

## **Chapter 20**

### **Solid Waste**

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**Part 1****Collection and Disposal****§20-101. Definitions.**

*Garbage*—animal or vegetable refuse from the storage, vending, sale, preparation or use of foodstuffs, such as meat, fish, fruits or vegetables.

*Rubbish*—all miscellaneous waste material not included under garbage, such as ashes, tin cans, glass, pottery, paper, boxes, discarded clothing, furnishings, prunings from vines and junk of all kinds resulting from the ordinary conduct of business or housekeeping.

(*Ord. 64, 3/20/1961, §1*)

**§20-102. Accumulation Prohibited.**

From and after the effective date of this Part, and for reasons of health and sanitation, it shall be unlawful for any individual, firm or corporation to accumulate or permit to accumulate upon private property in said Borough garbage or rubbish.

(*Ord. 64, 3/20/1961, §2*)

**§20-103. Unlawful to Bury Garbage or Rubbish.**

It shall also be unlawful for any individual, firm or corporation to dispose of garbage or rubbish by burying the same anywhere, within the Borough limits of the Borough of Port Matilda.

(*Ord. 64, 3/20/1961, §3*)

**§20-104. Burning of Garbage or Rubbish.**

Garbage and rubbish may be burned on the premises of any person in the Borough of Port Matilda, providing it is done in furnaces, stoves or incinerators contained within the building and in such manner as not to cause nuisance odors. No garbage or rubbish, other than paper, cardboard and prunings from trees and shrubbery, shall be burned outside of such furnaces, stoves or incinerators contained within buildings. Any such fires where paper, cardboard and prunings are burned shall be attended. Any fires or burning permitted by this Section are prohibited during the hours of 7 p.m. and 7 a.m. prevailing time.

(*Ord. 64, 3/20/1961, §4, as amended by Ord. 94, 12/7/1970, §1*)

**§20-105. License Required to Collect Garbage and Rubbish.**

It shall be unlawful for any individual, partnership or corporation to haul, collect, remove and dispose of garbage or rubbish over the streets and alleys of the Borough of Port Matilda without first securing a license to do so. Any person desiring such a license to collect and haul garbage and rubbish within said Borough shall present a written application therefor to the Borough Secretary. After making such investigation as he shall deem necessary, the Mayor or Borough Council may direct the Secretary to issue a license for a period of 1 year or such part of the calendar year as may be remaining.

The fee for such license shall be the sum of \$1 per calendar year.

(*Ord. 64, 3/20/1961, §5*)

**§20-106. Expiration and Revocation of License.**

Licenses shall be issued for the period of 1 year, or for such part of the calendar year as then may be remaining, which license shall expire on the 31 day of December of each year and shall be revocable by the Mayor or Borough Council at any time without a refund of the license fee, or any part thereof, upon failure of the licensee to comply with any provisions of this Part.

(*Ord. 64, 3/20/1961, §6, as amended Ord. 120, 12/27/1979, §XX-6*)

**§20-107. Private Contracts for Collection; Rates.**

All agreements for the removal of rubbish and garbage shall be by private contract between the individual citizen and the collector licensed for the purpose of removing, hauling and disposing of rubbish and garbage; provided, however, that the rates to be charged for collection and hauling such garbage shall be established by resolution of Borough Council.

(*Ord. 64, 3/20/1961, §7, as amended by Ord. 70, 11/9/1962, §1; by Ord. 93, 9/14/1970, §1; and by Ord. 104, 4/4/1974, §1*)

**§20-108. Locations for Disposal.**

In order to end the objectionable practice of littering the countryside with rubbish, and in order to promote health and sanitation, it shall be unlawful for any collector licensed to collect garbage or rubbish in the Borough of Port Matilda to dispose of the same at any place other than in a dumping place which has been approved by the Commonwealth of Pennsylvania, Department of Environmental Protection, and the Borough may require the collector to furnish satisfactory evidence that the place where he intends to dispose of or dump said garbage and rubbish has been approved by the Department of Environmental Protection.

(*Ord. 64, 3/20/1961, §8, as amended Ord. 120, 12/27/1979, §XX-8; and by Ord. 178, 9/15/2009*)

**§20-109. Requirements for Vehicles.**

Trucks or other vehicles used for the transportation of garbage and rubbish shall be sufficiently tight and the load trimmed and secured in place by a canvas tarpaulin or other enclosure in such a manner as will prevent scattering of any part of the contents on the streets or alleys of the Borough. Vehicles shall be watertight and shall be closed at all times save when garbage and rubbish is being placed in the truck or other vehicle. Vehicles shall be cleaned at least twice a week to prevent any nuisance from odors and shall meet all of the requirements of the Borough Council and the respective Boards of Health having authority over the same. It shall be the duty of the Mayor and the Borough Police Department to enforce the terms of this Part and secure compliance with the provisions thereof.

(*Ord. 64, 3/20/1961, §9, as amended Ord. 120, 12/27/1979, §XX-9*)

**§20-110. Requirements for Containers.**

Containers for garbage and rubbish shall be of suitable material and construction so as to permit proper handling and to prevent the accumulation of flies and odors in the Borough.

(*Ord. 64, 3/20/1961, §10*)

**§20-111. Penalty for Violation.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 30 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. 64, 3/20/1961, §11, as amended Ord. 120, 12/27/1979, §XX-11; and by Ord. 178, 9/15/2009*)



**Part 2****County Solid Waste Authority Management****§20-201. Purpose.**

It is the purpose and intention of this Part enacted under the Borough Code, February 1, 1966, P.L. 1658, 53 P.S. §45101 *et seq.*, and Second Class Township Code, May 1, 1953, P.L. 103, 53 P.S. §65101 *et seq.*, of the Borough of Port Matilda to regulate and control the storage, collection, removal, and disposal of ashes, garbage, rubbish and other refuse materials in a compulsory and universal manner in order to maintain, provide for, and protect the health, safety, welfare, and sanitation of the inhabitants of this Borough by the use of the facilities and subject to the rules and regulations of the Centre County Solid Waste Authority.

(*Ord. 97, 11/1/1971, §1*)

**§20-202. Definitions.**

The following words, terms and phrases when used in this Part shall have the meaning hereinafter ascribed to them, except when the context clearly indicates a different meaning:

*Ashes*—the residue resulting from the burning of wood, coal, coke, or other combustible material.

*Authority*—the Centre County Solid Waste Authority.

*Garbage*—all animal and vegetable wastes resulting from the handling, preparation, cooking, or consumption of foods and other articles and materials ordinarily used for food which have become unfit for use or which are for any other reason discarded.

*Other*—the singular shall include the plural and the masculine shall include the feminine and the neuter.

*Rubbish*—wood, plant growth, paper, boxes, plastic, glass, metal, or other nonputrescible solid wastes.

*Solid waste*—rubbish, garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural and residential activities. For the purposes of this Part the words “refuse” and “solid waste” shall be interchangeable.

*Person*—individual, partnership, corporation, association, institution, cooperative enterprise or legal entity.

*Refuse*—all matter and materials which are discarded or rejected by the owners or producers thereof as offensive or useless, or which by their presence or accumulation may injuriously affect the public's health, welfare, comfort and safety; it shall include ashes, garbage, rubbish and other refuse materials, but exclude human body waste. For the purpose of this Part, “refuse” and “solid waste” shall be interchangeable.

*Solid waste management system*—the entire process of storage, collection, transportation, processing and disposal of solid wastes by any person engaging in

such process as a business or any municipality, authority, County or any combination thereof.

(*Ord. 97, 11/1/1971, §2*)

**§20-203. Disposal Sites Restricted; Exceptions.**

It shall be unlawful for any person to dump, deposit, place or bury in or upon any parcel of land, street, gutter, mine or in any water or stream, or in any quarry, ditch or sinkhole within the limits of the Borough of Port Matilda, except as provided for in §20-204, any ashes, garbage, rubbish or other refuse materials; provided, however, that this prohibition shall not apply in the following situations:

A. This prohibition shall not prohibit the use of solid wastes in normal farming operations or in the processing or manufacturing of other products in a manner that will not create a public nuisance or adversely affect the public health.

B. This prohibition shall not prohibit persons from dumping or depositing solid waste resulting from their own residential activities onto the surface of ground owned or leased by them when such wastes do not thereby create a public nuisance or adversely affect the public health.

C. Dead household pets interned in places set apart for that purpose.

D. Soil, ashes, slate, stones, bricks, plaster, cement, trees, wood, grass, straw and corn fodder when used as fill, provided it is done in a safe, sanitary and nuisance-free manner.

(*Ord. 97, 11/1/1971, §3*)

**§20-204. Authorized Disposal Sites.**

The Authority, with the approval and permission of the municipality concerned shall designate from time to time the place or places where it will carry on a solid waste management system, and all authorized persons shall transport or have another transport their ashes, garbage, rubbish and other refuse materials to one of said designated places where said refuse shall be disposed of in accordance with the rules and regulations of the Authority.

(*Ord. 97, 11/1/1971, §4*)

**§20-205. Prohibited Types of Waste Disposal.**

The following shall not be disposed of in accordance with §20-204:

A. Dangerous material or substances such as poisons, acids, caustics, infected or highly inflammable materials, explosives and ammunition unless prior notice has been given to and permission granted by the Authority in accordance with its rules and regulations.

B. Nonputrescible fluids in unusual quantities such as oil, grease, sludge, grime, and the like, unless prior notice has been given to and permission granted by the Authority in accordance with its rules and regulations.

C. Materials which have not been prepared for disposal in accordance with the rules and regulations of the Authority.

D. Abandoned large machinery or vehicles unless prior notice has been given

to and permission granted by the Authority in accordance with its rules and regulations.

E. Dead animals unless prior notice has been given to and permission granted by the Authority in accordance with its rules and regulations.

(*Ord. 97, 11/1/1971, §5*)

**§20-206. License to Collect and Transport Waste.**

No person shall collect, remove, haul or convey any refuse through or upon the roads, streets, or alleys of the Borough of Port Matilda, Pennsylvania, or dispose of the same in any manner or place without first obtaining a license from the Authority subject to municipal approval and in accordance with the rules and regulations of the Authority.

(*Ord. 97, 11/1/1971, §6*)

**§20-207. Vehicle Requirements.**

1. All vehicles used for collection or disposal of rubbish and ashes shall have enclosed bodies or shall have the body covered with a tarpaulin or canvas cover.

2. All vehicles used for the collection or disposal of garbage or of refuse containing garbage shall be covered, have watertight, metal or metal-lined bodies of easily cleanable construction, shall be cleaned at sufficient frequency to prevent nuisance or insect breeding and shall be maintained in good repair.

(*Ord. 97, 11/1/1971, §7*)

**§20-208. Identification of Licensee on Vehicle(s).**

The name of the owner of the vehicle shall be displayed in a prominent and legible manner on both sides of all vehicles used principally for transportation of ashes, garbage, rubbish and other refuse material in this Borough.

(*Ord. 97, 11/1/1971, §8*)

**§20-209. Storage of Waste.**

1. Any person accumulating garbage on private or public property in the Borough of Port Matilda, for any purpose whatsoever, shall place same in sanitary covered garbage containers in accordance with the rules and regulations of the Authority.

2. All rubbish shall be stored, assembled or bundled in such a way that it can be handled safely and conveniently and shall be of units that can be handled by one person.

(*Ord. 97, 11/1/1971, §9*)

**§20-210. Penalty for Violation.**

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 30 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. 178*]

2. Every violator of the provisions of this Part shall be deemed guilty of a separate offense for each and every day such violations shall continue and shall be subject to the penalty imposed by this Section for each and every such separate offense.

(*Ord. 97, 11/1/1971, §10; as amended by Ord. 178, 9/15/2009*)

**§20-211. Other Laws and Regulations Apply.**

This Part shall be subject to all applicable Federal, State and local laws, ordinances, rules and regulations including the rules and regulations as set forth by the Department of Environmental Protection.

(*Ord. 97, 11/1/1971, §13; as amended by Ord. 178, 9/15/2009*)