

## Chapter 224, SOLID WASTE

[HISTORY: Adopted by the Mayor and Council of the Borough of Laurel Springs as indicated in article histories. Amendments noted where applicable.]

### GENERAL REFERENCES

Brush, grass and weeds -- See Ch. 83.

Garbage, rubbish and refuse -- See Ch. 146.

Nuisances -- See Ch. 178.

Property maintenance -- See Ch. 193.

ARTICLE I, Storage, Collection and Disposal [Adopted 5-22-1978 by Ord. No. 298 (Ch. 69 of the 1973 Code)]

§ 224-1. Legislative intent.

This article regulates the storage, collection and disposal of garbage, trash and rubbish in order to protect the public safety, health and welfare and to enhance the environment of the people of Laurel Springs.

§ 224-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**BUILDING** -- Any enclosed structure having a roof and intended to be used for residential, commercial or industrial purposes.

[Added 12-5-1995 by Ord. No. 537]

**BULKY METALS** -- Stoves, refrigerators, dishwashers, dryers, washing machines, air-conditioning units, boilers, freezers, water tanks, lawn mowers, metal window and door frames, other large metal appliances and any other items as may be determined from time to time by the Borough of Laurel Springs. [Added 12-5-1995 by Ord. No. 537]

**BULKY WASTE** -- Furniture, including but not limited to beds, mattresses, chairs, tables, rugs and carpets, wood, windows, linoleum, magazines, books and any other items as may be determined from time to time by the Borough of Laurel Springs.

[Amended 12-5-1995 by Ord. No. 537]

**COLLECTION** -- The act of removing solid waste from the central storage point at the source of generation.

**COMMERCIAL SOLID WASTE** -- Solid waste generated by stores, offices and other activities that do not actually turn out a product. EN

**HAZARDOUS WASTE** -- Waste, such as toxic, radioactive or pathogenic substances, which requires such handling as will avoid illness or injury to persons or damage to property.

**INDUSTRIAL SOLID WASTE** -- Solid waste that results from industrial processes and manufacturing.

**INSTITUTIONAL SOLID WASTE** -- Solid waste originating from educational, health care and research facilities.

**NONRESIDENTIAL SOLID WASTE** -- Solid waste from an agricultural, commercial, industrial or institutional agency or a building, or group of buildings, consisting of five or more dwellings.

**PERSON** -- Any individual, partnership, copartnership, firm, company, public or private corporation, association, joint-stock company, trust, estate or any legal representative, agent or assignee. EN

**PERSON IN CHARGE** -- The owner, lessee or occupant of the building and, in the case of a multiple-occupant building, the owner or the party so designated by the owner. [Added 12-5-1995 by Ord. No. 537]

**RECYCLABLES** -- See Article II, Recycling, of this chapter, § 224-26. [Added 12-5-1995 by Ord. No. 537] EN

**SCAVENGING** -- The uncontrolled removal of material at any point in solid waste.

**SOLID WASTE** -- Garbage, trash and refuse and shall include kitchen waste, food waste, vegetable matter, condemned foods, animal or vegetable matter, offal, decaying and decomposing material, rubbish, ashes, rags, waste paper and products, household items, refuse and junk (such as beds, chairs, mattresses, items of furniture, etc.) and any other customary household waste and discarded waste material. Trash and rubbish shall be placed at the curb in containers not exceeding 50 pounds gross weight. Specifically excluded from the definition of "solid waste" are used tires, car and truck batteries, leaves, brush, logs and white goods.

[Amended 12-5-1995 by Ord. No. 537]

**STORAGE** -- The interim containment of solid waste in an approved manner after generation and prior to ultimate disposal.

**TRANSPORT** -- The removal of solid waste subsequent to collection.

**YARD WASTE** -- Such materials as shall be determined from time to time by the Borough of Laurel Springs and may include such items as brush, tree branches, twigs, grass and shrub clippings, weeds and leaves. [Added 12-5-1995 by Ord. No. 537]

§ 224-3. Administration. EN

The Department of Streets shall be responsible for the administrative management of this article and the rules and regulations authorized.

§ 224-4. Point of collection. EN

All solid waste to be collected and disposed of by the Borough shall be placed at the curb or within five feet of improved roadway. Only one collection point shall be permitted per residential or nonresidential user. In the case of corner lots, solid waste shall be placed at the improved roadway most accessible to the collection vehicle or as directed by the Certified Public Works Supervisor. No solid waste containers shall be placed on any improved roadway or traveled way in the Borough.

§ 224-5. Preparation of residential solid waste. EN

All residential solid waste, except bulky waste, shall be placed in standard solid waste containers.

§ 224-6. Bulky waste and bulky metals. EN [Amended 12-5-1994 by Ord. No. 537]

Bulky waste and bulky metals shall be placed at the curb or within five feet of the improved roadway for collection, but in no event within the improved roadway or traveled way. Refrigerators, large trunks, washing machines, dryers and similar large items shall have all doors or lids removed. Broken concrete, sod, dirt and building materials not exceeding 50 pounds shall be placed in standard containers, except that this material shall not be placed in plastic bags. All containers shall be constructed adequately to house such contents when lifted. All other bulky waste or bulky metals shall be tied in bundles not exceeding 50 pounds or four feet in length.

§ 224-7. Hazardous material.

All hazardous material, including such items as injection needles, knives or broken glass and other sharp objects and toxic, radioactive or pathogenic substances, shall be wrapped and stored in clearly marked containers, separate from other solid waste, and will be removed by the user to a certified dump site.

§ 224-8. Solid waste containers.

Containers shall be watertight and of metal or plastic with a tight-fitting cover and handles. Each container shall have a capacity of not less than 15 gallons nor more than 32 gallons and shall not exceed 50 pounds when containing solid waste material. Containers that are badly broken or that otherwise fail to meet the requirements of this article shall be classed as solid waste and disposed of by the contractor. Containers must be maintained in a manner that is not a danger to health or safety. Plastic disposal bags not less than three mils thick will be accepted as solid waste containers. Residential and nonresidential users shall remove any solid waste spilled by animals or vandals as a result of defective or inadequate covers or containers.

§ 224-9. Tips and gratuities prohibited.

No residential or nonresidential user shall offer to any contractor's employees tips or gratuities for service rendered. No contractor's employee shall enter onto private property for the purpose of removal of solid waste, except if directed by the Certified Public Works Supervisor or with the permission of the property owner.

§ 224-10. Excess nonresidential solid waste.

Nonresidential solid waste in excess of seven standard thirty-two-gallon containers per collection day must be removed by the owner, occupant contractor or operator/generator or by a solid waste collection contractor.

§ 224-11. Scavenging prohibited. [Amended 12-5-1994 by Ord. No. 537]

Except Borough employees or agents in the discharge of their duties under this article, it shall be unlawful for any person or persons, association or corporation to collect, pick over, rake up or in any other way disturb the ashes, rubbish or other refuse material whatsoever deposited in any container or bundle laid or placed on any curb, street or public place.

§ 224-12. Time and frequency of collection.

A. All residential solid waste should be collected one time per week. All collections should be made between 7:00 a.m. and 8:00 p.m.

B. Solid waste designated for collection must be placed at the curb or within five feet of the approved road site prior to 7:00 a.m. and no sooner than 12 hours before collection time. Empty containers must be removed no later than 12 hours after the end of the collection day.

§ 224-13. Preparation for collection. [Added 12-5-1994 by Ord. No. 537]

All ashes, rubbish, garden refuse and garbage shall be prepared for collection as follows:

A. Ashes shall be cold and free of any hot coals to prevent possibility of fire.

B. Cartons of cardboard or other material shall be broken and flattened into bundles not to exceed 50 pounds in weight.

C. Newspapers shall be securely tied in bundles not to exceed 50 pounds or placed in watertight metal or plastic receptacles.

D. Hedge trimmings, light brush clippings, etc., shall be securely tied in bundles not to exceed four feet in length and 18 inches in diameter and shall not exceed 50 pounds in weight.

E. Garbage shall be free of tin cans, bottles, paper, plastic and every other matter except animal and vegetable refuse.

F. Receptacles shall not be filled higher than three inches below the top. Covers shall be placed on receptacles to prevent any rubbish, garden refuse or garbage being scattered about by wind or other elements. Damaged or leaking receptacles shall be replaced at the expense of the owners.

§ 224-14. Refuse from outside Borough. [Added 12-5-1994 by Ord. No. 537]

It shall be unlawful for any person or persons, partnership, association or corporation to haul, carry, transport or in any manner whatsoever bring into and within the municipal limits of the Borough of Laurel Springs any garbage, trash, rubbish or building materials or similar waste materials from any place outside of the municipal limits of the Borough of Laurel Springs any garbage, trash, rubbish or building materials or similar waste materials from any place outside of the municipal limits of the Borough of Laurel Springs, irrespective of the manner of transportation thereof or the use to which the same shall be put within the Borough of Laurel Springs.

§ 224-15. Accumulations of abnormal trash and garbage. [Added 12-5-1994 by Ord. No. 537]

It shall be unlawful for any person or persons, partnership, association or corporation to in any manner whatsoever, irrespective of the reason, accumulate, hold or store overnight within the Borough of Laurel Springs any garbage, trash, rubbish, building materials or garden refuse. This section shall not apply to the normal everyday garbage, trash, rubbish, building materials or garden refuse accumulated by residents and business within the Borough and disposed of through the Borough's solid waste disposal program.

§ 224-16. Use and enclosure of dumpsters at multiple-family and other buildings. [Added 12-5-1994 by Ord. No. 537]

All multiple-family residential, commercial and industrial buildings must use specific metal containers, such as dumpsters, for the collection of solid waste. Said containers shall be located in enclosures which shall screen the containers from view. Such enclosures:

A. Shall be constructed of stockade fence material with hinged gates and with latches to hold the gates closed.

B. May be constructed of other material with the approval of the Laurel Springs Planning Board.

C. Shall have a height of the greater of five feet or 12 inches higher than the containers which they enclose.

§ 224-17. Permit required for dumpster enclosures. [Added 12-5-1994 by Ord. No. 537]

Prior to construction of any enclosure, an appropriate permit must be obtained from the Construction Official. The owner of any building which, prior to the effective date of this article, has an enclosure to house all the containers which are required to be enclosed hereunder shall not be required to erect a new enclosure even if the existing enclosure does not meet all of the specific requirements of this article, provided that the existing enclosure does screen the containers from view.

§ 224-18. Collection procedure. [Added 12-5-1994 by Ord. No. 537]

- A. The person in charge shall cause recyclables to be separated from solid waste.
- B. The person in charge shall place all material intended for collection pursuant to § 224-4 of this article.
- C. Recyclables shall be placed for collection as provided in Article II of this chapter.EN
- D. There shall be no collection from residential, commercial or industrial locations where snow and ice has not been cleared from access pathways or driveways.

§ 224-19. Multiple-family residential buildings. [Added 12-5-1994 by Ord. No. 537]

- A. The person in charge of a multiple-family residential building shall designate a common area in which solid waste is to be accumulated.
- B. The person in charge of a multiple-family residential building shall be responsible for the placement of solid waste for collection.
- C. The placement of solid waste by a lease of a multiple-family residential building in an area other than the common area designated by the person in charge shall be deemed a violation of this article by such lessee and not by the person in charge, provided that the person in charge shall have properly designated a common area and shall have given the tenant adequate notice thereof.

§ 224-20. Multiple-occupant commercial and industrial buildings. [Added 12-5-1994 by Ord. No. 537]

- A. The person in charge of a multiple-occupant commercial or industrial building shall designate a common area in which solid waste is to be accumulated.
- B. The person in charge of a multiple-occupant commercial or industrial building shall be responsible for the placement of solid waste for collection.
- C. The placement of solid waste by an occupant of a multiple-occupant commercial or industrial building in an area other than the common area designated by the person in charge shall be deemed a violation of this article by such occupant and not by the person in charge, provided that the person in charge shall have properly designated a common area and shall have given the occupant adequate notice thereof.

§ 224-21. Disposal of solid waste when not collected by Borough. [Added 12-5-1994 by Ord. No. 537]

Owners and occupants of commercial and industrial buildings whose solid waste is not collected and disposed of by the Borough shall provide for the collection of solid waste and shall separate recyclables from other solid waste and provide for the collection and recycling of the recyclables as required herein.

§ 224-22. Yard waste.

Yard waste shall be collected and disposed of by the Borough of Laurel Springs.

§ 224-23. Materials not collected.

The following materials will not be collected:

- A. Medical waste material from hospitals, health-care facilities, funeral establishments and any other facility, including private residences which house medical offices.
- B. Material classified as hazardous waste.EN
- C. Demolition debris.

§ 224-24. Prohibited acts.

- A. Recyclables shall not be placed in containers holding other solid waste.
- B. Materials and objects other than recyclables shall not be mixed with recyclables which have been left for collection.
- C. Upon placement of solid waste for collection pursuant to the requirements of this article, no person other than the person in charge of the Borough of Laurel Springs or its designee (or a private carter with respect to buildings whose solid waste or any portion thereof is not collected and disposed of by the Borough) shall remove or disturb such solid waste. Nothing in the preceding sentence shall limit any prohibitions or responsibilities set forth elsewhere hereunder.
- D. The owners and occupants who are subject to § 224-21 shall not mix recyclables with other solid waste and shall not mix other materials and objects with recyclables.

§ 224-25. Violations and penalties; enforcement.

- A. Where recyclables are mixed with other municipally collected solid waste in a container intended for collection and disposal, the Borough or its designee may, in its discretion, decline to collect any and all of the contents of such container and may leave a notice with the container noting the Borough's or its designee's action. In the event that the Borough or its designee declines to collect under this provision, it shall be the responsibility of the person in charge at the collection point to remove said recyclables from such container prior to subsequent collection.
- B. Where materials other than recyclables are left for pickup as recyclables in accordance with this article, the Borough or its designee may, in its discretion, decline to collect any and all of the contents of the container and may leave a notice with the container noting the Borough's or its designee's action. In the event that the Borough declines to collect under this provision, it shall be the responsibility of the person in charge at the collection point to remove all materials other than recyclables from the container prior to subsequent collection.
- C. In addition to the above, any person violating any of the provisions of this article shall be subject to the penalties provided in Chapter 1, § 1-15, in the discretion of the court, and each day's continuance of the violation shall constitute a separate and distinct violation.

D. The provisions of this article shall be enforced by the Superintendent of Public Works, who shall have the authority to issue summonses for violations of the provisions hereof. [Added 7-10-2000 by Ord. No. 599]

ARTICLE II, Recycling [Adopted 4-15-1985 by Ord. No. 377 (Ch. 62A of the 1973 Code)]

§ 224-26. Definitions.

As used in this article, the following definitions shall apply:

ALUMINUM CANS — Includes aluminum cans of the type commonly used for soda and beer.

**CORRUGATED CARDBOARD** -- Includes cardboard of the type commonly used to make cardboard boxes.

**GLASS** -- All products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as "glass"; excluding, however, blue and flat glass and glass commonly known as "window glass."

**SCRAP METAL** -- Includes, but is not limited to, metal appliances such as refrigerators, dishwashers, dryers, clothes washers, water heaters, etc.

**USED NEWSPAPER** -- Includes paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

**USED OIL** -- Used oil from residential premises.

**VEGETATIVE WASTE** -- Leaves and tree trimmings.

§ 224-27. Source separation program established.

There is hereby established a program for the mandatory separation of used newspaper, corrugated cardboard, aluminum cans, scrap metal, glass, vegetative waste and used oil within the Borough of Laurel Springs.

§ 224-28. Placement at curbside. EN

Recyclables shall be placed for collection at curbside only (or if no curb, on the edge of the street or roadway, but not in the street or roadway)

§ 224-29. Methods of placement for collection.

The occupant or owner of any building within the Borough of Laurel Springs, who shall place for disposal, removal or collection the following named items, shall do so in strict conformity with the following regulations:

A. Used newspaper shall be bundled separately and secured in bundles not to exceed 30 pounds and shall not be contained in plastic bags.

B. Corrugated cardboard shall be bundled separately and secured in bundles not to exceed 10 pounds and shall not be contained in plastic bags.

C. Aluminum cans shall be contained in reusable metal or plastic containers, which shall be supplied at the cost of the resident, but subject to approval by the Borough of Laurel Springs.

D. Scrap metal shall be placed neatly at curbside and properly secured if appropriate.

E. Glass shall be contained in a reusable metal or plastic container, which shall be supplied at the cost of the resident, but subject to approval by the Borough of Laurel Springs.

F. Vegetative waste shall be placed in containers at curbside, and branches shall be put in four-foot-long bundles not to exceed 30 pounds.

G. Used oil shall be placed in a closed container.

§ 224-30. Collection by unauthorized persons.

From the time of placement at the curb by anyone of the categories described herein for collection by the Borough of Laurel Springs in accordance with the terms hereof, items shall be and become the property of the Borough of Laurel Springs or its authorized agent. It shall be a violation of this article for any person unauthorized by the Borough of Laurel Springs to collect or pick up or cause to be picked up any such item, including recycling containers. Any and each such collection in violation hereof from one or more residences shall constitute a separate and distinct offense punishable as hereinafter provided.

§ 224-31. Enforcement. [Added 7-10-2000 by Ord. No. 599]

The provisions of this article shall be enforced by the Superintendent of Public Works, who shall have the authority to issue summonses for violations of the provisions hereof.

§ 224-32. Pickup schedule.

A pickup schedule will be in accordance with the Mayor and Council's directive.

§ 224-33. Violations and penalties.

Any person, firm or corporation violating any provision of this article shall be subject to the penalties provided in Chapter 1, § 1-15.

Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

**ARTICLE III, Yard Waste Collection** [Adopted 5-2-2005 by Ord. No. 647-2005]

§ 224-34. Purpose.

An article to establish a yard waste collection and disposal program in the Borough of Laurel Springs, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 224-35. Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**CONTAINERIZED** -- The placement of yard waste in a trash can, bucket or other vessel, so as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater. [Amended 1-8-2007 by Ord. No. 682-2006]

**PERSON** -- Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

**STREET** -- Any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing state, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise of pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**YARD WASTE** -- Leaves and grass clippings.

§ 224-36. Yard waste collection. [Amended 1-8-2007 by Ord. No. 682-2006]

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only permitted during the seven days prior to a scheduled and announced collection, which is November and December for annual leaf pickup, as set forth in the fall leaf collection schedule, and shall not be placed closer than 10 feet from any storm drain inlet. Spring cleaning for leaves only is the second Monday in April. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this article. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this article.

§ 224-37. Enforcement.

This article shall be enforced by the Police Department and/or other municipal officials of the Borough of Laurel Springs.

§ 224-38. Violations and penalties.

Any person, entity or corporation who shall violate any of the provisions of this article shall, upon conviction thereof, before the Municipal Court of the Borough of Laurel Springs, be subject to a fine not exceeding \$500 or imprisonment in the county jail for a term not exceeding 90 days, or both, in the discretion of the Municipal Court Judge before whom such defendant shall be convicted. A separate offense may be deemed committed on each day that a violation occurs or continues.