

BOROUGH OF WESTWOOD

101 Washington Avenue, Westwood NJ 07675 * Telephone (201) 664-5900 * Fax (201) 664-7570

Owner's Name _____ Date _____

Address _____, Westwood, NJ 07675

Phone _____

Subject: Street Obstruction Permit - Dumpster in Street

Adjacent to: _____, Westwood, NJ 07675

Block _____ Lot _____

This permit is issued to the above captioned applicant as provided by the Borough of Westwood Code Section 8.20, which allows a dumpster type unit to be placed directly in front of the above property for a period of up to 5 days. **Dumpsters cannot be placed on County roads.**

The purpose of this request is: _____

The cost of this permit has been paid on ____/____/____ with check # _____.

_____ \$25.00 (in conjunction with a U.C.C. permit)

_____ \$50.00 (stand alone project)

In the event of an emergency, the contact person shall be _____

Phone # _____

The vendor shall be _____ Phone # _____

The dumpster shall be placed on the site on ____/____/____, and removed on ____/____/____.

Attached you will find the details of Westwood Code Section 8.20 as they pertain to dumpsters. You must adhere to all regulations. Pay close attention to the reflective protective requirements and placement location proximity to any exterior wall or roof overhang.

**FAILURE TO COMPLY WILL CAUSE REVOCATION OF THIS PERMIT
AND REMOVAL OF THE DUMPSTER AT YOUR COST;
ADDITIONALLY, SUMMONSES MAY BE ISSUED TO YOU FOR
CAUSING AN UNSAFE STREET OBSTRUCTION.**

cc: Police 664-7009
D.P.W. 722-0427
Clerk 664-5107

sirable for safety reasons, in that they frequently blow into the roadway; for aesthetic reasons, in that they promote the generation of litter as a result of spillage; and are unsightly while awaiting return to their usual position. In addition, the clustering of large numbers of garbage cans in any one location is determined to be a health hazard, in that large concentrations of cans tend to promote an accumulation of spilled foodstuffs and trash while encouraging the formation of bacteria and the attraction of rodents.

H. A great many commercial, industrial and business establishments within the Borough currently contract for the removal of their solid waste through private scavengers operating under the free market system as supervised by the Public Utilities Commission. This method of solid waste collection for those categories and establishments has been found to be safe, effective and cost efficient. (Prior code § 64-1)

8.20.020 System of collection established.

A. There is already established a system for the collection, removal and disposal of residential garbage and trash to be operated by such private, duly licensed, scavenger contractors as the Mayor and Council of the Borough may from time to time contract with. The cost thereof is to be paid by general taxation.

B. The Mayor and Council of the Borough are authorized to enter into such contracts as may from time to time appear necessary to provide for the scavenger service aforementioned, which contracts may be authorized by resolution. The Mayor and Council ratify any contracts previously executed and more particularly rectify a certain contract bearing the date

of June 17, 1985, between the Borough and Carmine Franco & Co., Inc. (Prior code § 64-2)

8.20.030 Definitions.

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

"Cleanup" refers to the long-standing practice whereby Borough residents are permitted to place unwanted trash, furniture, toys, branches and the like at the curbside for pickup as part of a program to promote property maintenance within the Borough. Branches shall be in four-foot lengths and shall be tied.

"Container" means a device with an approximate volume of thirty (30) gallons, made of plastic, fiberglass or metallic substances, with a tight-fitting but removable lid and fully enclosed sides and bottom, commonly known and referred to in general usage as a "garbage can."

"Dumpster" means any container which is intended or actually used for the storage of trash or rubbish, which has a capacity in excess of fifty-five (55) gallons.

"Garbage" means waste or decayed vegetable matter that has been used or was intended to be used as food and the waste therefrom and dead plant life or parts of the same, including condemned food. This definition shall also include broken crockery, ashes, glassware, utensils, house sweepings, bottles, tin cans, plastic containers, lawn cuttings and hedge trimmings, garden growth, old clothing, and all discarded and waste materials of every nature and description customarily generated by residential living, including paper and cardboard or containers made of paper, cardboard or plastics. "Garbage" is intended to include material customarily designated as household refuse. To the extent that such materials are subject to recy-

"Litter" means any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, saw milling, farming or manufacturing.

M. **Illegal Dumping.** It is unlawful for any person to discard or dump along any street or road, on or off any right-of-way any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture, or private property, except by written consent of the owner of said property, in any place not specifically designated for the purposes of solid waste storage or disposal.

N. **Containerization of Sweepings.** No person will be permitted to sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of man-made litter from any public or private sidewalk or driveway. Every person who owns or occupies property must keep the sidewalk in front of his or her premises free of litter. All litter sweepings must be collected and properly containerized for disposal.

O. **Construction Sites.** It is unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during or immediately

following completion of any construction or demolition project. It is the duty of the owner, agent or contractor in charge of the construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such frequency as to prevent spillage of refuse. (Ord. 91-7 § 1; prior code § 64-4)

8.20.050

Regulation of dumpsters and similar devices. *

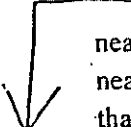
A. No dumpster, roll-off container or other device for the placement, storage, transport or accumulation of solid waste construction debris or recyclable material may be placed upon any public street of the Borough without a permit.

B. The issuance of permits shall be administered by the office of the construction official.

C. No permit shall be issued except where on site conditions are such that the device cannot be reasonably accommodated on said site as a consequence of adverse topography, retaining walls, fire, safety and like considerations.

D. Where a permit has been issued, the device must be removed within forty-eight (48) hours or within twenty-four (24) hours of its being filled to capacity whichever first occurs. In those instances where a permit has been issued and more than one device is required due to the quantity of materials, an empty device may be placed at a location upon the removal of a filled device without the necessity of a new permit provided that the total elapsed time for the existence of any number of such devices shall not exceed five days.

E. Any device placed on a public roadway shall be situated at least fifty (50) feet from the



nearest intersection, ten (10) feet from the nearest driveway and may not obstruct more than eight feet of space measured perpendicularly from the curb (or edge of pavement where no curb exists) toward the center line or midpoint of the paved road surface.

F. All dumpsters shall bear the name, address, telephone number and D.E.P. permit number of the owner thereof prominently displayed upon the exterior of the device.

G. Every device placed upon a public roadway pursuant to this section shall have not less than ten (10) square inches of reflective material facing each direction of travel which devices shall be placed so that fifty (50) percent of the reflective materials shall be located at the corner of the device nearest the center line of the roadway upon which it is placed. In addition, each device shall have two reflective rubber cones not less than twenty-four (24) inches in height placed ten (10) feet from the device towards the direction of travel of approaching motor vehicles midway between the curb line and the portion of the device nearest the center line.

H. No device shall be permitted to remain on a public street that is leaking any fluids of any type, or which contains noxious hazardous material or material from any location other than the location for which the permit is issued.

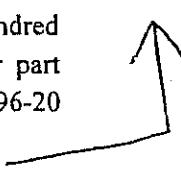
I. Whenever a device is found to be in a condition other than in compliance with the provisions of this section, the construction code official is authorized to call the owner of the dumpster and order its removal. Non-complying dumpsters not removed within twenty-four (24) hours may be removed by the Borough and impounded pending payment of the costs of removal, tipping charges or other expenses incurred by the Borough.

J. Fees and Application. Application for placement of a dumpster pursuant to this section can be obtained from the construction official. Fees for the filing of an application shall be as follows:

1. Applications made at or prior to the issuance of a related building or construction permit: twenty-five dollars (\$25.00);

2. Applications made subsequent to the issuance of a permit or where no other permit was required or where a permit was required but not applied for: fifty dollars (\$50.00).

K. Violations and Penalties. Any person or entity violating the provisions of this section shall be liable for a fine of not less than seventy-five (\$75.00), no more than two hundred fifty dollars (\$250.00) per each day or part thereof in violation of this section. (Ord. 96-20 §§ 1-11)



8.20.060 Sanitation Committee created—Duties.

A. There is created within the Borough a Sanitation Committee. The Sanitation Committee shall be comprised of the following persons: the Borough Administrator, the Superintendent of the Department of Public Works, the member of the Mayor and Council with primary responsibility for the Department of Public Works, and the member of the Mayor and Council primarily responsible for finances.

B. The Sanitation Committee shall have the following duties and responsibilities:

1. To consider requests for waivers and exceptions as herein provided for and to keep a record thereof in the manner prescribed;

2. To supervise the performance of the public scavenger in accordance with the contract documents and specifications;

3. To investigate and report to the Mayor and Council concerning any requests by the public scavenger for additional charges or solid waste tax or tipping fee passed through;

4. To investigate and report to the Mayor and Council concerning any complaints of inadequate service by the public scavenger and to respond to and, where possible, adjust any complaints by the public scavenger concerning difficulties in the collection process or improper use or placement of containers by properties to be collected;

5. To generally act as the liaison between the Mayor and Council and the public scavenger and to make recommendations from time to time to the Mayor and Council concerning solid waste collection within the Borough;

6. To develop new solid waste specifications as needed in anticipation of renewal of the public scavenger contract; and

7. To oversee and supervise all expenditures within the Borough relating to the disposal of solid waste, including the disposal of waste materials collected by Borough vehicles in the course of municipal business, street cleaning and the like, and the disposition of leaves and other organic debris which may from time to time be collected by the Borough. (Prior code § 64-5)

8.20.070 Waivers—Exceptions.

Any property owner may request a waiver or exception to the rules and regulations pertaining to collection herein provided. All such requests shall be specific, in writing and accompanied by a processing fee of ten dollars (\$10.00). The Sanitation Committee herein established shall have the power to grant or deny requests for waivers or exceptions, subject to the following criteria and limitations:

A. No waiver may be granted for the collection, by the public scavenger, of nonresidential waste.

B. No waiver or exception shall be permitted which will result in an additional charge by the public scavenger.

C. All waivers or exceptions granted shall be noted in a separate three-ring binder, to be kept in the custody of the Borough Clerk, entitled "Solid Waste Collection Waivers and Exceptions."

D. Waivers, if granted, can be rescinded at any time with written notice, by certified mail, to the property owner.

E. Waivers shall only be considered if the granting thereof shall promote, in a direct and specific way, the aesthetics of the property in question, the safety of collection at the property in question or the public health at the property in question and must be related to a unique or unusual condition of the property or the improvements at such location. (Prior code § 64-6)

8.20.080 Private scavengers—Rules and regulations.

A. No dumpster shall be stored inside of or within twenty-five (25) feet of any exterior wall or roof overhang of any building within the Borough, unless the specific location for the dumpster has been approved by the Code Enforcement Officer and the Fire Prevention Bureau of the Borough in writing, which approval shall be placed in the book of exceptions and waivers hereinabove referred to. Persons desiring to store a dumpster in a location prohibited by this chapter shall apply to the Sanitation Committee for an exception or a waiver as hereinabove provided for, and the Sanitation Committee, prior to making a determination,

shall obtain a favorable recommendation from the Code Enforcement Officer and the Fire Prevention Bureau in writing. Any such waiver shall be separate from the zoning approval which may be required. In determining the request, the Sanitation Committee shall consider fire safety, aesthetics and safety considerations at the site in question.

B. Private collections shall take place between the hours of seven a.m. and six p.m. on Monday through Saturday and are prohibited on Sunday.

C. Private scavengers operating within the Borough must have the appropriate state licenses and permits. In addition, any private scavenger must have the name, address and telephone number as well as the Public Utilities Commission permit number conspicuously placed on the vehicle. (Prior code § 64-7)

8.20.090 Compliance required.

It is unlawful to place rubbish and trash for collection within the Borough by a private or public scavenger except in conformance with the rules and regulations herein provided for and such other rules and regulations as may from time to time be promulgated by the Mayor and Council of the Borough. (Prior code § 64-7.1)

8.20.100 Violations—Penalties.

Failure to comply with the provisions of this chapter will result in the issuance of a summons which may be punished by a fine of up to five hundred dollars (\$500.00). (Prior code § 64-7.2)