

Miss Thomas offered the following ordinance pass third and final reading and moved on its adoption and authorized its publication according to law:

O- 07- 09

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3-7 OF THE REVISED GENERAL CODE OF THE BOROUGH OF HIGHLANDS ENTITLED “GENERAL POLICE REGULATIONS: SEPARATION AND COLLECTION OF ALUMINUM, BUILDING MATERIALS, DEBRIS, GARBAGE, GLASS, METAL AND NONMETAL OBJECTS, PAPER AND TRASH”.

[additions shown in underline, deletions shown by ~~strikeout~~]

WHEREAS, it has been determined by the Governing Body of the Borough of Highlands that in order to better serve and to advance the interests of the health, safety and welfare of the general public, that procedures for the collection of bulk waste be amended so as to promote efficiency, safety, and the public health and welfare;

THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Highlands that Chapter 3-7, of the Revised General Ordinances of the Borough of Highlands, and more particularly Sections 3-7.6 and 3-7A thereof, be amended and supplemented in following part only:

3-7.1 Definitions

Add to existing text:

Applicant shall mean the person that owns, rents, occupies, or controls the property and registers takes responsibility for application for dumpsters or PODS.

Receptacles shall mean containers generally made out of aluminum, or plastic having an average size 35 Gallons, and shall not exceed 40lbs when filled to capacity.

Roll-off Dumpster or Dumpster shall mean a bulk storage container for waste materials that can be hauled by private companies directly to the point of disposal.

§3-7.6 Receptacle requirements

- a. All receptacles, not to exceed four in number, required herein shall be supplied by the occupant or owner of the premises subject to paragraph “c” below, and placed prior to collection between the curb and sidewalk where they shall be readily accessible to the collector. The occupant or owner shall keep all receptacles clean and in condition for safe handling. With the exception of Bay Avenue, receptacles must be stored in the rear of the premises at all times.
- b. no change
- c. no change
- d. [new section] No person shall park or leave unattended any waste or refuse container, commonly known as a roll-off dumpster, roll-off container, or mobile storage unit on or along any street, highway or public property in the Borough without having first obtained a permit from the Borough of Highlands Code Enforcement, subject to Police Department approval. The application should specify, among other things, the size and location of said container. Said permit shall be valid for a period of seven (7) days after issuance and may be renewed by application to the Borough of Highlands Code Enforcement, for an additional seven (7) day period, if necessary, at the discretion of the Police Chief, or his designee. The cost for each initial or renewal permit shall be \$20. A refundable escrow deposit of \$200 shall be required to indemnify the Borough for any costs incurred by the Borough, to reimburse the Borough for any excess clean up costs, or damages to Borough property caused by improper removal of said containers.
- e. Reflective Markers. Any roll-off dumpster parked on or along the street, highway or public property in the Borough shall be equipped with and display markers with reflective panels having a minimum size of 18” in order to warn passersby of a traffic hazard. The reflective markers shall be mounted on both ends at the height of four feet from the surface of roadway.
- f. A maximum of one (1) dumpster or roll-off container is permitted on any one lot at any time.

- g. Notwithstanding anything to the contrary set forth above, no permit shall be granted for use on a public street or public property, if the applicant has sufficient space on his/her/their premises to accommodate same.

3-7.8 Enforcement; Violation and Penalty

Any person, firm, corporation, partnership or other legal entity, that violates or neglects to comply with any provisions of this section, article, or any regulation promulgated pursuant thereto, shall upon conviction thereof be subject to a fine shall be subject to a fine of ~~not more than~~ not less than \$500.00 nor more than \$1,000.00.

Seconded by Mr. Nolan and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Miss Thomas, Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: None

ABSENT: None

ABSTAIN: None

Date: May 16, 2007

NINA LIGHT FLANNERY, Borough Clerk
CAROLYN CUMMINS, Deputy Clerk

Introduction: May 2, 2007

Publication: May 8, 2007, The Asbury Park Press

Public Hearing: May 16, 2007

Adoption: May 16, 2007

Publication:

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on May 16, 2007.

BOROUGH CLERK/DEPUTY CLERK

