

**ORDINANCE 2016-23 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN,
AND STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 280 OF
THE CODE OF THE TOWNSHIP OF BERLIN ENTITLED "SOLID WASTE"**

WHEREAS, Chapter 280 of the Code of the Township of Berlin, entitled "Solid Waste" regulates the storage, collection and disposal of solid waste and recyclables within the Township of Berlin; and

WHEREAS, the Township continually strives to provide its residents with high quality, efficient and economic municipal services; and

WHEREAS, in furtherance of same, the Mayor and Township Council have determined it in the best interest of the residents to utilize an automated refuse collection system and/or program which shall take effect on January 9, 2017; and

WHEREAS, substantial changes to Chapter 280 are required to implement the new automated trash collection program; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and the Township Council of the Township of Berlin, as follows:

SECTION 1: Chapter 280, entitled "Solid Waste," is hereby repealed in its entirety and replaced with a new Chapter 280, entitled "Solid Waste & Refuse," to read as follows:

CHAPTER 280 – SOLID WASTE AND REFUSE

Article I – General Provisions

§280-1 Definitions

For purposes of this Chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein. Words used in the present tense include the future tense, plural includes the singular, and any one gender includes all others except where the context clearly indicates otherwise.

ALUMINUM CONTAINERS

Containers and packaging, such as beverage cans or food and other non-food cans, which can be processed into new aluminum products.

APPROVED COMMERCIAL OCCUPANT

Any one commercial occupant of an approved commercial property that has been approved by the Township for automated collection by the Township of only recyclable materials.

APPROVED COMMERCIAL PROPERTY

A commercial property, or any part thereof, which has been approved by the Township for automated collection by the Township of only recyclable materials. An approved commercial property may have one or more approved commercial occupants.

ASHES

The residue from the combustion of any type of solid fuel, such as wood, coal, charcoal, paper and/or similar substances.

AUTOMATED WASTE COLLECTION

The method of collecting solid waste, recyclable materials and yard waste, using the specified carts for each, through the use of mechanical collection equipment and special containers, known as "carts", to accommodate the collection.

BULK LEAVES

Any quantity of leaves in excess of the capacity of the yard waste cart.

BULKY WASTE

Those items which are large enough to warrant special collection or drop off to a Drop-Off Facility instead of regular residential, automated curbside collection, such as appliances, furniture, mattresses, carpet and padding, untreated heavy wood items, untreated fencing materials, iron steel, large vehicle parts, tires, broken concrete or bricks.

CART

The specially designed waste container, with a gray body and wheels and a specially-colored lid to represent the contents of the receptacle which is to be utilized for automated collection of solid waste (pink lid), recyclable materials (yellow lid) and yard waste (green lid), to be issued by the Township in either 64/65 gallon or 95/96 gallon capacities, which shall be the only carts which are accepted for the automated collection of the designated materials.

CONTAINER or RECEPTACLE

A waste container, also known as a "receptacle," which is to be used for placement or containerization of such materials that are to be collected by the Township but are not permitted to be disposed of in the Township-issued carts.

CURBSIDE

The area of a property which is between the curb and the sidewalk of the street. In the absence of curb or sidewalk, "curbside" shall mean the area which is closest to the edge

of the pavement of the street without endangering traffic safety or obstructing pedestrian traffic.

DEMOLITION AND CONSTRUCTION DEBRIS

Any materials or waste materials, such as lumber, brick, masonry, drywall, plaster, plumbing fixtures, piping and tubing, gutters, roofing shingles, fencing of any kind, yard debris and/or such other substances, materials and/or items accumulated and/or produced as a result of a construction project undertaken for the purpose of remodeling, rehabilitating, repairing and/or constructing an addition to existing buildings, construction of new buildings or demolition of existing structures and improvements by a property owner or a contractor for the property owner.

DROP-OFF FACILITY

Any one or more facility or facilities designated by the Township which is available to Township residents for the drop off of designated items for disposal or for further processing by the Township in accordance with and/or as may be permitted by the New Jersey Department of Environmental Protection.

ELECTRONICS WASTE

Also known as “E-waste”, consists of desktop and personal computers, computer monitors, portable computers and televisions.

GARBAGE

Any waste material in the process of or subject to decomposition or decay incident to an ordinary domestic or business use or purpose, including but not limited to kitchen refuse, animal or vegetable matter, offal and decaying and decomposing substances.

HOUSEHOLD HAZARDOUS WASTE

Hazardous household products that are used and disposed of by residential consumers, including some paints, stains, varnishes, solvents and pesticides and other materials and products which contain volatile chemicals that catch fire, react, explode under certain circumstances or that are corrosive or toxic.

OCCUPANT

The property owner of a residential or approved commercial property and/or any agent, tenant, lessee, caretaker, resident, occupant and/or daily user thereof, including but not limited to all such person or persons who is/are in charge of such residential or approved commercial property affected by this Chapter, whichever classification may be appropriate and effective for the enforcement hereof.

PLASTIC CONTAINERS

Any formed or molded and hermetically sealed or made airtight with metal or plastic cap, rigid containers.

RECYCLABLES CART

A 64/65 or 95/96 gallon Township-issued grey cart with wheels and a yellow lid issued to the occupant of a residential property or an approved commercial property as provided for herein, which is designed and intended to accommodate automated and semi-automated collections operation of those types of recyclable materials which have been designated herein for collection using such carts.

RECYCLABLE MATERIALS

Those designated materials which are being accepted by the designated recycling facility for the Township and would otherwise become solid waste and which may be collected, separated or processed and returned to the economic mainstream in a form of raw materials or products, including corrugated cardboard, mixed office paper, newspaper, other paper, magazines, junk mail, glass containers, aluminum containers, steel container and/or other glass, together with plastic containers containing the recycling logo and the recycling code numbers 1, 2, 4, 5 and 7.

REFUSE

The waste items and/or materials designated herein as solid waste, recyclable materials, yard waste, bulky waste, electronics waste and household hazardous waste.

SINGLE STREAM RECYCLING

A system in which all paper fibers, plastics, metals and other designated recyclable materials are mixed together in a recycling collection vehicle instead of being sorted by the resident or approved commercial property/occupant into separate commodities. Also known as “fully commingled” or “single-sort” recycling.

SOLID WASTE

All ash, garbage, trash, rubbish and general waste materials which are normally collected by the Township or its authorized agents.

SOLID WASTE CART

A 64/65 gallon or 95/96 gallon cart with wheels and a pink lid issued to the occupant of a residential property which is designed and intended to accommodate automated and semi-automated collections operation of those types of solid waste materials which have been designated herein for collection using such carts.

SUITABLE RECEPTABLE

A receptacle with a closely fitted cover or lid constructed so as to prevent spillage or leakage of the contents, containing adequate handles to support lifting without breaking when the receptacle is full, and which is kept or maintained in clean condition.

TOWNSHIP

The Township of Berlin.

TRASH AND RUBBISH

Solid waste generally incidental to the use and occupancy of a residence and which is permitted to be disposed or and/or collected in the solid waste container as set forth herein. "Trash and rubbish" does not include other types of waste separately defined herein, including recyclable materials, yard waste, electronics waste and/or household hazardous waste.

YARD WASTE

Small branches of trees, hedge, bush and vine trimmings, garden waste, stalks of vegetables and plants, grasses, leaves, weeds and similar substances and/or materials found in residential yards which is free of dirt, rocks and other bulky and non-combustible materials. "Yard waste" does not include bulk leaves, tree roots, tree stumps, tree trunks or portions thereof and/or tree branches over four inches in diameter or over 40 inches in length.

YARD WASTE CART

A 64/65 gallon or 95/96 gallon cart with wheels and a green lid issued to the occupant of a residential property which is designed and intended to accommodate automated and semi-automated collections operation of those types of yard waste materials which have been designated herein for collection using such carts.

§280-2 Compliance required

Every occupant of any residential property and/or approved commercial property situated within the Township of Berlin shall comply with the requirements of this Chapter regarding the collection of refuse, including without limitation the use of required carts and the automated waste collection procedures, compliance with established refuse collection schedules and compliance with any and all regulations for the disposal of refuse as set forth herein. All persons allowing or permitting the continuation of any violation of this Chapter shall be subject to punishment pursuant to the provisions hereof.

§280-3 Occupant Responsible for Refuse.

Every occupant shall own and be responsible for all refuse placed curbside for collection until such refuse is collected by the Township, and shall own and be responsible for any items required to be taken to a Drop-Off Facility until acceptance by the Township of same at a Township-designated Drop-Off Facility.

§280-4 Prohibited Materials and/or Conduct.

- A. It shall be unlawful for any person to:
 - (1) Place or store any refuse in any paper bag, wooden keg or barrel, basket, drum or any type of container whatsoever other than the Township-issued carts and/or such permitted receptacles as specified herein.

- (2) Use any Township-issued cart for storage and/or placement for collection of any type of refuse other than the type designated for that cart.
 - (3) Alter any Township-issued cart and/or switch or change the colored lids of any Township-issued carts for any reason.
 - (4) Collect, pick up, rake up or in any way disturb or remove any items which have been identified in this Chapter as refuse and placed by any other person along any curb, street or public place for collection by the Township.
 - (5) Directly or indirectly solicit contributions or gratuities, at any time, for the collection of any refuse.
 - (6) Violate any term, condition or requirement of this Chapter.
- B. It shall be a violation of this Chapter for any person to place the following materials for collection by the Township:
- (1) Demolition and construction debris;
 - (2) Bulk leaves (except as otherwise provided in this Chapter), tree roots, tree stumps, and/or tree parts or tree branches over four inches in diameter or over 40 inches in length;
 - (3) Hot ashes, dirt, earth, stone, bulk asphalt pavement, broken concrete and concrete blocks;
 - (4) Motor vehicles, recreational vehicles of any kind and/or bulk parts thereof, including but not limited to engines, transmissions, rear ends, mufflers, rims, wheels and any other bulky items which are normally produced, in quantity, by vehicle repair operations;
 - (5) Dead animals and farm animal waste;
 - (6) Medical waste, excluding properly contained syringes and needles which are medically necessary for the proper medical treatment of the occupant of a residential property; or
 - (7) Hazardous waste as classified pursuant to New Jersey Department of Environmental Protection regulations; provided that residential occupants may drop off household hazardous waste as defined herein to any Drop-Off Facility designated by the Township for collection of same in accordance with scheduled dates and times therefore which shall be posted by the Township.
- C. It shall be unlawful for any municipal employee to collect, pick up, rake up or in any way remove any refuse placed by any person along any curb, street or public

place for collection by the Township for any unauthorized reason, including personal use and/or personal gain.

- D. All solid waste shall be placed entirely within the solid waste cart and no solid waste shall be placed in the street. If any solid waste is placed within the street and is not placed inside the solid waste cart, the responsible party shall remove the solid waste from the street or be deemed in violation of this Chapter.
- E. All recyclable materials shall be placed entirely within the recyclables cart and no recyclable materials shall be placed in the street. If any recyclable material is placed within the street and is not placed inside the recyclables cart, the responsible party shall remove the recyclable materials from the street or be deemed in violation of this Chapter.
- F. All yard waste shall be placed entirely within the yard waste cart and no yard waste shall be placed in the street. If any yard waste is placed within the street and is not placed inside the yard waste cart, the responsible party shall remove the yard waste from the street or be deemed in violation of this Chapter.
- G. All permitted bulky waste shall be placed curbside and no bulky waste shall be placed in the street. If any bulky waste is placed within the street and is not placed curbside, the responsible party shall remove the bulky waste from the street or be deemed in violation of this Chapter.

§280-5 Hold Harmless.

Any and all property owners and occupants of any property which place any material for collection not in accordance with this Chapter shall hold harmless and indemnify the Township of Berlin for any and all damages, costs and/or losses incurred by the Township, its employees and/or agents, whether directly or indirectly attributable to said action, as determined in the sole discretion of the Township, for materials which were placed for collection in violation of the terms of this Chapter.

§280-6 Enforcement.

This Chapter shall be enforced in the municipal court of the Township of Berlin upon a complaint being filed by the Code Enforcement Officer, Public Works Director or Deputy Director, Health Officer, and/or Police Chief or his or her designee. Once a complaint has been signed and issued, the responsibility for the disposal of the items shall lie with the violator. Fines and/or fees not paid within 30 days of assessment by the Township shall constitute a lien against the property, which shall be collected in the manner provided by law, and refuse collection services shall cease until full restitution has occurred.

§280-7 Violations and Penalties

Any person violating or failing to comply with any of the provisions of this Chapter shall, upon conviction thereof, be punishable by a fine up to \$100 for the first offense, up to \$250 for the second offense and up to \$500 for each subsequent offense, and by imprisonment in the county jail for a term not to exceed 90 days, or both, in the discretion of the court. All persons allowing or permitting the continuation of any violation of this Chapter also shall be subject to punishment for each separate offense as provided for herein. The continuation of any violation of this Chapter for more than one day shall constitute a separate offense on each successive day.

Article II Regulations Regarding Supply and Use of Carts

§280-8 Carts; Additional Carts for Purchase; Receptacles.

A. Township to supply carts; Carts Remain Property of Township.

The Township of Berlin shall provide each residential dwelling with one cart for solid waste, one cart for recyclable materials and, where determined to be appropriate and necessary, one cart for yard waste in which each occupant shall place and keep the substances and/or materials which are designated for containment the respective carts. The Township shall provide each approved commercial occupant with one cart for recyclable materials. All Township-issued carts shall remain the property of the Township of Berlin.

B. Carts labeled.

Each cart shall contain a serial number which shall be correlated with the assigned residential property or approved commercial property and recorded by the Township. Additionally, each occupant shall be responsible to mark their receptacles with the street number of their building address so as to render the containers readily identifiable. In the event that an occupant moves from the property, each cart shall remain with the property.

C. Additional Carts Available for Purchase.

- (1) An occupant of a residential property may purchase additional carts over and above the initial carts provided by the Township for the specific designated materials, which shall be approved only upon a clear demonstration of need has been established to the satisfaction of the Director and/or Deputy Director of the Public Works Department by the occupant. Any such request for additional cart(s) shall be made in writing to the Director or Deputy Director of the Public Works Department and a copy thereof shall be delivered simultaneously to the Township Clerk. The delivery of the cart to the occupant will be made only after payment of the fee specified herein has been delivered to and accepted by the Township. The serial number, respective purchaser and the assigned property shall be recorded by the Township for each additional purchased cart.

- (2) An approved commercial occupant may purchase up to an additional four recyclables carts, for a maximum of five total carts, provided the occupant first demonstrates to the satisfaction of the Director and/or Deputy Director of the Public Works Department the need for the requested number of additional recyclables carts. Any such request for additional cart(s) shall be made in writing to the Director or Deputy Director of the Public Works Department and a copy thereof shall be delivered simultaneously to the Township Clerk. The delivery of the cart to the occupant will be made only after payment of the fee specified herein has been delivered to and accepted by the Township. The serial number, respective purchaser and the assigned property shall be recorded by the Township for each additional purchased cart.
- (3) Occupants shall be charged a fee of \$60.00 for a 64/65 gallon cart and \$70.00 for a 95/96 gallon cart. If it becomes necessary, an occupant can purchase a lid for a 64/65 gallon cart for \$14.00 and/or a lid for a 95/96 gallon cart for \$15.00.
- (4) Additional carts approved and issued in accordance with this Section may be purchased only from the Township. All additional purchased carts shall remain the property of the Township of Berlin. In the event any occupant moves from any property, all additional purchased cart(s) shall remain with the property.

D. Other Receptacles.

The occupant of each property within the Township shall provide such additional suitable receptacles for storage and collection of all materials which are not permitted to be placed within the Township-issued carts but are to be collected by the Township in accordance with this Chapter.

§280-9 Regulations for use of carts and receptacles.

A. Use of Carts Required.

Every property owner and/or occupant of any residential property or approved commercial property situated within the Township of Berlin shall utilize the Township-supplied cart(s) for the regular and/or routine placement, storage and disposal of the type of refuse specified thereon.

B. Placement of Carts for Collection

- (1) All carts, receptacles and/or items to be removed by the Township shall be placed, by the occupant, in the required locations, no earlier than 4:00 p.m. of the day preceding the collection day and no later than 6:00 a.m. of the day of collection.
- (2) The Director and Deputy Director of Public Works have the right to designate collection points which may be located along the property or across the street from the property, especially along dead end and one way streets, so as to provide

for the most efficient and safe route to accommodate automated and semi-automated collection of refuse.

- (3) The front of each cart shall be placed directly behind the curb face or the edge of pavement with the arrows on the lid pointing towards the street. The carts shall be placed curbside and spaced no less than three feet apart. Carts also shall be placed at least three feet from any obstruction which may be present in the roadway (such as vehicles, snow, etc.) or along the sides of the cart (such as poles, mailboxes, trees, etc.) in order to permit proper handling and collection by automated collection vehicles. All carts containing the same type of refuse shall be placed together at one collection point at curbside or such other location as may be designated by the Township pursuant to Section 280-9(B)(2) above.
- (4) When plowed snow exists along the frontage of the property, the occupant shall create an opening curbside to provide for the placement of the carts in accordance with the requirements of this Section for safe and proper access by the automated collection vehicle.
- (5) A maximum of five (5) total carts may be placed at any one property for collection during any designated collection event.

B. Removal and Storage of Carts.

Immediately after the carts and/or receptacles are emptied by the Township, or within the same day of the respective collection, all carts and receptacles shall be returned to a storage location, which shall be on the property which shall be behind, along the side or within the primary structure or an accessory building. The storage area shall be located so that the carts and receptacles are not visible from the street and do not create any nuisance or menace to the health, safety and welfare of neighbors or the general public.

§280-10 General Collection Regulations.

A. Use of Carts.

- (1) The occupant shall place only the permitted items within each designated cart. The occupant shall not intermix trash, recyclables and yard waste or other waste.
- (2) No items set curbside for collection by the Township shall be placed in bags, boxes or corrugated receptacles.
- (3) All items which previously contained liquids and are to be placed within carts and/or receptacles for collection shall be thoroughly and completely drained by the occupant prior to placing same in a cart or receptacle.

- (4) The contents placed in a cart shall not exceed the weight of 200 pounds for a 64/65 gallon container and 290 pounds for a 95/96 gallon container.
- (5) The occupant of the premises shall be responsible to maintain all carts and receptacles in a clean, sanitary and proper condition for safe handling and collection. It is the sole responsibility of the occupant to notify the Township of any damage to any cart which may or actually does prohibit the ability to effectively use the cart for containment, disposal and automated collection.

B. Use of Receptacles.

- (1) All receptacles shall be sufficiently strong for the intended use and purpose. Each receptacle shall have a close-fitting cover and durable handles which are manufactured as part of the receptacle and shall have a capacity of not less than 2.5 gallons and not more than 40 gallons. Receptacles shall not include paper bags or be made of other types of flimsy material.
- (2) The maximum weight of the container, lid and contents of any receptacle placed for collection shall not exceed 50 pounds.
- (3) The occupant is responsible for owning and providing the necessary receptacles for materials that are not to be placed into a cart but are to be collected by the Township. Receptacles shall be placed curbside within the limits of the street frontage of the property in an area which is clear of any obstructions but shall not be placed closer than three feet to any cart.
- (3) When placed in a receptacle, materials shall not exceed the height of the receptacle.
- (4) The occupant is responsible for maintaining all receptacles in a clean, sanitary and proper condition for the safe handling and collection of the items placed therein.
- (5) Receptacles that are broken or otherwise fail to meet the requirements of this chapter may be treated as trash and/or rubbish and shall be collected and disposed of by the Township as such.

C. Items Which Cannot be Placed in Carts or Receptacles.

Any items which are designated for curbside collection and are not permitted to be placed within a cart or receptacle shall be placed in a neat and orderly manner.

D. Drop-off Facility

The Public Works Department may designate one or more Drop-Off Facility or Facilities, for the collection of designated items and substances. Said facility(ies) may accept used motor oil, corrugated cardboard, bulky waste, yard waste (excluding grass clippings),

electronics waste and household hazardous waste when and as permitted by the rules and regulations of the New Jersey Department of Environmental Protection. The Township Public Works Department Complex shall serve as one such drop-off facility only for such items as may be designated by the Township, from time to time, for drop-off at that location.

§280-11 Certain Uses Subject to Private Waste Removal.

- A. The occupant of any commercial or industrial premises and/or any such use on any property shall be responsible for the storage and containment of all solid waste and hazardous waste generated thereby and shall arrange for the private removal of all such waste from such premises on every business day unless sufficient and suitable facilities are provided, in accordance with the Township codes, for the storage thereof until same can be safely removed from the premises or unless other arrangements for disposal are made with the consent and the approval of the Mayor and Township Council, Board of Health, Berlin Township Planning Board and/or any other governmental agency or department with authority to regulate and/or enforce refuse collection requirements regarding same, as the case may be.
- B. This Section shall not apply to those commercial uses located in a residential zoning district or to residences with a business attached thereto and which generate no more than 95 gallons of non-compacted solid waste on a weekly basis and no more than 95 gallons of recyclable materials on a weekly basis or to approved commercial properties and/or approved commercial occupants.

Article III – Refuse Collection Schedules.

§280-12 Solid Waste.

Collection of solid waste, which shall be contained within the designated cart, shall be made once per week for each residential occupant based upon the schedule established and posted by the Public Works Department. In the event the designated collection day falls on a holiday, the collection day will be moved to a different day which shall be designated and posted by the Township as needed.

§280-13 Recyclables.

Collection of recyclable materials from residential and participating commercial occupants, which shall be contained within the designated cart, shall be once per week based upon the schedule established and posted by the Public Works Department. In the event the designated collection day falls on a holiday, the collection day will be moved to a different day which shall be designated and posted by the Township as needed.

§280-14 Yard Waste.

Yard waste, which shall be contained within the designated cart, shall be collected from residential properties every Monday during the months of March through November. In the event a yard waste collection day falls on a holiday, the yard waste will be collected on the Friday of that same week.

§280-15 Bulk Leaves

Collection of bulk leaves generally will occur during the beginning of April and the months of November and December on a schedule to be posted annually by the Public Works Department. The Director or Deputy Director of the Public Works Department may adjust the general collection period for bulk leaves for any reason he or she deems necessary, including but not limited to weather conditions. Any changes to the posted collection schedule will be posted by the Township.

§280-16 Bulky Waste Items.

Bulky waste items shall be collected from residential occupants on the last Friday of each month but only upon request to the Township by the residential occupant at least one week in advance of the scheduled collection date. If the designated Friday is a holiday, the bulky waste will be collected on the Friday of the week following the designated Friday.

Article IV – Recycling.

§280-17 Recycling program established.

This hereby established a program for the mandatory separation of recyclable materials from the waste stream by all occupants within the Township for the purpose of processing and returning recyclable materials to the economic mainstream in repurposed form.

§280-18 Collection regulations.

In addition to the general collection regulations established in Articles II and III of this Chapter, collection of recyclable materials shall be subject to the following:

- A. For residential properties, approved commercial properties and/or approved commercial occupants.
 - (1) The following recyclable materials shall be placed for collection within the Township-provided recyclables cart in accordance with the minimum standards set forth herein:
 - (a) Newspaper, corrugated cardboard, phone books, paperboard boxes (cereal, pasta, tissue, etc.), beverage cartons, cardboard beverage carriers, paper bags, file folders, office paper, paper towel rolls, paperback books,

magazines, brochures, inserts, greeting cards, regular and junk mail, aluminum and metal cans containers; #1, #2, #4, #5 and #7 plastic food, beverage and other materials containers (caps removed); steel bottle caps, loose metal jar lids and glass bottles and jars (caps and lids removed) shall be placed together in the Township-issued recyclables cart (gray body with yellow lid).

- (b) Corrugated cardboard and paper bags must be flattened. Newspapers, magazines and other paper recyclables shall NOT be placed in bags, tied or bundled prior to placement in the recyclables cart.
- (c) All containers to be recycled must be emptied and rinsed.
- (d) No plastic bags, scrap metal, plastic lids and caps, plastic 6-pack holders, needles or syringes, plastic microwave trays, window panes, mirrors, ceramics, Pyrex or similar dishware, plastics other than those listed, paints, pesticides, oil and cleaners, stickers or address label sheetwaste, waxed paper or cardboard, styrofoam or paper-to-go containers, organic materials and food waste, electronics waste, broken concrete, bricks or wood products are to be placed in the recyclables cart.
- (e) Loose recyclable materials which are required to be placed within a recyclables cart are prohibited from being placed outside of the cart and will not be collected by the Township.

B. For residential occupants only.

Appliances/white goods shall be collected one day per month which shall be designated and posted by the Township. Appliances/white goods shall be placed curbside in accordance with the requirements of Section 280-9(B). Occupants must call the Township at least one week prior to the scheduled collection date to arrange for the collection of these items on the assigned collection day. Residential occupants may drop off appliances/white goods at the drop-off facility which is designated by the Township for such items during the normal operating hours of that facility.

Article V – Yard Waste & Bulky Waste.

§280-19 Yard Waste.

In addition to the general collection regulations established in Articles II and III of this Chapter, collection of yard waste shall be subject to the following:

A. Collection Standards.

- (1) Designated yard waste shall be placed entirely within a yard waste cart and shall not be placed in the street. If yard waste is placed within the street and is not

placed inside the yard waste cart, the responsible party must remove the yard waste from the street or said party will be deemed in violation of this article.

- (2) Yard waste must be placed within and not exceed the height of the yard waste cart. No bags shall be placed within the yard waste cart.
- (3) Yard waste which is designated for placement inside the yard waste cart but is placed along the curb and outside of the cart, in a bag or in any receptacle other than the yard waste cart will not be collected by the Township.

B. Bulk Leaf Collection.

- (1) Bulk leaves shall only be placed behind the curb during the collection periods established pursuant to Section 280-15.
- (2) Bulk leaves shall be placed curbside and at least 10 feet from any storm drain inlet. Leaves SHALL NOT be placed within the street. Leaves shall be placed behind the curb no earlier than seven (7) days before the announced collection date. It is recommended that the leaves be placed in the required location within a temporary fence corral which is able to be easily disassembled by the collection crew for access to the leaves.
- (3) Placement of leaves within the street at any time, or in any manner other than specified herein, is a violation of this article. If leaves are placed within the street, the responsible party must remove the leaves from the street immediately upon notice from the Township or said party shall be deemed in violation of this Chapter.

C. Drop-Off Facility.

Residents of the Township, and only those residents, may drop off yard waste at the Township Public Works Department during normal operating hours of the Department. Yard waste which is dropped off to the Public Works Department CANNOT contain grass clippings. Prior to drop-off, the resident must have the yard waste inspected and approved for drop-off by the Public Works staff.

§280-20 Bulky Waste.

In addition to the general collection regulations established in Articles II and III of this Chapter, collection of bulky waste shall be subject to the following additional collection standards:

- A. Bulky waste shall be placed curbside for collection and shall not be placed in the street. If bulky waste is placed within the street and is not placed curbside, the responsible party must remove the bulky waste from the street or said party will be deemed to be in violation of this article.

- B. No bulky items placed for collection shall be of any weight and/or size which is greater than can be conveniently and safely handled by two persons.
- C. Bulky waste shall be placed in a neat and orderly manner and no closer than three feet to any cart, container or receptacle.

SECTION 2: Except as set forth in Section 1 above, the balance of the Code of the Township of Berlin shall not be affected by this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Introduced: October 24, 2016

Adopted: November 28, 2016

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Mayor and Council of the Township of Berlin at a meeting held on November 28, 2016.

Catherine Underwood
Township Clerk RMC