

Municipal Solid Waste Management Ordinance
Ordinance # 2014-3-01

Section 31. Short Title. This Part shall be known and may be cited as the “Borough of Lanesboro Municipal Solid Waste Management Ordinance.” Ordinance Section 1)

Section 32. Definitions. The following words and phrases as used in this Part shall have the meaning ascribed to them herein, unless the context clearly indicates a different meaning:

ACT 101 - the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 1988-101, July 28, 1988).

AUTHORIZED COLLECTOR - a person, firm, partnership, corporation or public agency authorized by the Borough to collect municipal waste from residential, commercial, municipal and institutional establishments.

BULKY WASTE - large waste items including, but not limited to, appliances, auto parts, furniture and trees, branches or stumps which require collection in other (than) conventional compactor waste collection vehicles.

COLLECTOR - see “authorized collector.”

COMMERCIAL ESTABLISHMENT - those properties used primarily for commercial or industrial purposes, and those multiple dwelling residential buildings containing four (4) or more dwelling units.

DETACHABLE CONTAINER - any metal bin or container which may be mechanically lifted and emptied into a collection vehicle.

HAULER - see “authorized collector.”

INDUSTRIAL ESTABLISHMENT - facilities engaged in manufacturing or processing including, but not limited to, factories, foundries, mills processing plants, refineries and mining.

INSTITUTIONAL ESTABLISHMENT - facilities that house or serve groups of people, including, but not limited to, hospitals, nursing homes, orphanages, day care centers, schools and colleges.

MULTI-FAMILY HOUSING - properties having four(4) or more dwelling units per structure.

MUNICIPAL WASTE - garbage, refuse, industrial, lunchroom or office waste and other material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities; and, any sludge not meeting the definition of residual or hazardous waste.

MUNICIPALITY - the Borough of Lanesboro.

PERSON - any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

RECYCLING - separation, collection, processing, recovery and sale or reuse of metals, glass, paper, plastics and other material which would otherwise be disposed of as solid waste.

SCAVENGING - unauthorized or uncontrolled removal of solid waste materials placed for collection or removal from a solid waste processing or disposal facility.

SOLID WASTE - garbage, refuse and other discarded solid materials including, but not limited to, solid waste materials resulting from industrial, commercial and agricultural operations and from community activities. Liquids, semi-solids and contained gaseous materials are hereby defined as solid waste.

STORAGE - the containment of any waste on a temporary basis in such a manner as to not constitute disposal of such waste.

YARD WASTE - prunings, grass clippings, weeds, leaves and general yard and garden wastes.

Ordinance _____, (Section 2)

Sections 33. Standards and Regulations for Storage Prior to Collection .

1. Any person generating municipal waste shall provide sufficient approved containers for storing all waste materials. Containers shall be kept in a sanitary condition at all times.

2. Any person storing municipal waste for collection shall comply with the following preparation standards.

A. Waste shall be drained of all liquids.

B. Food containers shall be rinsed free of food particles and drained before placed in storage containers.

C. The Borough reserves the right to modify the preparation and storage procedures to facilitate the collection and recovery of certain waste materials.

3. All municipal waste shall be stored in containers approved by the Borough and shall comply with the following standards:

A. Reusable containers shall be constructed of durable, watertight, rust and corrosion resistance materials. Any cracked or rusted container shall be condemned by the Borough, tagged as a public nuisance and removed from the property before the next collection day.

B. Reusable containers for residences shall have tight-fitting covers, have suitable lifting handles and shall have a capacity of not less than thirty-two(32) gallons nor more than sixty-four (64) gallons. If mechanical bins or detachable containers are in use the Borough may waive these standards.

C. Disposable plastic bags or sacks are acceptable containers provided the bags are designed for waster disposal. Such bags shall be securely tied at the top for collection and shall have capacity of not more than thirty-two (32) gallons.

D. All containers, whether reusable or disposable, shall be kept tightly covered at all times and shall be used and maintained so as to prevent public nuisances.

4. Any person storing municipal waste for collection shall comply with the following storage standards:

A. Reusable containers shall be kept in a sanitary condition at all times. The interior of the containers shall be kept clean by thoroughly rinsing, draining and disinfecting as often as necessary;

B. Containers shall be covered or sealed at all times and waste shall not protrude or extend above the top of the containers;

C. With the exception of pick-up days when containers are placed out for collection, all containers shall be properly stored on the owner's property; and,

D. Bulky waste items shall be stored in a manner that will prevent the accumulation or collection of water, the harborage or breeding of vectors, insects or rodents or the creation of safety and fire hazards.

5. The storage of all municipal waste from multi-family housing, commercial, institutional and municipal establishments and industrial lunchrooms and office waste shall comply with the regulations and standards set forth in this Part. The type, size and placement of bulk containers for these establishments shall be determined by the waste generator and the authorized collector and are subject to approval by the

Borough.

Ordinance _____. (Section 3)

Section 34. Standards and Regulations for Collection. All generators of municipal waste in the Borough shall contract for the collection of disposable waste and recyclable items, as follows:

A. All residential properties shall use an authorized collection service.

B. All multi-family housing, commercial, institutional and municipal establishments and industrial establishments with office and lunchroom wastes shall use an authorized collection service.

C. Collection services shall be provided in compliance with the following standards:

(1) All residential waste shall be collected at least once each week with the exception that arrangements shall be made in advance with the collector for pickup of bulky waste and for payment of any special fees.

(2) All multi-family housing, commercial, municipal, institutional and industrial waste shall be collected at least once each week and more often if required in order to control health hazards, odors or unsightly conditions.

(3) All recyclable materials shall be collected at least once each month and in accordance with the Borough's or County's recycling ordinance.

(4) Each authorized collector shall establish a regular collection schedule in the Borough and shall so notify the Borough of the days and times. If a regular collection day falls on a holiday, the collector shall notify all customers and the Borough as to when collection will be made.

(5) All waste collection activity shall be conducted from Monday through Saturday between the hours of 5:00 a.m. and 8:00 p.m., prevailing time, unless prior approval for an exception has been granted by the Borough for reasons of public health and safety. No collection service shall be permitted on Sunday.

D. All authorized collectors operating within the Borough shall comply with the Susquehanna County Solid Waste Management Ordinance as regards the licensing of collectors and the transportation of waste to the County designated disposal facility.

Ordinance _____ . (Section 4)

Section 35. Regulation of Authorized Contract Collectors . This Section reserved for future use.

Section 36. Regulation of Private Collectors. This Section reserved for future use.

Section 37. Collection and Disposal Charges, Fees and Deposits.

_____1. All authorized collectors shall be responsible for the collection of any fees or charges for municipal waste collection and disposal services provided to residential, commercial, institutional, municipal and industrial sources within the Borough.

2. The Borough may establish fees and deposits for services and product\ from time to time by resolution.

Ordinance _____ . (Section 7)

Section 38. Prohibited Activities .

1. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within the Borough any garbage, rubbish, bulky waste, municipal or residual waste except in accordance with the provisions of this Part and any Pennsylvania Department of Environmental Resources rules and regulations adopted pursuant to Act 97 of 1980.

2. It shall be unlawful for any person to burn any solid waste within the Borough except in a manner and under conditions prescribed by the Borough, and such burning shall be in accordance with the pertinent rules and regulations of the Commonwealth.

3. It shall be unlawful for any person to haul, transport, collect or remove any solid waste from public or private property within the Borough without first securing authorization from the Borough and a license from the County.

4. It shall be unlawful for any person to use, maintain or operate an open dump except that agricultural wastes may be spread in layers and plowed under, and individuals may compost their own yard's waste.

5. It shall be unlawful for any person to salvage or reclaim any solid wastes except at a properly permitted facility in which salvage is an integral part of the operation.

Ordinance _____ . (Section 8)

Section 39. Violations and Penalties . Any person who violates any provision of this Part shall pay a penalty of not less than One Hundred Dollars (\$100.00) nor more than Six Hundred Dollars (\$600.00), plus costs. Each day of violation shall be considered a separate and distinct offense

Ordinance _____ . (Section 9)

Section 40. Rules and Regulations. The collection of municipal solid waste in the Borough and the disposal thereof shall be subject to such further reasonable rules and regulations as may from time to time be promulgated by the Borough Council; provided, however, that such rules and regulations shall not be contrary to the provisions of this Part or applicable law.

Section 41. Repeal . All ordinances including Ordinance No. 1979-1A, 1994-1, 2010-10-1 or parts of ordinances incompatible with the provisions of this Ordinance are and the same are hereby repealed.

ENACTED AND ORDAINED this _____ day of _____, 2014.

Attest:

BOROUGH COUNCIL OF
LANESBORO BOROUGH

Secretary

By: _____
President

Approved this _____ day of _____, 2014.

By: _____
Mayor