

Ordinance #2008-1063

AN ORDINANCE TO REVISE, AMEND AND SUPPLEMENT
ORDINANCE #642 LAND DEVELOPMENT ORDINANCE
OF THE BOROUGH OF MANVILLE

WHEREAS, the Somerset County Department of Public Works, Division of Solid Waste Management has issued updated guidelines and/or requirements for recycling of certain materials.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Manville, County of Somerset, and State of New Jersey, that Ordinance #642, known as the Land Development Ordinance of the Borough of Manville, be amended by adding the following new section #709 to Article 7, Design and Performance Standards:

709. Recycling and Solid Waste Requirements for New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties

709.1 Definitions Used in this Section

a. *Multi-Family Housing* shall mean a building containing three (3) or more dwelling units occupied or intended to be occupied by persons living independently of each other, or a group of such buildings;

b. *Recycling Area* shall mean allocated for collection and storage of source separate recyclable materials.

709.2 Recycling Plan to be Included in Applications to Planning Board or Board of Adjustment

There shall be included in any application to the Borough Planning Board or Board of Adjustment that requires subdivision or site plan approval for the construction of multifamily housing, single-family developments of fifty (50) or more units or any commercial, institutional, or industrial development for the utilization of one thousand square feet (1,000 sq.) or more of land, a recycling plan. The plan must contain, at a minimum, the following:

a. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and

b. Locations documented on the application's site plan that provide for an indoor or outdoor recycling area for the collection and storage of residentially-generated recycling materials.

1. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number, and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located; and

2. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the municipal Recycling Coordinator, and shall be consistent with the District Recycling Plan adopted pursuant to section 3 or P.L. 1987, c. 102 (N.J.S.A. 13:1E-99.13) and any applicable requirements of the municipal Master Plan, adopted pursuant to section 26 of P.L. 1987, c. 102; and

3. The location of the recycling area shall be convenient for the residential disposition of source separated recycling materials, preferably near, but clearly separated from, a refuse dumpster; and

4. The plan shall represent that:

A. The recycling area shall be well lit, and shall be safely and easily accessible by recycling personnel and vehicles; and

B. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles.

709.3 Protection of Recycling Area

Reasonable measures shall be taken to protect the recycling area, and the bins or containers placed therein, against theft of recycling materials, bins or containers.

709.4 Hauling Contract Required for Certificate of Occupancy

Prior to the issuance of a Certificate of Occupancy by the Borough, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the Borough does not otherwise provide this service.

709.5 Design of Containers

The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recycling paper or cardboard, and which are located in an outdoor recycling area, shall be equipped with a lid, or otherwise covered, so as to keep the paper or cardboard dry.

709.6 Signs

Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

709.7 Screening

Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

709.8 Provision for Solid Waste Storage and Pickup Required

Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the Borough Engineer.

INCONSISTENCY

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SEVERABILITY

In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

EFFECTIVE DATE

This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

BOROUGH OF MANVILLE

LILLIAN M. ZUZA, MAYOR

ATTEST:

PHILIP E. PETRONE, Clerk

STATEMENT OF PURPOSE

The purpose of this ordinance is to amend the Land Development Ordinance of the Borough of Manville to include requirements for recycling and solid waste for new developments of multi-family residential units or commercial, institutional, or industrial properties.

ORDINANCE #2008-1063

FIRST READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ASHER	√			
		KOMOROSKI	√			
		OTRIMSKI	√			
		PETROCK	√			
√		QUICK	√			
	√	SZABO	√			
		MAYOR ZUZA				

PASSED this 28th day of January, 2008.

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
√		ASHER	√			
		KOMOROSKI	√			
	√	OTRIMSKI	√			
		PETROCK	√			
		QUICK	√			
		SZABO	√			
		MAYOR ZUZA				

PASSED this 25th day of February, 2008.

Attest:

Philip E. Petrone, Borough Clerk