

City of Somers Point, NJ  
Friday, November 17, 2017

## Chapter 124. Dumpsters

[HISTORY: Adopted by the City Council of the City of Somers Point 3-14-1985 by Ord. No. 5-1985 (Ch. 34B of 1967 compilation); amended in its entirety 10-11-2007 by Ord. No. 22-2007. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Littering and property maintenance — See Ch. 169.

### § 124-1. Permit required.

No person, corporation or representative of any firm shall place or permit to be placed any dumpster, oversized trash container or building materials on any street, roadway or highway in the City of Somers Point without first obtaining a permit to do so. Said permit shall be issued by the Construction Official following the filing of an application indicating the exact location and purpose of placement. Said application shall be submitted to the Chief of Police or his designate for review, and, after determining the safety and the appropriate nature of the location, said permit may be issued for a specific space for a period not to exceed five days. Under certain conditions a valid permit may be extended after a review by the Construction Official and the Police Department. "Oversized trash container" is defined as a receptacle containing in excess of 50 pounds. No temporary storage units ("pods", etc.) are allowed to be placed in the street, or on public walkways.

### § 124-2. Marking.

[Amended 12-13-2007 by Ord. No. 29-2007]

After the issuance of a permit, said container may be placed at the location but shall be properly marked by reflectors on each corner of the container or building materials.

### § 124-3. Permittee's responsibility; nonliability of City.

The applicant to whom a permit is granted shall keep the container properly marked, and, at all times, said placement shall allow for safe passage of pedestrians and vehicles in and along the public way. The City shall not be responsible for any injury to persons or damage to property resulting from the negligence of the applicant or his agents or employees.

### § 124-4. Permit fee.

Each application shall be accompanied by a fee of \$20 or a check made payable to the City of Somers Point.

### § 124-5. Covering of containers; prevention of leaks and

## discharges; exceptions.

[Added 11-24-2010 by Ord. No. 16-2010<sup>[1]</sup>]

- A. 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.
- 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, semiliquids or solids to the municipal separate storm sewer system(s) operated by the City.
- C. Exceptions to prohibition:
  - (1) Permitted temporary demolition containers.
  - (2) Litter receptacles (other than dumpsters or other bulk containers).
  - (3) Individual homeowner trash and recycling containers.
  - (4) Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
  - (5) Large, bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

[1] *Editor's Note: This ordinance also provided that former §§ 124-5 and 124-6 be renumbered as §§ 124-6 and 127-7, respectively.*

## § 124-6. Enforcement.

Enforcement of this chapter shall be carried out by the Code Enforcement Official or a duly authorized member of the Police Department.

## § 124-7. Violations and penalties.

Any person violating any provision of this chapter shall, upon conviction thereof, be punished by a fine not to exceed \$1,000 or by imprisonment not to exceed 90 days or by a period of community service not to exceed 90 days, or any combination of the foregoing.