

TOWNSHIP OF SOUTH LONDONDERRY

LEBANON COUNTY, PENNSYLVANIA

ORDINANCE NO. 98_____

AN ORDINANCE REGULATING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF MUNICIPAL WASTE ORIGINATING IN SOUTH LONDONDERRY TOWNSHIP.

BE IT ORDAINED AND ENACTED: by the Authority of the corporation of the Township of South Londonderry, County of Lebanon, Commonwealth of Pennsylvania, by the South Londonderry Township Board of Supervisors, and it is hereby ordained and enacted:

SECTION I: BACKGROUND:

A. Section 304.(a) of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 1988-101, sets forth the Responsibilities and duty of Municipalities to:

1. Assure the proper and adequate transportation, collection and storage of municipal waste which is generated or present within its boundaries; and

2. Assure adequate capacity for the disposal of municipal wastes generated within its boundaries.

B. Section 304.(d) of said Municipal Waste Planning, Recycling and Waste Management Act grants Municipalities authority to require, by Ordinance, that all municipal waste generated within its jurisdiction shall be disposed of or processed at a designated permitted facility.

SECTION II: DEFINITIONS:

A. The following words, when used in this Ordinance shall have the following definitions:

1. Municipal Waste - Any garbage, refuse, industrial, lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, resulting from operations of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable material.

2. Person - Any individual, partnership, corporation, association, institution, corporative enterprise, municipality, municipal authority, or any other legal entity

whatsoever which is recognized by law as the subject of rights and duties. In any provision of this ordinance prescribing a fine, imprisonment or penalty, or any combination thereof, the term "person" shall include the officers and directors of any corporation or other legal entity housing officers and/or directors.

3. Source-Separated Recyclable Material - Materials that are separated from municipal waste at the point of origin for the purpose of recycling.

4. In this ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION III: STORAGE AND COLLECTION PRACTISES:

A. Preparation of Municipal Waste:

1. All municipal waste shall be drained free from all liquids before being placed in containers for collection.

2. Tree trimmings, hedge clippings and similar materials shall be tied into bundles before being deposited for collection.

B. Containers:

1. All municipal waste shall be placed or stored in a metal or plastic container, which shall be water-tight and provided with a tight fitting, water-tight cover.

2. No container shall have a capacity of more than thirty (30) gallons, except in those instances where an agreement has been reached with the hauler for use of a Dumpster.

3. Furnishing and maintaining containers for municipal waste is the responsibility of the owner, tenant or occupant of the property.

4. All containers for the storage of municipal waste shall be maintained in a safe condition, free of ragged or sharp edges.

C. Storing Municipal Waste and/or Source-Separated Recyclable Material:

1. No person shall place or deposit any municipal waste or source-separated recyclable material in any street, alley, or other public place, or upon any private property either owned by such person or not, within the Township limits except if same is placed in a proper container for collection or under an expressed approval of the Board of Supervisors.

2. No person shall throw, place or deposit any municipal waste or source-separated recyclable material in any stream or any body of water.

3. Any unauthorized accumulation of municipal waste or source-separated recyclable material on any premises is hereby declared a nuisance, detrimental to the health, safety and welfare of the citizens of the Township, and is prohibited. Failure to remove any existing accumulation of municipal waste or source-separated recyclable material within thirty (30) days after the effective date of this ordinance, shall be deemed a violation of the same.

D. Place of Collection:

1. Containers holding municipal waste and/or source-separated recyclable material shall be placed at ground level on the property, not within the right-of-way of a street or alley and easily accessible from the side of the street or alley from which collection is made, except where an agreement exists with the collector to collect from another area.

2. Containers shall not be placed out for collection earlier than the evening prior to the day of collection, and shall be promptly removed after collection.

E. Frequency of Collection:

1. Municipal waste shall be collected at least once a month.

2. More frequent collections may be required for commercial and institutional activities. These establishments shall contract for removal of municipal waste and source-separated recyclable material on a frequency compatible with the needs of the establishment.

F. Collection Vehicles:

1. All collection vehicles shall be water-tight, of substantial construction, designed and constructed for the collection and transportation of municipal waste and/or source-separated recyclable material.

2. The vehicle shall be covered and shall be tightly and securely closed at all times, except at such times as waste or material is being loaded therein.

3. Vehicles shall not be filled so as to permit an over-spill on streets or highways.

4. Vehicles shall be thoroughly cleaned at such times as the need arises to prevent any nuisance from odors.

5. Vehicles shall not be parked in the Township

on either Public or Private Property, for any period in excess of four (4) hours while containing any municipal waste. Vehicles parked in the Township in excess of four (4) hours shall be cleaned to prevent objectionable odors.

SECTION IV: PLACE OF DISPOSAL:

A. No person shall hereafter dispose of any municipal waste from any premises in the Township except by conveyance of the same to the sanitary landfill operated by the Greater Lebanon Refuse Authority.

B. Source-separation of recyclable material is, at the time of the adoption of this ordinance, voluntary, and disposal of this material, if recycling is undertaken by citizens of the Township, shall be at an appropriate recycling center.

SECTION V: PENALTIES:

A. Any person who shall violate or fail to comply with any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than One Thousand Dollars (\$1,000.00) and costs of prosecution, and, in default of payment of the fine or penalty imposed and the costs, to imprisonment in the county jail for a period not exceeding thirty (30) days, PROVIDED: that each day's continuance of a violation or failure to comply with any provision of this ordinance shall constitute a separate offense.

SECTION VI: SAVINGS PROVISIONS:

A. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and remain in full force and effect.

SECTION VII: REPEALER:

A. All other Ordinances or Resolutions or parts thereof which are inconsistent herewith shall be and the same are expressly repealed.

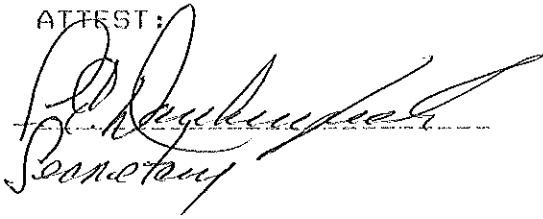
SECTION VIII: EFFECTIVE DATE:

A. This ordinance shall be effective five (5) days after the date of adoption.

ENACTED AND ORDAINED: this 22nd day of May, 1990.

BOARD OF SUPERVISORS
SOUTH LONDONDERRY TOWNSHIP

ATTEST:


Secretary

