

**BOROUGH OF WRIGHTSTOWN  
COUNTY OF BURLINGTON  
ORDINANCE NO 2010-02**

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
WRIGHTSTOWN AMENDING CHAPTER 219, BEING THE ZONING AND LAND  
DEVELOPMENT CHAPTER, OF THE CODIFIED ORDINANCES OF THE  
BOROUGH OF WRIGHTSTOWN**

**BE IT ORDAINED AND ENACTED**, by the Borough Council of the Borough of Wrightstown, County of Burlington and State of New Jersey, as follows:

**Section 1:** Chapter 219, Zoning and Land Development, of the Codified Ordinances of the Borough of Wrightstown shall be and is hereby amended to read as follows:

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**ARTICLE V, General Provisions and Design Standards**

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**§ 219-47.3. Design of Containment Areas for Designated Recyclable Materials on Residential Sites.**

A. The Borough of Wrightstown finds that reducing the amount of solid waste and conservation of recyclable materials is an important public concern and is necessary to implement the requirements of the SWMA and the County Plan. Areas for the collection of recyclables on residential properties should be designed to effectuate collection of material in a safe and sanitary manner and should be sized to meet current industry standards for volumes and containers.

B. Definitions

As used in this section, the following definitions shall apply:

ACT OR SWMA -- The Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., as amended and supplemented.

BURLINGTON COUNTY REGIONAL PROGRAM -- The program utilized for the collection of those recyclable materials as designated by the Department of Solid Waste from residential curbside, participating multifamily and participating school collection programs.

CLASS A RECYCLABLE MATERIAL -- Source separated, non-putrescible, metal, glass, paper and plastic containers; and corrugated and other cardboard.

COMMINGLED -- Source-separated, nonputrescible recyclable materials that have been mixed at the source of generation (i.e., placed in the same container).

COMMON AREA RECYCLING STORAGE LOCATION -- A location designed in accordance with the land use ordinances of this municipality as required for multifamily dwellings with more than twenty (20) residential units where curbside collection is not provided under the Burlington County Regional Program.

CONDOMINIUM COMPLEX -- Defined in accordance with N.J.S.A. 46:8B1 et seq.

CARDBOARD -- All corrugated cardboard normally used for packing, mailing, shipping, or containerizing goods, merchandise or other material, but excluding plastic, foam, or wax-coated or soiled corrugated cardboard.

COUNTY -- The County of Burlington, State of New Jersey.

CURBSIDE DESIGNATED RECYCLABLES -- Those designated recyclables that are placed for collection within the parameters of the curbside collection program as outlined herein.

CURBSIDE RECYCLING CONTAINER -- A container(s) provided by the municipality or persons for the temporary storage of recyclable materials within the residential unit(s).

DEP OR DEPARTMENT -- The New Jersey Department of Environmental Protection.

DESIGNATED RECYCLABLE MATERIALS -- Those recyclable materials to be source-separated in this municipality, including but not limited to antifreeze, cellular telephones, construction and demolition debris consisting of asphalt, concrete, untreated wood waste, electronic waste, metal, glass, lead, acid batteries, fluorescent light bulbs and ballasts, leaves, motor oil, paper, plastic bottles, paperboard packaging, corrugated and other cardboard, newspaper, magazines, or high-grade office paper, rechargeable batteries, toner and printer cartridges and tires.

DSWM -- The Burlington County Division of Solid Waste Management, its successors and assigns.

FIBER -- All newspaper, fine paper, bond paper, junk mail, office paper, magazines, paperback books, school paper, catalogs, computer paper, telephone books, chipboard, corrugated and other cardboard and similar cellulosic material whether shredded or whole, but excluding wax paper, plastic or foil-coated paper, thermal fax paper, carbon paper, blueprint paper, food contaminated paper, soiled paper and cardboard.

MOBILE HOME PARK -- Any park, including a trailer park or camp, equipped to handle mobile homes sited on a year-round basis as defined in N.J.S.A. 2A:18-61.7 et seq.

MULTIFAMILY DWELLING -- Any building or structure or complex of buildings or structures in which five or more dwelling units are rented or leased or offered for rental or lease for residential purposes except hotels, motels or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the Hotel and Multiple Dwelling Law, P.L. 119967, c. 76 (N.J.S.A. 55:13A-1 et seq).

MUNICIPALITY -- The Borough of Wrightstown located within the County of Burlington, State of New Jersey.

MUNICIPAL SOLID WASTE -- Residential, commercial and institutional solid waste generated within a community.

PAPER -- All newspaper, high-grade office paper, fine paper, bond paper, office paper, xerographic paper, mimeograph paper, duplication paper, magazines, paperback goods, school paper, catalogs, computer paper, telephone books, and similar cellulosic material, whether shredded or whole, but excluding wax paper, plastic or foil coated paper, thermal fax paper, carbon paper, NCR paper, blueprint paper, food contaminated paper, soiled paper and cardboard.

PERSON -- Any individual, firm, partnership, corporation, association, cooperative enterprise, trust, municipal authority, federal institution or agency, state institution or agency, municipality, other governmental agency or any other entity or any group of such persons which is recognized by law as the subject of rights and duties. In any provisions of this article prescribing a fine, penalty, or imprisonment, the term "person" shall include the officers and directors of a corporation or other legal entity having officers and directors.

QUALIFIED PRIVATE COMMUNITY -- A residential condominium, cooperative or fee simple community or horizontal property regime, the residents of which do not receive any tax abatement or tax exemption related to its construction comprised of a community trust or other trust device, condominium association, home owners association or council of co-owners, wherein the cost of maintaining roads and streets and providing essential services is paid for by a not-for profit entity consisting exclusively of unit owners within the community. No apartment building or garden apartment complex owned by an individual or entity that receives monthly rental payments from tenants who occupy the premises shall be

considered a qualified private community. No “proprietary campground facility,” as defined in section 1 of P.L.1993, c.258 (C.45: 22A-49), shall be considered to be a qualified private community.

RECYCLABLE MATERIAL -- A material which would otherwise become solid waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products.

RECYCLING -- Any process by which materials, which would otherwise become solid waste, are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

RESIDENT -- Any human being residing within the municipality on a temporary or permanent basis, but excluding persons residing in hotels or motels.

SOLID WASTE -- Garbage, refuse and other discarded materials resulting from industrial, commercial and agricultural operations and from domestic and community activities, and shall include all other waste materials including liquids, except for solid animal and vegetable wastes collected by swine producers licensed by the State Department of Agriculture to collect, prepare, and feed such waste to swine on their own farms.

SWMA -- shall mean the New Jersey Solid Waste Management Act, as amended.

SOURCE SEPARATE -- To separate recyclable materials from the solid waste stream at the point of waste generation.

C. Design Standards for Common Area Recycling Storage Locations.

(1) In accordance with the municipal Recycling Ordinance located at Article II of Chapter 181, Solid Waste, every Multifamily, Qualified Private Community, and Mobile Home Park within the Borough of Wrightstown shall be required to provide, for the use of its residents for storage, prior to collection, of source separated recyclables generated by the residents of the property.

(2) Each Common Area Recycling Storage Area Location shall, at a minimum, conform to the following standards:

(a) The dimensions of the recycling storage location shall be sufficient to accommodate recycling containers which are of size and number as required by the DSWM and which are consistent with current methods of collection utilized by the Burlington County Regional Program or the private collection

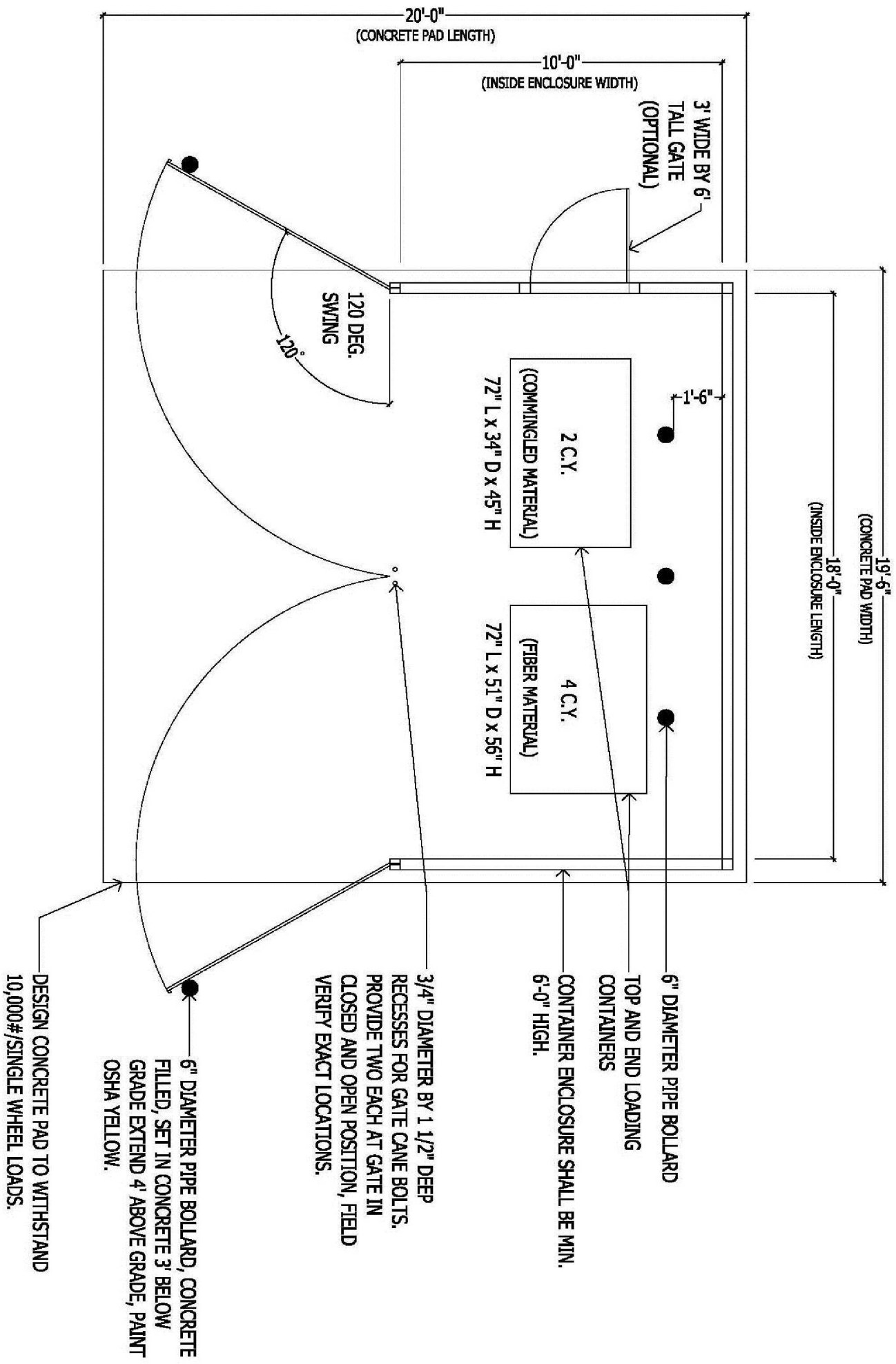
company being utilized. The following tables indicate the Minimum Container Capacity Requirements for Weekly Recycling Service and Common Container Dimensions:

| <b>Minimum Container Capacity Requirements for Weekly Recycling Service</b> |  |   |
|---|--|---|
| <b>Dual Stream Collection</b>   | <b>Fiber<br/>(paper and cardboard)</b>                 | <b>Commingled<br/>(bottles and cans)</b>                              |
| Non-Age-Restricted Complex  | One cubic yard of capacity for every 15 dwelling units | 0.47 cubic yards (96 gallons) of capacity for every 18 dwelling units |
| Age-Restricted Complex  | One cubic yard of capacity for every 20 dwelling units | 0.47 cubic yards (96 gallons) of capacity for every 24 dwelling units |
| <b>Single Stream Collection</b>   | <b>Fiber and Commingled</b>                            | --  |
| Non-Age Restricted Complex  | 2 cubic yards of capacity for every 20 units           | --  |
| Age-Restricted Complex  | 1.4 cubic yards of capacity for every 20 units         | --  |

| <b>Common Container Dimensions</b> |               |              |                          |
|------------------------------------|---------------|--------------|--------------------------|
| <b>Size</b>                        | <b>Length</b> | <b>Width</b> | <b>Height</b>            |
| 1 cubic yard                       | 72"           | 24"          | 29"                      |
| 2 cubic yards                      | 72"           | 34"          | 45" (rear) / 34" (front) |
| 3 cubic yards                      | 72"           | 43"          | 48" (rear) / 40" (front) |
| 4 cubic yards                      | 72"           | 51"          | 56" (rear) / 46" (front) |
| 6 cubic yards                      | 80"           | 66"          | 71" (rear) / 47" (front) |
| 8 cubic yards                      | 80"           | 71"          | 86" (rear) / 53" (front) |

(b) Unless expressly prohibited by a municipality, or not feasible due to existing site constraints, recycling containers for all Class A designated recyclables shall be co-located at all solid waste collection areas within the complex.

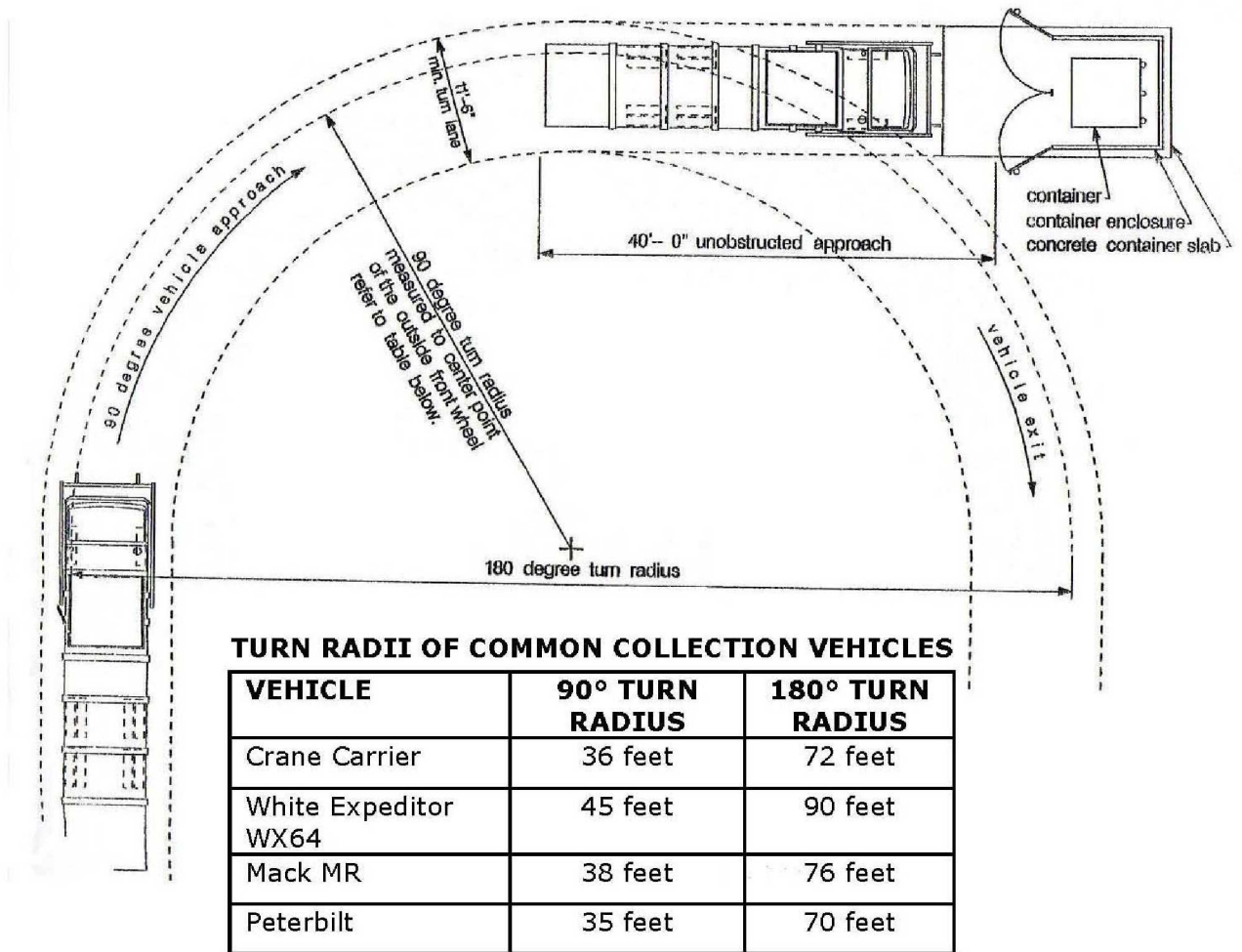
- (c) The recycling storage locations shall be conveniently located for the residential disposition of source-separated recyclable materials, preferably co-located, but clearly separated from, refuse containers.
- (d) Outdoor recycling storage locations shall include a concrete pad of the size as specified herein. The dimensions of the recycling storage location shall provide sufficient area for the required container(s):



# COMMON AREA RECYCLING STORAGE LOCATION (DUAL STREAM) DETAIL

SCALE: 1/4" = 1'-0"

(e) The recycling storage locations shall be well lit and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling areas without interference from parked cars or other obstacles. The following turning template can be used to plan vehicular accessibility to recycling storage locations:



**COLLECTION VEHICLE APPROACH DETAIL**

(f) Reasonable measures shall be taken to protect the recycling areas and the bins or containers placed therein against theft of recyclable materials or the bins or



containers themselves.

(g) Signs as approved by the DSWM clearly identifying the recycling areas and the materials accepted therein shall be posted adjacent to all points of access to the recycling areas.

(h) Each recycling area shall be enclosed on three sides by a solid fence or masonry enclosure six (6) feet in height and shall be surrounded by landscaping. A durable closable access gate on the fourth side should be provided.

#### D. Recycling Container Storage Design Standards; New Residential Construction

In order to facilitate recycling in all new construction, and to avoid the creation of unhealthful or cramped storage situations, sufficient storage shall be available for recycling containers within all new construction of residential housing.

- (1) Recycling Storage Locations – Curbside recycling container storage locations shall not include basements that require the negotiation of stairs, or any location either above or below finished grade. Locations shall be on a hard-wearing, smooth continuous surface with access to a path with a width no less than three (3) feet and headroom of not less than seven (7) feet.
- (2) Single-family and two-family dwellings – Each residential dwelling unit shall be designed to provide a curbside recycling storage container storage location containing at a minimum, dimensions (l x w x h) of no less than 36” x 32” x 84” per unit. The location shall be clearly marked as such on floor plans of the dwelling unit if to be located inside the dwelling unit. If to be located outside the dwelling unit, adequate storage space for the container shall be identified on the property survey. This shall be done at the time of subdivision approval, if applicable, or at the time of zoning or building permit application.
- (3) Multifamily and condominium complex dwellings – Curbside recycling container storage locations shall be provided for each multifamily and condominium complex dwelling where Common Area Recycling Storage Locations are not otherwise provided. Each multifamily and condominium complex dwelling unit shall be designed to provide a curbside recycling container storage location containing at a minimum, dimensions (l x w x h) of no less than 36” x 32” x 84” per unit. The location shall be clearly marked as

such on floor plans of the dwelling unit if to be located inside the dwelling unit. If to be located outside the dwelling unit, adequate storage space for the container shall be identified on the site plans or subdivision plans.

**Section 2:** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of their inconsistency.

**Section 3:** This Ordinance shall take effect immediately after proper passage, publication, and approval as provided by law.

### **NOTICE**

The ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Borough Council of the Borough of Wrightstown held on April 14, 2010. It will be further considered for final passage after a public hearing at the regular meeting to be held on May 12, 2010 at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 7:00 p.m., at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

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FREDA H. GORMAN  
Deputy Municipal Clerk

#### **Introduction/First Reading April 14, 2010**

**Motion:** Mr. Severns

**Second:** Ms. Heisler

**Roll Call Vote:**

**Ayes:** Mr. Severns, Ms. Levan, Mrs. Heisler, Mr. Sperling, Mr. Lownds, Mr. Borsavage

**Nays:** None

**Absent:** None

**Abstain:** None

**Second Reading/Final Adoption May 12, 2010**

**Motion:** Mr. Severns

**Second:** Mr. Lownds

**Roll Call Vote:**

**Ayes:** Mr. Severns, Ms. Levan, Mr. Lownds, Mr. Borsavage

**Nays:** None

**Absent:** Mrs. Heisler, Mr. Sperling

**Abstain:** None

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THOMAS E. HARPER  
Mayor

**CERTIFICATION**

The foregoing ordinance was finally adopted by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, after Second Reading and Public Hearing at their Regular Meeting held on May 12, 2010.

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FREDA H. GORMAN  
Acting Municipal Clerk

Ord2010-02 Recycling Land Use