

ORDINANCE NO. 209

AN ORDINANCE PROVIDING FOR THE HEALTH AND WELFARE OF THE MUNICIPALITY OF SANDY LAKE BOROUGH BY REGULATING THE STORAGE, COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE, THE LICENSING OF SOLID WASTE COLLECTORS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

The Council of the Borough of Sandy Lake, Mercer County, Pennsylvania, enacts and ordains as follows:

SECTION I: This ordinance shall be known as the "Solid Waste Ordinance".

SECTION II:

1. Act: The Pennsylvania Solid Waste Management Act of July 7, 1980.
2. Agricultural Waste: Solid waste resulting from the production of farm or agricultural products.
3. Borough: Borough of Sandy Lake.
4. Commercial Waste: All solid waste emanating from establishments engaged in business. This category shall include, but is not limited to, solid waste originating in stores, markets, office buildings, and restaurants.
5. Composting: The process in which solid waste is shredded or ground and then biologically decomposed under controlled anaerobic or aerobic conditions to yield a stable nuisance-free, humus-like product which can be used as a soil conditioner.
6. Disposal: The storage, collection, and disposal or handling of refuse.
7. Industrial Waste: All solid waste resulting from manufacturing and industrial processes, such as those carried on in factories, processing plants, refineries, slaughter houses and steel mills.
8. Refuse: All materials which are discarded as useless.
9. Residue: Solid materials such as ash, ceramics, glass, metal and unburned organic substances remaining after incineration.
10. Rubbish: All solid waste except garbage and other decomposable matter. This category shall include, but is not limited to, ashes, bedding, cardboard, cans, crockery, glass, paper, wood and yard cleanings.
11. Sanitary Landfill: A landsite on which engineering principles are utilized to bury deposits of solid waste without creating public health or safety hazards or nuisances.
12. Solid Waste: Garbage, refuse and other discarded materials, including but not limited to solid and liquid waste materials, resulting from industrial, commercial, agriculture and residential activities.
13. Vector (of disease): An animal or insect which transmits infectious diseases from one person or animal to another, by biting the skin or mucous membrane or by depositing infective material on the skin, or food or on another object.

SECTION III: Health and Safety

A. Garbage, Rubbish, Etc..

No person, partnership, firm or corporation shall deposit, leave or cause to be left or accumulated on any street, land, highway, alley, vacant lot, stream, creek or other watercourse, or any other public or private property within Sandy Lake Borough, any garbage, rubbish, waste materials, old building materials, litter and debris of any kind, junked, scrapped, dilapidated or outworn construction equipment or automobile parts, all of which are hereby declared to be a nuisance and detrimental to the health, safety, and environment.

B. Weeds and Trees

No person, partnership, firm or corporation shall permit the following growths and vegetation, which are hereby declared to be a detriment to the health, safety and environment of Sandy Lake Borough:

1. Poison ivy, oak, and other toxic vegetation.
2. All dead, dying, or diseased trees or parts thereof, whose existence pose a hazard to persons or property in the vicinity.

This section shall not apply to land which is located one hundred feet (100') or more from any habitable building, or land which is agricultural in use.

C. Standing Water

No person, partnership, firm or corporation shall cause or allow water of a depth of six inches (6") or greater to become non-flowing, foul, impure or stagnant.

D. Infestations

No person, partnership, firm or corporation shall permit property under its ownership or control to become a harborage for or infested with insects, rodents or vermin.

E. Other Nuisances

Should any person, partnership, firm or corporation permit or allow any activity or act, including but not limited to those specifically mentioned in previous sections of this ordinance ; that could be detrimental to the health, safety, or general welfare of the residents of Sandy Lake Borough, such activity can be declared a nuisance to the health and safety by a majority vote of the Council of Sandy Lake Borough and be restricted or prohibited at their discretion, and enforced as provided for in this part.

F. Notification of Violation and Failure to Abate Violation

Without limitation as to such other legal or equitable remedies the Borough may authorize and direct the Zoning officer to give notice by personal service or by United States Mail to the owner or occupant, as the case may be, of any premises where violations of Paragraphs A. through E. exist,

directing and requiring such owners or occupants to remove or eliminate such violation within five (5) days after issuance of such notice. If any person, partnership, firm or corporation shall neglect, fail, or refuse to comply with such notice within the period stated herein, such person, partnership, firm or corporation shall be subject to the penalties provided elsewhere in this ordinance and in addition, the Borough authorities may remove such deposits, accumulations, harborages or infestations in violation of paragraphs A. through E. of this part, and the costs thereof, together with any additional payment authorized by law, may be collected by the Borough from such person, partnership, firm or corporation in the manner provided by law.

SECTION IV: Storage Facilities

A. Preparation of Refuse:

1. Garbage shall be wrapped in paper or similar material.
2. Rubbish shall be:
 - a. Placed in approved containers, or
 - b. Cut and baled, tied, bundled, stacked or packaged, so as not to exceed 50 pounds of weight.

B. Refuse Containers:

1. Refuse containers shall be made of durable vector-proof, watertight, rust-resistant material having a close-fitting lid and handles to facilitate collection.
2. Refuse containers for residences shall be of not less than ten gallons, nor more than 30 gallons in capacity, nor more than a gross weight of 50 pounds. Sturdy plastic bags may be used provided they are not overloaded.
3. It shall be unlawful to permit the accumulation of residue of liquids, solids, or a combination of such material on the bottom or sides of containers, it being the intention of this provision that the interior of containers shall be kept clean by thorough rinsing, draining, and disinfecting as often as necessary.

4. All containers, either permanent or disposable, shall in addition to meeting the requirements of Sandy Lake Borough, also meet the minimum standards established by the National Sanitation Foundation.

C. Storage of Refuse:

1. Each householder, commercial establishment, or person having refuse shall provide himself with sufficient approved refuse containers or dumpsters, to contain all waste materials generated during periods between regularly scheduled collection and shall place and keep all refuse therein.
2. It shall be unlawful to place refuse in any street, alley, stream, body of water, or any other public place, or upon private property, whether owned or not, unless such refuse is placed in an approved container, except that rubbish may be stored as provided in Section V, A, 2 of this ordinance.
3. The storage of all solid waste 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.

- D. It shall be unlawful to store refuse in a manner other than those set forth in this section.

SECTION V: Collection Practices

A. Place of Collection:

1. Refuse containers shall, for the purpose of collection, be placed at ground level, and be made readily accessible to the collector.
2. Collection locations for commercial, industrial, public, multi-family and other sites requiring collection frequencies or having collection quantities substantially in excess of the minimums set forth in other section of this ordinance, shall be required to maintain containers as designated by the Municipality of Sandy Lake of Mercer County.

B. Frequency of Refuse Collection:

1. Refuse shall be collected:
 - a. At least once weekly from all residences and commercial establishments within the Borough of Sandy Lake.
 - b. One general clean-up day will be scheduled during the years at Borough expense.

C. Authorization of Collectors:

1. Only refuse collectors that have been authorized by the Borough of Sandy Lake may collect, remove, haul, or convey refuse through or upon any of the streets or alleys of the Municipality of Sandy Lake.

2. Refuse collectors must make application to the Borough Office for a permit authorizing them to operate in the Borough. The refuse collector must in his letter of application state the approved sanitary landfill or approved solid waste disposal plant which he will use.
3. No authorized collector shall make any change in the arrangements for disposal of refuse collection without first receiving the approval of the Municipality of Sandy Lake.
4. It shall be unlawful to permit an unauthorized collector to dispose of refuse from a household, institution, or commercial enterprise.
5. No provision in this section is intended to prohibit the transport of material for recycling to any lawfully existing commercial, public, or private recycling facility.

D. Collection Vehicles:

1. Solid waste shall be collected and transported so as to prevent public health hazards, safety hazards and nuisances.
2. Collection and transportation equipment shall be designed and constructed so as to be leak-proof, easily loaded, readily emptied and easily cleanable. The waste shall be suitably enclosed or covered so as to prevent roadside littering, attraction of vectors, or creation of other nuisances.
3. Collection and transportation vehicles shall be kept in clean and sanitary condition.
4. All vehicles used for collection of garbage shall have enclosed cargo space for carrying solid waste.
5. It shall be unlawful to collect and transport solid waste in open, unclosed vehicles, except as specially authorized by the Municipality of Sandy Lake for special waste problems.

SECTION VI: Disposal of Refuse

- A. The disposal of refuse by refuse collectors authorized by the Borough of Sandy Lake must be in an approved sanitary landfill in accordance with State Act 241; or at an approved solid waste disposal plant.
- B. Composting shall be permitted within the Borough.
- C. Any lawfully established recycling facility will be issued a permit for that purpose.
- D. Disposal of leaves, trees, shrubs, and papers; may be by burning, compost pile, or removal with no authorization required.

SECTION VII: Collection Charges

- A. Bills for collection and/or disposal services shall be collected by the authorized refuse collectors directly from each resident.

SECTION VIII: Penalties

- A. Any person who shall violate any provisions of this ordinance shall upon conviction be sentenced to pay a fine of not less than \$100 nor more than \$300; or in default of payment of such fine, then to imprisonment for not more than 30 days. Costs of prosecution are added to those fines.
- B. Each day's continuance of a violation of this ordinance may constitute a separate offense.

SECTION IX: Refusal of Non-compatible or Hazardous Materials, Right of Authority to Impose Special Regulations on Non-compatible or Hazardous Materials

- A. The Municipality of Sandy Lake shall have the right to refuse to accept any materials which may not be compatible with the disposal technology employed. The decision of the Municipality on this matter shall be absolute.
- B. Collection and transportation of chemicals, poisons, explosives, and other hazardous materials; either by the generator of these wastes, an agent of the generator of these wastes, or others, shall be in accordance with the requirements of State and Federal regulatory controls for such wastes.

Adopted this 2nd day of May, 1985

BOROUGH OF SANDY LAKE, MERCER COUNTY, PENNSYLVANIA

W. Bruce Opitz
President

Beverly Voorhees
Secretary

Approved this 2nd day of May, 1985

William E. Walker
Mayor