

Chapter 20

Solid Waste

Part 1

Refuse

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Part 1**Refuse****§20-101. Short Title.**

This Part shall be known as the “Shrewsbury Township Refuse Ordinance.”
(*Ord. 02-09, 4/10/2002, §I*)

§20-102. Definitions.

1. The term “refuse” when used in this Part shall refer to all waste materials including, but not limited to, the following:

Garbage - consisting of all animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of foods.

Rubbish - consisting of all solid wastes other than garbage and ashes and including waste paper, tin cans, glass, metal, wood, tree and shrubbery cuttings, and all other ordinary household, industrial and commercial accumulations.

Ashes - consisting of the residue from the burning of coke, coal, wood or other combustible material.

Bulky rubbish - discarded furniture, large household appliances such as refrigerators, washing machines, bathtubs, sinks and commodes.

Recyclable material - plastic containers marked “PETE#1” or “HDPE#2,” clear and colored glass containers, newspapers, cardboard, aluminum cans, steel and bimetal cans, excepting paint cans.

Disposal - the storage, collection, disposal or handling of refuse.

Person - any natural person, association, partnership, firm or corporation.

Container - shall refer to that receptacle in which refuse is placed for collection.

Recycling container - a container approved by the Township for the placement of recyclable materials for purpose of collection.

Township - Shrewsbury Township, York County, Pennsylvania.

Contractor - the person, association, partnership, firm or corporation with whom Shrewsbury Township has entered into a contract for refuse collection.

Dwelling unit - any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating, whether occupied or unoccupied.

Rooming unit - any room or group of rooms forming a single habitable unit used or intended to be used for a living and sleeping combo, but not for cooking or eating purposes.

Dwelling - a building or structure constructed, erected, altered, designed, used or intended for use in whole or in part for human habitation.

Multiple occupancy unit - a building used to house two or more dwelling units or rooming units or combination thereof or to house a combination of rooming units or dwelling units and commercial units.

Commercial unit - a building or part of a building used to carry on a trade, business or industrial use, and which activity produces refuse. A church shall be considered a commercial unit for purposes of this Part.

Dumpster - a bulk container designed for the collection of large amounts of refuse and designed to be mechanically unloaded into a refuse collection vehicle.

(Ord. 02-09, 4/10/2002, §II)

§20-103. Preparation of Refuse and Storage Practices.

1. Refuse Preparation.

A. Refuse, excepting “recyclable materials,” shall be stored in “containers” which shall be tightly covered. Except in the case of “dumpsters,” as defined in this Part, and except in the case of sticks, which shall be tied in bundles not more than 3 feet long, which bundles shall be considered “containers,” containers shall not exceed 30 gallons in capacity and when filled shall not weigh more than 60 pounds.

B. Recyclable materials other than cardboard shall be stored in a Township approved recycling container. Cardboard shall be placed in a dumpster located at the Township building or, in the alternative, broken down into 1 foot by 1 foot sections and bundled for removal by the “contractor.”

C. Bulky rubbish shall not be allowed to accumulate on any premises except in containers meeting the requirements of this Part.

D. No person shall place refuse in any street, alley, or other public place, or upon any private property within the limits of Shrewsbury Township unless it is placed in a proper “container” meeting the requirements of this Part. No person shall place refuse in a container not owned by him without permission from the owner of the container. Likewise, no person shall throw or deposit refuse in any stream or in any other body of water.

E. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within 3 days after the effective date of this Part shall be deemed a violation of same.

F. Certain materials such as scrap lumber and firewood may be stored and kept on the premises but they shall be stored so that a minimum clear space of 12 inches above the ground surface is provided.

2. Refuse Storage for Collection. All refuse storage shall conform to the following standards:

A. *General.* All refuse containers shall be provided by the owners, tenants or occupant of the premises except in the case of a dumpster which shall be provided by the contractor.

B. Containers.

(1) Reusable containers other than “dumpsters” or “recycling containers” as defined in this Part and other than sticks tied in bundles not more than 3 feet long, utilized for the storage of refuse shall have the following physical characteristics:

(a) Constructed in such manner as to be easily handled for collection.

- (b) Have a capacity not exceeding 30 gallons.
- (c) When filled not weigh more than 60 pounds.
- (d) Be constructed of rust and corrosion resistant materials.
- (e) Be equipped with light fitting lids.
- (f) Be constructed in such manner as to be watertight, leakproof, weatherproof, insect proof and rodent proof.

(2) *Methods of Use of Reusable Containers.*

(a) Containers shall not be filled to the point where the lid will not fit properly.

(b) The area around the container shall be kept clean.

(c) Containers other than dumpsters are to be placed by the property owner within 6 feet of the street or alley by 6 a.m. on each day scheduled for collection.

(3) *Disposable Containers.* Disposal containers such as paper and polyethylene bags shall be acceptable for storage of refuse provided the following conditions are met:

(a) Only those bags specially designed for storage and collection shall be used.

(b) Bags are protected against precipitation, animal damage and overloading to prevent littering or attracting vectors. Any refuse which spills to the ground by reason of breakage or damage to the bag must be promptly cleaned up and placed in an authorized container.

(c) Bags have holding strength capable of withstanding stresses until they are collected.

(d) Bag opening is securely closed prior to setting out for collection.

(4) *Dumpsters.* All dumpsters shall be constructed of rust and corrosion resistant materials, be equipped with tight-fitting lids and shall be constructed in such manner as to be watertight, leak proof, weatherproof, insect proof and rodent proof and shall be placed so as to enable convenient mechanical unloading by the contractor.

(5) No hazardous materials such as paint or chemicals shall be placed in any container for collection.

(Ord. 02-09, 4/10/2002, §III)

§20-104. Refuse Collectors and Collection Vehicles.

1. No person except the contractor shall collect refuse from any person in the Township excepting that any person who has received the written approval of the Township may collect bulky rubbish.

2. All vehicles used for the collection of refuse within the Township shall be of the type designated and approved by the Pennsylvania Department of Environmental Protection for the specific purpose of refuse collection.

(Ord. 02-09, 4/10/2002, §IV)

§20-105. Quantities.

The maximum quantity of refuse permitted each week for each dwelling unit, rooming unit, or commercial unit not utilizing a dumpster shall be six filled containers plus one or more recycling containers.

(*Ord. 02-09, 4/10/2002, §V*)

§20-106. Refuse Collection and Disposal; Fees.

Shrewsbury Township, in order to provide refuse collection and disposal service, hereby levies and imposes the following fees:

A. The fee for collection and disposal of refuse for each dwelling unit, rooming unit or commercial unit, other than commercial units utilizing a dumpster, shall be in an amount as established from time to time by resolution of the Board of Supervisors. The owner of the property benefitted shall be responsible for the payment of all fees, charges and penalties imposed by this Section. [*Ord. 2008-02*]

B. This fee will be billed quarterly/annually by the contractor and will be due and payable 30 days after the billing date. If any fees or charges imposed by this section are not paid within the 30 calendar days after the same shall become due, there shall be added a penalty in an amount as established from time to time by resolution of the Board of Supervisors. [*Ord. 2008-02*]

C. If fees remain unpaid after the 60 days as noted above, the contractor, as agent for the township, is authorized to file a civil lawsuit for the collection of charges, interest and costs, including reasonable attorney's fees.

D. In the event dumpsters are utilized for the collection of refuse, the owner shall enter into a separate contract with a contractor for the removal of refuse.

(*Ord. 02-09, 4/10/2002, §VI; as amended by Ord. 02-15, 7/3/2002; by Ord. 2004-04, 5/5/2004; and by Ord. 2008-02, 8/6/2008*)

§20-107. Remedies.

In addition to the remedies provided in §20-106 hereof, the Township shall have available to enforce the collection of fees and other requirements of this Part, all remedies available at law.

(*Ord. 02-09, 4/10/2002, §VII*)

§20-108. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 02-09, 4/10/2002, §VIII; as amended by Ord. 2008-02, 8/6/2008*)