

ORDINANCE #23-24
BOROUGH OF SAYREVILLE
COUNTY OF MIDDLESEX
AN ORDINANCE REGULATING REMOVAL
OF GARBAGE, REFUSE AND RUBBISH IN THE
BOROUGH OF SAYREVILLE,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, the Board of Health of the Borough of Sayreville (“Borough”) has recommended the Borough Council regulate the removal of garbage, refuse, and rubbish within the Borough; and

WHEREAS, the Borough desires to set forth an ordinance that regulates the removal of garbage, refuse, and rubbish to preserve public health, safety and general welfare of the citizens of the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sayreville in the County of Middlesex, State of New Jersey, as follows:

SECTION 1. Definitions. Whenever used in this Ordinance unless a different meaning clearly appears from the context:

- A. Building shall mean any premises occupied by commercial, industrial, or residential tenants.
- B. Borough shall mean the Borough of Sayreville.
- C. Garbage shall mean putrescible animal or vegetable wastes from the handling, preparation, cooking, and consumption of food.
- D. Refuse shall mean all putrescible and non-putrescible solid wastes (except body wastes) including cans, glasses, bottles, concrete, household sweepings, and other items of a similar facsimile, usually non-combustible.
- E. Rubbish shall mean non-putrescible solid wastes, including paper, cardboard, excelsior, straw boxes, crates, garden and lawn clippings, wood, and materials of a similar facsimile, usually of a combustible nature.
- F. Hazardous Materials shall mean those materials requiring special handling techniques due to the potential dangers caused by their inherent toxicity, breakage, consumption, and/or illegal use, i.e. paints, chemicals, hydrocarbons, and/or their derivatives, refuse pharmaceuticals and discarded syringes, cathode ray tubes, fluorescent bulbs, etc.

SECTION 2. Disposal. No person shall dispose of, deposit, or throw garbage, refuse, or rubbish or any other material upon or along any public or private highway, road, or

street, or upon public or private property or any river, stream or body of water within the Borough.

SECTION 3. Responsibility of Owner. In any building occupied by more than one tenant, the owner thereof shall be responsible to keep property and premises free of garbage, refuse, or rubbish, and to see that proper receptacles are used, placed on the curb, and removed as so required, and that all other provisions of this Ordinance are conformed to.

SECTION 4. Free Premises. All owners of vacant lots or abandoned buildings shall keep the premises free from garbage, refuse, or rubbish.

SECTION 5. Hazardous Materials. Hazardous materials, as defined by this Ordinance, shall not be placed in receptacles, but shall be removed by appointment through special collection. All hazardous materials shall be securely wrapped and tied to prevent breakage.

SECTION 6. Conflicts. All Ordinances of the Board of Health or the Borough of Sayreville or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being legislative intent that all Ordinances or parts of Ordinances now existing or in effect, unless the same be in conflict or inconsistent with any provisions of this Ordinance, shall remain in effect.

SECTION 7. Severability. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, or phrase thereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sub-sections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 8. Penalties. Any person, firm, or corporation who shall violate any of the provisions of the Ordinance shall, upon conviction, be punished by a fine of not to exceed five hundred dollars (\$500.00) or by imprisonment for a period not to exceed ninety (90) days, or by such fine and imprisonment, and each violation of any of the provisions of this Ordinance and each day there is a violation thereof shall be deemed and taken to be a separate and distinct offense.

SECTION 9. Enforcement. The Construction Official and the Health Official, or their agents, are empowered to notify any owner of lands within the Borough to remove any and all of the items enumerated in this Ordinance. Notice shall be given to the owner by certified mail, return receipt requested, at the owner's last known address. A minimum of five (5) days shall be given for abatement of violations.

SECTION 10. Removal by Borough. In the event the owner, tenant, or person in possession of the lands in question shall refuse or neglect to abate or remedy the condition which is in violation of this section within ten (10) days after receipt of notice, the Construction Official or Health Official, or their agents, shall cause the same to be abated and remedied and certify the costs thereof to the Council, who shall examine the certificate and, if found correct, cause the costs as shown thereon to be charged against the lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon

such lands, the same to bear interest at the same rate as taxes, which shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for a violation of this section.

SECTION 11. Effective Date. This Ordinance shall take effect upon passage and publication as provided by law.

INTRODUCED/APPROVED ON FIRST READING

DATED: April 8, 2024

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

Christian Onuoha, Councilman
(Public Works Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: April 29, 2024

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

Christian Onuoha, Councilman
(Public Works Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney