

**ORD. #13-2008**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOUNT OLIVE TO AMEND AND SUPPLEMENT ARTICLE II 400-6 “DEFINITIONS” AND ARTICLE V “DESIGN GUIDELINES AND TECHNICAL STANDARDS” OF SECTION 400-34 ENTITLED “APARTMENTS AND TOWNHOUSES” OF THE CODE OF THE TOWNSHIP OF MOUNT OLIVE PURSUANT TO N.J.S.A. 13:1E-99.13A REGARDING RECYCLING IN MULTIFAMILY HOUSING**

**WHEREAS**, the Morris County Municipal Utilities Authority has required Mount Olive Township amend its Land Use Ordinance pertaining to collection and storage facilities of source separated recyclable material in new multifamily housing developments.

**NOW THEREFORE BE IT ORDAINED** by the Township Council of the Township of Mount Olive in the County of Morris and the State of New Jersey as follows:

Section 1. Chapter 400-6 Definitions is supplemented to include:

“Multifamily housing development” means a building containing three or more dwelling units occupied or intended to be occupied by persons living independently of each other, or a group of such buildings;

“Recycling area” means space allocated for collection and storage of source separated recyclable materials.

Section 2. Chapter 400-34G is amended as follows:

G. There shall be included in any new multifamily housing development that requires subdivision or site plan approval an indoor and/or outdoor recycling area for the collection and storage of residentially-generated recyclable materials. The number of sites and dimensions of the recycling areas shall be sufficient to accommodate recycling bins or containers which are of adequate size and number, and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The number of sites and dimensions of the recycling areas and the bins or containers shall be determined in consultation with the municipal recycling coordinator, and shall be consistent with the district recycling plan adopted pursuant to section 3 of P. L. 1987, c.102 (N.J.S.A.13:1E-99.13) and any applicable requirements of the municipal master plan, adopted pursuant to section 26 of P.L. 1987, c102.

(1). The recycling areas shall be conveniently located for the residential disposition of source separated recyclable materials, preferably near, but clearly separated from, a refuse dumpster.

(2). The recycling areas shall be well lit, and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling areas without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the recycling areas, and the bins or containers.

(3). The recycling areas or the bins containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard, and which are located in an outdoor recycling area, shall be equipped with a lid, or otherwise covered, so as to keep the paper or cardboard dry.

(4). Signs clearly identifying the recycling areas and the materials accepted therein shall be posted adjacent to all points of access to the recycling areas. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

(5). Landscaping and/or fencing shall be provided around any outdoor recycling areas and shall be developed in an aesthetically pleasing manner.

(6). All provisions of the Ordinance are severable. If, for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the ordinance shall not be affected.

Section 3. This ordinance will take effect in accordance with the law.

TOWNSHIP OF MOUNT OLIVE

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RAYMOND T. PERKINS  
Mount Olive Township Council President

ATTEST:

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LISA M. LASHWAY  
Mount Olive Township Municipal Clerk