

THE BOROUGH OF CHURCHILL

ORDINANCE NO. 715

AN ORDINANCE DEFINING GARBAGE, RUBBISH, YARD WASTE, RECYCLABLES, PROVIDING FOR THE REGULATION, COLLECTION, REMOVAL AND DISPOSAL THEREOF FROM RESIDENCES, DWELLINGS AND OCCUPIED HOUSES ONLY, AUTHORIZING THE MAKING OF CONTRACTS FOR THE COLLECTION AND DISPOSAL THEREOF; PROVIDING FOR THE COSTS AND EXPENSES THEREOF; PROVIDING PENALTIES FOR VIOLATIONS; AND PROVIDING FOR THE ENFORCEMENT THEREOF.

BE IT ORDAINED AND ENACTED by the Borough of Churchill, County of Allegheny and Commonwealth of Pennsylvania, in Council assembled, and it is hereby ordained and enacted by the authority of the same.

SECTION 1. The following words or phrases, when used in the Ordinance, shall have the following meaning ascribed to them in this Section, except and unless the context indicates a different meaning:

A. Garbage: The refuse of all animal and vegetable matter which has been used or intended to be used in the preparation, etc., of food for man such as meats, fish, fowl, fruits or vegetables; and shall also include metal cans or bottles that have contained food or liquids suitable for human consumption; and likewise dishes or crockery or other containers that have been used in the preparation of food.

B. Minor Rubbish: Wood ashes from fireplaces or stoves, bottles, boxes, cans, cartons, crockery, household debris and fixtures; glass and glassware, general household litter, paper products, pans, pots, paper, rags, play sets (reduced to parts not exceeding 3 feet in length), tree limbs (not exceeding 3 inches in diameter or 3 feet in length and tied in not more than 50 pound bundles); one Christmas Tree per household, and household waste generally.

C. Major Rubbish: Major Appliances such as refrigerators, freezers, air conditioners (with certified removal of freon), dryers, stoves, washing machines, (limit one each per household per year), empty appliance boxes, crates, household furniture, carpeting, rugs and padding (bound and not to exceed 3 feet in length), sinks, trunks, laundry tubs other than concrete, water heaters and large children's plastic toys.

D. Yard Waste: Grass cuttings, shrubbery cuttings and clippings, hedge trimmings, weeds, foliage, fruit from trees and leaves.

E. Recyclables: The Borough believes that the conservation of recyclables is an important public concern because of the growing problem of municipal waste disposal and its impact on the environment. The Borough encourages every household to recycle and remove recyclable items from the waste stream. The collector retained by the Borough shall determine recyclable items and a list of such items shall be available at the Borough Office. The Borough will provide to all residents an appropriate container for the disposal of recyclable materials. The containers are not the property of the homeowner and must remain with the property in the event the property owner sells the property. In the event of a damaged container, the property owner is liable for repair or replacement of the container.

F. Non-collectible Items: Electronics (a list of such items shall be available at the Borough Office), ashes (from wood-burning stoves, fireplaces, or coal stoves), automobiles or automobile parts, automobile tires and rims, bath tubs, building materials or broken concrete, soil, refuse and rubble from new construction, alterations or repair of buildings, stones, and trees or limbs exceeding 3 inches in diameter or 3 feet in length. Residents may contact the Borough Office to arrange for private disposal of these items at the homeowner's expense. If non-collectible trash is placed or stored for collection, and said trash (e.g. paint) spills and damages property, the offending owner will be held legally responsible for cleanup and repairs.

G. Garbage, trash and recyclables for collection must have been generated at the property of the homeowner or Borough resident. No garbage, trash or recyclables generated at other sites and brought to the resident's home will be collected.

H. Containers and Packaging: Garbage containers shall be standard residential garbage cans with a lid. Refuse must be bagged in a manner to prevent spillage, odors, fire and health hazards (e.g. attraction and breeding of insects, rodents and the like). Bags shall be plastic of good quality and at least 2 mil in thickness, and shall be tied shut and be able to withstand lifting from the top without breaking. Cardboard boxes shall not be used as garbage containers. Containers for recyclables are limited to containers issued by the Borough.

I. Garbage and Minor Rubbish Packaging: Rubbish must be placed in plastic bags or garbage cans except for major appliances, Christmas trees, bundled limbs and

carpeting. Clippings must be placed in plastic bags but leaves shall be placed in paper biodegradable bags. No metal or steel drums shall be used as containers for rubbish.

SECTION 2. Collection Procedures: Garbage.

Garbage will be collected only from residences and dwellings whose occupants and/or owners provide and maintain garbage containers as required for all garbage generated and/or accumulated on the premises thereof.

Garbage containers shall be used for only the disposal of garbage as above defined. Garbage shall be placed in plastic bags before being placed in a garbage container and the container shall be kept covered and after collection shall be cleansed and kept clean by occupants. A maximum of two (2) standard residential garbage cans with lids may be stored at any side or rear yard location properly screened or shielded from adjoining residential properties prior to collection. All garbage and trash containers shall be properly stored until the designated pickup days when the containers must be brought to the curb as described in Section 3.

Collection of garbage shall be made on such days of the week and at such times as the Borough Council or the Borough Manager may deem necessary for the proper regulation thereof but in no event shall garbage be collected less than once per week. Equipment used by the collector for transportation of garbage from the premises to the place of disposal shall be of substantial construction, water tight and provided with covers which shall remain closed at all times except when garbage is being placed in the vehicle. The collector shall not overload his equipment but shall operate the same in a not unduly offensive manner to residents.

SECTION 3. Collection Procedures: Rubbish.

All rubbish designated for collection must be ready by 7:00 A.M. on the day of collection. However, no containers shall be placed at curbside earlier than 6:00 P.M., prevailing time, on the day prior to collection. Exceptions may be granted on an individual basis by the Borough Manager for occasional, special circumstances (e.g. illness). The owner should remove containers placed at curbside on the same day after being emptied by the contractor.

Collections of rubbish shall be made on such days of the week and at such times as shall be determined by the Borough Council or the Borough Manager to be necessary for

the proper regulation thereof, but in no event shall there be less than one rubbish collection each week. The collector shall employ suitable equipment that will properly confine the rubbish so that it will be transported over streets of the Borough without spillage or littering of the streets. Containers shall be removed by the owner on the same day after being emptied by the contractor.

SECTION 4. Collection Procedures: Recyclables.

All recyclables designated for collection must be ready by 7:00 A.M. on the day of collection. However, no containers for recyclables shall be placed at curbside earlier than 6:00 P.M., prevailing time, on the day prior to collection. Exceptions may be granted on an individual basis by the Borough Manager for occasional, special circumstances (e.g. illness). Containers for recyclables placed at curbside shall have their lid closed and may not be contaminated with non recyclable materials. Containers shall be removed by the owner on the same day after being emptied by the contractor. All containers for recyclables may be stored prior to collection at a side or rear yard location provided that the location is properly screened or shielded from adjoining residential properties.

Collections of recyclables shall be made on such days of the week and at such times as shall be determined by the Borough Council or the Borough Manager to be necessary for the proper regulation thereof, but in no event shall there be less than one recyclables collection every other week. The collector shall employ suitable equipment that will properly confine the recyclables so that it will be transported over streets of the Borough without spillage or littering of the streets.

SECTION 5. Collection Procedures: Leaves.

Collection of leaves may be made on such days of the week and at such times as shall be determined by the Borough Council or the Borough Manager. Leaves for collection shall be placed in paper biodegradable bags. Leaves shall not be placed in plastic bags. The collector shall employ suitable equipment that will properly confine the leaves so that they will be transported over streets of the Borough without spillage or littering of the streets.

SECTION 6. Contracts for the collection of garbage, rubbish, and recycling materials:

The Council of the Borough of Churchill, County of Allegheny County and Commonwealth of Pennsylvania, and the proper officials thereof, are hereby authorized to advertise from time to time for bids for the collection, removal and disposal of garbage, rubbish and recycling; and, in pursuance thereof, to enter into a contract or contracts with the successful bidder or bidders, under such terms and conditions as are deemed advantageous to the said Borough and otherwise to provide for the continuous collection, removal and disposal of garbage, rubbish and recyclables from said Borough of Churchill, as is authorized by the Borough Code. In addition to the above provisions, the Borough of Churchill includes the terms, definitions, and intent of the Allegheny County Municipal Solid Waste Management Plan as described in the published Municipal Ordinance therein, 1990, Volume 11-R, Appendix 6-1.

Because of the importance of reliable and certain collection of garbage, rubbish and recyclables from a health standpoint, the Council, acting upon the advice of its Solicitor, may reject any and all bids which, though low, may result in unsatisfactory service and thus detrimental to the health and welfare of the residents of the Borough.

SECTION 7. Fees

1. In accordance with any contract entered into with a hauler, the Borough may from time to time establish a service fee on the owner of each separate unit within the Borough for the service of arranging and providing for the removal and disposal of any garbage/rubbish/recycling materials. The service fee shall be set for a full calendar year but payable monthly.

2. The owner of each unit located within the Borough shall be liable for the payment of the fee for such service as may from time to time be assessed by the Borough through its collection agent and which shall be due no later than the due date as set forth on the face of the invoice and for a late charge as provided for on the invoice.

3. The proper officers of the Borough shall have the power to appoint and contract with the hauler or any other entity for the collection of the service fee from each unit owner upon terms and conditions as may be agreed upon in the best interests of the Borough. It shall be the responsibility of the hauler or such other fee collection entity to inform each unit owner of the charge.

4. The Borough manager shall be empowered to make such rules and regulations as may be necessary to carry out and implement the said service fee and its collection from the unit owners.

5. The proper officers shall be empowered to enforce any collection of any delinquent service fee and late charge either directly or by appointing the hauler or other entity as the Borough's agent.

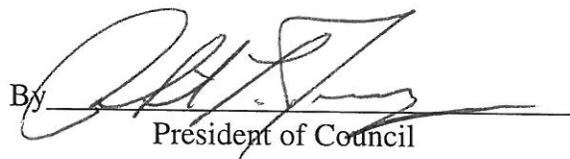
SECTION 8. Enforcement and Penalties:

After an initial warning, any person or persons, partnership or corporation violating the terms of this Ordinance, shall, on conviction thereof, before a Magisterial District Judge, be subject to a fine of not less than Twenty Five (\$25.00) Dollars, nor more than One Hundred (\$100.00) Dollars, plus the payment of the cost of prosecution, for each separate offense. In default of the payment thereof, imprisonment may be imposed on the violator(s) for a period not exceeding five (5) days.

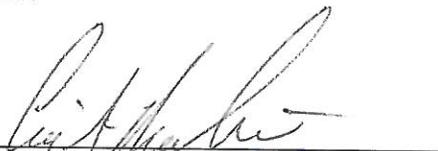
SECTION 9. This Ordinance amends Ordinance No. 638.

ADOPTED IN COUNCIL this 11th day of December, 2012.

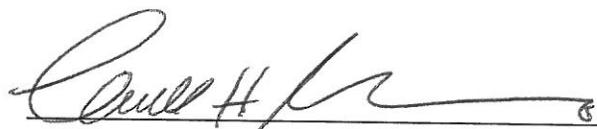
THE BOROUGH OF CHURCHILL

By 
President of Council

ATTEST:


Secretary

EXAMINED AND APPROVED this 11th day of December, 2012.


Mayor