8.40.030 - Collections.

A. Days. Each residential and nonresidential user has its garbage collected twice weekly as per an announced schedule.

1. There are no collections on Sundays or scheduled holidays that fall upon any collection day. Holidays to be observed are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas, and any other additions which are announced in advance.

B. Hours. The hours of collection shall be from six a.m. until three p.m. in all areas, except the downtown area as designated on the attached map (on file in the city clerk's office) for the purpose of this section.

C. Collection Sites. Solid waste and recyclable materials are collected from containers placed adjacent to improved roadways in accordance with Section 8.40.040. The city will collect waste along public rights-of-way only, except that collection service will be provided on private streets within housing developments built under the sponsorship of the city and/or its housing authority.

D. Automated Collection.

1. Effective July 11, 2011, the city of New Brunswick shall institute an automated collection program within the container collection district (CCD), as this district is defined in the city's zoning ordinance. This Program will utilize city-issued automated containers, as defined in this chapter. All designated businesses, houses of worship and designated residential units in the CCD participate in the automated collection program. The use of city-issued brown automated trash containers and green automated recycling containers is mandatory for those entities identified herein. No other bags or containers will be collected.

2. Identification of City-issued Containers. Automated containers shall mean a city-issued ninety-five (95) gallon, sixty-five (65) gallon, or thirty-five (35) gallon plastic green or brown roll out cart specifically designed for automated collection of recyclables, garbage and solid waste and having a serial number(s) assigned that is specific to each address receiving automated collection.

3. Number of Containers Issued by City. The CCD collection program will provide one free trash container and one free recycling container to each house of worship and to each store front business. The Program will provide one free set for combined business units per building per building, and one free set for combined residential units per building. Any additional containers must be purchased from the city of New Brunswick.

4. Care and Placement of Collectors.

a. All automated collector roll out cart lids shall be completely closed by the automated collection program participants when placed outdoors or when placed at curbside.

b. When containers are not at curb for collection, they shall be stored out of the public right-of-way and shall be out of the view from the public right-of-way.

c. All automated collection program participants shall remove snow from the containers to allow the containers to be placed at curbside in a location that allows collection personnel to bring containers from the curb into the street to access the collection vehicle.

d. All automated collection program participants must call no later than one p.m. on the day before their normal trash collection to schedule an appointment for bulk items. No bulk items shall be placed in any container.

e. All automated collection program participants shall keep the city-issued roll out carts clean.

5. Times for Collections. All automated collectors shall be placed at curbside after five p.m. on the night before collection or by six a.m. on the day of collection. Collection shall begin at six a.m. and end at eleven a.m. Empty containers must be retrieved no later than twelve p.m. on the day of collection. All garbage and solid waste will be collected from Monday to Saturday. All recyclables will be collected weekly. There will be no collections on any holidays.

6. All recyclables, including bottles, cans, mixed paper, newspaper and small quantities of flattened cardboard must be placed together in the designated city-issued green recycling container.

7. Cardboard. Large quantities of cardboard can be flattened and tied two feet by two feet or flattened and placed neatly and secured tightly so as to secure the cardboard inside a two feet by two feet box.

8. Maximum Content Weight. The maximum weight of contents in the 95-gallon container shall be three hundred (300) pounds. The maximum weight of contents in the 65-gallon container shall be two hundred (200) pounds. The maximum weight of contents in the 35-gallon total shall be one hundred pounds.

E. Collection District Map. Which may include designated businesses, houses of worship and designated residential units in the CCD as reflected on the map, which is attached to the ordinance codified in this section and is on file with the city clerk as Schedule A.

(Ord. No. O-041107, §§ 2—4, 4-20-11; Prior code § 6-1.3)

8.40.100 - Enforcement.

A. Any waste which is placed for collection in a manner not in compliance with the requirements of this chapter is not collected.

B. Unauthorized Collection. Except as otherwise authorized by this chapter, it is unlawful for any person, firm or organization to collect, pick up or cause to be collected or picked up, any material identified as being mandatorily recyclable. Any person, firm or organization found guilty of violating the provisions of this chapter is fined an amount not to exceed one thousand two hundred fifty dollars ($1,250.00) or imprisoned for a period not to exceed ninety (90) days or both. Each day that such a violation exists is deemed to be a separate violation of this chapter.

C. Failure to Observe Recycling Provisions. Any person, firm, or organization found guilty of placing mandatorily recyclable materials in the city's normal waste stream is subject to the following penalties:

1. First Offense. A fine not to exceed twenty-five dollars ($25.00) per container.

2. Second Offense. A fine not to exceed fifty dollars ($50.00) per container.

3. Third Offense. A fine not to exceed two hundred fifty dollars ($250.00) per container.

4. Fourth Offense. A fine not to exceed one thousand dollars ($1,000.00) per container.

5. Upon the fourth conviction under this section, garbage pick-up service to the offender is suspended for a period of six months.

6. In addition to the foregoing penalties, where a container includes recyclable materials mixed with normal solid waste, the waste materials will not be collected.

D. This section is enforced by the director of public works and/or his or her designee and the police department.

(Ord. O-110202 § 1 (part), 2002; prior code § 6-1.8)

8.40.110 - Mandatory recycling.

A. It is mandatory for all persons, firms or organizations to source separate those materials herein specified from all other waste materials in accordance with the specific regulations as set forth in this section. These materials are recycled as set forth in this section.

B. This section does not prohibit or restrict any person, firm or organization from making his or her own arrangements or agreements for private collection of its recyclable materials or solid waste provided notice of the private arrangement or agreement is registered with the department of public works and provided further that those materials are not placed at curbside on or immediately preceding regular city collections.

C. The city may, in accordance with its statutory authority, negotiate and enter into franchises or agreements with qualified persons to make the collections of the recyclable materials and for the sale or disposition of the materials for the benefit of the city.

D. From the time of placement at the designated place of collection by any person, firm or organization of any recyclable materials for collection by the city, such materials become and are the property of the city, and it is a violation of this section for any person, firm or organization to tamper with, take, remove or to convert to his or her own use in any way such material, except as otherwise provided for in this section.

E. The following materials are deemed to be mandatorily recyclable and may not be placed for collection at curbside mixed with regular solid waste:

1. Glass Containers. Glass containers are deposited for collection in an open rigid container, commingled with aluminum cans, steel cans and plastic containers and placed at the curb for collection on specific days scheduled by the department of public works. All glass deposited must be clean and free of metal and/or plastic rings and tops.

2. Aluminum Cans. Aluminum cans are deposited for collection in an open rigid container, commingled with glass containers, steel cans and plastic containers and placed at the curb for collection on specific days scheduled by the department of public works. All aluminum deposited must be clean.

3. Steel Cans. Steel cans are deposited for collection in an open rigid container, commingled with glass containers, aluminum cans and plastic containers and placed for collection at the curb on specific days scheduled by the department of public works. All steel cans deposited must be clean.

4. Plastic Containers. Plastic containers are deposited for collection in an open rigid container, commingled with glass, aluminum cans and steel cans and placed for collection at the curb on specific days scheduled by the department of public works. All plastic containers deposited must be clean and free of metal and/or plastic rings and tops.

5. Newspapers. Newspapers, except where they are used to wrap solid waste in which case they may be discarded for collection with the normal solid waste. Otherwise, all newspapers are tied securely with string in bundles of less than fifty (50) pounds, separated from other residential waste and placed at the curb for collection on specific days scheduled by the department of public works.

6. Corrugated Cardboard. Corrugated cardboard is flattened and securely tied with string in bundles not more than twelve (12) inches in thickness and placed at the curb for collection on specific days scheduled by the department of public works. Under no circumstances is corrugated cardboard containers used as receptacles for any other type of solid waste.

7. Mixed Paper. Mixed paper is deposited for collection in a covered rigid container and placed for collection at the curb on specific days scheduled by the department of public works. A container of fourteen (14) gallon capacity is recommended.

8. Textiles. Textiles are deposited for collection at the curb according to the guidelines set forth by the department of public works.

9. Brush. Brush is deposited for collection at the curb according to the guidelines set forth by the department of public works.

10. Leaves. Leaves may be raked to curbside or placed at the curb in biodegradable bags for collection on specific days scheduled by the department of public works.

Sweeping raking, blowing or otherwise placing leaves that are not containerized at the curb or along the street is only allowed during the seven days prior to a scheduled and announced collection, and shall not be placed closer than ten (10) feet from any storm drain inlet. Placement of such leaves at the curb or along the street at any other time or in any other manner is a violation of this chapter. If such placement of leaves occurs, the person(s) responsible for placement of the leaves must remove the leaves from the street or such person(s) shall be deemed in violation of this chapter.

11. Motor Oil. Motor oil is delivered to the department of public works according to the guidelines set forth by the department of public works.

12. Masonry/paving material: asphalt, block, brick, cinder, and concrete.

13. Rechargeable batteries: nickel cadmium (Ni-Cd), nickel metal hydride (Ni-MH), lithium ion (Li-ion) and small sealed lead (Pb).

14. Tires: rubber-based scrap automotive, truck, and equipment tires.

15. White goods: washers, dryers, ranges, refrigerators, air conditioners. Note: all devices that contain CFC's must be properly evacuated by licensed individuals and all CFC's recovered must be sent to an EPA approved reclaimer.

F. For commercial, industrial and institutional, governments and office parks, the following shall also be mandatory source separated items:

1. Electronics: televisions, CPUs, monitors, laptops, and mercury-containing devices.

2. Fluorescent bulbs: lamps that contain mercury.

3. Plastic film: stretch/shrink wrap, plastic shopping bags - only for warehouses, retain establishments and supermarkets with twenty-five (25) or more employees.

4. Wood scrap: unfinished lumber from new construction projects including pallets. Unfinished shall mean non-chemically treated (not pressure treated, impregnated with preservatives, insecticides, fungicides, creosote, or other chemicals, and not painted, resin-coated or otherwise surface treated, and not laminated or bonded; and not similarly altered from its natural condition) - only for new construction sites.

(Ord. O-100705 §§ 2, 3, 2007; Ord. O-100506 § 3, 2005; prior code § 6-1.9)

8.40.120 - Commercial compliance.

A. Each commercial facility provides on-site recycling containers for all mandatorily recyclable materials. Such containers are clearly marked to indicate their purpose and adequate to hold recyclable materials between collections or deposit at collection sites.

B. The owner/operator of a commercial facility shall provide notice to employees and customers/clients who are impacted by the recycling system indicating the purpose and location of on-site recycling containers.

C. The owner/operator of a commercial facility shall submit or cause to be submitted to the municipality on a calendar quarterly basis a report of the materials recycled by weight. The report is submitted to the city recycling coordinator not later than thirty (30) days after the end of the calendar quarter.

(Ord. O-100705 § 5, 2007; prior code § 6-1.10)

8.40.150 - Education and public awareness program.

A. The department of public works shall promulgate a public education/awareness program which is also coordinated with such a program as may be developed and implemented by the Middlesex County Improvement Authority if the city is a participant in a county-wide recycling program. The program provides notification to all residents informing them of the designated recyclable materials that must be source separated under the terms of this chapter and includes the schedule for collection and manner in which the designated recyclable materials are to be prepared for collection. Such notices are posted or published, at a minimum, not less than twice yearly and may include one of the following forms of notice:

1. An advertisement in a newspaper circulating in the city;

2. A posted notice in public places where public notices are customarily posted; or

3. Inclusion of a notice with other official notifications periodically mailed to residents.

B. The department of public works may prepare and distribute additional literature and other educational materials describing, among other things:

1. The municipal recycling program established pursuant to this chapter;

2. Any county-wide recycling program and the recycling services to be provided within the geographic boundaries of the city;

3. The designated recyclable materials to be source separated;

4. The manner or method of preparing source-separated material for collection; and

5. The location and schedules for collection. Such literature is prepared in accordance with any written guidelines established by the Middlesex County Improvement Authority in the event the city is participating in a county-wide recycling program and is approved by the Middlesex County Improvement Authority prior to distribution.

(Prior code § 6-1.13)