

ORDINANCE NO. 3821

AN ORDINANCE AMENDING CODE CHAPTER 284, RECYCLING, OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY, ARTICLE II, RECYCLING AND TRANSFER CENTER AND ARTICLE III, MANDATORY COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROGRAM.

SUMMARY

An ordinance amending Code Chapter 284, Recycling by renaming the Recycling and Transfer Center as Convenience Center, increase the cost of the single admission stickers, eliminate season passes and add multi-pass discount stickers.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 284, Recycling, Article II, Recycling and Transfer Center, is hereby amended as follows:

ARTICLE II, ~~Recycling and Transfer~~ *Convenience* Center

§ 284-5. Definitions. [Amended 9-14-1999 by Ord. No. 3066]

As used in this article, the following terms shall have the meanings indicated:

PASSENGER VAN, *and* STATION WAGON ~~and SPORT UTILITY VEHICLE~~ -- A vehicle (*including sport utility vehicles*) with a factory-installed rear bench seat, upright and in place, directly behind the driver's seat.

VAN TRUCK, CARGO VAN, *and* STATION WAGON ~~and SPORT UTILITY VEHICLE~~ -- A vehicle with no rear seat behind the driver's seat except that:

- A. Pickup trucks may have a body no longer than eight feet and trailer may have a body no longer than eight feet.
- B. All pickup trucks loaded more than twice the height of the body sidewalls will be charged for two trips.

§ 284-6. Permit required.

No person shall be allowed to deposit any material at the Township of Franklin ~~Recycling and Transfer~~ *Convenience* Center without a permit issued by the Director of Public Works or his designee permitting such disposal.

§ 284-7. Issuance of permit.

Permits shall be issued only to residents of the Township *for vehicles with general registration plates – no commercial vehicles are allowed* and shall be issued by the Director of Public Works or his designee only after receipt of the fees as set forth in § 284-9.

§ 284-8. Display of permits and decals.

Permits, which are evidenced by stickers ~~other than a yearly sticker~~, must be obtained from the Director of Public Works or his designee prior to entry into the Township ~~Recycling and Transfer~~ *Convenience* Center and must be displayed to the Township employees operating said center. Decals for extra cost items shall be attached to the particular items themselves and displayed to the Township employees operating the ~~Recycling and Transfer~~ *Convenience* Center.

§ 284-8.1. Days and Hours of Operation.

The Township Convenience Center is open to residents every other week year round on Saturdays from 8:30 a.m. to 2:20 p.m. and every Monday from April through October from 8:00 a.m. to 3:00 p.m.

§ 284-9. Fees and charges for admission of materials; waiver. [Amended 9-14-1999 by Ord. No. 3066]

Residents can only purchase permits during the week at either the Public Works Building or the Township Clerk's Office in the Municipal Building.

A. Costs.

| | |
|--|----------------------------|
| Seasonal sticker for resident's passenger car | \$25 per season |
| Seasonal sticker for resident's passenger van¹ | \$35 per season |
| Seasonal sticker for resident's station wagon¹ | \$35 per season |
| Seasonal sticker for resident's sport utility vehicle¹ | \$35 per season |

~~The season for which seasonal stickers are issued shall be from the last Saturday in March to the first Saturday in November of a calendar year.~~

1) Single Admission Stickers

| | |
|--|----------------|
| Single admission for resident's passenger car | \$10 |
| Single admission for resident's passenger van ¹ | \$15 |
| Single admission for resident's station wagon ¹ | \$15 |
| Single admission for resident's sport utility vehicle ¹ | \$15 |
| Single admission for resident's <i>small van</i> /pickup truck | \$25 <i>30</i> |
| Single admission for resident's <i>full</i> van truck ² | \$25 <i>50</i> |
| Single admission for resident's station wagon ² | \$25 |
| Single admission for resident's sport utility vehicle ² | \$25 |

Single admission for resident's full pickup truck \$70
 Single admission for resident's trailer (*no longer than 8 feet*) ~~\$25~~ 50 (*plus vehicle fee if vehicle has materials*)

2) Multi-Pass Discount Stickers

| | |
|---|---|
| <i>Resident's car</i> | <i>\$50 for six (6) admissions</i> |
| <i>Resident's station wagon</i> | <i>\$75 for six (6) admissions</i> |
| Resident's <i>small van</i> /pickup truck | \$50 150 for five <i>six (6)</i> admissions |
| Resident's <i>full van</i> truck ² | \$50 250 for five <i>six (6)</i> admissions |
| Resident's station wagon² | \$50 for five admissions |
| <i>Residents full pickup truck</i> | <i>\$350 for six (6) admissions</i> |
| Resident's sport utility vehicle² | \$50 for five admissions |
| Resident's trailer (<i>no longer than 8 feet</i>) | \$50 300 for five <i>six (6)</i> admissions |

plus vehicle fee if vehicle has materials

~~Five~~ *Six (6)* admissions passes shall have no time limit. Only one ~~five~~ *six (6)* admission pass may be obtained in any calendar year.

NOTES: _____

~~1Class I vehicle: first and second row seats must be upright and in place at all times.~~

~~2Class II vehicle: only driver/front row seat in place.~~

B. Extra costs.

(1) Leaf bags: \$0.50 each.

(a) Stickers for non-Township leaf bag: \$0.25.

(b) Citizens 65 years of age and older may purchase an accumulative maximum of 40 bags per year at a cost of \$0.25 each. [Amended 9-14-1999 by Ord. No. 3066]

(2) ~~Truck t~~ Tires ~~17 inches and larger~~: \$~~6~~ 7 each. Limit four tires of any type per vehicle.

(3) Curbside pickup only: [Amended 3-26-2002 by Ord. No. 3285]

(a) Refrigerator, freezer, air conditioner, or any appliance with Freon refrigerant: \$24 each.

(b) Dryer, washer, dishwasher, kitchen stove or hot-water heater: \$6 each.

(c) Washer, dryer, stove or dishwasher: \$6 each.

(d) Air conditioner or other appliance with refrigerant: \$18 each.

- (4) Refrigerators, freezers, air conditioners or other appliances containing refrigerants brought to the Township ~~Recycling and Transfer~~ *Convenience* Center: ~~\$10~~ *15* each.
- C. All curbside pickup items must display the correct number of Franklin Township decals to be picked up.
- D. All decals will be sold for \$3 each.
- E. Fee waiver for resident members of Volunteer Fire Company and Rescue Squad. Any Township resident who is a member of a Volunteer Fire Company or First Aid Squad that serves the Township of Franklin and has met LOSAP eligibility requirement as set by the Township or local fire districts, as of January of each year, shall have ~~the fee \$25.00 for one seasonal sticker~~ *towards a multi-pass discount sticker* waived in ~~the amount of \$25.~~ This twenty-five-dollar waiver may be applied to any type of seasonal *multi-pass discount* sticker for that year.

§ 284-10. Materials for which no admission fee is charged.

There will be no admission charge for the following recyclable items:

- A. ~~Aluminum cans~~ *Comingled – Glass Bottles, Aluminum, Steel & Bi-Metal Cans.*
- B. ~~Newspaper~~ *Paper – Newspaper, magazines, Junk Mail.*
- C. ~~Glass bottles (sorted).~~
- D C. Cardboard (clean only).

§ 284-10.1. Materials not allowed.

The following items are not allowed at the Convenience Center:

- a) Contractor debris, sheet rock, tile, concrete, brick, asphalt, and rock*
- a. Grass, stumps, trunks, below ground tree parts.*
- b. Railroad ties or treated wood*
- c. Household garbage or food wastes, cooking oil*
- d. Hazardous materials, pesticides, oil paint, chemicals, driveway sealer, etc.*
- e. Propane tanks*

§ 284-11. Materials from businesses.

Franklin Township businesses are welcome with recyclable items. The ~~Recycling and Transfer~~ *Convenience* Center will not accept trash or garbage from businesses, only recyclable items.

§ 284-12. Exemptions.

- A. The Director of Public Works or his designee shall have the authority to authorize exemptions from the provisions of this chapter if it is demonstrated to him that the conditions of said exemption are clearly justified and that the strict enforcement hereof would impose undue hardship upon a resident of the Township.
- B. The Director of Public Works or his designee shall submit a written report to the Township Manager of all exemptions authorized setting forth the reason for said exemptions. The Township Manager shall, on an annual basis during the month of January, issue a report to the Township Council on the number and circumstances of all exemptions issued during the prior twelve-month period.

SECTION II

Chapter 284, Recycling, Article III, Mandatory Commercial, Industrial and Institutional Program, Subsection 284-15 (C) (1) is hereby amended as follows:

ARTICLE III, Mandatory Commercial, Industrial and Institutional Program

§ 284-15. Separation and removal.

- A. Any owner/operator or occupant of any commercial, professional or institutional establishment must recycle all white office paper, as well as all newspapers, aluminum cans and glass bottles.
- B. Material is to be separated and bagged individually by type of paper, with the exception of corrugated cardboard which must be bundled.
- C. It is the responsibility of each commercial, professional or institutional establishment to either deliver recycled materials to designated recycling centers or to privately contract for collection services.
 - (1) Designated recycling centers are located at the Public **Works** *Recycling and Transfer* Center, 12 Berry Street.
 - (2) Commercial, professional or institutional establishments which elect to enter into private recycling arrangements must be able to provide proof of said arrangement.
 - (3) The Township shall be empowered to review the recycling activities of commercial, professional or institutional establishments on demand in order to verify compliance.

**SECTION III.
Severability.**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**SECTION IV.
Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

**SECTION V.
Effective Date.**

Upon final adoption and publication in the manner prescribed by law, the Ordinance will take effect on April 30, 2009 and terminate on April 30, 2010.

ORDINANCE NO. 3821

This is a true copy of an ordinance adopted by the Township of Franklin, County of Somerset, State of New Jersey.

Introduced:

Public Hearing:

Adoption:

Published:

Effective:

Ann Marie McCarthy, Township Clerk