

Chapter 14. Building and Construction

14-7. REFUSE CONTAINERS AND DUMPSTERS.

14-7.1. Purpose.

[Ord. No. 10-15 § 1]

The purpose of this section is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and to prohibit 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 Bound Brook and/or the waters of the State so as to protect the public's health, safety and welfare.

14-7.2. Definitions.

[Ord. No. 10-15 § 2]

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this section 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.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough of Bound Brook or other public body, and is designed and used for collecting and conveying stormwater.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

REFUSE CONTAINER

Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

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.

WATERS OF THE STATE

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.

14-7.3. Requirements for refuse containers.

[Ord. No. 10-15 § 3; Ord. No. 2016-21 § 1]

- a. Any person who controls, whether owned, leased, or operated, a refuse container must ensure that such refuse container is covered at all times and shall prevent refuse from spilling out or overflowing.
- b. Any person who owns, leases or otherwise uses a refuse container must ensure that such refuse container does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Bound Brook.
- c. Any person who controls, owns, leases or operates a trash dumpster shall house such dumpster inside a fence or barrier made of chain link (with green or black slats through 100% of fencing), wood, vinyl, or masonry materials.

[Amended 5-11-2021 by Ord. No. 2021-014]

14-7.4. Exceptions to requirements.

[Ord. No. 10-15 § 4; Ord. No. 2016-21 § 2]

The requirements set forth in Subsection **14-7.3** of this § **14-7** shall not apply to the following:

- a. Permitted temporary demolition containers.
- b. Litter receptacles (other than dumpsters or other bulk containers).
- c. Residential trash and recycling containers.
- d. Refuse containers at facilities authorized to discharge stormwater under a valid New Jersey Pollutant Discharge Elimination System ("NJPDES") permit.
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

14-7.5. Enforcement.

[Ord. No. 10-15 § 5]

This section shall be enforced by the Director of Code Enforcement and Zoning or his or her designee.

14-7.6. Penalties.

[Ord. No. 10-15 § 6]

Any person(s) who is found to be in violation of the provisions of this section shall be subject to the general penalty provision set forth in § **1-5** of the Revised General Ordinances of the Borough of Bound Brook.