

**SADSBURY TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA**

ORDINANCE NO. 210 – 2019

MUNICIPAL WASTE ORDINANCE

AN ORDINANCE OF SADSBURY TOWNSHIP TO REGULATE THE COLLECTION, TRANSPORTATION, AND DISPOSAL OF MUNICIPAL WASTE, AND TO ESTABLISH A FRANCHISE PROGRAM FOR THE COLLECTION OF RESIDENTIAL MUNICIPAL WASTE, LEAF WASTE, AND RECYCLABLE MATERIALS AND TO ESTABLISH STANDARDS FOR THE MANAGEMENT OF MUNICIPAL WASTE PRODUCED BY RESIDENCES, COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL ESTABLISHMENTS IN SADSBURY TOWNSHIP; TO DECREASE THE DISPOSAL OF RECYCLABLE MATERIALS INTO THE CONVENTIONAL MUNICIPAL WASTE DISPOSAL SYSTEM; TO EMPOWER THE MUNICIPALITY TO ADOPT AND PROMULGATE REASONABLE REGULATIONS THEREFORE; AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE, SEVERABILITY AND THE REPEAL OF PRIOR INCONSISTENT ORDINANCES

BE IT ORDAINED AND ENACTED by the Sadsbury Township Board of Supervisors, Crawford County, Commonwealth of Pennsylvania, as follows:

SECTION 1. TITLE, PURPOSE, AND DEFINITIONS

1.1. Short Title

This ordinance shall be known as the "Sadsbury Township Municipal Waste Ordinance".

1.2. Establishment of Program

The Township hereby establishes a program for Municipal Waste management and the separation of recyclables from municipal waste, which will be collected for processing from residential dwellings, and commercial, industrial, and institutional establishments.

1.3. Purpose

It is the intent and purpose of this Ordinance to promote the public health, safety and welfare, and to eliminate public health hazards, environmental pollution, and economic loss associated with Municipal Waste accumulated or stored upon any property within the Township.

Sadsbury Township, recognizing that the reclamation of recyclable materials has become an important method for addressing the growing solid waste disposal problem through conservation of landfill space, preservation of natural resources, and a reduction in energy consumption, does hereby authorize the storage, collection, transportation and processing of Municipal Waste, and recyclable materials in accordance with the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 528, No. 101 ("Pennsylvania Act 101") as amended by Act 140 of 2006; the Crawford County Solid Waste Management Plan, and this Ordinance.

This Ordinance is intended to be an integral part of an overall system designed to facilitate recycling and waste minimization and foster the cooperation of the residents and businesses by providing that all residential, commercial, industrial, and institutional waste and recyclables shall be collected, transported, and disposed of within the following conditions:

- A. For the purpose of removing municipal waste and source separated recyclables that were generated and have accumulated on the property, all developed residential property owners who choose to use a commercial service for this purpose shall contract directly with the Township's Exclusive Service Provider selected through a competitive bidding process and all commercial, industrial and institutional establishments may contract directly with the service provider of their choice to the extent provided by this Ordinance.
- B. Haulers collecting Municipal Waste within Sadsbury Township shall be authorized by the Commonwealth of Pennsylvania as required by the Waste Safety Transportation Act and registered with Sadsbury Township.
- C. All Municipal Waste from Sadsbury Township shall be disposed of at a facility designated in the Crawford County Municipal Waste Management Plan and in accordance with State, Federal, County, and Township laws and ordinances.
- D. Source separated recyclables from Sadsbury Township must be managed in accordance with Pennsylvania Act 101, and the Crawford County Municipal Waste Management Plan and shall not be collected and removed for disposal at a landfill.

These conditions are established to ensure Township compliance with Pennsylvania Act 101 Pennsylvania Act 140, Pennsylvania Act 90, and the Crawford County Municipal Waste Management Plan.

1.4. Establishment of Education Program

The Township hereby establishes an education program for Municipal Waste management, recycling and composting in accordance with the provisions of Pennsylvania Act 101, Pennsylvania Act 140 and this Ordinance. Educational materials and presentations shall be designed to increase the participation of both residents and business; to meet the recycling rates and goals established by the Commonwealth; and to encourage waste minimization and pollution prevention within the Township. The program will be conducted in conjunction with the Crawford County Solid Waste Authority and the Township's Exclusive Service Provider.

1.5. Definitions

"Bag" - Plastic sacks designed for Municipal Waste with sufficient wall strength to maintain physical integrity when lifted by the top, with a capacity not to exceed Thirty-two (32) gallons and a loaded weight not to exceed Twenty-five (25) pounds.

"Board of Supervisors" The Governing Body of the Township of Sadsbury.

"Cart" A wheeled container, owned and provided by a licensed hauler, which is capable of being mechanically unloaded into a licensed hauler's collection vehicles.

"Clear Glass" Shall mean empty bottles, jugs and jars made of clear glass. Expressly excluded are broken glass, non-container glass, plate glass, automotive glass, safety glass, light bulbs and porcelain and ceramic products.

"Colored Glass" Shall mean empty bottles, jugs and jars made of green or brown glass. Expressly excluded are broken glass, plate glass, automotive glass, safety glass, light bulbs, porcelain and ceramic products, and glass bottles of any other color than green or brown.

"Commercial" Any establishment engaged in a non-manufacturing or non-processing business including, but not limited to, stores, markets, office buildings, restaurants, shopping centers, and theaters., hotels, motels, mixed use properties (combined business/residential on a single parcel) and farms which use commercial dumpsters shall be considered commercial establishments. The term does not include properties where the primary permitted use is residential and an accessory use is commercial (i.e., home occupations). Multi-family dwellings and townhomes of greater than 4 units, and mobile home parks shall be considered commercial establishments except for the purpose of reporting to the Township weights and volumes of waste and recyclable materials collected, disposed and/or processed.

"Community Activities" Events sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, that will be attended by 200 or more individuals per day, which include, but are not limited to, fairs, bazaars, socials, picnics and organized sporting events.

"Composting" The process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield a humus-like product.

"Construction Debris" Waste building materials resulting from construction, remodeling, repair or demolition operations.

"Construction and Demolition Waste" Lumber, roofing material, sheathing, rubble, broken concrete, macadam, plaster and brick, conduit, pipe, insulation, and other material which results from a construction, demolition, or remodeling process

"Container" A metal or plastic receptacle used for Garbage, and/or Recyclables collection and be rodent and insect proof.

"Contractor" The individual, firm, partnership, joint venture, corporation, or association performing recycling collection and processing under Contract with the Township.

"Curbside" From any Structure, a point at the side of a Township or State maintained roadway abutting the property, or from a Structure abutting a private roadway, a point at the side of the private roadway, provided the property owner has issued a waiver for collection vehicles to travel along the roadway for collection.

"Curbside Recycling" Recycling services generally provided to Single Family Structures and Multi Family Dwellings with four or less units. Recyclables are placed by customers at curbside locations for collection.

"Customer" The owner of any residential, commercial, industrial, or institutional property located within the Township.

"Detachable Container" (also at times referred to as "dumpster") A watertight, all-metal Container, not less than three quarter (3/4) cubic yards in capacity and equipped with a tight-fitting metal or plastic cover. The term shall also apply to Containers of other material of similar size when approved by the Township.

"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 Site" A refuse depository for the processing or final disposal of Refuse including but not limited to sanitary landfills, transfer stations, incinerators, and waste processing separation centers, licensed, permitted or approved by all governmental bodies and agencies having jurisdiction.

"Dwelling Unit" One or more rooms on premises which have cooking facilities and are arranged for occupancy by one (1) person, two (2) or more persons living together, or one family. Each dwelling unit within a non-commercial building shall be considered an individual customer.

"Exclusive Contract" An agreement entered into by Sadsbury Township, with a private person or corporation for rights to the collect and process all residential Municipal Waste, leaf waste, and source-separated recyclables within Sadsbury Township.

"Exclusive Service Provider" A private person or corporation awarded the Exclusive Contract for the rights to collect and process of all residential Municipal Waste, leaf waste, and source-separated recyclables within Sadsbury Township.

"Farm" A single parcel of land of at least 10 acres, which is used for normal agricultural purposes, including barns, greenhouses, and not more than three single family dwelling units.

"Food Waste" Vegetable and other food scraps, including meat, dairy products, grease and bones; paper which has been contaminated with food, fat or grease; and compostable paper including paper towels, paper plates, tissue and waxed paper.

"Garbage" All discarded putrescible waste matter but not including sewage or sewage sludge, human excrement or Yard Waste.

"Generator" A person or municipality that produces or creates municipal waste.

"Hazardous Waste" Waste designated as hazardous by the United States Environmental Protection Agency or the Pennsylvania Department of Environmental Protection.

"Industrial" Any establishment engaging in manufacturing or processing including, but not limited to, factories, foundries, mills, processing plants, and refineries.

"Institutional" Any establishment engaged in service to persons including, but not limited to, hospitals, nursing homes, orphanages, schools, and universities.

"Leaf Waste" Plant material (leaves, branches, brush, flowers, roots, wood waste, etc.); debris commonly thrown away in the course of maintaining yards and gardens. Leaf Waste does not include loose soils, sod; food waste including from gardens or orchards; food compost; plastics and synthetic fibers; lumber; any wood or tree limbs over four (4) inches in diameter; human or animal excrement; noxious weeds and soil contaminated with hazardous substances.

"Market" The transfer of ownership of recyclable materials for the purpose of recycling the materials into a new product or use.

"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 definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials.

"Municipal Waste Landfill" A facility using land for disposing of municipal waste. The facility includes land affected during the lifetime of operations including, but not limited to, areas where disposal or processing activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite and contiguous collection, transportation and storage facilities, closure and post closure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility. The term does not include a construction/demolition waste landfill or a facility for the land application of sewage sludge.

"Municipal Waste Management Plan" A comprehensive plan for an adequate municipal waste management system in accordance with Chapter 272, Subchapter C (relating to municipal waste planning).

"Multi-Family Dwellings" Structures for residential living consisting of attached units.

"Person" An individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution or agency, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

"Processing" Any technology used for the purpose of reducing the volume or bulk of municipal waste or any technology used to convert part or all of such waste materials for offsite reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities and resource recovery facilities.

"Recyclables" For residential properties, this shall include mixed waste paper, including office paper, junk mail and envelopes, corrugated and cardboard materials, newspapers, magazines, bi-metal and aluminum cans and lids, clean aluminum foil and foil products, clear glass and colored glass and plastics #1 through 6. For Commercial, Industrial, Institutional Recyclables shall include corrugated cardboard, high-grade office paper and aluminum and bi-metal cans, plastic and glass bottles, jugs and jars. For Community Activities Recyclables shall include aluminum cans and corrugated cardboard.

"Recycle" or "Recycling" The collection, separation, recovery and sale or reuse of metals, glass, paper, 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 operation of energy.

"Recycling Facility" A facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute for or a supplement to virgin raw materials. The term "recycling facility" shall not mean transfer stations or landfills for solid waste nor composting facilities or resource recovery facilities.

"Refuse" Discarded waste materials in a solid or semi-liquid state, consisting of garbage, rubbish or a combination thereof.

"Residential Unit" A group of rooms located within a building and forming a single inhabitable unit with facilities that are used or are intended to be used for living, sleeping, cooking and eating. Buildings are included that contain four or less separate or contiguous single-family dwelling units with each unit to be treated separately for purposes of billing, or multi-family dwelling units of five (5) or more dwelling units that are separately owned.

"Residence, Residential" Any house, dwelling, multi-unit residence, apartment house, or any building put to residential use except Mixed Use Buildings.

"Residual Waste" Any garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, mining, and agricultural operations and any sludge from an industrial, mining, or agricultural water supply treatment facility, waste water treatment facility, or air pollution control facility, provided that it is not hazardous. The term shall not include coal refuse as defined in the act of September 24, 1968 (P.L. 1040, No. 318), known as the Coal Refuse Disposal Control Act. The term shall not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to the act of June 22, 1937 (P.L. 1987, No. 394), known as The Clean Streams Law. (Pennsylvania Act 101, Section 103).

"Small Commercial Business" A commercial establishment that produces the same types and quantities of Municipal Waste as residential sources.

"Source-separated Recyclable Materials" Materials that are separated from municipal waste at the point of origin for the purpose of recycling.

"Structure" All single-family homes, and multi-family dwellings of four units or less as well as multi-family dwellings of more than four units that are separately owned.

"Township" The governmental jurisdiction and legal entity of Sadsbury Township, Crawford County, Pennsylvania.

"Unacceptable Waste" The following categories of materials are considered unacceptable for collection and disposal as Municipal Waste:

- A. Hazardous waste
- B. Residual waste
- C. Unsterilized or unprocessed infectious or pathological waste
- D. Chemotherapeutic waste
- E. Gas cylinders
- F. Explosives and ordinance materials
- G. Liquid waste (i.e. containing less than 20% solids by weight or flowable)
- H. Drums, barrels, and buckets unless lids have been removed and interiors cleaned and free of any residue
- I. Radioactive materials
- J. Any solid waste generated outside of the Township
- K. Automotive parts, including tires

SECTION 2. STORAGE AND ACCUMULATION OF MUNICIPAL WASTE

2.1 General. The storage of all municipal waste shall be practiced so as to prevent the attraction, breeding or harborage of insects or rodents and to prevent conditions which may create potential hazards to public health or which may create fire and other safety hazards, odors, unsightliness, or public nuisance.

2.2 Storage Containers

- A. All property owners shall provide Containers or Carts for the storage of Municipal Waste, and Recyclables.
- B. The number and size of Containers or Carts must be sufficient to hold all of the Municipal Waste and Recyclables accumulated on the property between scheduled collections or removal by the owner or occupant.
- C. It shall be a violation of this Ordinance for property owners to restrict the number and size of containers available per rental unit to the point where it regularly results in overflowing trash, unsightliness or public nuisance, or creates a hardship for the occupants.
- D. Commercial, industrial and institutional properties storing Recyclables outside of containers shall tie the material securely in bundles or bales of a size that can be readily handled for collection, and in a manner that minimizes litter, safety hazards and fire hazards.
- E. Carts or Containers for residential properties must be lidded, closed and secured to prevent access from rodents and other animals. Carts and Containers kept outside, shall be in compliance with zoning or other applicable requirements and are to be placed in a discreet area and may not be placed at or remain at the curb except within 24 hours of collection service.
- F. Detachable Containers for the storage and collection of Municipal Waste and Recyclables at commercial, industrial, institutional or multi-family dwelling properties shall be located on the customer's premises, which location, and buffering, if required, shall be in compliance with zoning or other applicable municipal requirements for the location of such Containers.
- G. Detachable Containers and Roll-off Containers shall not be located to interfere with public or private sidewalks, walkways, driveways, roads, streets, highways, alleys, or entrances and exits of public or private buildings.

SECTION 3. COLLECTION AND TRANSPORTATION

3.1 Registration with the Township. It shall be unlawful for any person other than persons registered with the Township as a regular hauling business, to collect and/or transport Municipal Waste, and Recyclables, which is generated within the Township, except as specifically provided herein.

- A. A person who has obtained authorization from the Commonwealth of Pennsylvania under the Waste Transportation Safety Act (Pennsylvania Act 90) authorizing said person to collect, transport, and or dispose of Municipal Waste, and bulk waste from residential, commercial, industrial, and institutional establishments must register his intent to operate within Sadsbury Township to be considered a Registered Hauler. Such persons

must complete and submit forms developed by the Township and present documentation of such authorization to the Board of Supervisors of Sadsbury Township or its designee.

- B. A person that is not required to obtain a license issued under the Waste Transportation Safety Act (Pennsylvania Act 90) and/or a person that collects, transports, and or processes only source-separated recyclables from residential, commercial, industrial, and institutional establishments must register his intent to operate within Sadsbury Township to be considered a Licensed Hauler. Such persons must complete and submit forms developed by the Township to the Board of Supervisors of Sadsbury Township or its designee.

3.2 Exclusive Contract with Township. The Township may through a competitive bidding process, award an Exclusive Service Contract to an Exclusive Service Provider for the rights to provide all or part of the residential Municipal Waste, Recycling and Leaf Waste collection, processing and disposal services.

3.3 Exclusive Service Provider. Except as specifically provided herein, it shall be a violation of the Ordinance for any person(s) other than the Township's Exclusive Service Provider to remove or transport or cause to be collected, removed or transported any Municipal Waste, and Recyclables or Leaf Waste from residential sources in Sadsbury Township. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as provided for in this Ordinance.

- A. It shall be unlawful for any person to bring any Municipal Waste or Recyclables into Sadsbury Township or to transport Municipal Waste or Recyclables from one address to another within or outside of the Township for the purpose of taking advantage of the Township's collection service arrangement with the Exclusive Service Provider and/or to avoid the cost of collection, except as specifically provided herein.
- B. Existing Contracts. Any residential or small commercial business service contract(s) in effect on the first public notice of this ordinance will be considered an existing contract.
- C. Registered Haulers with an existing contract(s) for residential service may continue to service the account(s) until the contract expiration date and without renewal provided:
 - 1. The Registered Hauler submits to Sadsbury Township the names and address of every account with an existing contract; and a copy of the account's signed contract indicating the service expiration date.
 - 2. Residential contract(s) shall not incur any cancellation penalties for not renewing the contract.
- D. Registered Haulers with an existing contract(s) for small commercial business service may continue to service the account(s) until the contract expiration date and without automatic renewal provided:
 - 1. The Registered Hauler submits to Sadsbury Township the names and address of every account with an existing contract; and a copy of the account's signed contract indicating the service expiration date.

2. The Small Commercial Business shall not incur any cancellation penalties for not renewing the contract.

3.4 Transportation Of Municipal Waste, Recyclables Or Leaf Waste

- A. **Spillage.** Any person transporting Municipal Waste or Recyclables within the Township shall prevent or remedy any spillage from vehicles or containers used in the transport of such material.
- B. **Vehicle Markings.** The authorized haulers shall collect refuse in vehicles which are suitable for such collection, which are dedicated for use in performance of such collection, and which bear prominent legible marking, signs, or decals identifying them as being Municipal Waste collection vehicles, and stating the name and phone number of the Registered Hauler.
- C. **Vehicle Conditions.** All vehicles used for the transportation of Municipal Waste, and/or Recyclables shall be securely covered, watertight, strongly built, and kept thoroughly cleaned and well maintained. Except for roll-offs, which must be tarped, open trucks shall not be used for the collection of Municipal Solid Waste,
- D. **Bulky Waste and White Goods.** Bulky waste and white goods shall be transported in a vehicle appropriate to the type of waste so as to prevent spillage, accidental loss, etc.
- E. **Vehicle Transfers.** The transfer of Municipal Waste, and/or Recyclables from one collection vehicle to another may not take place within the Township, except as authorized on private property. No such transfer may take place on any public right-of-way and no such transfer operation shall block traffic, create litter or in any other manner constitute a nuisance, create a health hazard or violate any other ordinance of the Township or provision of statutory law.
- F. **Scavenging.** Scavenging or pilfering of Municipal Waste or Recyclables shall constitute a violation of this Ordinance.
 1. **Property of Township.** Any Recyclable located at the curbside is the property of the Township until collected by the Township's Exclusive Service Provider.
 2. **Drop-off or Storage Bins.** Any Leaf Waste deposited at drop-off sites, or in storage bins associated with residential dwellings, is the property of the Township until collected by the Township or by the Township's Exclusive Service Provider.
 3. **Non-residential Storage Bins or Detachable Containers.** Any Municipal Waste, or Recyclables deposited in storage bins or Detachable Containers at commercial, municipal, industrial and institutional establishments is the property of the establishment unless such establishment agrees that ownership is transferred to the authorized hauler when the material is collected.
- G. **Recyclables.**
 1. Materials sorted from municipal waste for the express purpose of recycling shall be kept separate from and collected separately from Municipal Waste and Leaf Waste.

2. All haulers shall transport collected recyclables to a Recycling Facility and Recyclables shall not be commingled, during collection or otherwise, with Municipal Waste or Leaf Waste.
 3. For residential properties, all Recyclables shall be placed at the curbside as specifically provided herein.
 4. Any person may donate or sell Recyclables to individuals or organizations.
- H. Leaf Waste.** Nothing in this Ordinance shall require any person to gather leaf waste or prevent any person from utilizing leaf waste for compost, mulch or other agricultural, horticulture, silvicultural, gardening and/or landscape purposes.

3.5 Residential Properties

- A. Responsibility.** It shall be the duty and responsibility of every owner of developed residential property within the Township where Municipal Waste is produced and is accumulated to have these materials removed on a regular basis to the extent provided by this Ordinance.
- B. Discontinuance of Service.** Discontinuance of service due to non-payment of service fees shall not relieve the property owner from abiding by all of the requirements of this Ordinance.
- C. Seasonal Service.** Owners of seasonal rental units shall ensure that temporary occupants have access to instructions for the management and collection and removal of their waste
- D. Use of Township's Exclusive Service Provider.** Under this Ordinance, every owner of developed residential property may self-remove waste accumulated at their properties or they may voluntarily contract for Municipal Waste and Recycling collection service with the Township's Exclusive Service Provider when they opt for such services.
- E. Curbside Collection Time.** Residents shall place Municipal Waste in a Container, Cart and/or Bag; and Recyclables in a Container or Cart at the curbside for collection in sufficient time to permit collection on the day of collection no more than 24 hours prior to collection and shall remove the Container/cart no later than 24 hours after collection.
- F. Preparation for Collection.** Municipal Waste placed in a Container or Cart shall be bagged. Recyclables placed in a Container or Cart shall be unbagged.
- G. Responsibility for Spillage.** Residents shall prevent the spillage of any Municipal Waste or Recyclable material placed at the curb for collection, and shall be responsible for clean-up of any spilled Municipal Waste or Recyclable Material prior to the collection by the Township's Exclusive Service Provider.

3.6 Commercial, Industrial, Institutional Properties

- A. Responsibility.** It shall be the duty and responsibility of every owner of commercial property, and every place of business within the Township, where Municipal Waste is produced and is accumulated to on a regular basis to the

extent provided by this Ordinance make proper arrangements for the regular collection and removal of Municipal Waste, and Recyclables from the property by contracting with a Registered Hauler for collection services, or by self-removing these materials.

- B. A Small Commercial Business is eligible to contract with the Township's Exclusive Service Provider at the same rates and under the same terms as in the Exclusive Service Contract for residential service.
- C. **Discontinuance of service.** Discontinuance of service due to non-payment of service fees shall not relieve the property owner or establishment from abiding by all of the requirements of this Ordinance.

SECTION 4. PROCESSING AND DISPOSAL

4.1. Disposal of Municipal Waste

- A. **Responsibility.** Any person accumulating or storing municipal waste on private or public property shall insure the sanitary and legal disposal of such waste in accordance with this Ordinance and all other applicable Federal, State, County, and Township laws and regulations.
- B. **Place of Disposal.** All Municipal Waste generated, collected, and transported from within the jurisdictional limits of the Township shall be disposed of at the facilities designated in the Crawford County Solid Waste Management Plan.

4.2. Unlawful Disposition of Municipal Waste

- A. It shall be unlawful for any person to store, dump, discard or deposit, or to permit the storage, dumping, discarding or depositing of any Municipal Waste or recyclables upon the surface of the ground or underground within the Township, except in proper containers for purposes of storage and collection in conformance with this Ordinance.
- B. It shall be unlawful for any person to dump or deposit any Municipal Waste or recyclables in any stream or body of water with the Township.

4.3. Construction and Demolition Waste

- A. All waste materials resulting from the building, structural alteration, repair, construction, or demolition of buildings or structures shall be disposed of only as permitted by applicable Federal, State, County and Township, laws and regulations as may be in effect or as subsequently imposed.
- B. It shall be the responsibility of the property owner to ensure the disposal of such waste in accordance with applicable laws and regulations.

SECTION 5. EXCLUSIONS AND EXCEPTIONS

- 5.1. **Exclusions and Exceptions.** Unless otherwise specified, the conditions and activities within Section 5 are exempt from the provisions of this Ordinance.

5.2. Non-Solid Waste Business Related Transportation. Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting Municipal Waste from hauling their self-generated waste to a disposal facility as designated by the Crawford County Municipal Waste Management Plan in accordance with the regulations of the disposal facility.

5.3. Commercial Landscaping. Nothing contained herein shall prohibit a commercial landscaping company from removing leaf waste, for the purpose of composting, from the properties which it services.

5.4. Farm Properties

A. Nothing contained herein shall prohibit a farmer from carrying out normal farming operations, including composting or spreading of manure or other farm produced agricultural waste, not otherwise prohibited or regulated for land applications. All such practices must be conducted in compliance with applicable Federal, State, County, and Township laws and regulations.

B. Residents who are occupants of a Farm property shall be automatically excluded from the Exclusive Service Provider requirement of this Ordinance if they use commercial container collection service from another Registered Hauler; however, such residents shall comply with all other provisions of this Ordinance.

5.5. Hazardous/Residual Waste

A. The provisions of this ordinance apply only to the storage, collection, transportation, and disposal of Municipal Waste, Recyclables, and Leaf Waste and do not apply therefore, to Hazardous or Residual Waste as defined by the Pennsylvania Solid Waste Management Act and its amendments.

B. All Hazardous or Residual Waste must be disposed of in compliance with applicable Township, State, and Federal laws and regulations as may be in effect or subsequently imposed.

5.6. Construction/Demolition Waste. Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting Municipal Waste from hauling his/her self-generated construction and demolition waste to a disposal facility as designated by the Crawford County Municipal Waste Management Plan in accordance with the permit requirements of the disposal facility.

SECTION 6. ENFORCEMENT ADMINISTRATION AND PENALTIES

6.1 Enforcement and Administration.

The Board of Supervisors of Sadsbury Township, or its designee, shall enforce and administer the provisions of this Ordinance.

6.2 Penalties

- A. Any person violating any of the provisions of this Ordinance shall, upon conviction by a district magistrate, be subject to a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) together with the cost of prosecution, or imprisonment in the Crawford County Prison for a period of not more than thirty (30) days.
- B. Every violator of the provisions of this Ordinance shall be deemed guilty of a separate offense each and every day such violation continues and shall be subject to the penalty imposed by this section for each and every separate offense.

6.3 Other Remedies

- A. **Removal of Accumulation of Solid Waste.** In addition to the foregoing penalty, the Township may require the owner or occupant of a property to remove any accumulation of Municipal Waste and should said person fail to remove such Municipal Waste after five (5) days following written notice, the Township may cause the solid waste to be collected and disposed of with the cost for such action to be charged to the owner or occupant of the property.
- B. **Separate Offenses.** Nothing contained in this Article shall affect, in any way, the provisions of this Ordinance regarding separate offenses for every day any violation occurs.

SECTION 7. SEVERABILITY AND AMENDMENTS

7.1 Severability.

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

7.2 Amendments.

This ordinance or any part thereof may be amended from time to time in accordance with the procedures as established by law.

7.3 Applicability.

This Ordinance shall be subject to all applicable federal, state, and municipal laws and ordinances as well as rules and regulations as set forth by the Department of Environmental Protection, Commonwealth of Pennsylvania.

7.4 Effective Date.

This Ordinance shall become effective on _____, 2019 with the provisions for curbside collection at residential properties effective _____, 2019.

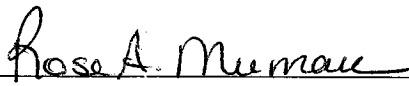
7.5 Repealer.

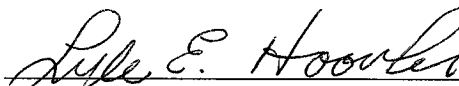
Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.


Ordained and enacted this 21st day of November, 2019, BY THE BOARD OF SUPERVISORS of the TOWNSHIP OF SADBURY.

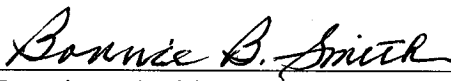
ATTEST:

**SADBURY TOWNSHIP
BOARD OF SUPERVISORS**


Rose A. Mumau
Secretary


Lyle E. Hoovler, Chairman


Kevin R. VanHonk, Vice-Chairman


Bonnie B. Smith, Supervisor