

## **Chapter 20**

### **Solid Waste**

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**Part 1****Storage and Collection****§20-101. Definitions.**

1. The following words and terms, as used in this Part, shall have the meanings hereby ascribed thereto:

*Ashes* - shall mean the residue resulting from the burning of wood, coal, coke or other combustible material.

*Bulky rubbish* - shall include discarded furniture, large household appliances such as refrigerators, washing machines, bathtubs, sinks, and commodes.

*Disposal* - shall include the storage, collection, disposal, or handling of refuse.

*Garbage* - shall mean all animal and vegetable wastes resulting from the handling, preparation, cooking, or consumption of foods.

*Person* - shall include any natural person, association, partnership, firm, or corporation.

*Refuse* - shall mean all solid wastes except body wastes and shall include garbage, ashes, and rubbish.

*Rubbish* - shall include glass, metal, paper, plant growth, wood, or non-putrescible solid wastes.

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

(Ord. 73-03, 11/12/1973, §2)

**§20-102. Refuse Storage.**

All refuse storage shall conform to the following standards:

A. *General.*

(1) All refuse receptacles shall be provided by the owner, tenant or occupant of the premises, unless otherwise specified.

(2) The storage of all refuse by residents of the Borough 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.

(3) A sufficient number of containers necessary to meet the intent of paragraph .A(2) shall be provided to contain all waste materials generated between regularly scheduled collections.

B. *Individual Containers.*

(1) Individual containers utilized for the storage of refuse at household and other premises shall have the following physical characteristics:

(a) Constructed in such manner as to be easily handled for collection.

1) Not greater than 15 gallons capacity for garbage storage.

2) Not greater than 32 gallons capacity for combined refuse

storage.

(b) Constructed of rust and corrosion resistant materials.

(c) Be equipped with tight-fitting lids.

(d) Constructed in such manner as to be watertight, leakproof, weatherproof, insect-proof and rodent-proof.

(e) Shall not exceed 75 pounds in weight when filled.

(2) *Methods of Use of Individual Containers.*

(a) Containers shall not be filled to the point where the lid will not fit properly.

(b) The area around the container(s) shall be kept clean.

(c) The said containers shall be placed along the curb or edge of the sidewalk directly in front of the building or property from which the garbage, ashes, rubbish, or refuse has been accumulated or in a public alley directly in the rear of such building or property; provided, however, that where the side of such building abuts on a street or public alley it shall be permissible to place the container along the curb or edge of the sidewalk at the side of such building. The containers shall be so placed only on days when collection is to be made and shall be removed back into the building or property from which the container came during the same day after their contents shall have been emptied, and it is hereby made the duty of each of said owners, tenants, lessees or occupants, promptly to replace into said containers such of the contents of same as shall have been spilled or scattered therefrom by any means or cause other than the negligence of the garbage collector.

C. *Disposable Containers.*

(1) Disposable containers such as paper and polyethylene bags shall be acceptable for storage of refuse provided the following conditions are met:

(a) Only those bags especially designed for storage and collection shall be used.

(b) Bags are protected against precipitation, animal damage and overloading to prevent littering or attracting of vectors.

(c) Bags have holding strength capable of withstanding stresses until they are collected.

(d) Bag opening is securely closed prior to setting out for collection.

D. *Bulk Containers.* Bulk containers for commercial, industrial, and institutional refuse shall meet the general and individual container requirements previously set forth, except for size limitations. Bulk containers shall be sized according to the type and quantity of waste production, equipment handling capabilities and the frequency of collection.

E. *Open Storage.* Certain wastes of a non-decomposable nature may be stored temporarily in a manner other than containerization. In order to minimize littering, magazines, newspapers, waste paper, tree prunings, brush and yard trimmings, when stored outside of containers, shall be tied securely in bundles of such size as to be readily handled by the collection system.

(Ord. 73-03, 11/12/1973, §3)

**§20-103. Preparation of Refuse and Storage Practices.**

1. Garbage shall be drained and stored in durable, rust resisting, nonabsorbent, watertight, easily washable containers, equipped with handles and tight-fitting covers.

2. Ashes shall be stored in fire-resistant containers equipped with handles and tight-fitting covers. Ashes containing hot embers shall not be collected until they have been adequately quenched.

3. Rubbish shall be stored in durable containers with tight-fitting covers. Tree trimmings, hedge clippings, old newspapers and similar materials, which cannot be conveniently placed in the aforementioned containers shall be baled, tied or sacked in compact bundles less than 3 feet in length and placed in a location easily accessible to the collector.

4. Bulky rubbish shall not be allowed to accumulate on any premise except in containers which are approved by the Borough Council in accordance with the specifications contained in this Part.

5. No person shall place refuse in any street, alley or other public place, or upon any private property within the limits of the Borough, unless it is placed in a proper refuse container for collection. Likewise, no person shall throw or deposit refuse in any stream or any other body of water.

6. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within 3 days after the effective date of this Part shall be deemed a violation of same.

7. Certain materials, such as scrap lumber and fire wood, may be stored and kept on the premises, but they shall be stored so that a minimum clear space of 12 inches above the ground surface is provided. Tires and outsized wastes such as furniture and appliances shall be stored so that water accumulation and rodent harborage are prevented.

(Ord. 73-03, 11/12/1973, §4)

**§20-104. Collection Practices.**

1. *Place of Collection.* For collection purposes except when there is an agreement with the collector to the contrary, refuse containers shall be placed at ground level on the property not within the cartway of a street or alley and easily accessible from the side of the street or alley in which collection is made.

A. It shall be unlawful for any person to bring rubbish, bulky rubbish, refuse or garbage from outside the Borough into the Borough for the purpose of placing the same for collection by the Borough or its contractor. [Ord. 92-3]

2. *Frequency of Collection.* Refuse shall be collected:

A. Twice weekly.

B. Annually for bulky rubbish during spring clean-up.

(1) The Borough will not pick up any hazardous waste, cardboard boxes loaded with material, brush, logs, construction or remodeling debris, tires,

excessive white goods or business refuse of any kind. Hazardous waste shall include, but not be limited to, paints, oils, solvents, cleaners, and detergents, other liquids and any other waste which is not acceptable to any licensed landfill in York County, Pennsylvania. Excessive white goods are more than one of the following: water heater, freezer, refrigerator, sink, washer, dryer or stove. Also, any item which can not easily be lifted by two men onto the collection dump truck will not be picked up except by special prepaid arrangement.

(a) Special arrangements to pick up any item which can not be lifted by two men into the collection truck may be made with the Borough. A loader will be made available to permit the pick up if the resident or authorized agent agrees to pay the Borough in advance the prevailing for the use of the said loader.

(b) Any large item set out for collection prematurely or late or which is ineligible and therefore which is refused for pick up must be removed from the collection point within 48 hours or the person placing the same or the owner at present shall be thereafter notified by phone or if necessary in writing by a representative of the Borough of Council to remove the items. If the items are not voluntarily removed within 24 hours after the written notice, the owner and/or the person placing the item for pick up shall be penalized as hereafter provided. [*Ord. 92-3*]

3. *Number of Containers at Each Collection.* No more than six containers of the weight limit set forth shall be collected at any collection.

4. *Collection Routes.* The Contractor shall collect refuse using all streets and alleys within the Borough with the exception of North George Street. Refuse on North George Street shall be collected from the side or rear of all properties, except those properties numbered:

525 N. George	946 N. George	968 N. George	1416 N. George
527 N. George	954 N. George	1111 N. George	1418 N. George
529 N. George	962 N. George	1119 N. George	1424 N. George
531 N. George	964 N. George	1121 N. George	
537 N. George	966 N. George		

which shall be collected from the front curb lines.

(*Ord. 73-03*, 11/12/1973, §5; as amended by *Ord 84-6*, 12/17/1984; by *Ord. 88-1*, 2/1/1988; and by *Ord. 92-3*, 5/21/1992, §1)

**§20-105. Obligation of Generators of Solid Waste and Contract Haulers with Respect to the Disposal of Waste.**

1. From and after January 1, 1990, no collector of refuse who enters into a contract with the Borough of North York for collection of solid waste in North York Borough shall dispose of same other than to a disposal place operated by the York County Solid Waste and Refuse Authority.

2. From and after January 1, 1990, it shall be the responsibility of all commercial, industrial and institutional generators of solid waste in the Borough of North York to dispose of same or arrange for its disposal at a place of disposal operated by the York County Solid Waste and Refuse Authority and to no other place.

(*Ord. 73-03*, 11/12/1973, §6; as amended by *Ord. 89-7*, 9/11/1989, §§1-3)

**§20-106. Collection Vehicles.**

Except for the collection of bulky rubbish as designated in §20-104.2(B) of this Part, all vehicles used for the collection of refuse shall have watertight enclosed metal bodies of easily cleanable construction, equipped with compaction devices.

(*Ord. 73-03*, 11/12/1973, §7)

**§20-107. Disposal of Refuse.**

No person shall hereafter dispose of any refuse collected in the Borough, except by conveyance to a disposal facility operated by the York County Solid Waste and Refuse Authority.

(*Ord. 73-03*, 11/12/1973, §8)

**§20-108. Penalties.**

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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. [*Ord. 2006-3*]

2. Each day's continuance of a violation of this Part shall constitute a separate offense.

3. The Contractor collecting refuse in the refuse collection districts agrees that the refuse treasurer shall be authorized to deduct from payments due or to become due the contractor, the following amounts for each offense as a penalty.

A. For not collecting garbage, offal, or ashes and rubbish, as agreed: \$1 per can.

B. For over-loading trucks or using leaky or filthy trucks; \$5.

C. For failure to collect on day specified: \$20.

D. For damage to disposal cans by reason of rough handling by Contractor's employees: \$0.50 per can.

E. For willfully destroying disposal cans without owner's consent; \$3 per can.

F. For unauthorized change in scheduled route: \$10 per day.

4. The penalties herein provided shall be withheld if any of the stated violations is proved to the satisfaction of the Borough.

(*Ord. 73-03*, 11/12/1973, §9; as amended by *Ord. 88-1*, 2/1/1988; by *Ord. 91-6*, 6/10/1991; by *Ord. 92-3*, 5/21/1992, §2; and by *Ord. 2006-3*, 7/10/2006)





**Part 2****Collection Charges****§20-201. Basic Charge.**1. *Residential Customers.*

A. A fee or charge of \$92 per annum for the collection of refuse is hereby imposed upon all dwelling units, business, educational, industrial or commercial establishments within the Borough.

B. Each room, group of rooms, building or other enclosures occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by a person living alone shall constitute a dwelling unit.

2. *Commercial Customers.*

A. The fees for collection and disposal of municipal waste from commercial customers shall be at a rate as established by the Borough Council.

B. The fees set for collection of municipal waste of commercial customers shall be paid by the owner, tenant, lessee or occupant of the premises no less often than monthly. Said fees are the ultimate responsibility of the owner of the property. Should the property change ownership, unsettled charges shall be the responsibility of the new owner.

[*Ord. 2006-3*]

(*Ord. 84-5, 12/17/1984, §1; as amended by Ord. 88-2, 2/1/1988; and by Ord. 2006-3, 7/10/2006*)

**§20-202. Quarterly Payments.**

Said charge or fee shall be paid in equal quarterly installments due May 15, August 15, November 15, February 15.

(*Ord. 84-5, 12/17/1984, §2*)

**§20-203. Quarterly Billing.**

All bills with respect to said charges shall be rendered quarterly.

(*Ord. 84-5, 12/17/1984, §3*)

**§20-204. Due Dates; Penalty for Unpaid Bills.**

1. Refuse charges shall be due and payable immediately after mailing or delivery by or in behalf of this Borough to the property owner or reputed owner for payment thereof.

2. If refuse charges are paid within 30 days of the beginning of each billing period, the face amount of the bill shall be payable. If charges remain unpaid after 30 days from the beginning of each billing period, a penalty of 5 percent of the unpaid balance will be imposed 30 days after billing date shown. Any bill unpaid after 90 days will be subject to interest at rate of 1 percent per month on unpaid balance.

3. Payments made or mailed and postmarked on or before the last day of the

period during which bills are payable at the face amount thereof shall constitute payment within such period. If the last day of such period shall fall on a legal holiday or on a Sunday, payment made on or mailed and postmarked on the next succeeding business day which is not a legal holiday shall constitute payment within such period.

(*Ord. 84-5, 12/17/1984, §4*)

**§20-205. Property Owner's Responsibilities.**

Every owner of property shall provide this Borough with and thereafter shall keep this Borough advised of his or her correct address. Failure of any person to receive quarterly bills for refuse charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which the said bills shall be payable at the face amount thereof.

(*Ord. 84-5, 12/17/1984, §5*)

**§20-206. Charges May Become a Lien.**

Refuse charges imposed by this Part shall be a lien on the property and any such refuse charges which are not paid within 6 months after the beginning of each quarterly billing period shall be filed as a lien against the property which lien shall be filed in the Office of the Prothonotary of York County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collecting of municipal claims.

(*Ord. 84-5, 12/17/1984, §6*)

**§20-207. Method of Collection.**

The method of collection and method of disposal of refuse is regulated by *Ord. 73-03, 11/12/1973, as amended* [Part 1].

(*Ord. 84-5, 12/17/1984, §7*)

**§20-208. Other Collection Arrangements.**

All persons, partnerships or corporations desiring refuse collection in addition to or in place of that provided by *Ord. 73-03, 11/12/1973, as amended* [Part 1] of this Code of Ordinances, shall make their own arrangements with an authorized refuse collector and shall pay the expense thereof directly to said collector. The Borough shall assume no liability whatsoever for such transactions. In order to avoid payment of the charges herein imposed by those providing service in place of the Borough's service, such persons must provide written evidence to the Borough's secretary of a binding contract with a contractor which provides such service. In the absence of such written evidence the charges provided herein remain in force and such person is liable for them.

(*Ord. 84-5, 12/17/1984, §8*)