

TOWNSHIP OF OHIO
ORDINANCE NO. 302

AN ORDINANCE OF THE TOWNSHIP OF OHIO, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND ADDING TO VARIOUS SECTIONS OF CHAPTER 107 OF THE OHIO TOWNSHIP CODE, PERTAINING TO THE STORAGE, COLLECTION AND DISPOSAL OF RUBBISH, REFUSE, AND GARBAGE WITHIN THE TOWNSHIP OF OHIO.

BE IT ORDAINED by the Board of Supervisors of the Township of Ohio, Allegheny County, Pennsylvania, that Chapter 107 of the Ohio Township Code is hereby amended as follows:

1. That Section 107-2 is amended to delete the definition for “scavenging”;
2. That Section 107-3(E) shall be deleted in its entirety;
3. That Section 107-4(B) shall be deleted in its entirety, and replaced with the following: “Any person producing municipal waste shall obtain 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”;
4. That Section 107-4(C)(4) shall be deleted in its entirety, and replaced with the following “Garden clippings and tree trimmings shall be placed in approved containers or shall be cut and placed into compostable paper bags. Tree twigs or limbs no greater than four (4) inches in diameter may be bundled. Bundles shall be no more than four (4) feet in length”;
5. That Section 107-4(C)(5) shall be deleted in its entirety, and replaced with the following: “Newspapers and magazines shall be placed in approved containers”;
6. That Section 107-4(D)(1) shall be deleted in its entirety and replaced with the following: Reusable containers shall be as approved by the Township”;

7. That Section 107-4(D)(2) shall be deleted in its entirety and replaced with the following: "Reusable containers for individual residences shall meet specifications approved by the Township to facilitate collection";
8. That Section 107-4(D)(3) shall be deleted in its entirety;
9. That Section 107-4(D)(4) shall be deleted in its entirety and replaced with the following: "Disposable plastic bags or sacks are acceptable containers for trash that does not fit into containers specified by the Township. Plastic bags shall have sufficient wall strength to maintain physical integrity when lifted by the top, and shall be securely tied at the top for collection";
10. That Section 107-4(D)(5) shall be deleted in its entirety and replaced with the following: "All containers, either reusable or disposable, shall also comply with minimum national standards";
11. That Section 107-4(E)(6) shall be deleted in its entirety and replaced with the following: "With the exception of pickup days when the containers are placed out for collection, the containers shall be properly stored on the owner or customer premises at all times, and not curbside or along the edge of a road which is not curbed";
12. That Section 107-4(E)(7) shall be amended as follows: "Bulk items shall be stored in a manner that will prevent the accumulation or collection of water, the harborage of rodents, safety hazards and fire hazards";
13. That Section 107-5(A) shall be deleted in its entirety and replaced with the following: "The Municipality shall contract with a private collector or collectors for the collection of all garbage, rubbish, recyclables, and bulky waste from individual residences and multi-family residential sources with five or less units, to provide this essential residential collection service";
14. That Section 107-5(C) shall be amended from four units to five units;
15. That Section 107-5(F) shall be deleted in its entirety and replaced with the following: "The Municipality or its contractors/haulers shall give notice of residential collection schedules";
16. That Section 107-5(G) shall be amended to provide the collection times between 6:00 a.m. and 6:00 p.m. Mondays through Saturdays;
17. The Section 107-5 shall be amended to include the following:

“(I) (1) All persons who are residents of the Township shall

separate all of those recyclable materials designated by the Township from all other municipal waste produced at their homes, apartments, and other residential establishments, store such materials for collection, and shall place the same for collection in accordance with the guidelines established hereunder.

(a) Persons in residences shall separate recyclable materials from other refuse. Recyclable materials shall be placed at the curbside in containers provided by the Township for collection. Any containers provided to residences for collection of recyclable materials shall be the property of the Township and shall be used only for the collection of recyclable materials. Any resident who moves within or from the Township shall be responsible for leaving the allocated containers within the residence or shall pay the replacement cost of such container(s). Use of recycling containers for any purpose other than the designated recycling program or use of the recycling containers by any person other than the person allocated such containers(s) shall be a violation of this Section.

(b) An owner, landlord, or agent of an owner or landlord of a multi-family rental housing property with more than two units shall comply with its recycling responsibilities by establishing a collections system at each property. The collection system shall include suitable containers for collection and sorting the recyclable materials, easily accessible locations for the containers, and written instructions to the occupants concerning the use and availability of the collection system. If recyclable materials are collected by a collector other than the Township or its authorized agent, owners, landlords, and agents of owners or landlords shall submit an annual report to the Township reporting the tonnage of materials recycled during the previous year.

(2) Persons shall separate high grade office paper, aluminum, corrugated paper, leaf waste and other such materials as may be designated by the Township, generated at commercial, municipal, and institutional establishments and from community activities and store the recyclable materials until collection. A person may be exempted from this subsection if that person submits documentation to the Township annually indicating that the designated recyclable materials are being recycled in an appropriate manner. If recyclable materials are collected by a collector other than the Township or its authorized agent, occupants

of such establishments shall submit an annual report to the Township reporting the tonnage of materials recycled during the previous year.

(3) All recyclable materials placed by persons for collection by the Township or authorized collector pursuant to this Section shall, from time of placement at the curb, become the property of the Township or the authorized collector, except as otherwise provided in this Ordinance. Nothing in this Section shall be deemed to impair the ownership of separated recyclable materials by the generator unless and until such materials are placed at the curbside for collection.

(4) It shall be a violation of this Section for any person, firm, or corporation, other than the Township or one authorized by the Board of Supervisors, or other entity responsible for providing the collection of recyclable materials, to collect recyclable materials placed by residences or commercial, municipal, and institutional establishments for collection by the Township or an authorized collector, unless such person, firm or corporation has prior written permission from the generator to make such collection. In violation hereof, unauthorized collection from one or more residences or commercial, municipal or institutional establishments on one calendar day shall constitute a separate and distinct offense punishable as hereinafter provided.

(5) Any residence or commercial, municipal, or institutional establishment may donate or sell recyclable materials to any person, firm, or corporation, whether operating for profit or not, provided that the recycling person, firm or corporation shall not collect such donated recyclable materials from the collection point of a residence or commercial, municipal, or institutional establishment within prior written permission from the Board of Supervisors or other entity responsible for authorizing the collection of recyclable materials to make such a collection.

(6) Disposal by persons of recyclable materials with wastes is prohibited and shall be a violation of this Section. The collected recyclable materials shall be taken to a recyclable facility. Disposal by collectors or operators of recycling facilities of source separated recycling materials in landfills or to be burned in incinerators is prohibited unless markets do not exist and the collectors or operators have notified the Township Manager, or his designee, in writing.

(7) The Township Manager or his designee is hereby authorized and directed to make reasonable rules and regulations for the operation and enforcement of this Section as deemed necessary, including, but not limited to:

(a) Establishing recyclable materials to be separated for collection and recycling by residences, and additional recyclable materials to be separated by commercial, municipal, and institutional establishments.

(b) Establishing collection procedures for recyclable materials.

(c) Establishing reporting procedures for amounts of materials recycled.

(d) Establishing procedures for the distribution, monitoring, and collection of recyclable materials.

(e) Establishing procedures and rules for the collection of leaf waste.

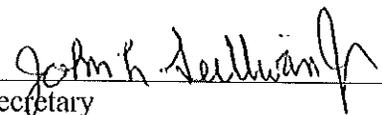
The Township reserves the right not to collect municipal waste containing recyclable materials in combination with non-recyclable materials.”

18. That Section 107-6 shall be amended to add (D) as follows: “It is the responsibility of the property owner to pay for solid waste collection and disposal services provided to individual residences and multi-family residences with five or less units; and

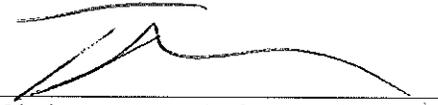
19. That Section 107-6 shall be amended to add (E) as follows: “An individual residence that will be unoccupied for periods in excess of 60 consecutive days, may apply for a temporary suspension of waste collection for said premises. A minimum of ten days advance notice is required. Temporary discontinuation has a maximum term of six months.”

ORDAINED AND ENACTED this 5th day December, 2011.

ATTEST:


Secretary

TOWNSHIP OF OHIO


Chairman, Board of Supervisors