

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 1449

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST
AMENDING AND SUPPLEMENTING ARTICLE I OF CHAPTER 37
GARBAGE, RUBBISH, SOLID WASTE MANAGEMENT OF THE CODE
OF THE BOROUGH OF WILDWOOD CREST REGULATING SECTION
4, CONTAINERS, RECEPTACLES, PLACEMENT FOR COLLECTION**

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is necessary and proper for good government, order and the protection of persons and property, and for the preservation of the public health, safety and welfare of the Borough and its inhabitants to supplement and amend Chapter 37 of the Code of the Borough of Wildwood Crest to further regulate the enclosing of community trash receptacles, dumpsters and containers within the Borough of Wildwood Crest.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows: (added language is underlined, deleted language is ~~stricken~~):

Section 1. The portion of Ordinance 841 adopted March 16, 1998; the portion of Ordinance 1407 adopted September 6, 2023 that had been codified in the Code of the Borough of Wildwood Crest as Section 37-4 is hereby amended and supplemented as follows:

Section 2. **Section 37-4 Containers, receptacles, placement for collection is hereby amended as follows:**

§ 37-4. Containers, receptacles, placement for collection.

Every person, corporation or other legal entity, owner, occupant, lessee or proprietor or inhabitant otherwise in possession of a dwelling or structure of residential use or commercial operation shall provide or cause to be provided suitable receptacles with lids for solid waste which containers or receptacles shall be of rigid construction with tight-fitting lids and placed at curbside. Waste containers or receptacles shall be water-tight with suitable handles and covered to prevent access to any contents by animals, insects, rainwater or liquids, seagulls. Receptacles or containers shall not exceed 50 gallons or 50 pounds in weight per receptacle or container.

Owners, occupants or proprietors shall provide adequate number of trash and recyclable containers or receptacles based on occupancy, type of use, and trash and solid waste accumulation. No owner, occupant or proprietor shall cause trash or solid waste to be deposited for collection in a manner which receptacles are overflowing or exceed weight limit capacity.

All containers/receptacles shall be properly marked with stickers or permanent markers for recycle collections and should contain the street address to which property the trash containers/receptacles belongs.

It shall be the duty and sole responsibility of the property owner, occupant or proprietor to maintain the receptacles or containers and lids in good repair and condition so as to properly secure said materials for collection.

All garbage, refuse and solid waste shall be placed curbside for collection no earlier than 7:00 p.m. on the day immediately preceding collection and all containers/receptacles shall be removed from curbside no later than 7:00 p.m. on the day of collection.

It is a violation of this section to use plastic or burlap bags for collection other than inside proper receptacles/containers as defined herein.

The Commissioner of Public Works shall prepare a resolution, annually or more often as required, setting the schedule of days of trash collection and provide advertisement of the schedule to the public, which resolution shall be approved by the Board of Commissioners.

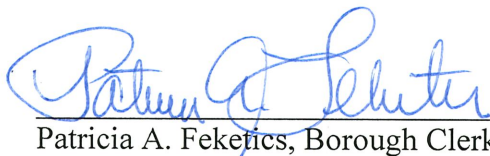
Section 3. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 4. All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

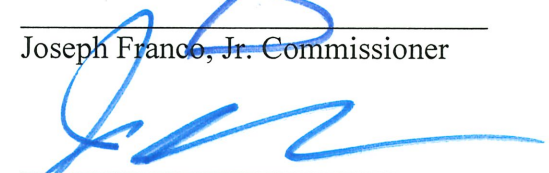
Section 6. This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: March 26, 2025


Patricia A. Feketics, Borough Clerk


Don Cabrera, Mayor


Joseph Franco, Jr. Commissioner


Joseph Schiff, Commissioner

Introduced: March 12, 2025

Adopted: March 26, 2025