

BOROUGH OF RAMSEY  
ORDINANCE NO. 13-2009

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III OF THE  
CODE OF THE BOROUGH OF RAMSEY, BERGEN COUNTY, NEW JERSEY  
SO AS TO ESTABLISH SECTION 3-22 ENTITLED REFUSE  
CONTAINERS/DUMPSTERS

BE IT ORDAINED by the Governing Body of the Borough of Ramsey, Bergen County, New Jersey that Chapter III of the Code of the Borough of Ramsey be and hereby is amended and supplemented so as to establish Section 3-22 entitled Refuse Containers/Dumpsters.

SECTION 1. 3-22 Refuse Containers/Dumpsters

3-22.1 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 Ramsey 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.

3-22.2 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 Ramsey or other public body, and is designed and used for collecting and conveying stormwater.

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, 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 sewage 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.

### 3-22-3 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.

### 3-22-4 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)

### 3-22.5 Enforcement

The Code Enforcement Official, the Police Department, the Department of Health, the Property Maintenance Official are hereby individually and severally empowered to enforce the provisions of this Ordinance. The respective enforcing official may, in his or her discretion, issue a warning for a first offense.

### 3-22.6 Violations and Penalties

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine of up to \$500.00.

## SECTION 2. Severability

Each subsection, sentence, clause and phrase of this section is declared to be an independent subsection, sentence, clause and phrase, and the finding or holding of any

such portion of this section to be unconstitutional, void or ineffective for any cause or reason, shall not affect any other portion of this section.

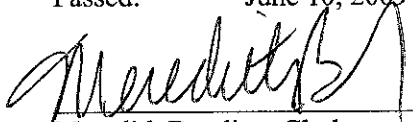
SECTION 3. Effective Date

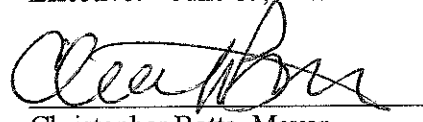
This Ordinance shall take effect immediately upon passage and publication as required by law.

Introduced: May 27, 2009

Passed: June 10, 2009

Effective: June 15, 2009

  
Meredith Bendian, Clerk

  
Christopher Botta, Mayor