

**BOROUGH OF PARK RIDGE  
ORDINANCE NO. 2010-007**

**AN ORDINANCE AMENDING CHAPTER 64 GARBAGE, RUBBISH  
AND TRASH OF THE CODE OF THE BOROUGH OF PARK  
RIDGE, NEW JERSEY  
Refuse Containers / Dumpsters**

WHEREAS, N.J.A.C. 7:14A-25 requires all New Jersey Municipalities to have in place a Municipal Stormwater Management Plan including the issuance of Municipal Stormwater Permit; and

WHEREAS, Borough of Park Ridge has said permit which runs through March 31, 2014; and

WHEREAS said renewal permit contains certain revisions of permit conditions which includes the requirement that certain ordinances be adopted by September 1, 2010 including one governing refuse containers and dumpsters.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 64, Garbage, Rubbish and Trash, of the Code of the Borough of Park Ridge be and is hereby amended by the creation of Article IV Refuse Containers and Dumpsters as follows:

**SECTION I.**

64-32. 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 Borough of Park Ridge 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.**

64-33. 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 the Borough of Park Ridge 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.**

64-34. 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 Borough of Park Ridge.

### **SECTION IV.**

64-35. 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.**

64-36. Enforcement:

This ordinance shall be enforced by the Zoning Officer or his/her designee of Borough of Park Ridge.

### **SECTION VI.**

64-37. Penalties:

For violation of this chapter there shall be a fine not to exceed \$500 for the first offense; not to exceed \$750 for the second offense and not to exceed \$1,000 for each subsequent offense. Every day a violation of this chapter occurs shall be a separate and distinct offense.

### **SECTION VII.**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

### **SECTION VIII.**

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid.

### **SECTION IX.**

This ordinance shall take effect immediately following final passage, adoption and publication as provided by law.