

**BOROUGH OF BLAWNOX
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 596

**AN ORDINANCE OF THE COUNCIL OF THE
BOROUGH OF BLAWNOX, ALLEGHENY COUNTY,
PENNSYLVANIA, PROVIDING RULES AND
REGULATIONS FOR THE STORAGE AND
COLLECTION OF MUNICIPAL WASTE.**

WHEREAS, the Council of the Borough of Blawnox ("Borough") finds that it is necessary to set forth rules and regulations for the storage and collection of municipal waste; and

WHEREAS, the Borough finds that such rules and regulations are necessary for the health, safety and welfare of all residents of the Borough.

NOW, THEREFORE, it is hereby ordained and enacted by the Council of the Borough of Blawnox as follows:

Section 1. **Definitions.** The following words and phrases as used in this ordinance shall have the meaning ascribed herein, unless the context clearly indicates a different meaning:

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 or weight.

COMMERCIAL ESTABLISHMENT – Any business establishment, including but not limited to stores, markets, office buildings, restaurants, and entertainment venues.

DISPOSAL – The incineration, deposition, dumping, spilling, or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters the environment, is emitted into the air or is discharged to the waters of the Commonwealth of Pennsylvania.

GARBAGE – Any solid waste derived from animal, grain, fruit, or vegetable matter that is capable of being decomposed with sufficient rapidity to cause annoying odors or gases.

HAULER or PRIVATE COLLECTOR – The entity licensed to collect, transport, and dispose of refuse for a fee within the Borough.

HAZARDOUS WASTE – Any solid waste or combination of solid wastes which because of its quantity, concentration or physical, chemical, or infectious characteristics may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

INDUSTRIAL ESTABLISHMENT – Any establishment engaged in the manufacturing of goods or the processing of raw materials.

INSTITUTIONAL ESTABLISHMENT – Any establishment engaged in a public service, including but not limited to hospitals, nursing homes, schools and churches.

MUNICIPAL WASTE – Garbage, refuse, waste and other disposable material resulting from the operation of residential, municipal, commercial or institutional establishments.

REFUSE – All solid waste materials which are discarded as useless.

RESIDENTIAL WASTE – Solid waste, comprised of garbage and rubbish, which normally originates in a private residential dwelling.

RESIDUAL WASTE – Any garbage, refuse, discarded material or other waste that remains after the process of waste treatment has taken place, provided that it is not hazardous.

RUBBISH – All non-decayable municipal waste except garbage and other decomposable matter. This category includes, but is not limited to, ashes, bedding, cardboard, cans, glass, paper, wood and yard cleanings.

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.

STORAGE – The containment of any waste on the 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 one (1) year constitutes disposal.

Section 2. Prohibited Activities.

- (1) It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property in the Borough, any garbage, rubbish, bulky waste, or any other municipal or residual solid waste except in accordance with this ordinance.

- (2) 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 Borough except in accordance with this ordinance.

Section 3. Standards for Storage of Solid Waste.

- (1) The storage of all solid waste shall be practiced so as to prevent the attraction or harborage 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 containers shall be drained of free liquids before being placed in storage containers;
 - (b) All garbage or other decayable waste shall be securely wrapped in paper, plastic or similar material or placed in properly tied plastic bags and placed in an approved metal or plastic container which shall be capped with a proper lid;
 - (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 four (4) feet in length, not more than two (2) feet in diameter and not more than forty (40) pounds in weight;
 - (e) Newspapers and magazines shall be placed in approved containers or tied securely into bundles of not more than forty (40) pounds in weight; and
 - (f) When specified by the Borough or its designated representative, special preparation and storage procedures may be required to facilitate the collection and resource recovery of certain waste materials.

4. All municipal waste shall be stored in containers approved by the Borough or its designated representative. Individual containers and bulk containers utilized for storage of municipal waste shall comply with the following standards:
 - (a) 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, weather-proof, insect-proof, and rodent-proof;
 - (b) Reusable containers for individual residences shall have a tight-fitting cover and suitable lifting handles to facilitate collection; and
 - (c) Reusable containers for individual residences shall have a capacity of not less than ten (10) gallons nor more than forty (40) gallons, and a loaded weight of not more than forty (40) pounds.

5. 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 a 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 ordinance 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 upon notice from the Borough or its designated representative;
 - (e) Containers shall be placed by the owner or customer at a collection point specified by the Borough or its designated representative;
 - (f) With the exception of pick-up days when the containers are placed out for collection, the containers shall be properly stored on the owner or customer premises at all times prior to 5:00 p.m. on the day before collection and after 9:00 p.m. on the day of collection; and

- (g) Bulk waste items such as furniture and appliances shall be stored in a manner that will prevent the accumulation or collection of water, the harborage of rodents, and the danger of safety or fire hazards.
6. The storage of all municipal waste from multi-family residential units, commercial establishments, institutions and industrial lunchroom or office waste sources is subject to the regulations and standards set forth in this ordinance. The type, size and placement requirements for bulk containers shall be determined by the waste generator and waste hauler, and are subject to approval by the Borough.

Section 4. Standards and Regulations for Collection.

1. The Borough shall provide for the collection of all garbage, rubbish and bulky waste, excluding electronic equipment, refrigerators with freon tanks, paint and other hard to recycle items, from individual residences and multifamily residential sources. All property owners, landlords and/or agents of individual residences and/or multifamily residential sources shall be responsible to pay the fee for the collection and disposal of solid waste, as established by the Borough pursuant to Section 5 of this ordinance.
2. All households and homeowners shall utilize the residential collection service provided by the Borough.
3. All multi-family residential sources (with more than four (4) units), commercial, institutional, and industrial establishments shall negotiate and individually contract collection services with the Borough's collector or any other properly licensed waste hauler of their choice.
4. All residential garbage and rubbish shall be collected at least once a week. Bulky wastes shall be collected following prior arrangement with the Borough's collector and payment of any required special fee.
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 Borough reserves the right to require more frequent collection when deemed necessary.
6. Residential collection schedules shall be published regularly by the Borough or its contracted hauler.
7. All solid waste collection activity shall be conducted from Monday through Friday between the hours of 6:00 a.m. and 6:00 p.m. or on Saturdays between the hours of 6:00 a.m. and 12:00 p.m., unless prior approval of any exception

has been granted by the Borough. No collection, hauling, or transporting of solid waste shall be permitted on Sunday.

8. All licensed haulers and haulers under contract with the Borough shall comply with the following standards and regulations:
 - (a) All municipal waste collected within the Borough shall be conveyed by the hauler to a transfer station, processing facility or disposal site designated as being approved by the Allegheny County Health Department;
 - (b) All collection vehicles conveying waste and garbage shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vermin, and the creation of odors and other nuisances;
 - (c) Collection vehicles for rubbish and other non-decayable solid waste shall be capable of being enclosed or covered to prevent roadside litter and other nuisances;
 - (d) All solid waste shall be collected and transported so as to prevent public health hazards, safety hazards and nuisances; and
 - (e) All solid waste collection vehicles shall be operated and maintained in a clean and sanitary condition.

Section 5. Collection and Disposal Charges.

1. The Borough Council shall be authorized to make funds available for the establishment, maintenance, and operation of a municipal solid waste collection and disposal system; or for the contracting of such service to a private collector.
2. Annual fee schedules (if appropriate) shall be published by the Borough based on any competitively bid residential collection service contract that may be awarded by the Borough. Said fee for the collection and disposal of solid waste shall be the responsibility of every person, firm, association or corporation producing solid waste as defined by this ordinance.
3. The Borough shall determine whether the Borough or the Borough's contracted hauler shall be responsible for the collection of waste collection and disposal fees from residential, commercial, institutional or industrial sources within the Borough.

Section 6. Enforcement. The Borough may petition a court of competent jurisdiction for such relief as necessary to enforce any of the provisions of this ordinance.

Section 7. Penalties. Any person who shall violate any provision of this ordinance shall be given written notice of said violation and shall be given written notice of any second violation of any provision of this Ordinance. Upon the third violation of any provision of this Ordinance, the person, shall upon conviction thereof, be sentenced to pay a fine not exceeding Six Hundred Dollars (\$600.00) plus costs, and in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

Section 8. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, section or parts of this ordinance.

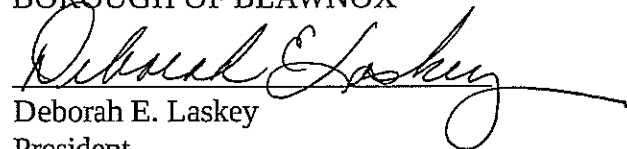
Section 9. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED this 8 day of February, 2018, by the Council of the Borough of Blawnox in lawful session duly assembled.

ATTEST:

John Stinner
Borough Manager

BOROUGH OF BLAWNOX


Deborah E. Laskey
President

EXAMINED AND APPROVED by me this _____ day of _____,
2018.


Anthony W. Gross, Mayor