

ORDINANCE NO. 8-2016

**AN ORDINANCE FOR THE PARTIAL AMENDMENT,
SUPPLEMENTATION, REVISION AND REPEAL OF
CHAPTER 17A, ENTITLED "RECYCLING" OF THE
"REVISED ORDINANCES OF THE BOROUGH OF
MORRIS PLAINS, NEW JERSEY, 1972".**

WHEREAS, the Borough Council is desirous of amending, supplementing, revising and repealing certain provisions set forth in Chapter 17A consistent with the Morris County District Recycling Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Morris Plains, they being the Governing Body thereof, as follows:

Section 1:

The definitions of "Brush," and "Grass clippings" set forth in Section 17A-1, entitled "Definitions" in Chapter 17A, "Recycling" of the Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" (hereinafter "Revised Ordinances or "Revision") are hereby amended, supplemented and revised so that hereafter, the definitions of "Brush," and "Grass clippings, shall read as follows:

Brush shall mean branches, limbs, twigs and logs no more than three (3") inches in diameter and no longer than six (6') feet in length and stumps. Leaves and grass, dimensional lumber, metal, building materials and foreign debris does not constitute brush.

Grass clippings shall mean vegetative materials generated when grass (lawns) is (are) cut. Twigs, branches, leaves, stones or other materials do not constitute grass.

Section 2:

Section 17A-1, entitled "**Definitions**" in Chapter 17A, "Recycling" of The Revised Ordinances of the Borough of Morris Plains, New Jersey, 1972" (hereinafter "Revised Ordinances or "Revision") is hereby amended, supplemented, revised with the addition of the following new definitions, which shall be inserted in Section 17A-1 in alphabetical order:

Container Mix (Bottles, Cans & Containers) shall mean the following materials, loose and commingled:

(a) Glass food and beverage bottles and jars, of any transparent and translucent color. Paper labels are acceptable as are glass container rings, lids or caps 3.5 inches or greater in diameter.

(b) Tin/Steel, tin-plated food and beverage cans of all sizes, empty and dry paint cans and empty aerosol cans. Paper labels are acceptable.

(c) Aluminum used beverage containers.

(d) Aluminum foil, pie plates food containers and trays.

(e) Plastic narrow neck bottles with SPI Codes #1 and #2:

SPI Code #1 PET plastic bottles - blow-molded (bottle-necked) clear and green PET containers, such as soda bottles, dishwashing soap bottles, some shampoo bottles; caps and labels are acceptable;

SPI Code #2 HDPE plastic bottles - blow-molded (bottle-necked) natural and colored HDPE containers, such as plastic milk jugs, water jugs, detergent bottles and similar items; caps and labels are acceptable. Motor oil and anti-freeze containers are not acceptable.

(f) Plastic food and beverage containers with SPI Codes, including but not limited to:

SPI Code #1 PET plastic food and beverage containers;

SPI Code #2 HDPE plastic food and beverage containers. Motor oil and anti-freeze containers are not acceptable;

SPI Code #4 LDPE plastic food and beverage containers such as butter and margarine tubs;

SPI Code #5 Polypropylene plastic food and beverage containers such as yogurt containers;

SPI Code #7 Other plastic food and beverage containers such as mixed plastic containers.

(g) Small rigid plastic items bearing SPI Code #s 1, 2, 4, 5 & 7, such as buckets, crates, empty and dry plastic paint cans, trays and bins.

(h) Cartons and aseptic containers such as juice boxes, soup/broth containers and gable-top milk and juice containers.

Fiber Mix means the following materials, loose (not tied or bundled) and commingled:

(a) Newspapers and advertisement inserts ("Newspapers") loose or placed in Kraft (brown) paper bags.

(b) Magazines containing glossy coated paper, including catalogues, glossy fillers or mailers ("Magazines"), loose or placed in Kraft (brown) paper bags.

(c) Corrugated containers and corrugated cardboard ("Corrugated cardboard") that may have liners of Kraft, jute or test liner. Corrugated cardboard may be damp but not soaked. Wax coated corrugated cardboard containers are not acceptable.

(d) Kraft (brown) paper bags, all sizes of loose, bundled or bagged Kraft paper grocery sacks.

(e) Junk mail - all dry bulk mail consisting of paper or boxboard, loose or placed in Kraft (brown) paper bags. Labels, tape, staples and cellophane windows are acceptable.

(f) High-grade paper - all dry white and colored ledger and copier paper, note pad paper (no backing), loose leaf fillers, computer paper (continuous-form perforated white bond or green-bar paper, loose or placed in Kraft (brown) paper bags.

(g) Boxboard - all non-corrugated cardboard, commonly used in dry food and cereal boxes, frozen foods, shoe boxes and other similar packaging, including wet strength material used in beverage carriers. Boxboard with wax or plastic coating and boxboard that has been contaminated by food is not acceptable.

(h) Telephone books and soft cover books.

(i) Shredded paper placed in clear or translucent tied plastic bags. Loose shredded paper is not acceptable.

Acceptable Single Stream Recyclables (SSR) shall mean a mix of Container Mix and Fiber Mix recyclable materials collected as a single material stream mixed together in one or more containers with a weight limit of 50 pounds per container and prepared as set forth in Section 17A-3 of this Chapter and placed at the curb for curbside collection in accordance with the standards and requirements of the recycling schedule established by the Borough Council.

Unacceptable Single Stream Recyclables shall mean designated recyclable material not specifically listed as Acceptable Single Stream Recyclables. Designated recyclable material, which is not specifically listed as acceptable single stream recyclables shall be deposited at the Borough's

recycling center, Morris County MUA hazardous waste site, or commercial disposal sites, as appropriate according to the designated recyclable material. Examples of unacceptable single stream recyclables that may be deposited at the Borough's recycling center include electronics, appliances, florescent tubes, hard cover books, large rigid plastics items,

scrap metal, rechargeable and lithium batteries.

Section 3:

Section 17A-1, entitled "**Definitions**" in Chapter 17A, "Recycling" of the Revised Ordinances is hereby amended, supplemented, revised with the repeal of the following definitions: "Aluminum cans," "Corrugated cardboard," "Glass bottles and jars," "Mixed paper," "Natural wood waste," "Newspaper," "Plastic bottles (coded 1 and 2)."

Section 4:

Section 17A-3, entitled "**Regulations for deposit of recyclables**" in Chapter 17A of the Revision is amended, supplemented, revised by deleting paragraph (a) which reads as follows:

(a) Residents shall separate newspaper, glass, aluminum and steel cans, plastic bottles, cardboard, mixed paper, hazardous dry-cell batteries and brush, grass clippings, leaves and natural wood waste, hereinafter collectively termed "recyclables," from all other waste and shall segregate same by type for curbside pickup or for deposit at the recycling center.

And inserting the following new paragraph (a) in its place and stead:

(a) Residents shall separate designated recyclable materials from all other waste. Acceptable Single Stream Recyclables shall be placed at the curb for curbside pickup in accordance with the Borough's Recycling Schedule. Unacceptable single stream recyclables shall be deposited at the Borough's recycling center, Morris County MUA hazardous waste site, or a commercial disposal site, as appropriate according to the category of designated recyclable material.

Section 5:

Paragraphs (b) (1) through (b) (6) of Section 17A-3, entitled "**Regulations for deposit of recyclables**" in Chapter 17A of the Revision are amended, supplemented, and revised so that hereafter said paragraphs shall read

as follows:

- (1) Newspapers, magazines, Kraft (brown) paper bags, junk mail, boxboard, telephone books and soft cover books shall be loose and commingled or placed in Kraft (brown) paper bags, not tied or bundled. Labels, tape, staples and cellophane envelope windows need not be removed.
- (2) Glass food and beverage bottles and jars of any transparent and translucent color shall be free of food or drink and rinsed thoroughly. Paper labels are acceptable. Bottle caps and lids shall be removed and rings, lids or caps 3.5 inches or greater in diameter may be recycled.
- (3) Aluminum beverage containers, foil, pie plates and trays, tin/steel cans, food and beverage containers, paint and aerosol cans shall be empty and free of food or other product and rinsed. Paper labels are acceptable. Paint cans with paint that has solidified are not acceptable.
- (4) Plastic bottles, plastic food and beverage containers, types SPI Code #1, #2, #4, #5, and #7 shall be free of food, drink or other contents, and rinsed. Paper labels are acceptable.
- (5) Corrugated cardboard must be flattened and commingled, not tied or bundled.
- (6) High-grade paper shall be loose and commingled or placed in Kraft (brown) paper bags. Shredded paper shall be placed in clear or translucent plastic bags on top of other

recyclables. Loose shredded paper is not acceptable.

Section 6:

Paragraph (c) in Section 17A-3, entitled "**Regulations for deposit of recyclables**" in Chapter 17A of the Revision is amended, supplemented, revised by deleting paragraph (1) which reads as follows:

- (1) Institutional and commercial uses that utilize the borough's recycling center shall source separate corrugated cardboard, mixed paper, glass, newspaper, plastic bottles, aluminum and steel cans for recycling.

And inserting the following new paragraph (1) in its place and stead:

- (1) Institutional and commercial uses that utilize the borough's recycling center shall separate acceptable single stream recyclables from all other waste.

Section 7:

All other provisions of the aforesaid Chapter 17A of the Revised Ordinances shall be unaffected and are hereby continued.

Section 8:

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 9:

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not

affect the validity of the remaining portions of this Ordinance.

Section 10:

This Ordinance shall take effect immediately after final passage and publication.

Introduced: May 19, 2016

Adopted: June 16, 2016

/s/ Frank J. Druetzler