

Chapter 20

Solid Waste

Part 1

Solid Waste and Recycling Collection and Transportation

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Part 1**Solid Waste and Recycling Collection and Transportation****A. Solid Waste and Recycling Collection and Transportation Ordinance****§20-101. Short Title.**

This Part shall be known and referred to as the “Solid Waste and Recycling Collection and Transportation Ordinance of Northampton Township.”

(*Ord. 514, 8/8/2007*)

§20-102. Definitions; Word Usage.

1. The following words and phrases as used in this Part shall have the meaning ascribed to them herein, unless the context clearly indicates a different meaning:

Act 90—the Pennsylvania Waste Transportation Safety Act of 2002, P.L. 593, No. 90, June 29, 2002, 27 Pa.C.S.A. §6201 *et seq.*

Act 97—the Pennsylvania Solid Waste Management Act of 1980, P.L. 380, No. 97, July 7, 1980, 35 P.S. §6018.601 *et seq.*

Act 101—the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, No. 101, July 28, 1988, 53 P.S. §4000.101 *et seq.*

Collector or waste hauler—any person, firm, partnership, corporation or public agency that is engaged in the collection and/or transportation of municipal waste and/or source-separated recyclable materials.

Commercial establishment—any establishment engaged in a nonmanufacturing or nonprocessing business, including but not limited to stores, markets, offices, restaurants, shopping centers and theaters.

County—the County of Bucks, Pennsylvania.

Disposal—the deposition, injection, dumping, spilling, leaking 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 this Commonwealth. Disposal facilities include, but are not limited to, municipal waste landfills and construction/demolition waste landfills as defined by Act 101, Act 97, and/or PADEP rules and regulations (25 Pa.Code, Chapters 75 and 271).

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

Institutional establishment—any establishment or facility engaged in services, including but not limited to hospitals, nursing homes, schools and universities.

Leafwaste—leaves, garden residues, shrubbery and tree trimmings and similar materials, but not including grass clippings.

Licensed collector or licensed waste hauler—a person who has written authorization from the PADEP under Act 90 to collect, haul, transport and dispose

of municipal waste.

Municipality—any of the 54 minor civil divisions in Bucks County, Pennsylvania.

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 definitions of “residual waste” 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 any source-separated recyclable materials.

PADEP—the Pennsylvania Department of Environmental Protection.

Person—any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal government or agency, State institution or agency, or any other legal entity recognized by law as the subject of rights and duties. In any provisions of this Part prescribing a fine, imprisonment, 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.

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 materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, recycling facilities, composting facilities, and resource-recovery facilities.

Recycling—the collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would otherwise be disposed 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 generation of energy.

Scavenging—the unauthorized and uncontrolled removal of any material stored or placed at a point for subsequent collection or from a processing or disposal facility.

Source-separated recyclable materials—Materials, including leaf waste, that are separated from municipal waste at the point of origin or generation for the purpose of recycling.

Transportation—the off-site removal of any municipal waste at any time after generation.

2. For the purpose of this Part, the singular shall include the plural and the masculine shall include the feminine and neuter.

(Ord. 514, 8/8/2007)

§20-103. Property Owners to Participate in a Township Waste Collection Program.

1. Northampton Township, or authorized persons under contract by the

Township, shall collect, transport, process and dispose of all municipal waste generated at residential properties within the Township. In the event that the Township, or an authorized person or persons under contract by the Township, does not collect, transport, process or dispose municipal waste, then all persons owning or occupying residential properties shall contract directly with a licensed collector or licensed waste hauler for such services.

2. All persons owning and occupying residential properties shall make municipal waste available for collection at such times and dates as may be established by regulation.

3. All commercial, industrial, and institutional establishments located in the Township shall contract with a licensed collector or licensed waste hauler to have all municipal waste generated at the premises occupied by such person, entity, or occupants of said premises removed and deposited in a permitted landfill at a minimum of once per week.

(*Ord. 514, 8/8/2007; as added by Ord. 539, 2/25/2009, §1*)

§20-104. Prohibited Activities.

1. It shall be unlawful for any person to collect and/or transport municipal waste from any residential, public, commercial, industrial or institutional establishment within Northampton Township without first securing written authorization from the PADEP in accordance with the provisions of Act 90.

2. It shall be unlawful for any person to store, collect and/or transport municipal waste or source-separated recyclable materials from any sources within Northampton Township in a manner not in accordance with the provisions of this Part, any applicable municipal ordinance, the revised county plan, Act 90, Act 101, the minimum standards and requirements established in Chapter 285 of the PADEP Municipal Waste Management Regulations, any applicable Bucks County Department of Health regulations, and/or any other Federal, State, or local regulations.

3. It shall be unlawful for any person to scavenge any material from any municipal waste or source-separated recyclable materials that are stored or placed for subsequent collection within Northampton Township without prior approval from the municipality.

(*Ord. 514, 8/8/2007*)

§20-105. Standards for Collection and Transportation.

1. All collectors or waste haulers operating within Northampton Township must comply with the following minimum standards and regulations:

A. All trucks or other vehicles used for collection and transportation of municipal waste and/or source-separated recyclable materials must comply with the applicable requirements of Act 90, Act 97, Act 101, and PADEP regulations adopted pursuant to Act 97 and Act 101, including the 25 Pa.Code, Chapter 285, Subchapter B, regulations for the collection and transportation of municipal waste.

B. All collection vehicles conveying municipal waste and/or source-separated recyclable materials shall be operated and maintained in a manner that will prevent creation of a nuisance or a hazard to public health, safety and welfare.

C. All collection vehicles conveying putrescible municipal waste shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors and the creation of odors and other nuisances.

D. All collection vehicles conveying nonputrescible municipal waste and/or source-separated recyclable materials shall be capable of being enclosed or covered to prevent litter and other nuisances.

E. All collection vehicles conveying municipal waste and/or source-separated recyclable materials shall bear signs identifying the name and business address of the person or municipality which owns the vehicle and the specific type of material transported by the vehicle. All signs shall have lettering which is at least 6 inches in height, as required by Act 101.

F. All collection vehicles and equipment used by collectors or waste haulers shall be subject to inspection by Northampton Township or its authorized agents at any reasonable hour without prior notification.

(Ord. 514, 8/8/2007)

§20-106. Licensing and Registration Requirements.

1. No person shall collect or remove any municipal waste from within Northampton Township without first obtaining written authorization from PADEP in accordance with the provisions of Act 90 and providing a copy of such written authorization to Northampton Township. This Section shall not apply to private individuals (e.g., homeowners) who wish to transport their own household waste to PADEP-approved facilities or recyclables to appropriate recycling centers, nor to farmers, landscapers or nurserymen who collect, remove, haul or otherwise transport agricultural or other organic waste associated with their respective business activities.

2. For a collector or waste hauler to collect and transport municipal waste within Northampton Township, a collector or waste hauler shall submit a registration form to Northampton Township, which shall include a copy of his or her State-issued written authorization and a copy of his or her municipal and residual waste transporter authorization application (DEP Form 2500-PM-BWM0015), along with any of the following information that may be deemed appropriate by the municipality:

A. A list of collection vehicles covered under the written authorization including, as a minimum, the following information for each vehicle: identification information for each vehicle (such as license number, vehicle registration number, or company identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.

B. The type of municipal waste to be collected and transported.

C. Certificates of insurance evidencing that the waste hauler or collector has valid liability, automobile and workmen's compensation insurance in the minimum amounts established and required by separate resolution of the governing body of the municipality.

D. If he or she is hauling or collecting source-separated recyclable materials in the municipality, identify the materials being hauled or collected and provide the following information for each vehicle: identification information for each vehicle (such as vehicle license number, vehicle registration number, or company

identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.

3. Any person who fails to satisfy the minimum standards and requirements of this Part or is in violation of the provisions of this Part may not lawfully collect municipal waste or source-separated material in Northampton Township.

4. All licensed collectors and licensed waste haulers shall meet the requirements of Act 90, Act 97, Act 101, the Bucks County Municipal Waste Management Plan, and all PADEP rules and regulations (25 Pa.Code, Chapter 285).

(Ord. 514, 8/8/2007)

§20-107. Reporting Requirements.

1. All licensed collectors and licensed waste haulers and collectors and haulers of source-separated recyclable materials operating within Northampton Township shall participate in the Bucks County Municipal Recycling Documentation Program. The program will provide a system for documenting the origin of municipal waste and source-separated recyclable material by municipality and the ultimate disposal point of said waste and recyclables. Each licensed collector and licensed waste hauler and collectors and haulers of source-separated recyclable materials operating in Northampton Township shall prepare and submit an annual report to the municipality on the official collectors and haulers recyclables documentation reporting form. The report shall be submitted by the PADEP-licensed collector or licensed waste hauler and collectors and haulers of source-separated recyclable materials to Northampton Township by January 31 of each year and include all of the required information pertaining to the preceding calendar year.

2. All annual reports submitted to the municipality from licensed collectors and licensed waste haulers and collectors and haulers of source-separated recyclable materials shall be combined into a single report and submitted by the municipality on the official municipal recyclables documentation reporting form to the county by February 28 of the year following the reporting period.

(Ord. 514, 8/8/2007)

§20-108. Violations and Penalties.

Any person who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 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. For purposes of this Section, the doing of any act or thing prohibited by any provision of this Part, or the failure to do any act or thing as to which any provision of this Part created an affirmative duty, shall constitute a violation of this Part, punishable as herein stated. Licensed collectors and licensed waste haulers who shall violate any provision of this Part may be reported to the PADEP by the Northampton Township and may be subject to the revocation of the State authorization to transport municipal waste, as described in Act 90.

(Ord. 514, 8/8/2007)

§20-109. Injunctive Powers.

The Northampton Township may petition the Bucks County Court of Common Pleas for an injunction, either mandatory or prohibitive, in order to enforce any of the provisions of this Part.

(Ord. 514, 8/8/2007)

B. Rules and Regulations

§20-111. Collection of Residential Solid Waste (Other than Bulky Items and Recyclable Materials).

1. *Collection Schedule.* All solid waste other than bulky items, recyclable materials and compostable materials shall be collected in accordance with a twice-weekly schedule. Each household will have collection dates either on Monday and Thursday, Tuesday and Friday, Wednesday and Saturday in accordance with the attached map.¹ Every householder shall be notified by the contractor at least once per month in advance of any change to the above-referenced collection schedule.

2. *Holidays.*

A. There shall be no collection provided on the following holidays:

- (1) January 1, known as “New Year's Day.”
- (2) The third Monday in February, known as “Presidents Day.”
- (3) The fourth Monday of May, known as “Memorial Day.”
- (4) July 4, known as “Independence Day.”
- (5) The first Monday of September, known as “Labor Day.”
- (6) Thanksgiving Day.
- (7) Christmas Day.

B. Households whose collection day falls on these holidays shall be skipped until the next regularly scheduled collection day.

3. *Hours and Days of Collection.* Collection may commence at 6 a.m. prevailing time and continue to completion, but shall end no later than 6 p.m. except in cases of weather emergencies. No collections shall be made on Sundays.

4. *Preparation of Collection.* Garbage shall be thoroughly drained of all water, wrapped securely in paper and/or plastic and placed in a proper receptacle. Ashes, trash and rubbish shall be placed in a receptacle used to contain the wrapped garbage. Where any such rubbish is too bulky to be placed in a proper receptacle, it may be disassembled, broken or cut up as much as practicable and placed on the curb on the prescribed collection day. All such rubbish shall be securely tied, where applicable, and shall be of such size that the longest dimension thereof shall not exceed 3 feet and the total weight thereof shall not exceed 50 pounds. Paper shall be secured or properly tied into bundles and other packages in a manner designed to prevent any scattering while the same is being handled by the collectors. Packages shall be of a size and construction so as to permit ease of handling by one man and shall in no event exceed 50 pounds in weight.

5. *Receptacles.* The receptacles for refuse collection shall be waterproof and shall not exceed 30 gallons in capacity. Residents are encouraged to use metal and/or durable plastic receptacles.

6. *Collection Location.* All household solid waste containers and/or dumpsters shall be placed at the curb or within 5 feet of the roadway by 6 a.m., but no earlier than

¹Editor's Note: The map is on file in the Township officers.

6 p.m. the previous day. [Ord. 561]

7. *Quantity.* Each residential unit or household shall be entitled to set out for collection on each collection day an amount of household solid waste not to exceed six containers, receptacles, bundles, bags or combination thereof. From December 16 to March 31 each residential unit shall be entitled to set out for solid waste collection bundles, receptacles, containers or combination thereof consisting of yard waste. A maximum of five containers of yard waste is permitted. Tree limbs and brush shall be prepared in accordance with compostable material regulations (Article IV).

8. *Ashes.* Ashes placed in refuse containers at the curbside for collection must be cold and at least 24 hours old.

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

§20-112. Residential Collection of Bulky Items.

1. *Definition.* “Bulky item(s) or waste” shall mean any large item(s) of refuse, including, but not limited to, appliances, large auto parts, furniture, and large trees and branches which require collection in other than conventional compactor refuse collection vehicles.

2. *Collection Schedule.* Bulky item collection shall be scheduled regularly at least once per week. The bulky waste collection day shall be on the second collection day of the week.

3. *Quantity and Collection Location.* Each household may place one item of bulky waste at the curb or at the regular collection location by 6 a.m., but no earlier than 6 p.m. the previous day. [Ord. 561]

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

§20-113. Separation and Collection of Recyclable Residential Material.

All persons within Northampton Township are required to participate in the separation and recycling of materials to be placed at the curb and separated from normal household solid waste for collection as follows:

A. *Definition.* “Recyclable materials” shall mean:

(1) Newspapers.

(2) Commingled materials, i.e., colored and clear glass bottles, steel/bimetal cans, aluminum cans, plastic containers (HDPE or PET).

B. *Preparation for Collection.*

(1) *Newspapers.* Newspapers will be bundled and tied securely with string or placed in paper bags prior to collection and removal. Newspaper shall be bundled separately, and may include magazines and telephone books. The total weight of such bundles or bags shall not exceed 50 pounds per collection.

(2) *Commingled materials,* i.e., brown/amber/green/clear glass food or beverage containers, steel, bimetal and aluminum food or beverage containers, HDPE and PET plastic food or beverage containers. Commingled materials shall be clean and all contents shall be removed therefrom. Materials shall be placed in a special container designated for the aforementioned provided by the Township and not mixed with other forms of solid waste for collection, removal

or disposal.

(3) *Recyclables/Containers.* It shall be unlawful to place any recyclables for the recycling collection service in unauthorized or defective disposal containers, plastic bags or bundles not securely tied.

C. *Collection Location.* Recyclable materials shall be placed for collection at ground level on the property, within 5 feet of the roadway, by 6 a.m., but no earlier than 6 p.m. the previous day in a location at least 10 feet separate from which the household refuse collection is made. [Ord. 561]

D. *Collection Schedule.* Recyclable materials shall be collected on a weekly basis according to the following schedule: For scheduling of recyclable material pickup, the Township of Northampton shall be divided into four districts. The boundary lines shall be in accordance with the street map of Northampton Township attached to these regulations (Attachment A).²

E. *Unlawful Activities.*

(1) It shall be unlawful for a person to collect, remove or dispose of solid waste which consists of designated recyclables (clear glass bottles, aluminum cans, commingled materials) combined with other forms of solid waste.

(2) It shall be unlawful for any person to scavenge any materials delivered and deposited for disposal or collection except as otherwise provided by these regulations.

F. *Alternative Collection.* Any person may donate or sell recyclable materials to individuals or organizations authorized by the municipality. These materials must either be delivered to the individual's or organization's site or they may be placed at the curb for collection by said individual or organization on days indicated as recyclable material collection days by the Township. Said individuals or organizations may not collect recyclable materials on or immediately preceding (within 24 hours) a regularly scheduled curbside collection day. Nothing herein shall prohibit a private resident from recycling his/her own recyclable materials by delivering the same to a recycling facility.

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

§20-114. Separation and Collection of Residential Compostable Material.

All persons within Northampton Township are required to participate in the separation of compostable materials to be placed at the curb and separated from normal household solid waste for collection from April 1 to December 15 as follows:

A. *Definition.* "Compostable materials" shall mean organic waste which is capable of undergoing composting, i.e., yard waste, leaves, grass clippings, etc.

B. *Preparation for Collection.*

(1) Compostable materials shall be placed either loose in approved hard plastic or metal containers, or in biodegradable paper bags, not to exceed 50 pounds in weight and set out at curbside in similar fashion as normal household solid waste.

²Editor's Note: Attachment A is on file in the Township offices.

(2) Trees and brush must be tied in bundles not to exceed 36 inches in length or 18 inches in diameter. Each bundle shall not exceed 50 pounds in total weight.

(3) When putting yard waste in cans for collection, tree and brush branches may not extend out of and/or above the top of the trash can. [Ord. 561]

C. *Collection Location.* Compostable materials shall be placed for collection at ground level on the property, within 5 feet of the roadway, prior to the time of collection on the appropriate collection day but no earlier than 6 p.m. the previous day in the same location from which the household refuse collection is made. [Ord. 561]

D. *Quantity.* Each residential unit or household shall be entitled to set out for collection on each collection day an unlimited amount of yard waste, unlimited containers, receptacles, bundles, bags or combination thereof consisting of compostable materials.

E. *Trees and Brush.* Trees and brush must be tied in bundles not to exceed 36 inches in length or 18 inches in diameter. Each bundle shall not exceed 50 pounds in total weight.

F. *Collection Schedule.* Compostable materials shall be collected between the hours of 6 a.m. and 6 p.m. on a weekly basis on the day following the residential unit's designated recycling collection day. (See Article III, Subsection D.)

G. *Residential Composting.* Any resident may engage in composting his/her yard waste within the confines of his/her property. Nothing herein shall prohibit a private resident from composting his/her yard waste on his/her property.

(Res. R-02-01, 1/7/2002; as amended by Ord. 561, 4/25/2012)

§20-115. Separation and Collection of Commercial and Institutional Recyclable Materials.

All commercial and institutional establishments as defined in §20-105 of Part 1 are required to participate in the program involving the separation and collection of recyclable materials to be placed at their designated indoor or outdoor refuse collection station and separated from normal commercial and institutional solid waste for collection as follows:

A. *Definition.* "Recyclable materials" shall mean:

(1) Required recyclable materials:

- (a) High-grade office paper.
- (b) Aluminum.
- (c) Corrugated paper.
- (d) Leaf waste.

(2) Optional recyclable materials:

- (a) Steel and/or bimetal cans.
- (b) Plastics.
- (c) Clear and/or colored glass.

(d) Ferrous materials.

(e) Newsprint.

B. Collection Schedule and Disposal.

(1) Recyclable materials shall be collected on a scheduled day, at least once per month, as arranged with a private collector licensed to collect solid waste in Northampton Township.

(2) Every commercial, institutional, and property owner shall ensure that their recyclable materials are separated from solid waste and provided to a licensed or otherwise bona fide recycling facility for recycling; or if provided in mixed waste, to a private collector that agrees to separate and recycle these materials.

C. Reporting Requirements.

(1) Each licensed hauler shall be required to complete and submit to the Township or an agency designated by the Township on an annual basis a source separation and recycling report on the form prescribed and provided by the Township. The report shall contain the following information:

(a) Type and total amount of recyclable material collected and recycled within that calendar year (to be provided by private collector).

(b) Type and total amount of compostable material collected within the reporting period (if any).

(c) Type and total amount of all recyclable, compostable, and solid waste material that is collected within the reporting period (to be provided by private collector).

(2) Every hauler shall submit to the Township or its designated agency the source separation and recycling report on or prior to the previous calendar year.

D. Alternative Recycling Program. The Township Manager and/or his/her designee (hereinafter referred to as "Township Manager") is hereby authorized to exempt any and/or all commercial or institutional establishments located within Northampton Township from the requirements for separation and/or collection of recyclable materials as defined in these regulations if those establishments have otherwise provided for the recycling of those materials referenced in paragraph .A above. To be eligible for an exemption under this Section, the commercial or institutional establishment must be engaged in a program which can demonstrate through its source separation and recycling report that 25 percent of its total solid waste generated during the reporting period was recycled.

(Res. R-02-01, 1/7/2002)

