

CHAPTER 20

SOLID WASTE

PART 1

SOLID WASTE

- §20-101. Short Title**
- §20-102. Purpose**
- §20-103. Definitions**
- §20-104. Prohibited Activities**
- §20-105. Standards for Storage of Solid Waste**
- §20-106. Standards and Regulations for Collections**
- §20-107. Disposal of Leaf Waste**
- §20-108. Separation of Recyclables**
- §20-109. Disposal or Placement for Removal of Recyclables, Residential (Other Than Multifamily Housing Properties)**
- §20-110. Disposal or Placement for Removal of Recyclables, Multifamily Housing Properties**
- §20-111. Disposal or Placement for Removal of Recyclables, Commercial, Municipal and Institutional and Community Activities**
- §20-112. Recycling Reports for Multifamily Housing Properties**
- §20-113. Recycling Reports for Commercial, Municipal and Institutional Establishments and Community Activities**
- §20-114. Collection by Unauthorized Person**
- §20-115. Compliance with Applicable Laws**
- §20-116. Enforcement**
- §20-117. Penalties**

PART 1

SOLID WASTE

§20-101. Short Title.

This Part shall be known and referred to as the “Sandy Township Solid Waste Ordinance.”

(Ord. 2003-9, 11/17/2003, §1)

§20-102. Purpose.

This Part is being enacted in an effort to add and implement a recycling program to the Solid Waste Ordinance and program of Sandy Township in order to return valuable materials to productive use, to conserve energy and to protect capacity at municipal waste processing and disposal facilities.

(Ord. 2003-9, 11/17/2003, §2)

§20-103. Definitions.

1. The following words and phrases, when used in this Part shall have the meanings ascribed to them in this Section, except in those instances where the context clearly indicates otherwise. Other words and phrases not specifically defined herein, shall, unless the context clearly indicates otherwise, shall have the meanings given to them by Act 97 and Act 101:

ACT 97 — the Act of July 7, 1980, P.L. 380, No. 97, 35 P.S. 6018 §101 et seq., (Solid Waste Management Act), as amended and all rules and regulations promulgated thereunder.

ACT 101 — the Act of July 28, 1988, P.L. 556, No. 101, 35 P.S. 4000 §101 et seq., (Municipal Waste Planning, Recycling and Waste Reduction Act), as amended and all rules and regulations promulgated thereunder.

ALUMINUM CANS — empty, all aluminum beverage and food containers.

AUTHORITY — the Clearfield County Municipal Solid Waste Agency, the designated implementing agency for the Clearfield County Solid Waste Plan.

BIMETALLIC CANS — empty food or beverage containers consisting of both steel and aluminum.

SOLID WASTE

BULKY WASTE — large items of solid waste including, but not limited to, appliances, furniture, large auto parts, trees, branches or stumps which may require special handling due to their size, shape and weight.

COMMERCIAL ESTABLISHMENT — any establishment engaged in non-manufacturing or non-processing business including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

COMPOSTING — the process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield a humus-like product.

COMPOSTING FACILITY — a facility using land for processing of municipal waste by composting.

CONTAINER — a portable device in which waste is held for storage or transportation.

CORRUGATED PAPER — structural paper material with an inner core shaped in rigid parallel furrows and ridges, of the type normally used to make packaging cartons and boxes.

COUNTY — the County of Clearfield or the Clearfield County Board of County Commissioners.

DEPARTMENT or DEP — the Pennsylvania Department of Environmental Protection (DEP).

DISPOSAL — the incineration, deposition, injection, dumping, spilling, leaking or placing of municipal waste into or on the land or water in a manner that the solid waste or any constituent thereof enters the environment, is emitted into the air or is discharged into the waters of the Commonwealth of Pennsylvania.

DOMESTIC WASTE or HOUSEHOLD WASTE — solid waste comprised of garbage and rubbish, which normally originates in the residential private household or apartment house.

GARBAGE — any solid waste derived from animal, grain, fruit or vegetable matter that is capable of being decomposed by microorganisms with sufficient rapidity to cause such nuisances as odors, gases or vectors.

GLASS CONTAINERS — all empty food and beverage jars or bottles made from silica or sand, soda ash and limestone, the product being transparent or translucent (either clear, green or brown), excluding, however, blue glass, flat glass, plate glass, glass commonly known as “window glass,” automotive glass and ceramic and porcelain products.

HAULER or PRIVATE COLLECTOR — any person, firm, partnership, association or corporation engaged in the collection or transportation of municipal waste.

HAZARDOUS WASTE — any solid waste or combination of solid wastes defined in Act 97, which because of its quantity, concentration or physical, chemical or infectious characteristics may cause or significantly contribute to an increase to mortality or an increase in mortality in either an individual or the total population, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed. [A.O.]

HIGH-GRADE OFFICE PAPER — any white paper other than newsprint, magazines or other chemically coated paper or corrugated paper, of the type commonly used for letter writing stationery, note paper, plain paper, photocopying machines, computer printers and other general purpose paper, whether or not any printed or written matter is contained thereon.

INDUSTRIAL ESTABLISHMENT — any establishment engaged in manufacturing or processing including, but not limited to, factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

LEAF WASTE — leaves, garden residues, shrubbery and tree trimmings and similar material not including grass clippings.

LICENSED HAULER or LICENSED COLLECTOR — any municipal waste hauler or collector possessing a valid and current County license issued by the Clearfield County Solid Waste Authority.

MUNICIPAL WASTE — any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste under Act 97 from a municipal commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source separated recyclable materials.

MUNICIPALITY — the Township of Sandy, Clearfield County, Pennsylvania.

NEWSPRINT — paper of the type commonly referred to as newspaper and distributed at fixed or stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. The term “newsprint” expressly excludes glossy advertising inserts, magazines, glossy or other chemically coated paper, office papers and any other paper products of any nature.

OCCUPIED DWELLING — a permanent building or fixed mobile home that is currently being used on a regular or temporary basis for human habitation.

SOLID WASTE

PERSON — any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, Federal government or agency, State institution and agency or any other legal entity which is recognized by law as the subject of rights and duties. In any provision of this Part, which prescribes a fine or penalty, or any combination of the foregoing, the term person shall include the officers and directors of any corporation or other legal entity having officers and directors.

PLAN — the Clearfield County Municipal Solid Waste Management Plan, as amended.

PLASTIC BEVERAGE CARRIER — plastic rings or similar plastic connectors used as holding devices in the packaging of beverages including, but not limited to, all carbonated beverages, liquors, wines, fruit juices, mineral waters, soda and beer.

PLASTIC CONTAINERS — empty plastic food and beverage containers, the specific types of which may, from time to time, be designated by resolution of the Sandy Township Board of Supervisors.

PROCESSING — any technology used for the purpose of reducing the volume or bulk of municipal or residual waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities and resource recovery facilities.

RECYCLABLES — materials designated as recyclables in this Part, or required by the terms of this part (or any amendment hereto) to be kept separate from municipal waste and recycled.

RECYCLING — the collection, separate maintenance, recovery and sale or reuse of recyclables which would otherwise be disposed of or processed as municipal waste, or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

RECYCLING FACILITY — a facility employing a technology that is a process that separates or classified municipal waste and creates or recovers usable materials that can be sold or reused by a manufacturer as a substitute to virgin raw materials. The term recycling facility shall not mean transfer stations or landfills for solid wastes, or composting facilities or resource recovery facilities.

REFUSE — all solid waste materials, which are discarded as useless.

RESIDUAL 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, wastewater

treatment facility or air pollution control facility, provided that it is not hazardous. The residual waste shall not include coal refuse as defined in the "Coal Refuse Disposal Act." The term shall not include treatment sludge's 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, 1987 (P.L. 1987, No. 394) known as the Clean Streams Act.

RESOURCE RECOVERY FACILITY — a processing facility that provides for the extraction and utilization of materials or energy from municipal waste that is generated off-site including, but not limited to, a facility that mechanically extracts materials from municipal waste, a combustion facility that converts the organic fraction of municipal waste to usable energy and any chemical and biological process that converts municipal waste into a fuel product.

RUBBISH — all non-putrescible municipal waste, except garbage and other bedding, cardboard, cans, crockery, glass, paper, wood and yard cleaning.

SALVAGING — the controlled removal or recycling of material from a solid waste processing or disposal facility.

SCAVENGING — the unauthorized and uncontrolled removal of material placed for collection or from a solid waste processing or disposal facility.

SOLID WASTE — any waste including, but not limited to, municipal residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous material.

SOURCE RECYCLABLE MATERIAL — materials that are separated from municipal waste at the point of origin for the purpose of recycling.

STEEL CANS — empty food or beverage containers made of steel, tin-coated steel or other ferrous metal food or beverage containers.

STORAGE — the containment of any waste on a temporary basis in such a manner as not to constitute disposal of such waste. It shall be presumed that the containment of any waste in excess of 1 year constitutes disposal. The presumption can be overcome by clear and convincing evidence to the contrary.

TOWNSHIP — the Township of Sandy, Clearfield County, Pennsylvania.

TRANSPORTATION — the off-site removal of any solid waste at any time after generation.

TRANSFER STATION — any supplemental transportation facility used as an adjunct to waste collection route vehicles.

2. In this Part, the singular shall include the plural and the masculine shall include the feminine and the neuter.

SOLID WASTE

(Ord. 2003-9, 11/17/2003, §3; as amended by A.O.

§20-104. Prohibited Activities.

1. It shall be unlawful for any person to accumulate or to permit to accumulate upon any public or private property within the Township, any garbage, rubbish, bulky waste or any other municipal or residual solid waste except in accordance with the provisions of this Part and Acts 97 and 101; provided, however, that nothing contained herein shall be construed so as to prohibit composting on private property for the personal noncommercial use of the owner or occupier of such property; provided further, that no composting material shall be placed or kept within 15 feet from any adjoining property line.
2. It shall be unlawful for any person to burn any solid waste, including leaf waste, within the Township, except in accordance with the provisions of this Part, Acts 97 and 101 and any applicable ordinance regulating burning within the Township.
3. It shall be unlawful for any person to dispose of any solid waste in the Township except in accordance with the provisions of this Part and Acts 97 and 101.
4. It shall be unlawful for any person to haul, transport, collect or remove any solid waste from public or private property other than their own private residence within the Township without compliance with the laws of the Commonwealth of Pennsylvania, including the acquisitions of any required permits or licenses.
5. It shall be unlawful for any person to scavenge any materials from any municipal waste or source separated recyclable materials that are stored or deposited for collection within the Township without prior written approval of the Township.
6. It shall be unlawful for any person to salvage or reclaim an solid waste within the Township except at an approved and permitted resource recovery facility under Acts 97 and 101.
7. It shall be unlawful for any person to throw, place or deposit, or cause or permit to be thrown, placed or deposited any solid waste in or upon any street, alley, sidewalk, body of water, public or private property within the Township except as provided in this Part.
8. It shall be unlawful for any person to place any used lead acid battery in mixed municipal solid waste for collection, or to discard or dispose of any lead acid battery except by delivery to a secondary lead smelter ora collection or recycling facility approved by the Department.

(Ord. 2003-9, 11/17/2003, §4)

§20-105. Standards for Storage of Solid Waste.

1. The storage of solid waste shall be practiced so as to prevent the attraction, harborage or breeding of insects or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness or public nuisances.
2. Any person producing municipal waste shall provide a sufficient number of approved containers to store all waste materials generated during periods between regularly scheduled collections and shall place and store all waste materials therein.
3. Any person storing municipal waste for collection shall comply with the following preparation standards:
 - A. All municipal waste shall be drained of free liquids before being placed in storage containers.
 - B. All garbage or other putrescible waste shall be securely wrapped in paper, plastic or similar material or placed in properly tied plastic bags.
 - C. All cans, bottles or other food containers should be rinsed free of food particles and drained before being placed in storage containers.
 - D. Garden clippings and tree trimmings shall be placed in approved containers or shall be cut and tied securely into bundles. Bundles shall not be more than 4 feet in length, not more than 2 feet in diameter and not more than 40 pounds in weight.
 - E. Newspapers and magazines shall be placed in approved containers or shall be tied securely into bundles of not more than 40 pounds.
 - F. When specified by the Township or its designated representative, special preparation and storage procedures may be required to facilitate the collection and recycling of certain recyclable materials.
 - G. All municipal waste shall be stored in containers approved by the Township or its designated representative. Individual containers and bulk containers utilized for storage of municipal waste shall comply with the following standards:
 - (1) Reusable containers shall be constructed of durable, watertight, rust and corrosion resistant material, such as plastic, metal or fiberglass in such a manner as to be leak proof and weatherproof.
 - (2) Reusable containers for individual residences shall have a tight-fitting cover and suitable lifting handles to facilitate collection.

SOLID WASTE

- (3) All containers, either reusable or disposable shall also comply with the minimum standards established by the National Sanitation Foundation.
4. Any person storing municipal waste for collection shall comply with the following storage standards:
 - A. Containers shall be kept tightly sealed or covered at all times. Solid waste shall not protrude or extend above the top of the container.
 - B. Reusable containers shall be kept in sanitary condition at all times. The interior of the containers shall be thoroughly cleaned, rinsed, drained and disinfected as often as necessary to prevent the accumulation of liquid residues or solids on the bottom or sides of the containers.
 - C. Containers shall be used and maintained so as to prevent public nuisances.
 - D. Containers that do not conform to the standards of this Part or which have sharp edges, ragged edges or any other defect that may hamper or injure collection personnel shall be promptly replaced by the owner or its designated representative.
 - E. Containers shall be placed by the owner or customer at a collection point located on private property. It shall be the responsibility of the property owner to maintain access to the containers during winter months.
 - F. With the exception of pick-up days when the containers are placed out for collection, the containers shall be properly stored by the owner or customer at all times.
 - G. No garbage or rubbish may be placed out for collection before 7 p.m. on the evening prior to the scheduled collection. All containers shall be returned promptly to the storage area following collection.
 - H. No dumpsters may be placed along any street, alley or right-of-way within the Township, unless a permit is obtained from the Code Enforcement Officer or Township Manager. Said permit shall be valid for a period of time to be determined by the Township. Any dumpster permitted to remain on any street, alley or right-of-way shall be clearly marked with the name of the owner and shall have sufficient reflecting devices installed to make the dumpster clearly visible at night.
 - I. Bulk waste items such as furniture, automobile parts, machinery, appliances and tires shall be stored in a manner that will prevent the accumulation or collection of water, the harborage of rodents or the creation of safety hazards and fire hazard.

5. The storage of all municipal waste from multifamily residential units, commercial establishments, institutions and industrial lunchrooms or office waste sources is subject to the regulations and standards set forth in this Part. The type, size and placement requirements for bulk containers shall be determined by the waste generator and the waste hauler and are subject to approval by the Township.
6. Any person storing municipal waste for collection shall comply with the minimum standards for the storage of municipal waste set forth in the Department's Chapter 285, Subchapter "A", "Regulations for the Storage of Municipal Waste," and with the revisions or amendments thereto.

(Ord. 2003-9, 11/17/2003, §5)

§20-106. Standards and Regulations for Collections.

1. The Township may provide for collection of all garbage, rubbish and bulky wastes from individual residence and multifamily residential sources with less than four units, and/or it may license a private collector or collectors to provide this essential residential collection service.
2. All households and homeowners shall utilize a residential collection service, unless they can demonstrate that they have made alternate arrangements for the disposal of the waste which are consistent with this Part and with Acts 97 and 101.
3. All multifamily residential sources with more than four units, commercial, institutional and industrial establishments shall negotiate and individually contract collection services with a licensed collector. [A.O.]
4. All residential garbage and rubbish shall be collected at least once a week. Bulky waste shall be collected following prior arrangement with a licensed collector and payment of any required special fees.
5. All commercial, institutional, public and industrial lunchroom and office waste containing garbage shall be collected at least once a week. Rubbish collection from these sources shall be made as often as necessary to control health hazards, odors, flies and unsightly conditions. The Township reserves the right to require more frequent collection when deemed necessary.
6. All municipal solid waste collection activity within residential areas of the Township shall take place from Monday through Saturday, unless prior exception has been granted by the Township. No collection, hauling or transporting of municipal waste shall be permitted on Sunday. Licensed haulers shall notify the Township Manager or Code Enforcement Officer of any equipment breakdown requiring exceptions to this Section; providing, however, that nothing contained herein shall be construed so as to require the granting of a temporary exception or of a waiver

SOLID WASTE

of enforcement hereunder shall be within the sole discretion of the Township Manager or Code Enforcement Officer, upon good cause shown.

7. All licensed haulers and collectors shall comply with the following standards and regulations:
 - A. All municipal waste collected within the Township shall be conveyed by the collector or hauler to a transfer station processing facility, and/or disposal site designated by the Authority pursuant to the approved Municipal Waste Management Plan for Clearfield County.
 - B. Any trucks or other vehicles used for the collection and transportation of municipal waste must comply with the requirements of Act 97 and Act 101 and with Title 25, Chapter 285, Subchapter B, "Regulations of the Department for the Collection and Transportation of Municipal Waste," and the laws of the Commonwealth of Pennsylvania. [A.O.]
 - C. All collection vehicles conveying domestic or household waste and garbage shall be secured and suitably enclosed to prevent leakage, roadside littering, attraction of vectors, the creation of odors and other nuisances. No open trucks are to be used for solid waste collection, except that a pick-up truck, etc., may be used when the width of a street or alley prohibits the use of a conventional garbage truck. The pick-up truck, etc., must be covered at all times to prevent the scattering of garbage and refuse during the transporting of material to the regular disposal or collection vehicle.
 - D. Collection vehicles for rubbish and other non-putrescible solid waste shall be capable of being enclosed or covered to prevent roadside litter and other nuisances.
 - E. All solid waste collection vehicles shall be operated and maintained in a clean and sanitary condition.
 - F. No collection vehicle may be parked in excess of 4 hours in any residential area or within the Business District.

(Ord. 2003-9, 11/17/2003, §6; as amended by A.O.)

§20-107. Disposal of Leaf Waste.

1. Unless otherwise providing for composting, all persons shall keep leaf waste separate from all other forms of municipal waste and separate from recyclables. Such waste shall be set out for collection in a manner to be designated by the collector and shall be disposed of by the collector in accordance with Pennsylvania Department of Environmental Protection regulations. [A.O.]

2. Nothing herein shall require any person to gather leaf waste or prevent any person from utilizing leaf waste for compost, mulch or other agricultural purposes.

(Ord. 2003-9, 11/17/2003, §7; as amended by A.O.

§20-108. Separation of Recyclables.

1. General. Recyclables shall be kept separate from and disposed of separately from municipal waste, to the extent required by the following provisions and the hauler's guidelines:

- A. Owners and occupants of all residential property shall keep separate from other waste, but may co-mingle (mix) the following recyclables:

- (1) Clear glass.
- (2) Colored glass.
- (3) Aluminum.
- (4) Steel and bimetallic cans and plastics.
- (5) Corrugated paper and newsprint, which shall each be tied or bundled separately.

- B. Owners and occupants of all commercial, municipal and institutional establishments and properties and sponsors or organizers of community activities shall keep separate from other waste, but may co-mingle (mix) the following recyclables:

- (1) Clear glass.
- (2) Colored glass.
- (3) Aluminum.
- (4) Steel and bimetallic cans and plastics.
- (5) They shall also keep separate from other waste the following recyclables:
 - (a) Corrugated paper.
 - (b) High-grade office paper and newsprint.
 - (c) Corrugated paper, high-grade office paper and newsprint shall each be tied or bundled separately.

SOLID WASTE

- C. Alternatively, the Township Supervisors may by resolution enumerate the recyclables which will be required to be separated from municipal waste and collected in accordance with this Part.
2. Paper Products; Metal; Glass, Limitations. Corrugated paper, high-grade office paper and newsprint shall be placed in easy-to-manage bundles not to exceed 40 pounds and kept dry. Glass containers and aluminum, steel and bimetallic cans shall be emptied. Aluminum, steel and bimetallic cans and glass containers may be mixed together and shall be placed in containers which when full shall not exceed 40 pounds. Lids shall be removed from all glass containers. High-grade office paper shall be placed in containers not to exceed 40 pounds. Recyclables shall not be placed in the same garbage can or other container as, or otherwise mixed with, municipal waste for collection, removal or disposal. Recyclables shall not be placed in plastic bags or corrugated boxes.
3. Alternative Procedures. Recyclables may be set out for collection in a manner different from the requirements in subsection (2) above if an alternative manner is designated by the collector and which is approved by the Township.

§20-109. Disposal or Placement for Removal of Recyclables, Residential (Other Than Multifamily Housing Properties).

1. General. For residential properties other than multifamily housing projects, all recyclables which are required to be kept separate in residential properties pursuant to §20-108 above, shall be placed at the appropriate location on the premises to be collected at times designated by the licensed hauler or recyclable collection permittee. The frequency of such collection shall be not less than once per month.
2. Licensed Hauler; Location of Recyclables. If the recyclables are to be collected by a licensed hauler, then the recyclables shall be set out within the public right-of-way for collection.
3. Other Collectors; Location of Recyclables. If the recyclables are to be collected by an authorized collector other than a licensed hauler then the recyclables shall be placed at an area other than within the public right-of-way.

(Ord. 2003-9, 11/17/2003, §9)

§20-110. Disposal or Placement for Removal of Recyclables, Multifamily Housing Properties.

1. General. For multifamily housing properties, all recyclables which are required to be kept separate, in residential properties pursuant to §20-109 above, shall either be delivered directly to a recycling center, or shall be picked up by a recyclable col-

lection permittee or a licensed hauler separately from municipal waste, in a pre-arranged manner. If any recyclables are picked up by a recyclable collection permittee, then all recyclables generated at the property shall be made available to such recyclable collection permittee for collection. The landlord of every multifamily housing property shall require, by a clause in the lease or other enforceable rule or regulation, that the tenants in such property comply with the requirements of this Part governing separation and disposal or placement for removal of recyclables in multifamily housing properties. Every such landlord shall set up a convenient and practical collection system in such properties for the collection, storage and regular disposal or placement for removal of recyclables generated by the residents of such properties. The collection system must include suitable containers for collecting and sorting materials, easily accessible locations for the containers and written instructions to the occupants concerning the use and availability of the collection system.

2. Compliance. Owners, landlords and agents of owners or landlords who comply with the aforementioned requirements relative to multifamily housing properties shall not be liable for the noncompliance of occupants of their building.

(Ord. 2003-9, 11/17/2003, §10)

§20-111. Disposal or Placement for Removal of Recyclables, Commercial, Municipal and Institutional and Community Activities.

All recyclables which are required to be kept separate in commercial, municipal and institutional establishments and properties and community activities pursuant to §20-109 above, shall either be delivered directly to a recycling center, or shall be picked up by a recyclable collection permittee or a licensed hauler separately from municipal waste, in a prearranged manner. If any recyclables are picked up by a recyclable collection permittee, then all recyclables generated at the property shall be made available to such recyclable collection permittee for collection.

(Ord. 2003-9, 11/17/2003, §11)

§20-112. Recycling Reports for Multifamily Housing Properties.

1. Reports Required. If required by resolution of the Township, the landlord of every multifamily housing property or his agent or representative shall complete a form to be designated “Recycling Report – Multifamily Housing Properties,” to be provided by the Township, which shall indicate where the property’s recyclables were delivered.
2. Responsibility; Time for Submitting. The “Recycling Report” and all weigh slips obtained from the facility or facilities to which the recyclables were delivered or taken shall be submitted quarterly to the Township. For purposes of submitting such weigh slips and Recycling Reports quarterly to the Township, the collector

SOLID WASTE

who removed the recyclables from the property shall be the agent for the landlord and shall be responsible for completing and submitting such to the Township. Each such quarterly report shall be submitted on or before the last day of the first month of each quarter, for the preceding quarter. Quarters shall run on a calendar year basis thus January through March, April through June, July through September and October through December.

(Ord. 2003-9, 11/17/2002, §12)

§20-113. Recycling Reports for Commercial, Municipal and Institutional Establishments and Community Activities.

1. Reports Required. Every commercial, municipal and institutional establishment and community activity sponsor shall complete a form to be designated "Recycling Report – Commercial, Municipal and Institutional Establishments and Community Activities," to be provided by the Township, which shall indicate where the establishment's or activity's recyclables were delivered.
2. Responsibility; Time for Submitting. The "Recycling Report" and all weigh slips obtained from the facility or facilities to which the recyclables were delivered or taken shall be submitted quarterly to the Township. For purposes of submitting such weigh slips and Recycling Reports quarterly to the Township, the collector who removed the recyclables from the property shall be the agent for the operator of the establishment or sponsor of the activity and shall be responsible for completing and submitting such to the Township. Each such quarterly Recycling Report shall be submitted on or before the last day of the first month of each quarter, for the preceding quarter. Quarters shall run on a calendar year basis thus January through March, April through June, July through September and October through December.

(Ord. 2003-9, 11/17/2003, §13)

§20-114. Collection by Unauthorized Person.

1. From the time of placement for collection of residentially generated recyclable items for collection in accordance with the terms of this Part, the items shall be and become the property of the Township or its authorized agent. It shall be a violation of this Part for any person unauthorized by the Township to collect or pick up or cause to be collected or picked up any such items. Any and each such collection in violation hereof from one or more locations shall constitute separate and distinct offense punishable as hereinafter provided.
2. It shall be unlawful for a person to collect, remove or dispose of municipal waste which contains recyclables required by that person to be separated, combined therewith.

(Ord. 2003-9, 11/17/2003, §14)

§20-115. Compliance with Applicable Laws.

Notwithstanding anything contained herein to the contrary, no person shall collect, store, transport or dispose of solid waste in violation of Acts 97 and 101, as amended, or the rules and regulations of the Department of Environment Protection, promulgated thereunder, or of the Municipal Waste Management Plan for Clearfield County.

(Ord. 2003-9, 11/17/2003, §15)

§20-116. Enforcement.

The inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the Code Enforcement Officer or the Township Manager or their representative. The Township shall have the power as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this Part, to secure the intent thereof and to designate requirements applicable because of change in circumstances. The Township shall appoint such officers, technical assistants, inspectors and other employees as necessary for the administration of this Part. The Township Manager is authorized to designate an employee as deputy who shall exercise all the powers of the Code Officer during the temporary absence or disability of the Code Officer.

(Ord. 2003-9, 11/17/2003, §16)

§20-117. Penalties.

Any person, firm or corporation who shall violate any provision 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 less than \$50 nor 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. 2003-9, 11/17/2003, §17; as amended by A.O.