

**APPLICATION FOR "DUMPSTER ON PUBLIC STREETS  
AND SIDEWALKS" ORDINANCE 0-40-03**

DATE: \_\_\_\_\_  
LICENSE No.: \_\_\_\_\_

PAID: \_\_\_\_\_  
FEE:       \$50.00        
          10 DAYS MAXIMUM  
DEPOSIT:       \$300.00        
RENEWAL:       \$150.00      

Pursuant to Chapter 365 Act 1 sec. 365-2.2 "No person as hereinafter defined, shall Place or permit or cause to be placed, on any public street or sidewalk, a dumpster or similar container for the collection of solid waste, garbage, trash or other refuse or building materials..."

**"Residential Zones" sec. 365-2.2(E):**

A) Is there sufficient room on the private property of the person utilizing the dumpster? Driveway or accessible front / backyard? YES \_\_\_\_\_ NO \_\_\_\_\_

If "yes" to above question, no permit is required. It is not necessary to answer the following questions.

**LOCATION:**

- 1) Indicate proposed dumpster location in street (attach sketch).  
2) Dumpster size: Length \_\_\_\_\_ Width \_\_\_\_\_ Capacity \_\_\_\_\_ (cubic yard)  
3) Dates \_\_\_\_\_

**NOTICE:**

No dumpster shall obstruct any hydrant, stop sign, public cross walk, or driveway curb cut; nor shall it be placed within 25' of any intersection.

Dumpster shall display reflective warning devices as required for public safety.

Dumpsters shall be placed on planking or wood sheeting of sufficient size to protect the roadway from damage.

I have read, understand and have been given a copy of the dumpster ordinance and will comply with the regulations.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

\_\_\_\_\_  
Construction Official

City of Rahway, NJ  
Thursday, February 15, 2018

## Chapter 365. Streets and Sidewalks

### Article I. Encumbrances

#### § 365-2.1. Dumpsters on public streets and sidewalks.

[Added 5-12-2003 by Ord. No. O-40-03]

- A. No person, as hereinafter defined, shall place or permit or cause to be placed, on any public street or sidewalk, or any other public area in the City, a dumpster or similar container commonly used for the collection of solid waste, garbage, trash or other refuse or building materials, except in compliance with this section.
- B. Definitions. As used in this section, the following terms shall have the following meanings:  
[Amended 8-9-2010 by Ord. No. O-20-10]

##### **DUMPSTER**

A container or debris-transfer body commonly used for the placing or recollection of solid waste, garbage, trash and/or other refuse and/or building materials during construction, renovation or demolition.

##### **ENFORCEMENT AUTHORITY**

The Construction Official of the City shall be the person authorized to issue licenses hereunder. The City Department of Building, Planning and Economic Development shall be authorized to issue summonses for any violations under this section.

##### **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 City of Rahway or other public body, and is designed and used for collecting and conveying stormwater.

##### **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

##### **PUBLIC AREA**

Any street, sidewalk, highway, lane, alley, parking lot or other public place in any zone within the City.

##### **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**

Dumpsters may be placed in public areas only upon the determination of the Department of Building, Planning and Economic Development that there is no safe or practical place where the dumpster may be placed other than in the public area.

- (3) All dumpsters placed in public areas are required to comply with the following conditions:
    - (a) Planking or other wood sheeting of sufficient size is required to be placed under the wheels or road contact areas to protect the roadway from damage. If the dumpster has wheels, they must be checked to prevent movement.
    - (b) Flashing, warning, amber, barricade-mounted lights are required to be placed on the dumpster to provide a visual warning to those utilizing the roadway or public right-of-way. The lights are required to be operable at all times.
    - (c) No dumpster shall be permitted in a public area where the placement interferes with the free and safe flow of traffic or which otherwise stands in a hazardous location.
    - (d) Dumpsters shall not be permitted to be placed in a public area on certain holidays, sale days and special event days that occur from time to time during the year.
  - (4) Upon removal of the dumpster, the public area shall be swept clean of all loose debris and restored to its former condition in accordance with the standards of the City's Department of Building, Planning and Economic Development.
  - (5) All dumpsters shall at all times be kept in good repair and shall be structurally sound and leakproof and be painted to prevent the show of rust or deterioration and shall be constructed to stand firmly upright.
- F. Violations and penalties. Each day that a dumpster is placed or utilized in violation of the terms of this section shall constitute a separate offense. Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine not to exceed \$1,250 or by imprisonment for a term not to exceed 90 days, or both.
- G. Prohibited conduct; exceptions to prohibition; enforcement; penalties.  
[Added 8-9-2010 by Ord. No. O-20-10]
- (1) 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.
  - (2) 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 of Rahway.
  - (3) Exceptions to prohibition:
    - (a) Permitted temporary demolition containers;
    - (b) Litters 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; and
    - (e) Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

- (4) The Construction Official of the City of Rahway shall be authorized to enforce this subsection.
- (5) Any person who is found to be in violation of the provisions of this subsection shall be subject to a fine not to exceed \$500.

# CHAPTER 51. UNATTENDED DUMPSTERS

## (SELECTED SECTION)

### **27:51-1. Roll-off Dumpsters and Containers Along Highway or Public Property; Warning Markers; Penalties.**

a. No person shall park or leave unattended any waste or refuse container, commonly known as a roll-off dumpster or roll-off container, on or along any highway or public property, without the written consent of the appropriate municipal, county, or State authority having jurisdiction over the highway or public property. Consent shall be valid and remain in effect for a period of not more than 30 days but may be renewed by the appropriate official upon application therefor.

To warn the operators of vehicles of the presence of a traffic hazard requiring the exercise of unusual care, any roll-off dumpster or roll-off container parked on or along any highway shall be equipped with and display markers consisting of all yellow reflective diamond-shaped panels having minimum size of 18 inches by 18 inches. These panels shall be mounted at the edge of the dumpster or container at both ends nearest the path of passing vehicles and facing the direction of oncoming traffic. These markers shall have a minimum mounting height of three feet from the bottom of the panels to the surface of the roadway.

b. A person who is convicted of a violation of this section shall pay a fine of not more than \$100.00 for each violation. In default of the payment of a fine, Imprisonment in the county jail for a period of not more than 90 days may be imposed.

The fine shall be paid over to the board or body charged with the maintenance of the road or highway upon which the violation occurs.