

# **CONSERVATION CENTER AND CURBSIDE BULK WASTE COLLECTION**

## **CHAPTER 10A.**

### **CONSERVATION CENTER AND CURBSIDE BULK WASTE COLLECTION.**

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## **Article I. Conservation Center.**

### **Sec. 10A-1. Use generally.**

The conservation center located on Lamberts Mill Road, south of the entrance to Tamaques Park, shall be available for use during the hours of the day and days of the week as designated by the public works department by all residents and property owners of the Town of Westfield subject to the following conditions:

(a) Only organic materials as described in section 10A-4 hereof which are produced on premises located within the town shall be deposited.

(b) Except for the vehicles operated by the town or its officers, servants, agents, or employees within the scope of their employment with the town, admittance of vehicles to the conservation center for any purpose shall be limited to vehicles for which a decal permit has been obtained which is properly displayed on such vehicle as herein provided. (G.O. No. 1253, § 1; G.O. No. 1468, § I; G.O. No. 1497, § I.)

### **Sec. 10A-2. Permits required for admittance of vehicles to conservation center.**

Except for vehicles operated by the town or its officials, employees, agents, or servants within the scope of their employment with the town, it shall be unlawful for any vehicle to be upon or remain upon the premises of the conservation center during such time as it is closed to the general public.

During such periods of time when the conservation center is in operation and open to the general public, permits shall be required for the admission of motor vehicles. Decal permits shall be issued by the department of public works at a yearly cost of fifty-five dollars per vehicle (or combination vehicle and trailer). Issuance of such decal permits shall be limited to Westfield residents or the owners of real property located within the town. Such decal permits shall be issued only after proof of resident within the town, or proof of ownership of property within the town satisfactory to the public works department.

The decal permit shall be affixed to the left front bumper of the vehicle and/or left front surface of a trailer by employees of the public works department and shall be nontransferable. In the case of trailers, both the trailer and the car pulling it must have a decal permit which shall be issued as a matched set by the public works department with both permits containing the same number. The yearly cost of such matched set of two decals shall be fifty-five dollars. The decal permit shall only apply to the calendar year in which it is issued and new decal permits must be obtained for each calendar year. Decal permits shall only be sold at the conservation center on the days of its operation or at the public works center on the dates and during the time established by the town engineer. Such decal permits shall only be issued for vans, pickup trucks or trailers after compliance with the provisions of Article IV of this chapter by the owners thereof. No other van, truck or trailer shall be entitled to receive a decal permit.

No vehicles shall be admitted to the conservation center unless the decal permit is visible on the front bumper or left front surface in the case of a trailer or unless special arrangements for the admittance of such vehicle pursuant to a special permit are made in advance as provided in this article. (G.O. No. 1253, § 1; G.O. No. 1255, § 1; G.O. No.

1297, § 1; G.O. No. 1313 § 1; G.O. No. 1392, § 1; G.O. No. 1468, § I; G.O. No. 1470, § I; G.O. No. 1497, § I; G.O. No. 1524, § I; G.O. No. 1666, § I; G.O. No. 1810.)

**Sec. 10A-2.1. Disposal fee required for conservation center.**

In addition to the decal permit required for admission to the conservation center as provided in section 10A-2 hereof, a fee shall be charged for the disposal of waste at the center as follows:

All other vehicles with a special permit issued pursuant to section 10A-3, a fee of twelve dollars and fifty cents per trip. (G.O. No. 1468, § I; G.O. No. 1487, § I; G.O. No. 1666, § II.)

**Sec. 10A-2.2. Method of payment of fee.**

The town clerk and the public works center shall have disposal tickets available for purchase at a charge of five dollars each with a minimum purchase required of five tickets for a total cost of twenty-five dollars. These tickets in the minimum amount of twenty-five dollars for five disposal tickets may be purchased in person at the office of the town clerk in the municipal building and at the public works center during normal business hours, or by mail, and shall only be purchased by Westfield residents or owners of real property located within the town. If the purchase is made by mail, the request shall be addressed to the public works center and shall contain a check or money order payable to the Town of Westfield in an amount equivalent to the number of disposable tickets ordered multiplied by five dollars, but not less than twenty-five dollars for five tickets or multiples of twenty-five dollars, and a stamped, self-addressed envelope for return of the disposal tickets. Any mail requests for disposal tickets which do not contain a stamped, self-addressed envelope will not be processed and the applicant will then be required to pick up such disposal tickets at the public works center in person. At the time of purchase, the town clerk or official at the public works center may require proof of such Westfield residence or of Westfield property ownership satisfactory to them.

There shall be no limit on the number of such tickets that may be purchased at one time, but a minimum of five tickets must be purchased and tickets must be purchased in multiples of twenty-five dollars, provided the organic material being disposed of must be produced only on premises owned or occupied by the purchaser of such tickets.

The payment of the fee for disposal of waste at the conservation center shall be made by surrendering one ticket to the attendant on duty at the entrance to the center for each load of organic material. Such ticket will only be accepted from persons entering with decal permits or who obtain a decal permit at that time. Except in the case of a special permit issued pursuant to section 10A-3, a person seeking to use the center and having a disposal ticket, but no decal permit, shall not be admitted to the center or permitted to dispose of organic material. This shall be the only method of payment that is acceptable, provided that under special circumstances the town engineer may establish a system to permit payment of such fees at the entrance to the center. There shall be no refund made by the town for tickets purchased and not used or lost and such disposal tickets are only good for the year for which they were purchased.

No fee shall be charged for disposal of materials by the Town of Westfield and no such ticket shall be required. (G.O. No. 1468, § I.)

**Sec. 10A-3. Special permit.**

In the event a Westfield resident or owner of real property in the town is unable to deliver material to the conservation center in a vehicle displaying the proper decal permit, for any reason, the resident may make arrangement for a special permit for the delivery of such material in an automobile, a truck, van or trailer, for which no decal permit has been or can be issued. This special permit must be obtained by the resident or property owner and not by his agent and shall be available at a cost of ten dollars, at the public works center of the town. This special permit will allow the holder thereof to enter the conservation center with a vehicle one time and dispose of one load of waste and must be surrendered to the attendant on duty at the time the material is delivered. (G.O. No. 1253, § 1; G.O. No. 1392, § II; G.O. No. 1468, § I; G.O. No. 1497, § I.)

**Sec. 10A-3.1. Replacement of decal permits lost or stolen or replacement when the vehicle which had a decal permit has been sold or otherwise disposed of.**

Decal permits which are lost or stolen or which were affixed to a vehicle which has been sold or otherwise disposed of shall be replaced only if the following criteria are met:

All replacements will take place at the Public Works Center, 959 North Avenue West, Monday to Friday, 9:00 A.M. to 12:00 P.M.

(a) Lost or stolen decal will be replaced upon presentation of the following:

- (1) Receipt of purchase of the lost or stolen decal.
- (2) Vehicle registration.
- (3) Vehicle on which the replacement decal will be affixed.

(b) New cars with the same license plates will have their decal replaced with the presentation of the following:

- (1) Receipt of purchase of the original decal.
- (2) New vehicle registration.
- (3) Vehicle on which the decal is to be affixed.

(c) New cars with different license plates will have a new decal issued with the presentation of the following:

- (1) Receipt of purchase of the original decal.
- (2) New vehicle registration.
- (3) Receipt from the Department of Motor Vehicles that the old license plates have been turned in.

- (4) The vehicle on which the decal is to be affixed.

(G.O. No. 1524, § II.)

**Sec. 10A-4. Materials accepted.**

The conservation center is designed only for the processing and disposal of biodegradable organic waste material of plant origin produced on Westfield premises.

Such plant matter as leaves, grass clippings, garden refuse, twigs, branches, brush, shrubs and logs not exceeding two feet in length are acceptable. Grass clippings must not be mixed with other refuse, must be segregated in a separate container and must be disposed of only in a designated area at the center. (G.O. No. 1253, § 1; G.O. No. 1468, § I; G.O. No. 1497, § I.)

**Sec. 10A-5. Materials not accepted.**

Plant waste which is not of Westfield origin will not be accepted. Materials which have not been originated by plant growth alone, including kitchen-type organic garbage, are not acceptable. Among plant materials, tree trunks and tree stumps are not acceptable. (G.O. No. 1253, § 1; G.O. No. 1468, § I; G.O. No. 1497, § I.)

**Sec. 10A-6. Removal of materials.**

Any person who is lawfully upon the premises of the conservation center may remove any quantity of wood chips, logs, firewood, compost and leaves from the center, but these must only be removed from special stockpiles provided for such purposes adjacent to paved areas. (G.O. No. 1253, § 1; G.O. No. 1468, § I; G.O. No. 1497, § I.)

**Sec. 10A-7. Prohibited activities.**

Children under twelve years of age, not assisting in unloading or loading, must remain inside the vehicle.

All containers, plastic bags, cardboard boxes, etc., must be removed from the site. Material must be placed only in areas designated for the deposit of said materials adjacent to paved areas, but not on the such paved areas. Grass clippings, which must be segregated from all other materials, must be dumped only in the areas designated for grass at the center. It shall be unlawful to dump or discard materials outside the fenced area of the conservation center or over the fence and to dump or deposit materials in other than designated areas. (G.O. No. 1253, § 1; G.O. No. 1468, § I; G.O. No. 1497, § I.)

**Article II. Curbside Bulky Waste Collection.<sup>1</sup>**

**Sec. 10A-8. Collection generally.**

The town will from time to time, as determined by the town council provide curbside pickup of limited types of household bulky waste for those residents obtaining a permit for same. Permits shall be limited to Westfield residents or the owners of property located within the town subject to the following conditions:

(a) Only materials as described in section 10A-11 hereof which are generated on residential premises owned or occupied by a Westfield resident within the town shall be collected.

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<sup>1</sup> Editor's Note: Prior ordinances codified herein include portions of Ordinance Nos. 1253, 1255, 1297, 1313, 1392, 1408, 1436, 1468.

(b) A permit or permits for which the appropriate fee has been paid shall be required and must be properly displayed.

(c) No materials which are generated in a commercial or industrial enterprise related to commercial or industrial buildings or structures shall be accepted.

(d) No materials shall be collected from a person engaged in the business of collecting, transporting, or dumping waste material regardless of origin.  
(G.O. No. 1626, § II.)

#### **Sec. 10A-9. Permits required for collection.**

During such periods of time as the town establishes for bulky waste collections, permits shall be required to authorize curbside pickup of such waste and a fee will be charged for obtaining these permits.

Permits must be properly displayed in the front windows of properties from which waste is to be collected. Such permits shall be issued by the department of public works for sixty-five dollars per permit. Issuance of such permits shall be limited to Westfield residents or the owners of real property located within the town. Such permits shall be issued only after proof of residence within the town satisfactory to the public works department or proof of ownership of property within the town.

The permit shall be prominently displayed in a front window of the property from which the waste is to be collected so as to be visible from the street to the contractor collecting such waste. Each permit shall entitle the holder thereof to dispose of up to seven hundred fifty pounds of bulky waste. There shall also be a small sticker issued with each permit which shall be affixed to the largest item of bulky waste at curbside. (G.O. No. 1626, § II; G.O. No. 1649, § I; G.O. No. 1701, § I; G.O. No. 1800.)

#### **Sec. 10A-10. Method of payment of fee and issuance of permits.**

Permits may be obtained only by mail from the public works department. A person seeking a permit must complete a registration application form which will be sent to all property owners in the town by mail. The registration application must be completed and returned by mail in the pre-addressed envelope provided, accompanied by a check for the number of permits requested. Only checks payable to "The Town of Westfield" will be accepted. The permit and sticker will be mailed back to the applicant. No permits shall be issued in person and no permit application will be accepted after the cut-off date established by the public works department by regulation. (G.O. No. 1626, § II.)

#### **Sec. 10A-11. Material accepted.**

The bulky waste collection program is designed only for the disposal of non-biodegradable solid household waste material generated in Westfield residential properties by the resident of such properties. Such material as indoor and outdoor furniture, rugs, household appliances, household equipment, non-riding lawn mowers, snow blowers, tools, play equipment and toys, screens, doors, windows, window glass, leaders, tires, books, gutters, plumbing fixtures and material, water heaters, waste lumber

less than three feet in length, electrical materials and similar items are acceptable. (G.O. No. 1626, § II.)

**Sec. 10A-12. Material not accepted.**

No material generated in a commercial or industrial enterprise or related to commercial or industrial buildings or structures shall be accepted. No material generated from a premises outside of the town shall be accepted. No material sought to be disposed of by a person engaged in the business of collecting, transporting or dumping of waste material shall be accepted regardless of origin.

Specific items which shall not be accepted include, but are not limited to, the following: Liquids; chemicals, liquid or solid; dirt; sand; rocks; fertilizer, cement, toxic or hazardous materials; kitchen garbage; explosive materials; bottles; concrete; construction materials; materials from the demolition of a building or structure or part thereof; auto frames and bodies; wood more than three feet in length; paper and cardboard except as a container for other materials; auto cans; items of excessive weight; paint, paint thinner, pesticides, herbicides, gas or propane containers; fuel tanks; any material in plastic bags or closed containers; and any items included in the town curbside recycling program. (G.O. No. 1626, § II.)

**Sec. 10A-13. Method of collection.**

Persons having a valid permit must deposit items to be collected aggregating seven hundred fifty pounds or less per permit at curbside no sooner than the Saturday prior to the Monday established by the public works department for collection in that area of the town and no later than 7:00 A.M. Monday. The stickers provided by the town shall be placed on the largest item of waste at the same time and the permit shall be placed in the window. The contractor hired by the town for collection will pick up the material from the curbside. (G.O. No. 1626, § II.)

**Sec. 10A-14. Inspection.**

Random inspections shall be conducted by the town to ensure compliance with this ordinance and the rules and regulations established by the town. (G.O. No. 1626, § II.)

**Sec. 10A-15. Violation.**

It shall be unlawful for persons to place materials at curbside without a permit, or to place more than seven hundred fifty pounds at curbside per permit, or to place unacceptable materials at curbside or to otherwise violate this article. (G.O. No. 1626, § II.)

**Sec. 10A-16. – 10A-17. Reserved.<sup>2</sup>**

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<sup>2</sup> Editor's Note: Repealed by Ordinance No. 1626, § III.

### **Article III. Adoption of Rules and Regulations.**

#### **Sec. 10A-18. Adoption of rules and regulations.**

The public works department may adopt any additional rules and regulations for the operation of the bulky waste collection system and the conservation center as they may deem appropriate so long as these rules and regulations are not inconsistent with this chapter. Upon adoption of any such rules and regulations, they shall become effective as part of this chapter and a conviction of violation of such rules and regulations shall subject a person to the same penalties as violation of this chapter. Such rules and regulations shall not become effective as part of this chapter until they are posted on the premises involved or are made known to the public through flyers handed out at the center in question or published in the newspaper. (G.O. No. 1626, § IV.)

#### **Article IV. Reserved.<sup>3</sup>**

#### **Sec. 10A-19. Reserved.**

### **Article V. Penalties for Violation.**

#### **Sec. 10A-20. Penalties for violation.**

Any person violating any provision of this chapter or any rules and regulations duly promulgated by the public works department pursuant to this chapter shall upon conviction be subject to a fine of not more than two hundred dollars or imprisonment for a period not exceeding thirty days or both. Each and every violation of any provision of this chapter shall constitute a separate violation. (G.O. No. 1253, § 1; G.O. No. 1255, § 4; G.O. No. 1297, § 10.)

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<sup>3</sup> Editor's Note: Prior ordinances codified herein include portions of Ordinance Nos. 1255, 1297, 1313, 1392, 1468 and 1497. Repealed by Ordinance No. 1626, § V.