

**ORDINANCE 2023-08**  
**TOWNSHIP OF NORTH HANOVER**  
**COUNTY OF BURLINGTON**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HANOVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING THE TOWNSHIP'S MUNICIPAL CODE FOR PURPOSES OF REGULATING OUTDOOR DUMPSTERS AND REFUSE CONTAINERS**

**SECTION 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 Township of North Hanover, Burlington County 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.

**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 is owned or operated by the Township of North Hanover, Burlington County, 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, or 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 sewerage 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.

### **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 from spilling out or overflowing.

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(s) operated by the Township of North Hanover, Burlington County.

### **SECTION 4. Exceptions to Prohibition**

The following are permitted exceptions to the prohibited conduct:

- 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)

### **SECTION 5. Enforcement**

This ordinance shall be enforced by the Township Police Department and/or Zoning Officer of the Township of North Hanover, County of Burlington.

### **SECTION 6. Penalties**

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to the general penalties set forth in Section 1-035 of the Municipal Code of the Township of North Hanover.

### **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. Repealer**

All provisions of any other ordinance which are inconsistent with the provisions of this Ordinance are hereby repealed.

**SECTION 9. Effective date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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**NOTICE**

This Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of North Hanover held on June 15, 2023. It will be further considered for final passage after a public hearing to be held on July 20, 2023, at the Municipal Building, 41 Schoolhouse Road, Jacobstown, NJ at 7:00 p.m. or as soon thereafter as the matter may be heard, at which time and place any person desired to be heard upon the same will be given an opportunity to be heard. Copies are available free of charge at the Municipal Clerk’s Office prior to the public hearing.

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Mary Picariello, RMC/CMR/CTC  
Municipal Clerk

**Vote on Introduction of Ordinance:**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Committeeman DeBaecke						<b>X</b>
Committeeman Doyle	<b>X</b>		<b>X</b>			
Committeeman Kocubinski			<b>X</b>			
Deputy Mayor O’Donnell		<b>X</b>	<b>X</b>			
Mayor Forsyth			<b>X</b>			

**NOTICE**

The ordinance read by title upon second reading herewith has been adopted at the meeting of the Township Committee of North Hanover Township, held on July 20, 2023.

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Mary Picariello, RMC/CMR/CTC  
Municipal Clerk

**Vote on Adoption of Ordinance:**

COMMITTEE	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Committeeman DeBaecke		<b>X</b>	<b>X</b>			
Committeeman Doyle	<b>X</b>		<b>X</b>			
Committeeman Kocubinski			<b>X</b>			
Deputy Mayor O’Donnell			<b>X</b>			
Mayor Forsyth			<b>X</b>			