



TOWNSHIP OF WINFIELD - #397
COUNTY OF UNION, STATE OF NEW JERSEY
AN ORDINANCE REGULATING REFUSE CONTAINERS / DUMPSTERS

SECTION I. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the **Township of Winfield** and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, 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.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Winfield or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means 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.

SECTION III. Prohibited Conduct:

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.

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, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Winfield.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the **Winfield Police Department of the Township of Winfield**.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed **\$200**.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

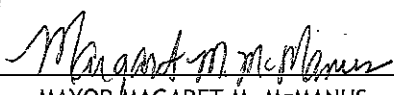
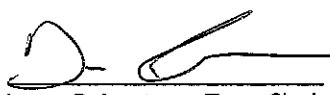
Introduced: May 17, 2010



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PUBLIC NOTICE

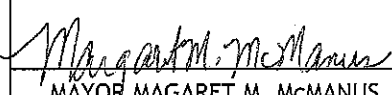
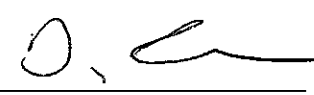
The foregoing ordinance was introduced and approved on first reading at the regular meeting of the Winfield Township Committee held on 5/17/10 and will be considered for public hearing and final adoption at the regular meeting of the Township Committee to be held on 6/7/10 at 7:00 PM in the Municipal Building, 12 Gulfstream Avenue, Winfield, NJ.

	MOTIONED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	
 MAYOR/MAGARET M. McMANUS			✓				I hereby certify that the above Ordinance was introduced by the Township Committee of the Township of Winfield at a meeting held on <u>5/17/10</u> .  Laura Reinertsen, Twp. Clerk
COMM. ONEIDA M. BRAITHWAITE		✓					
COMM. DAVID P. WRIGHT, SR	✓						

Adopted: June 7, 2010

PUBLIC NOTICE

The foregoing ordinance was introduced and approved on first reading at a regular meeting of the Township Committee held 5/17/10 and was approved for adoption on final reading at the regular meeting of the Township Committee held on 6/7/10, 7:00 pm.

	MOTIONED	SECONDED	AYES	NAYS	ABSENT	ABSTAIN	
 MAYOR/MAGARET M. McMANUS			✓				I hereby certify that the above Ordinance was introduced by the Township Committee of the Township of Winfield at a meeting held on <u>6/7/10</u> .  Laura Reinertsen, Twp. Clerk
COMM. ONEIDA M. BRAITHWAITE		✓					
COMM. DAVID P. WRIGHT, SR	✓						