

Township of Little Egg Harbor, NJ
Friday, April 4, 2025

Chapter 278. Refuse Containers and Dumpsters

[HISTORY: Adopted by the Township Committee of the Township of Little Egg Harbor 3-11-2010 by Ord. No. 2010-03.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Littering — See Ch. 222.

Pet waste — See Ch. 271.

Property maintenance — See Ch. 273.

Solid waste — See Ch. 293.

Storm sewer system — See Ch. 296.

[1] *Editor's Note: This ordinance was adopted as Ch. 100, but was renumbered to fit into the organizational structure of the Code.*

§ 278-1. Purpose.

The purpose of this chapter is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and 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 Township of Little Egg Harbor 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.

§ 278-2. Definitions.

For the purpose of this chapter, 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.

CONSTRUCTION SITE

Any real property upon which any person proposes to or does engage in the construction, reconstruction or demolition, either in whole or in part, of any building, structure or other improvement located upon said real property.

[Added 9-10-2015 by Ord. No. 2015-09]

DUMPSTER

A container or debris-transfer body commonly used for the placing or collection of debris and building materials during construction or renovation.

[Added 9-10-2015 by Ord. No. 2015-09]

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 Township of Little Egg Harbor or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are

sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

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 water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 278-3. Prohibited conduct.

- A. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such 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 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 Little Egg Harbor.

§ 278-4. Exceptions to prohibition.

Exceptions to the prohibition are as follows:

- 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).

§ 278-5. Enforcement.

This chapter shall be enforced by the Police Department and the Code Enforcement Official of the Township of Little Egg Harbor.

§ 278-6. Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this chapter shall be subject to a fine not to exceed the maximum penalty allowed by N.J.S.A. 40:49-5.

§ 278-7. Requirement for construction sites.

[Added 9-10-2015 by Ord. No. 2015-09]

- A. All construction sites upon which construction or demolition activities thereon will generate any debris or solid waste shall be equipped with adequate and suitable receptacles, containers or dumpsters for the deposit of such debris or solid waste. All debris or solid waste generated by construction or demolition activities upon construction sites shall be deposited into the required receptacles, containers or dumpsters and shall not be permitted to accumulate upon the construction site.
- B. Debris containers, receptacles or dumpsters located upon construction sites shall be emptied at periodic intervals so as to prevent overloading, the escape of materials contained therein and to prevent obnoxious odors or nuisances of any type escaping therefrom during the period when construction or demolition activities are taking place on the construction site.
- C. Debris containers, receptacles or dumpsters as required by this chapter shall be located on the property on which the construction or demolition activities are being performed. There shall be a five-foot setback requirement from any property line. Debris containers, receptacles or dumpsters shall not be placed upon the street or any public right-of-way.
- D. Any person found to be in violation of this section shall be subject to the violations and penalties in **§ 278-6**.