

CHAPTER 20

SOLID WASTE

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Part 1

Storage and Disposal

§101. Short Title. This Part shall be known as the "Refuse Ordinance."
(Ord. 209, 6/5/1978, §1)

§102. Definitions.

ASHES - the residue resulting from the burning of wood, coal, coke or other combustible material.

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

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

DWELLING UNIT - any single family house or apartment.

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

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

REFUSE - all solid wastes except body wastes and shall include garbage, ashes and rubbish.

RUBBISH - glass, metal, paper, plant growth, wood or nonputrescible solid wastes.

The singular shall include the plural, and the masculine shall include the feminine and the neuter.

(Ord. 209, 6/5/1978, §2)

§103. Preparation of Refuse and Storage Practices.

1. Refuse Preparation.

A. Garbage shall be drained and stored in durable, rust-resisting, nonabsorbent, watertight, easily washable containers, equipped with handles and tight-fitting covers. Mixed storage of garbage and rubbish is permitted.

B. Ashes shall be stored in fire-resistant containers equipped with handles. Ashes containing hot embers shall not be collected until they have been adequately quenched.

C. Rubbish shall be stored in durable containers with tight-fitting covers. Tree trimmings, hedge clippings, old newspapers and

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similar materials, which cannot be conveniently placed in the aforementioned containers shall be baled, tied or sacked in compact bundles no more than four (4) feet in length and placed in a location easily accessible to the collector.

D. Bulky rubbish shall not be allowed to accumulate on any premises except in containers described in §103(2)(D) of this Part.

E. No person shall place refuse in any street, alley or other public place, or upon any private property within the limits of the Borough unless it is placed in a proper refuse container for collection. Likewise, no person shall throw or deposit refuse in any stream or any other body of water.

F. 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 thirty (30) days after the effective date of this Part shall be deemed a violation of same.

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

A. General.

(1) All refuse receptacles shall be provided by the owner, tenant or occupant of the premises, unless otherwise specified.

(2) The storage of all refuse by residents of the Borough shall be practiced so as to prevent the attraction, harborage or breeding of insects and/or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness and public nuisances.

(3) The use of permanent type containers larger than thirty-two (32) gallons capacity, i.e., fifty-five (55) gallon steel drums, will not be permitted to be used for storage of residential, commercial or institutional solid wastes.

B. Individual Containers.

(1) Individual containers utilized for the storage of refuse at household and other premises shall have the following physical characteristics:

(a) Constructed in such manner as to be easily handled for collection with a capacity no greater than thirty-two (32) gallons for combined refuse storage.

(b) Constructed of rust and corrosion resistant materials.

(c) Be equipped with tight-fitting lids except those containers used for storage of ashes.

(d) Constructed in such manner as to be watertight, leak-proof, weatherproof, insect-proof and rodent-proof.

(e) Shall not exceed fifty (50) pounds in weight when filled.

(2) Methods of use of individual containers.

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

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

C. Disposable Containers.

(1) Disposable containers such as 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 of vectors.

(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.

D. Bulk Containers. Bulk containers for commercial, industrial and institutional refuse shall meet the general and individual container requirements previously set forth except for size limitations. Bulk containers shall be sized according to the type and quantity of waste production, equipment handling capabilities, and the frequency of collection.

E. Open Storage. Certain wastes of a nondecomposable nature lend themselves to temporary storage in a manner other than containerization. Wastes and bulky items such as bundled newspapers and magazines, packing cases and materials, junk automobiles and machinery are examples of this type of waste.

(1) In order to minimize littering, magazines, newspapers, waste paper, tree prunings, brush and yard trimmings, when stored outside of containers, shall be tied securely in bundles no greater than four (4) feet in length and fifty (50) pounds in weight.

(2) Tires and out-sized wastes such as furniture and appliances shall be stored so that water accumulation and rodent harborage are prevented. All doors on appliances shall be removed.

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(Ord. 209, 6/5/1978, §3)

§104. Collection Practices.

1. Place of Collection. For collection purposes, except where there is an agreement with the collector to the contrary, refuse containers shall be placed at ground level, on the property, not within the cartway of a street or alley and easily accessible from the side of the street or alley from which collection is made.

2. Frequency of Collection. Refuse and bulky rubbish shall be collected once weekly.

(Ord. 209, 6/5/1978, §4)

§105. Licensing of Refuse Collectors.

1. Only a person authorized in writing by the Borough may collect refuse within the territorial limits of the Borough.

2. An authorized collector is one who has entered into a contract with or has been authorized in writing by the Borough for the specific purpose of collecting and disposing of refuse.

3. The fee for such authorization shall be set by the Borough Council.

4. No authorized collector shall dispose of any refuse collected in the Borough except by conveyance to a Department of Environmental Protection approved facility. The contractor shall state in writing the name, location, and type of facility that he will use for disposal. He shall indicate the DEP permit number of the disposal facility. [Ord. 323]

5. To assure the Borough's rights to adequate landfill space in the permitted facility, the collector for the Borough will be required to have a contract with said permitted facility for the duration of the collector's contract with the Borough.

6. Failure of an authorized collector to comply with the provisions of this Part shall result in the revocation of authorization.

(Ord. 209, 6/8/1978, §5; as amended by Ord. 323, 7/6/1998)

§106. Collection Vehicles. Except for the collection of bulky rubbish as designated in §104(2) of this Part, all vehicles used for the collection of refuse shall have watertight enclosed metal bodies of easily cleanable construction, equipped with compaction devices. (Ord. 209, 6/8/1978, §6)

§107. Disposal of Refuse.

1. No person shall hereafter dispose of any refuse collected in the Borough except by conveyance to a disposal facility approved by the Department of Environmental Protection or Cressona Borough.

2. It shall be unlawful to dump, burn, destroy or otherwise dispose of refuse collected outside of the Borough within the jurisdictional limits of the Borough, except at a disposal facility approved by the Borough or the Department of Environmental Protection.

(Ord. 209, 6/8/1978, §7; as amended by Ord. 323, 7/6/1998)

§108. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred dollars (\$600.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 209, 6/8/1978, §8; as amended by Ord. 323, 7/6/1998)

§109. Collection Fees.

1. Amount Due.

A. The owner of an owner or tenant occupied dwelling unit or the owner of an unoccupied dwelling unit shall pay a service fee for this collection service in the amount as established from time to time by resolution of the Borough Council. [Ord. 323]

B. The owner of twenty (20) or more dwelling units located within the Borough shall pay a service fee in an amount as established from time to time by resolution of Borough Council. [Ord. 323]

2. Delinquent Accounts.

A. All accounts shall be considered delinquent if not paid within thirty (30) days from the date when the bill for service is rendered. All delinquent accounts for which the Borough Solicitor is required to bring two (2) collection actions within any given eighteen (18)-month period shall be immediately terminated and shall not resume until such individual posts security for a sum equal to one (1) year sanitation service (currently one hundred twenty dollars (\$120.00) per year). Such security sum shall automatically increase to equal the Borough's annual sanitation sum as established pursuant to subsection (1)(A) of this Section.

B. The stoppage of service and posting of security to any individual as hereinbefore authorized shall be in addition to the right of the Borough to proceed for the collection of said unpaid fees in the manner provided by law either by an action before the District Justice or the filing of a municipal claim/lien.

[Ord. 4-2002]

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3. Borough Council shall, from time to time, adopt and promulgate rules and regulations setting forth the terms, conditions and administrative procedures for the levying and collecting of the service fees above.

(Ord. 250, 12/15/1986, §§1-6; as amended by Ord. 259, 12/21/1987, §1; by Ord. 323, 7/6/1998; and by Ord. 4-2002, 9/3/2002)

Part 2

Trash Dumpsters

§201. Definitions. As used in this Part the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context.

DUMPSTER - a metal storage receptacle used to temporarily store debris or garbage and which is then emptied of its contents or removed with its contents to a dump site.

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

(Ord. 2-99, 1/18/1999, §I)

§202. Permit Required; Fee.

1. No persons shall place a dumpster within the Borough of Cressona without first obtaining from the Borough Secretary a permit and paying the fee established. The initial fee shall be five dollars (\$5.00) per dumpster, and may be increased from time to time by resolution of Council, which shall be for the use of the Borough.

2. The permit shall be of a six (6) week duration if the dumpster is placed upon a Borough street. If the applicant required additional time, a second permit can be obtained for up to six (6) weeks and a second permit fee paid. No more than two (2) permits shall be issued by the Borough for dumpster(s) placed upon Borough streets. After the expiration of the second permit, the dumpster shall be removed from the Borough.

3. The permit shall be for a one (1) year duration if it is placed upon private property of the permit applicant.

(Ord. 2-99, 1/18/1999, §II)

§203. Requirements for Dumpsters Placed Upon Streets.

1. The following requirements shall apply to any dumpsters placed upon streets in the Borough:

A. Reflectors shall be placed upon all four (4) sides of the dumpster, each side containing a minimum of four (4) reflectors, to make the dumpster visible at night.

B. Each of the dumpster rollers or wheels (if any) must be placed upon a wood pad at least three-quarters of an inch in thickness so as not to damage the road surfaces in the Borough.

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C. Size of the dumpster will be determined by the contractor or property owner.

2. At present, Council does not deem it necessary to promulgate any regulations for dumpsters located on private property except that permits be obtained on a yearly basis, per dumpster.

(Ord. 2-99, 1/18/1999, §III)

§204. Penalties.

1. Any person who shall violate any provision of this Part shall upon conviction thereof, be sentenced to pay a fine not exceeding six hundred dollars (\$600.00) plus costs, and in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days.

2. Each day that a violation of this Part continues, shall constitute a separate offense.

(Ord. 2-99, 1/18/1999, §IV)