

VILLAGE OF RIDGEWOOD

ORDINANCE NO. 3206

AN ORDINANCE TO ESTABLISH CHAPTER 223, ARTICLE XXII,  
OF THE CODE OF  
THE VILLAGE OF RIDGEWOOD,  
TITLED "REFUSE CONTAINERS AND DUMPSTERS"

BE IT ORDAINED by the Village Council of the Village of Ridgewood:

Section 1. Purpose: An Ordinance requiring dumpsters and other refuse containers situated outside or otherwise 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 containers to the municipal separate storm sewer systems operated by the Village of Ridgewood and/or the waters of the State of New Jersey so as to protect public health, safety and welfare, and to proscribe penalties for the failure to comply.

Section 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 are owned or operated by the Village of Ridgewood or other public body, and are 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 or recycling container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- D. Stormwater – 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 of New Jersey – Shall mean 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 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, garbage, debris, litter, and such from spilling out or overflowing. This shall mean to also include containers or dumpsters at multi-family dwelling units.

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 operated by the Village of Ridgewood.

Section 4. Exceptions to Prohibition:

- A. Permitted temporary demolition containers.
- B. Litter receptacles (other than dumpsters or other bulk containers).

- C. Individual (single family) homeowner trash, recycling, and yardwaste containers.
- D. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- E. Large bulky items (i.e. furniture, bound carpeting and padding, white goods placed curbside for pickup).

Section 5. Enforcement: This Ordinance shall be enforced by the Village of Ridgewood Police Department, and/or Health Department, and/or the Director of the Department of Public Works or his/her designated representative.

Section 6. Violations and Penalty: Any person(s) who is found to be in violation of the provisions of this Ordinance, shall be subject to a minimum fine of \$250.00 per violation, not to exceed \$2,000.00.

Section 7. Severability: Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 8. Effective Date: This Ordinance shall take effect immediately upon passage and publication as required by law.

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ORDINANCE NO. 3206

FOR AFFIRMANCE: Councilmembers: Aronsohn, Killion, Mancuso, Zusy  
and Mayor Pfund

NAYS: None

ABSENT: None

ABSTAIN: None

Introduction Date: July 8, 2009

Adoption Date: August 12, 2009

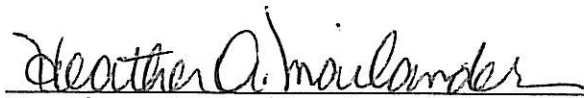
Effective Date: September 1, 2009



David T. Pfund, Mayor

ATTEST:

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Heather A. Mailander, Village Clerk