

CHAPTER 20
SOLID WASTE

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PART 1
SOLID WASTE

A. General

§101. SHORT TITLE.

This Part shall be known as the "Spring Township Municipal Solid Waste Ordinance."

(Ord. 102-1995B, 11/6/1995, Art. 1, §1)

§102. PURPOSE.

1. It is the intent and purpose of this Part to promote the public health, safety and welfare and to eliminate public health hazards, environmental pollution and economic loss by providing that all residential, commercial, industrial and institutional municipal solid waste accumulated or stored upon any property within the Township shall be collected, transported and disposed of within the following conditions:
 - A. All developed properties shall be served by a licensed hauler.
 - B. All municipal solid waste shall be collected and removed by a licensed hauler who shall be licensed with the Township.
 - C. All municipal solid waste shall be disposed of at a facility approved by the Township in accordance with State, Federal and County laws and ordinances.
2. These conditions are established to assure Township compliance with the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, (P.L. 528, No. 101), Pennsylvania Act 101.

(Ord. 102-1995B, 11/6/1995, Art. 1, §2)

§103. DEFINITIONS.

BULK WASTE - all waste materials too large for collection in ordinary containers. Examples of bulk waste include furniture, appliances, carpeting and similar items. Bulk waste shall not consist of any items that may be packaged and disposed of using regular trash collection procedures.

CUSTOMER - the owner of any residential, commercial, industrial or institutional property located within the Township.

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COMMERCIAL - any establishment engaged in a nonmanufacturing or nonprocessing business including, but not limited to, apartments, stores, markets, office buildings, restaurants, shopping centers and theaters and apartments. For the purposes of this Part, apartments, dwellings, townhomes, mobile home parks, hotels, motels and farms which use commercial dumpsters shall be considered commercial establishments.

CONSTRUCTION AND DEMOLITION WASTE - lumber, roofing material, sheathing, rubble, broken concrete, macadam, plaster and brick, conduit, pipe, insulation and other material which results from a construction, demolition or remodeling process.

DWELLING UNIT - any room or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family.

FARM - a single parcel of land of at least ten acres which is used for normal agricultural purposes including barns, greenhouses and not more than three single-family dwelling units.

EXCLUSIVE CONTRACT - an agreement entered into by Spring Township with a private person for the connection and disposal of all municipal waste within Spring Township to the extent provided by this Part and the agreement.

HAZARDOUS WASTE - the characteristics of this material as defined in Act 101 and EPA guidelines:

- A. Ignitability.
- B. Tonicity.
- C. Reactivity.
- D. Toxicity.
- E. Items specially listed by name.
- F. Chemicals subject to the Clean Water Act.
- G. Mixed hazardous and nonhazardous wastes.
- H. Waste derived from certain processes.

Methods of the said characterization of a waste and testing it to verify the property classification, as prescribed in EPA regulations.

INDUSTRIAL - any establishment engaging in manufacturing or processing including, but not limited to, factories, foundries, mills, processing plants and refineries.

RESIDUAL WASTE - the said classification of waste to be that as defined by the Department of Environmental Protection. The storing, handling and disposal shall be in accordance with Act 101. [Ord. 09-00]

INSTITUTIONAL - any establishment engaged in service to persons including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

LEAF AND GRASS AND YARD WASTE - any leaf, grass and yard waste that has been removed from the property within Spring Township to be composted, if available. If not, disposal of household waste.

LICENSED HAULER - a person who has obtained a license from the Township authorizing said person to collect, transport and/or dispose of municipal solid waste, recyclable materials and bulk waste from residential, commercial, industrial and institutional establishments.

MEDICAL WASTE - regulated medical waste, seven classes of waste are subject to Act 101 and EPA regulations:

- A. Cultures and stocks of infectious agents and associated biological.
- B. Human-pathological waste.
- C. Human blood and blood products.
- D. Sharps.
- E. Animal waste exposed to infectious agents.
- F. Isolation wastes.
- G. Unused sharps.

MUNICIPAL SOLID WASTE - any garbage, refuse, industrial, lunchroom or office waste and any other material including solid waste and any other material including solid waste, liquid, semi-solid or contained gaseous material resulting from the operation of residential, municipal, commercial, industrial 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, industrial or institutional watery supply treatment plant, waste water treatment plant or air pollution control facility (Pennsylvania Act 101, §103).

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

RECYCLABLES - source separated recyclable materials including materials listed in §1501 of State Act 101 and materials identifies by the municipalities to be recycled.

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REFUSE - all municipal solid waste which is regulated by State Act 101 and the Centre County Solid Waste Authority, except the following categories of solid waste:

- A. Bulk waste, including tires and appliances.
- B. Construction/demolition waste.
- C. Sludge.
- D. Infectious/pathological waste.
- E. Ash residue.
- F. Friable asbestos waste.
- G. Source separated recyclable materials.
- H. Household hazardous waste (in excess of State and Federal laws).
- I. Grass clippings; limited.
- J. Leaf waste; limited.
- K. Unacceptable waste.
- L. Industrial residue.
- M. Medical waste.
- N. Brush.
- O. Christmas trees.

RESIDENTIAL - see "dwelling unit."

RESIDENTIAL WASTE - any garbage, refuse, other discarded material or other waste including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations and any sludge from an industrial, mining or agricultural water supply treatment facility, waste mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, provided that is no hazards. The term shall not include coal refuse as defined in the Act of September 24, 1968 (P.L. 1040, No. 318), known as the Coal Refuse Disposal Control Act. The term shall not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to the Act of June 22, 1937 (P.L. 1987, No. 394), known as the Clean Streams Law (Pennsylvania Act 101, §103). Residual waste, as defined by EPA and DEP regulations for classes of material generated in a manufacturing or process manner. Said disposal shall be under DEP regulations and handled by approved disposal site for said area of residual waste disposal. [Ord. 09-00]

SLUDGE, SEPTIC - exempt from the R.E.C.R.A. (Resource Conservation Recovery Act) and may be considered hazardous waste.

TOWNSHIP - the governmental jurisdiction and legal entity of the Township of Spring, Centre County, Pennsylvania.

UNACCEPTABLE WASTE - the following are categories of unacceptable solid waste:

- A. Hazardous waste.
- B. Residual waste.
- C. Unsterilized or unprocessed infectious or pathological waste.
- D. Chemotherapeutic waste.
- E. Gas cylinders.
- F. Explosives and ordnance materials.
- G. Liquid waste (i.e, containing less than 20% solids by weight or flowable).
- H. Drums, barrels and buckets unless lids have been removed and interiors cleaned and free of any residue.
- I. Radioactive materials.
- J. Any solid waste generated outside of the Township.

(Ord. 102-1995B, 11/6/1995, Art. 1, §3; as amended by Ord. 09-00, 10/2/2000)

B. Storage, Handling and Disposal of Municipal Waste

It shall be the duty of every person owning a residential, commercial, industrial or institutional property within the Township, where municipal solid waste is generated and accumulated, by his/her own expense and costs, except as otherwise specified in this Part, to provide and keep at all times a sufficient number of containers to hold all municipal solid waste accumulated between intervals of collection of such waste by an licensed hauler; and to insure the sanitary and legal disposal of such waste in accordance with this ordinance and all other Township, State and Federal applicable laws and regulations.

§111. STORAGE ON RESIDENTIAL PROPERTIES.**1. Containers.**

- A. All refuse accumulated by owners of residential properties and/or the occupants of residential properties shall be placed in containers for collection by a licensed hauler. Refuse containers used for curbside collection shall be watertight, covered plastic or metallic cans or durable and lightweight plastic bags that can be easily and quickly handled by one person. Refuse containers shall be not less than 5 gallon nor more than 35 gallon capacity. The weight of a single filled container shall not exceed approximately 50 pounds. Use of bulk containers at multifamily establishments shall comply with the provisions of §112(A), below.
- B. It shall be the responsibility of each customer to keep all refuse receptacles in good repair and sanitary condition. Any receptacle which does not conform to the provisions of this Part of that may have ragged or sharp edges or any other defect liable to hamper or injure the licensed hauler shall be promptly replaced upon notice. Failure to comply within 10 days will result in the removal of the defective receptacle as refuse.
- C. A sufficient number of refuse receptacles shall be provided by the customer of the premises. No container shall be so filled that the lid will not fit tightly.
- D. More than one family or living unit on the same premises may use the same containers but each family must pay the established rate as though a separate container is being used.

- 2. **Location of Containers.** For residential properties with curbside collection, each refuse container shall be placed for collection so as to be accessible to the licensed hauler at ground level and at a point immediately behind the curblines of the street, within no more than 10 feet of the cartway of the street or alley from which the collection with a vehicle is made if there is no curbing, or at a location mutually agreeable between the resident, the Township and the licensed hauler. Failure to place containers at such locations may result in refuse not being collected. Location for collection of uncontainerized recyclable material shall be as specified by the Township. Location of bulk containers at apartments, establishments shall be in accordance with §112(B), below.

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(Ord. 102-1995B, 11/6/1995, Art. 2, §1)

§112. STORAGE ON COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROPERTIES.

1. Containers. Storage of municipal solid waste on commercial, industrial and institutional properties may be done in the same type of containers as required for residential properties or by dumpsters as may be determined appropriate by the hauler.
2. Location of Containers. Dumpsters for the storage and collection of municipal solid waste at commercial, industrial or institutional properties shall be located on the customer's premises at a place agreed upon by the customer of the commercial, industrial or institutional property and the licensed hauler. This location and buffering, if required, shall be in compliance with zoning or other applicable municipal requirements for the location of such containers. Such locations shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways, alleys or entrances and exists of public or private buildings.

(Ord. 102-1995B, 11/6/1995, Art. 2, §2)

§113. AUTHORIZATION OF COLLECTORS.

1. It shall be unlawful for any person other than persons authorized by license by the Township to collect and/or transport municipal solid waste, which is generated within the Township, as a regular hauling business. Authorization to collect, transport and dispose of refuse for persons other than oneself may be given only by the Township, through the issuance of a license.
2. Reasonable rules and regulations for the licensing program shall be adopted from time to time by the Township Board of Supervisors. These rules and regulations shall be in the form of an agreement between a licensed hauler and the Township. A confidential customer list shall be required from each hauler, and an updated list shall be submitted on a quarterly basis.

(Ord. 102-1995B, 11/6/1995, Art. 2, §3)

§114. TRANSPORTATION OF MUNICIPAL SOLID WASTE.

1. Any person transporting municipal solid waste within the Township shall prevent or remedy any spillage from vehicles or containers used in the transport of such municipal solid waste. The licensed haulers shall collect refuse in vehicle which are suitable for such collection, which are dedicated for use in performance of such collection, and which bear prominent legible markings, signs or decals identifying them as being municipal solid waste collection vehicles, and stating the name and phone number of the licensed hauler. The vehicles shall be securely covered,

watertight, strongly built and kept thoroughly cleaned and well maintained. Except for roll-offs, open trucks or trucks covered with tarps will not be used for the collection of municipal solid waste. Open trucks may be used for the collection of bulk waste and construction and demolition waste, provided the truck is tarped.

2. The Township shall have the authority to inspect the vehicles used for the transport of municipal solid waste as it deems necessary to determine compliance with this Part or any other ordinance, resolution and/or regulation of the Township. The licensed hauler shall correct deficiencies immediately upon notification by the Township, and said vehicle shall not be used for refuse collection until the deficiencies have been corrected.

(Ord. 102-1995B, 11/6/1995, Art. 2, §4)

§115. DISPOSAL OF MUNICIPAL SOLID WASTE.

All municipal solid waste produced, collected and transported from within the jurisdictional limits of the Township shall be disposed of at the facilities designated in the Centre County Solid Waste Management Plan, on the said day of collection. No waste to be stored in equipment overnight.

(Ord. 102-1995B, 11/6/1995, Art. 2, §5)

§116. UNLAWFUL DISPOSITION OF MUNICIPAL SOLID WASTE.

it shall be unlawful for any person to bring any municipal solid waste into Spring township or to transport municipal solid waste from one address to another in the Township for the purpose of taking advantage of the collection service to avoid the cost of collection.

(Ord. 102-1995B, 11/6/1995, Art. 2, §6)

§117. BULK WASTE.

1. Bulk waste shall be disposed of in accordance with the Centre County Solid waste Management Plan at a State permitted disposal facility, a facility especially designed by the Township to take such bulk items, or a legitimate salvage dealer that is in the business of disposing or recycling such items. Bulk waste may be transported in a vehicle appropriate to the type of waste as to prevent spillage, accidental loss, etc.
2. Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting municipal solid waste from hauling his/her bulk waste to a State permitted disposal facility or to a disposal facility as designated by the Township in accordance with the regulations of the disposal facility.

(Ord. 102-1995B, 11/6/1995, Art. 2, §7)

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§118. CONSTRUCTION AND DEMOLITION WASTE.

All waste materials resulting from the building, structural alteration, repair, construction or demolition of buildings or structures shall be disposed of as permitted by applicable Township, State and Federal laws and regulations as may be in effect, or as subsequently imposed. It shall be the responsibility of the property owner to ensure the disposal of such waste in accordance with applicable laws and regulations. Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting municipal solid waste from hauling his/her construction and demolition facility as designated by the Township in accordance with the regulations of the disposal facility.

(Ord. 102-1995B, 11/6/1995, Art. 2, §8)

§119. EXCLUSIONS.

1. Nothing contained herein shall prohibit a farmer from carrying out normal farming operations, including composting or spreading of manure or other farm produced agricultural waste, not otherwise prohibited or regulated for land applications. All such practices must be conducted in compliance with applicable Township, State and Federal laws and regulations as may be in effect or subsequently imposed.
2. The provisions of this Part do not apply to anything but the storage, collection, transportation and disposal of municipal solid waste and do not apply, therefore, to hazardous or residual waste as defined by the Pennsylvania Solid Waste Management Act and its amendments. All hazardous or residual waste must be disposed of in compliance with applicable Township, State and Federal laws and regulations as may be in effect or subsequently imposed.

(Ord. 102-1995B, 11/6/1995, Art. 2, §9)

C. Service Fees and Billing

§121. DUTIES OF PROPERTY OWNERS AND OCCUPANTS.

It shall be the duty and responsibility of every owner of property and every person occupying a dwelling unit, premises or place of business within the Township where municipal solid waste is produced and is accumulated, to pay a service fee for the collection and disposal of this waste, except as otherwise provided by this Part, to a licensed hauler. A licensed hauler may discontinue service for nonpayment of service fees by a resident, commercial, industrial or institutional establishment. To discontinue residential service, the customer shall be in arrears a minimum of 90 days and shall have received during this period a minimum of two written notices from the licensed hauler regarding the amount due and procedures for payment. To discontinue commercial service, the customer shall be in arrears a minimum of 45 days and shall have received during this period a minimum of two written notices for payment. The second notice shall be sent by certified mail. At the time of the discontinuance of service, the customer shall be considered in violation of this Part. Discontinuance of service due to nonpayment of service fees shall not relieve the resident or establishment from abiding by all of the requirements of this Part. The Township, or licensed hauler, may impose an administrative fee to reinstate customers whose service is disconnected. The hauler to advise the Township of the said delinquent parties and advise all other haulers of the Township, and the hauler will implement legal action for said cost of services. Expenses and fines are listed in Act 101.

§122. SERVICE CHARGES.

The cost of such residential or commercial municipal solid waste collection service and the responsibility of payment therefore shall be borne by the owner of the premises from which said municipal solid waste is collected or upon which premises said refuse is accumulated and disposed of. No agreement between an owner and occupant or other person shall relieve the owner of any premises from liability for payments as set forth hereinafter. Riff-raff collection will be an additional cost as set by the hauler.

(Ord. 102-1995B, 11/6/1995, Art. 3, §1)

§123. CHARGES TO BE ESTABLISHED BY RESOLUTION.

All service fees established under a contract for the collection of municipal solid waste by the Township shall be established by a resolution of the Township Board of Supervisors. Service charges so established shall be reviewed at least annually and adjusted as necessary to insure that all costs involved in the collection and disposal of municipal solid waste under the exclusive contract, including the administrative costs of the Township, or its designated agent, are covered by the service charges.

(Ord. 102-1995B, 11/6/1995, Art. 3, §2)

D. Penalties and Remedies

§131. PENALTIES.

Any person, firm or corporation who shall violate any provisions of this Part, upon conviction thereof in an action brought before a district justice 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. 102-1995B, 11/6/1995, Art. 4, §1; as amended by Ord. 09-00, 10/2/2000)

§132. THEFT OF SERVICES.

Unauthorized removal or disposal of materials at any point in the solid waste management system.

(Ord. 102-1995B, 11/6/1995, Art. 4, §2)

§133. OTHER REMEDIES.

In addition to the foregoing penalty, the Township may require the owner or occupant of a property to remove any accumulation of municipal solid waste and should said person fail to remove such municipal solid waste after 5 days following written notice, the Township may cause the solid waste to be collected and disposed of with the cost for such action to be charged to the owner or occupant of the property in a manner provided by Ord. 18-1983, 7/5/1983.

(Ord. 102-1995B, 11/6/1995, Art. 4, §3)

PART 2
RECYCLING

§201. BACKGROUND.

1. Short Title. This Part shall be known as the Township of Spring "Recycling Ordinance," and the same may be cited in that manner.
2. Purpose. The Township of Spring, recognizing the reclamation of recyclable materials has become an important method for addressing the growing solid waste disposal problem through conservation of landfill space, preservation of natural resources and a reduction in energy consumption, does hereby authorize the storage, collection and transportation of recyclable materials in accordance with the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act (No. 101), the Centre County Solid Waste Management Plan and this Part. This Part is intended to be an integral part of an overall system designed to facilitate recycling and foster the cooperation of the residents.

(Ord. 103-1995, 11/6/1995, Art. 1)

§202. DEFINITIONS.

The following words and phrases when used in this Part shall have, unless the context clearly indicates otherwise, the meaning given to them in this Section:

ALUMINUM CANS - empty all-aluminum beverage and food containers.

AUTHORITY - Centre County Solid Waste Authority.

BIMETAL CONTAINERS - empty beverage or food containers consisting of steel and aluminum.

COMMERCIAL - any establishment engaged in a nonmanufacturing or nonprocessing business including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters. For the purposes of this agreement, multifamily dwellings, townhomes, mobile home parks, hotels, motels and farms which use commercial dumpsters shall be considered commercial establishments.

COMMUNITY ACTIVITIES - church, school, civic, service group, municipal functions and all other such functions.

CORRUGATED PAPER - structural paper material with an inner core shaped in rigid parallel furrows and ridges.

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CURBSIDE RECYCLING COLLECTION - the scheduled collection and transportation of recyclable materials placed at the curblineline or other area designed by the collector.

CUSTOMER - the owner of any residential, commercial, industrial or institutional property located within the Township.

DROP-OFF SITES - those specified locations, staffed or unstaffed, where recyclable materials may be taken at specified times.

DWELLING UNIT - any room or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family.

ENFORCEMENT OFFICE - the official designated herein or otherwise charged with the responsibilities of administering this Part. The Board of Supervisors may designate agent(s) to such powers and responsibilities on this program.

GLASS CONTAINERS - bottles and jars made of clear, green or amber glass. Expressly excluded are noncontainer glass, automobile glass, plate glass, blue glass, lead crystal and porcelain and ceramic products.

HIGH DENSITY POLYETHYLENE (HDPE) CONTAINERS - plastic bottles and jars made exclusively from noncolored high density polyethylene, such as milk/water jugs.

HIGH GRADE OFFICE PAPER - all white paper, bond paper and computer paper used in commercial, industrial and municipal establishments.

INDUSTRIAL - any establishment engaging in manufacturing or processing including, but not limited to, factories, foundries, mills, processing plants and refineries.

INSTITUTIONAL - any establishment engaged in service to persons including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

JUNKED or ABANDONED VEHICLES - any vehicle that is unlicensed and not in proper inspection condition.

LEAD ACID BATTERIES - includes, but is not limited to, automotive, truck and industrial batteries that contain lead.

LEAFWASTE - leaves from trees, bushes and other plants, garden residue, chipped shrubbery and tree trimmings, but not including grass clippings.

LICENSED HAULER - a person who has obtained a license from the Township authorizing said person to collect, transport and/or dispose of municipal solid waste, recyclable materials and bulk waste from residential, commercial, industrial and

institutional establishments. The term may be applied to a person having a license to collect within the Township.

MUNICIPAL SOLID WASTE - any garbage, refuse, lunchroom or office waste any other material including solid waste, liquid, semisolid or contained gaseous materials resulting from the operation of residential, municipal, commercial, industrial 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, waste water supply treatment plant or air pollution control facilities (Pennsylvania Act 101, §3)

NEWSPAPERS - all paper of the type commonly referred to as newsprint and distributed at fixed intervals having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded are newspapers which are wet, yellowed or soiled.

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

POLYETHYLENE TEREPHTHALATE (PET) CONTAINERS - plastic bottles composed of the polymer PET.

PROCESSING - to be performed by Centre County Solid Waste Authority regulations.

RECYCLABLE MATERIALS - source separated recyclable materials including materials listed in §1501 of Act 101 and materials identified by the municipalities to be recycled. Aluminum, metal cans, clear, brown, green glass, steel, paper, newsprint.

RESIDENTIAL - see "dwelling unit."

STEEL CANS - empty all-steel food and beverage containers.

STORAGE - in an approved container as approved by the Spring Township Supervisors and the Solid Waste Authority.

TOWNSHIP - the governmental jurisdiction and legal entity of the Township of Spring, Centre County, Pennsylvania.

TRANSPORTATION - in an approved vehicle and all approved sites by the Centre County Solid Waste Authority.

PRIVATE RECYCLER - those firms that are in business to provide such service to the residents, the community, institutions, commercial and industrial firms.

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(Ord. 103-1995, 11/6/1995, Art. 2)

§203. GENERAL.

Those recyclable materials separated under the provisions of this Part shall not be considered municipal waste and shall not be subject to provisions of Township ordinances which require disposal of municipal solid waste and the Centre County Solid Waste Authority facilities by a hauler licensed by the Township or its designated agent.

(Ord. 103-1995, 11/6/1995, Art. 3)

§204. ESTABLISHMENT OF PROGRAM.

1. Curbside Collection. The Board of Supervisors hereby establishes a mandatory program for the separation of recyclable materials from municipal waste by residential property owners within the Township of Spring. Residential properties in the curbside recycling program shall be mandated to participate in recycling. Each property added to the program within the Township of Spring will become part of the mandatory recycling program. Occupants shall be responsible for the separation of recyclable materials from the solid waste and their preparation and placement at curbside. Recyclable materials may also be delivered to any established drop-off site.
2. Drop-Off Facilities. Drop-off facilities, one of "over 70" will be sited for use by those residents occupying dwelling units located within the Township of Spring not serviced by a curbside route. Occupants of these dwelling units shall be responsible for the separation of recyclable materials from municipal waste and their preparation and delivery to drop-off sites established by the Township.

(Ord. 103-1995, 11/6/1995, Art. 4)

§205. RECYCLING BY LICENSED HAULER.

1. All recyclable materials generated within the Township shall be collected by a refuse hauler who is licensed by the Township. Commercial and institutional establishments may utilize an individual recycling program in conformance with §204.
2. The Township, through a competitive bidding process, may award an exclusive service contract for all or part of residential recycling collection. The Board of Supervisors will collect an annual fee from contractors and place same in an escrow account and determine costs of administrative and enforcement on an annual basis. The fee to be determined is 1 month billing of the Centre County Solid Waste Authority data. An annual accounting of funds will be done and agreed upon by the contractors.

(Ord. 103-1995, 11/6/1995, Art. 5)

§206. INDIVIDUAL RECYCLING PLAN.

1. Commercial, industrial and institutional establishments conducting their own recycling program, not in conjunction with a licensed hauler for the collection of municipal waste and recyclables, shall file with the Township and have approved by the Township plans for individual recycling programs which provide for, at a minimum, the recycling of items listed in rules and regulations for the recycling program. In addition to filing an individual recycling plan, commercial, industrial and institutional customers who choose to establish an individual recycling program are required to submit semiannually to the Township weight slips or other certification which shows by weight and type of material recycled by that establishment. If which slips are not used, the form of certification requires the prior approval of the Township. Required information is due within 60 days of the end of the reporting period designated in the regulations for the recycling program.
2. An individual recycling plan for commercial, industrial or institutional establishments shall provide the following information:
 - A. Applicant's company name, address, telephone number, contact person and owner's name.
 - B. Company name, address, telephone number and contact person for entity providing the recycling service.
 - C. Description of materials to be recycled, frequency of collection, method of storage and how service will be provided.
 - D. Form of certification to assure proper disposal of recyclable materials.
 - E. Municipality in which the established is located.
 - F. Other information as may be required by the Township or its designated agency which is intended to assure the proper disposal of recyclable materials.

(Ord. 103-1995, 11/6/1995, Art. 6)

§207. ESTABLISHMENT OF REGULATIONS.

The Township agent shall establish and promulgate regulations on the manner, days and time of collection of recyclable materials, and for the bundling, handling, location and time of placement of such materials for collection. Regulations shall be promulgated for each of the programs undertaken for residential dwelling units and commercial, industrial and institutional establishments.

(Ord. 103-1995, 11/6/1995, Art. 7)

§208. SPECIAL ITEMS.

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1. Lead Acid Batteries. No person shall place a used lead acid battery in mixed municipal solid waste, discard or otherwise dispose of a lead acid battery except by delivery to an automotive battery retailer or wholesaler, to a secondary lead smelter permitted by the Environmental Protection Agency, or to a collection or recycling facility authorized under the laws of the Commonwealth of Pennsylvania.
2. Leaf Collection. All residential customers and commercial, industrial or institutional establishments who gather leaves shall separate all leaf waste from municipal solid waste and place it for collection at the times in the manner theretofore or hereafter prescribed by the Township. Nothing herein shall require any person to gather leaf waste or prevent any person from utilizing leaf waste for compost, mulch or other agricultural, horticulture, silvicultural, gardening or landscape purposes.

(Ord. 103-1995, 11/6/1995, Art. 8)

§209. COLLECTION BY UNAUTHORIZED PERSONS.

1. It is understood that all recyclable materials located at the curblines are the property of the Township. It is further understood that any recyclable materials deposited at drop-off sites, or in storage bins associated with multifamily residential dwellings, are the property of the Township. Recyclable materials deposited in containers owned by the Centre County Solid Waste Authority are the property of the property owner.
2. It shall be a violation of this Part for any person(s) to collect or remove or cause to be collected or removed any such recyclable materials specified by the Township rules and regulations unless authorized by the Township. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as outlined in §212.

(Ord. 103-1995, 11/6/1995, Art. 9)

§210. ENFORCEMENT AND ADMINISTRATION.

The Board of Supervisors shall appoint the Code Enforcement Officer to enforce and administer the provisions of this Part.

(Ord. 103-1995, 11/6/1995, Art. 10)

§211. ALTERNATIVE DISPOSITION OF RECYCLABLE MATERIALS.

Any person may donate or sell recyclable materials to individuals or organizations. Otherwise, such materials are to be placed at curbside, in drop-off facilities or storage bins or similar authorized locations for collection by the contractor or licensed hauler, as applicable.

(Ord. 103-1995, 11/6/1995, Art. 11)

§212. PENALTIES.

1. Nonparticipation.

- A. Upon the discovery of any violation under the terms of this Part, the Township shall give notice to the owner or occupant of a violation hereunder, either by personal delivery to such owner or occupant, by United States mail directed to the last known address of such person or persons, as shown in the real estate registry records of the Township, or by certified U.S. mail.
- B. Such persons shall, within 7 days after the delivery, mailing or certified U.S. mail make settlement by paying to the Treasurer of the Township the sum of \$25 for the violation. The failure of such person to make settlement, as aforesaid within 7 days, the Township may institute an action for violation pursuant to subsection (2) of this Section.
- C. Nothing contained in this Part shall affect, in any way, the provisions of this Part regarding separate offenses for every day any violation occurs.

2. Penalties.

Any person, firm or corporation who shall violate any provisions of this Part, upon conviction thereof in an action brought before a district justice 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. 09-00]

- 3. Each affected resident will be responsible for replacing any missing container through purchase from the Township.

(Ord. 103-1995, 11/6/1995, Art. 12; as amended by Ord. 09-00, 10/2/2000)

