}$ ) cubic yards: such vehicles shall not be permitted to dump at the site.~~
- ~~g. For each additional trash container delivered to the Fort Grumpy, a fee shall be charged in the amount of either: (1) forty-seven dollars and fifty (\$47.50) cents; or, (2) the current market price for which the Borough is charged for solid waste disposal, whichever amount shall be greater.~~

**a. Borough residents are permitted to make one (1) trip per day per household.**

**b. Box and commercial vehicles shall not be permitted to dump at Fort Grumpy.**

**c. No household waste shall be permitted to be dumped at Fort Grumpy.**

**d. The Superintendent of Public works and/or the Supervisor of the Department of Public Works may, in its sole discretion, deviate from the above as deemed necessary, in their sole discretion.**

~~**13-11.4 Permit Not Transferable.** Permits shall not be transferable by the holder to any other person or persons.~~

**13-11.5 Regulations.** The ~~Director~~ **Superintendent** of Public Works shall be permitted to adopt such regulations as may be necessary for the proper operation of any such site which shall also include the orderly dumping of said materials as well as providing for the safety and welfare of the Borough employees working at said site and the Sayreville residents using said site.

**13-11.6 Revocation.** The Borough Council, **Superintendent of the Department of Public Works or Supervisor of the Department of Public Works** may suspend or revoke the ~~permit~~ **dumping privileges** granted herein on any one (1) or more of the following grounds:

- a. Failure ~~of the permit holder~~ to continue to reside in the Borough of Sayreville.
- b. ~~Obtaining said permit by fraudulent means or misrepresentation of material fact in the application for said permit.~~ **Misrepresentation of materials sought to be dumped.**
- c. Violation of any of the laws of the State of New Jersey ~~by the permit holder.~~
- d. Violation of any ordinances of the Borough ~~by the permit holder.~~

In all such cases, written notice of the charge or charges and the time and place of hearing thereon shall be served upon the **resident permit holder**, either in person or by certified or registered mail addressed to the resident ~~permit holder at the address set forth in the application.~~ **No revocation or suspension shall occur unless the permit holder shall be afforded an opportunity to be heard in his defense.**

~~**13-11.7 Display of Permit.** The permit holder shall be required to display a valid permit when dumping the trash at the designated Borough site.~~

## **SECTION TWO. Severability Clause.**

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

## **SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

## **SECTION 4. Effective Date.**

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: April 10, 2023

\_\_\_\_\_  
Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

\_\_\_\_\_  
Vincent Conti, Councilman  
(Public Works Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: April 24, 2023

\_\_\_\_\_  
Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

\_\_\_\_\_  
Vincent Conti, Councilman  
(Public Works Committee)

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Victoria Kilpatrick, Mayor  
Borough of Sayreville

APPROVED AS TO FORM:

\_\_\_\_\_  
SEAN KEAN, ESQ., Borough Attorney