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## Chapter 162

# Solid Waste

**[HISTORY: Adopted by the Mayor and Council of the Borough of Folsom as indicated in article histories. Amendments noted where applicable.]**

### GENERAL REFERENCES

Property maintenance — See Ch. 151.

Recycling — See Ch. 155.

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### Article I

## Littering and Improper Discarding

**[Adopted 8-11-1988 by Ord. No. 211]**

#### § 162-1 Purposes.

It is deemed to be in the public interest and to promote the public health, safety and welfare of the Borough of Folsom to control conduct that defaces the community through littering and open storage of articles that adversely affect the quality of life of its people and property values in its neighborhoods.

#### § 162-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

#### COMMUNITY SERVICE WORK GROUPS

Those individuals who, having been convicted of an offense under New Jersey law that have been sentenced to perform community service within the Borough of Folsom and who are selected by the Municipal Judge to perform said service as part of such a work group.

#### INOPERABLE MOTOR VEHICLES

Those vehicles which are incapable of operation and are not in the process of being repaired that are not located in a licensed junkyard of the Borough of Folsom.

#### LITTER

Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

#### RECYCLING

Any process by which material would otherwise become solid waste is collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

**Commented [1]:** Editor's Note: See also Ch. 155, Recycling.

**§ 162-3 Prohibited activities.**

It shall be a violation of this article for any individual or group of individuals to perform any of the following prohibited actions:

- A. Littering.
- B. Discarding or dumping any household or commercial solid waste in any place not specifically designated for the purpose of solid waste storage or disposal.
- C. Storing in areas zoned residential any bulky household items such as appliances, furniture or mattresses, except in a fully enclosed structure.
- D. Storing tires in areas zoned residential except in a fully enclosed structure.
- E. Keeping inoperable motor vehicles as defined herein on streets, vacant lots and residential lawns.
- F. Covering vehicles to prevent loads from dropping, leaking or otherwise escaping.
- G. Accumulation of debris on or around construction sites, or its storage in such a manner that it is likely to be removed by natural forces onto adjacent property.
- H. Prohibiting open or overflowing commercial, industrial or residential waste disposal bins.
- I. Failure of every owner, lessee, tenant, occupant or person in charge of any building or structure to keep and cause to be kept the sidewalk and curb abutting said building or structure free from obstruction and nuisance of every kind, and to keep said sidewalks, areaways, backyards, courts and alleys free from litter and other offensive material.
- J. Sweeping into or depositing in any gutter, street, catch basin, or other public place any accumulation of litter from any public or private sidewalk or driveway; failure of any person who owns or occupies property to keep the sidewalk in front of his or her premises free of litter; and failure to collect and properly containerize all sweeping for disposal.

**§ 162-4 Receptacle placement.**

The owner and/or the person in charge of all retail commercial establishments; public buildings, including schools, government buildings, and railroad and bus stations; municipal or county parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service station islands; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat launching areas; public and private piers operated for public use; beaches and bathing areas; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals, shall place receptacles at those places designated by the Construction Official, which receptacles shall be of a type and kind as is acceptable to said Official.

**§ 162-5 Maintenance of receptacles.**

The proprietors of said places and the sponsors of these events shall maintain and service said receptacles so that adequate containerization is maintained.

**§ 162-6 Violations and penalties.**

**[Amended 5-20-2004 by Ord. No. 9-2004]**

Any person, firm or corporation violating any provision of this article shall, upon conviction, be subject to a fine not exceeding \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

## **Collection of Trash**

**[Adopted 6-14-1990 by Ord. No. 227]**

### **§ 162-7 Purpose.**

The purpose of this article is to establish uniform procedures throughout the Borough of Folsom to be utilized for the collection of trash in the Borough of Folsom and to minimize the trash placed upon roadways for health and safety purposes.

### **§ 162-8 Trash collection procedures and regulations.**

All trash collected within the Borough of Folsom shall be collected under the following procedures:

- A. The intent of this article is to have the residents of the Borough of Folsom keep their trash cans either along side of or behind their house, shed or garage except for trash collection day in the Borough.
- B. There shall be no containers, boxes or receptacles placed at either the curbside or in front of any house in the Borough of Folsom on a permanent or semipermanent basis for the holding of trash cans.
- C. All trash must be placed at curbside by the homeowner.
- D. All trash containers shall be either plastic or metal and may not exceed 20 gallons, nor weigh more than 50 pounds.
- E. Paper boxes, bags or cardboard boxes shall not be used as trash receptacles by the residents of the Borough of Folsom.
- F. If garbage is to be mixed with trash, it shall be wrapped or placed in a bag before it is placed in a trash can for pickup by the collector of trash.
- G. Trash receptacles shall be placed at the curbside in the front of the home and shall not be placed in either the driveway or a garage entrance.
- H. Trash receptacles shall be set out not before 6:00 p.m. on the day before trash is to be picked up.
- I. Empty containers after the collection of trash must be picked up by the homeowner by 8:00 p.m. on the day of collection of trash and placed along side of or behind the homeowner's home and not within public view from the roadway.
- J. Trash collection shall be every Monday, except when Monday is a legal holiday, then trash shall be picked up in the Borough of Folsom on Tuesday.
- K. Trash trucks shall begin collection in the Borough of Folsom at 7:00 a.m. and therefore any trash receptacles not placed in front of the homeowner's home the night before trash collection shall be placed before 7:00 a.m. on Monday.

### **§ 162-9 Violations and penalties.**

**[Amended 5-20-2004 by Ord. No. 9-2004]**

Anyone violating any of the terms of this article causing a health or safety hazard with trash cans blowing into the street, or any other safety hazard to the residents of the Borough of Folsom, shall, upon conviction, be subject to a fine not exceeding \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

## Article III

## **Litter Control**

[Adopted 3-9-2005 by Ord. No. 04-2005]

### **§ 162-10 Purpose.**

An article to establish requirements to control littering in the Borough of Folsom, so as to protect public health, safety, and welfare, and to prescribe penalties for the failure to comply.

### **§ 162-11 Definitions.**

- A. For the purpose of this article, 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.
- B. Terms defined.

### **LITTER RECEPTACLE**

A container suitable for the depositing of litter.

### **PERSON**

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

### **§ 162-12 Prohibited acts and regulated activities.**

- A. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle or, having done so, to allow such litter to remain.
- B. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this article, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this article.

### **§ 162-13 Enforcement.**

This article shall be enforced by the State Police and the Code Enforcement Official of the Borough of Folsom.

### **§ 162-14 Violations and penalties.**

Any person(s), firm(s) or corporation(s) violating any provision of this article shall, upon conviction, be subject to a fine not to exceed \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.