

## Chapter 8.16

### DEMOLITION CONTAINERS, DUMPSTERS AND ROLL-OFF SHIPPING CONTAINERS

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#### 8.16.010 Definitions.

"Demolition container" means a watertight roll-off container with an open top used for the purpose of depositing debris as the result of demolition activities.

"Dumpster" means a watertight container usually equipped with a tight-fitting lid used for the disposal of refuse other than building materials.

"Roll-off shipping container" means a watertight roll-off container used for the purpose of shipping goods and cargo. (Prior code § 27-1)

#### 8.16.020 Demolition containers.

A. No person shall place or use a demolition container on a city street without first obtaining a demolition container permit from the bureau of construction. Prior to the issuance of a demolition container permit, approval must be obtained from the Elizabeth police department division of traffic.

B. Areas beneath and surrounding a demolition container shall be kept clean at all times and shall be cleaned immediately after the removal of such container.

C. The demolition container shall not be filled higher than twelve (12) inches above the top edge.

D. All demolition containers placed in the city street shall display the following:

1. Name, address and telephone number of the responsible person for the demolition container;
2. The demolition container permit number.

E. The demolition container shall be marked at each end with at least one reflector and with at least one iridescent stripe measuring four feet by four inches.

F. Demolition containers shall be placed on the street no more than five consecutive days and may not be renewed without written permission from the construction official. The construction official may for

good cause extend the time period except the total time including extensions shall not exceed thirty (30) days. Each extension shall be requested in writing. The determination of the extension shall be in writing. (Prior code § 27-2)

#### 8.16.030 Roll-off shipping containers.

A. No person shall place or use a roll-off shipping container on the sidewalk or street without first obtaining a permit from the central licensing bureau. Prior to the issuance of a roll-off shipping container permit, approval must be obtained from the Elizabeth police department division of traffic.

B. The roll-off shipping container shall be placed on the street no more than three days and may not be renewed.

C. No person shall be permitted to obtain a roll-off shipping container permit more than twice in any calendar year or more than two permits at any given address in any calendar year.

D. All roll-off shipping containers placed in the city street shall bear the following:

1. Name, address, and telephone number of the responsible person for the roll-off shipping container; and
2. The roll-off shipping container permit number.

E. The container shall be marked at each end with at least one reflector and with at least one iridescent stripe measuring four feet by four inches. (Prior code § 27-3)

#### 8.16.040 Dumpsters.

A. No persons shall place or use a dumpster on any city street without first obtaining a dumpster permit from the bureau of construction. Prior to the issuance of a dumpster permit, approval must be obtained from the Elizabeth police department, division of traffic.

B. Area beneath and surrounding a dumpster container shall be kept clean at all times and shall be cleaned immediately after removal of such container.

C. The dumpster shall not be filled higher than four inches above the top edge.

D. All dumpsters placed in the city street shall bear the following:

1. Name, address, and telephone number of the responsible person for the container; and
2. The dumpster permit number.

E. The dumpster shall be marked at each end with at least one reflector and with at least one iridescent stripe measuring four feet by four inches.

F. Dumpster containers shall be placed on the street no more than three days and may not be renewed. (Prior code § 27-4)

#### 8.16.050 Fees.

The fees for permits pursuant to this chapter shall be thirty dollars (\$30.00) per permit. (Ord. No. 4149, § 39, 8-24-2010; Prior code § 27-5)

#### 8.16.060 Containers to be covered at all times; leaking/discharging prohibited.

A. Definitions. 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 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.

"Municipal separate storm sewer system (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the city of Elizabeth 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" means any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

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

"Stormwater" means 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" means 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.

B. Prohibited Conduct. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

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 city.

C. Exceptions to Prohibition.

- 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).
- D. Enforcement. This section shall be enforced by the construction official and health officer of the city.
- E. Penalties. Any person(s) who is found to be in violation of the provisions of this section shall be subject to the general penalty provision of this Code. (Ord. No. 4042, §§ I—V, 5-26-2009)