

CHAPTER 20

SOLID WASTE

Part 1

Garbage and Rubbish Collection and Disposition

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## Part 1

## Garbage and Rubbish Collection and Disposition

§101. Definitions. The following words and terms, as used herein, shall have the meaning ascribed thereto, unless the context clearly indicates a different meaning:

**BULKY WASTE** - large items of refuse including, but not limited to appliances, furniture, large auto parts, trees, branches and stumps.

**GARBAGE** - solid waste resulting from animal grains, fruit, or vegetable matter used or intended for use as food.

**HAULER** - any person, firm, co-partnership, association or corporation who has been licensed by the municipality to collect, transport, and dispose of refuse for a fee as herein prescribed.

**HAZARDOUS WASTE** - solid waste with certain inherent dangers. This category includes, but is not limited to, chemicals, explosives, pathological wastes and radioactive materials.

**PERSON** - any natural person, association, partnership, firm or corporation.

**REFUSE** - all materials which are discarded as useless.

**RUBBISH** - all solid waste, except garbage and other decomposable matter. This category includes, but is not limited to, ashes, bedding, cardboard, cans, crockery, glass, paper, wood and yard cleanings.

**SOLID WASTE** - garbage, refuse and other discarded materials, including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural and residential activities.

(Ord. 136, 1/17/1977)

§102. License Required. From and after the effective date of this Part, it shall be unlawful for any hauler to haul, transport, collect, remove and dispose of garbage, refuse, rubbish or bulk waste over the streets and alleys of said Borough without first securing a license to do so from the Borough. It is further required that, except as provided in §106 herein, any hauler licensed by said municipality shall dispose of any garbage, rubbish, or bulky wastes or other waste materials which he collects in said Borough at the Millersburg Disposal Company's fully State approved landfill facilities. (Ord. 136, 1/17/1977, §1)

§103. License Fee. Said license shall be issued annually by the municipality. Any license issued pursuant to the provisions of this Part shall be revocable by the Borough. Upon failure of the licensee to comply with any of the provisions of this Part or with any regulations enacted by the Pennsylvania Department of Environmental Resources, relating to the collection and disposal of garbage, refuse, building waste and other waste materials. Furthermore, the Borough may revoke a license if any hauler is in default in payment to the Millersburg Disposal Company, for a period in excess of sixty (60) days. (Ord. 136, 1/17/1977, §2; as amended by Ord. 153, 2/2/1987)

§104. Removal and Collection Rates. Except as provided in §107 herein, all arrangements for the removal and collection of all waste materials shall be by private contract between the individual citizen and the licensed hauler, provided however, that the rate to be charged for collecting and hauling said waste materials shall not exceed a schedule of fees established by the Borough. Said fee schedule may allow any licensed hauler to charge customers with cinders or ashes for collection, up to one dollar (\$1.00) more per month than customers without said wastes. Furthermore, the fee schedule established by said municipality shall not prohibit any hauler from charging additional fees for the collection of bulky wastes or quantities of waste above and beyond the usual amounts placed for collection by the customer. (Ord. 136, 1/17/1977, §3)

§105. Regulations for Collection. All licensed haulers shall be required to comply with the following regulations:

1. Collections from residences must be made once a week. Collections from commercial establishments must be made as often as necessary to control health hazards, flies, odors, and unsightly appearances.

2. Haulers must furnish to the Borough or their appointees, the phone number and hours during which the hauler may be contacted.

3. Trucks or other vehicles used for the transportation of garbage, rubbish, bulky waste and other refuse material shall be watertight within an enclosed cargo space. No truck shall be permitted to scatter any of the contents on any of the streets, highways, or alleys of the municipality. Trucks used to haul garbage, rubbish, or other refuse materials must be maintained in a clean and sanitary condition so as to present a satisfactory outward appearance and shall meet all requirements of the Department of Environmental Resources of the Commonwealth of Pennsylvania. The hauler shall maintain his equipment in such a condition as to be able to maintain his collection schedule.

(Ord. 136, 1/17/1977, §4)

§106. Transporting Solid Waste. Notwithstanding any provision in this Part to the contrary, no hauler or person shall be required to collect or transport hazardous waste, including, but not limited to, caustic chemicals, explosives, pathological wastes and radioactive materials, sewage solids or liquids. (Ord. 136, 1/17/1977, §5)

§107. Borough Empowered to Remove Waste. No licensed hauler shall be required to collect garbage, refuse, rubbish or bulky waste from any premises where the owners, occupiers, or lessees are in arrears for a period of forty-five (45) days. In the event any property owners, occupiers, or lessee allows fermenting, putrifying, or odoriferous garbage, refuse, or waste materials to accumulate on his property due to failure to pay collection fees or for any other reason, the Borough may, at its option, remove said waste at the owners expense and impose a fine against said owner under §112 of this Part. (Ord. 136, 1/17/1977, §6)

§108. Accumulation of Waste Prohibited. From and after the effective date of this Part, and for reasons of health, safety and sanitation, it shall be unlawful for any person to accumulate or permit to accumulate,

upon private property in said Borough, garbage, refuse, bulky waste and combustible or incombustible refuse or rubbish. All solid waste shall be stored, transported and disposed of only in accordance with this Part and Pennsylvania Act Number 241 and regulations enacted by the Pennsylvania Department of Environmental Resources, pursuant to said Act. (Ord. 136, 1/17/1977, §7)

§109. Preparation of Waste for Collection. Each person who contracts with a licensed hauler to collect and dispose of his garbage shall prepare the same as follows:

All garbage shall be drained of liquid insofar as practical and shall be placed in sanitary, closed containers made of non-absorbent material. The same shall not exceed thirty (30) gallons in size. Rust resistant metal or plastic cans, or paper or plastic bags may be used, provided they have been designated and constructed specifically for the home storage of solid waste. All refuse which cannot be disposed of in containers shall be assembled, boxed or bundled separately, in such a way that it can be handled conveniently and will not be disseminated by wind or otherwise, while awaiting collection. All refuse, except bulky waste, shall be of units which can be handled by one (1) person and shall be placed in containers or piled and assembled in such a way as to facilitate collection. Except for bulky waste, no single bundle or container shall weigh more than sixty (60) pounds. The same shall be placed within fifteen feet (15') of the public street, thoroughfare, accessway or alleyway, where the hauler's vehicle will park to pick up the garbage, refuse, bulky waste and other materials to be collected or disposed of.

(Ord. 136, 1/17/1977, §8)

§110. Purpose. It shall be unlawful for any person within said Borough to dispose of garbage, rubbish, bulky waste or other refuse material at any place other than the Millersburg Disposal Company's sanitary landfill facility. The purpose of this section is to promote the health, safety and welfare of the citizens of said municipality and to fully comply with the requirements of Act 241 known as the Pennsylvania Solid Waste Management Act. (Ord. 136, 1/17/1977, §9)

§111. Dumping on Public or Private Property Prohibited. No person, firm or corporation shall use or permit to be used any spot or place within the Borough as a public or private dump for garbage, refuse, bulky waste, rubbish or other waste material, except that any person may withhold cinder or ashes from collection for the purpose of use by private residents of the Borough during the winter season for cindering streets or sidewalks within said municipality. (Ord. 136, 1/17/1977, §10)

§112. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate offense. (Ord. 136, 1/17/1977, §11; as revised by Ord. 153, 2/2/1987)