

NORTH CORNWALL TOWNSHIP
Lebanon County, PA

ORDINANCE NO. 319

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NORTH CORNWALL TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA, ESTABLISHING REGULATIONS FOR THE STORAGE, COLLECTION, AND DISPOSAL OF GARBAGE AND REFUSE; AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Supervisors of North Cornwall Township has determined it is in the best interest of the health and safety of its citizens to regulate the storage, collection, and disposal of garbage and refuse; and

WHEREAS, the Board of Supervisors, in accordance with Pennsylvania Act of Assembly dated July 28, 1988, Act No. 101, as amended, determine it to be appropriate for the health, safety, and welfare of its citizens to designate the Greater Lebanon Refuse Authority as the permitted facility for disposing of garbage and refuse.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained by the Board of Supervisors of North Cornwall Township, as follows:

SECTION 1 - DEFINITIONS

Collector/Hauler – A person, firm, corporation or entity who is licensed and registered with the Greater Lebanon Refuse Authority and authorized to engage in the collection, transportation, and/or depositing of solid waste, recyclable materials, and/or bulk waste from residential, commercial, municipal, and institutional establishments. The term may be applied to an entity having the exclusive or non-exclusive right to collect within the Township, including landscaping companies.

Garbage - The animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of foods.

Person - Any natural person, association, partnership, firm, or corporation.

Refuse - All waste materials not included in the definition of garbage, except for such materials as shall be designated, from time to time, by the Township or the County of Lebanon for separate collection for recycling and any refuse or garbage not accepted by the Greater Lebanon Refuse Authority.

Township – North Cornwall Township, Lebanon County, Pennsylvania.

SECTION 2 - STORAGE PRACTICES

A. Garbage and Refuse Containers

1. General Rules

- a. Garbage and refuse containers shall be maintained in a clean and sanitary condition and shall be thoroughly cleansed and/or disinfected by the user periodically or upon written notice from the Township.
- b. Garbage and refuse may be commingled in the same container.
- c. Containers in which garbage and refuse are stored shall be leak proof, with watertight and securely-fitting covers or lids.
- d. Garbage and refuse containers shall be maintained in a good and safe condition. Any container which is cracked, leaking, bent, broken, incomplete, or has sharp edges shall be promptly replaced by the user or upon written notice from the Township.

2. Single Family Dwellings

- a. For single family residences, the garbage and refuse containers shall be supplied by the owner, occupant, tenant, or collector, with a capacity not to exceed forty-four (44) gallons each, or as may be required or agreed upon with the collector, with as many containers as may be necessary, without overfilling, to properly meet the collector's pick up schedule.

3. Multi-Family Dwelling Applications

- a. In cases of two or more dwelling units in a single building or complex of buildings, including but not limited to apartments, condominiums, rooming houses and dormitories, garbage and refuse containers shall be supplied by the owner or manager of the building or complex.
- b. The capacity of garbage and/or refuse containers shall be a minimum of one sixth (1/6) cubic yard per person occupant per week. Containers shall be sized

accordingly and emptied to at least meet that minimum.

- c. Where the capacity of containers is insufficient to contain the amount of garbage and refuse generated, it shall be the duty of the owner or manager to provide a larger container and/or arrange more frequent disposal in order to prevent overfilling, having material placed on or around the container, or preventing lids from being securely closed.
 - d. All containers shall have suitable lids or covers, properly secured, to prevent the contents from blowing out of the container during a windstorm event, and to prevent nuisance due to flies, insects, rodents, or noxious odors.
 - e. In case of absentee property ownership, the person in charge, property manager, or agent shall be responsible for carrying out and maintaining compliance with the provisions of this Ordinance.
4. Other Commercial and Industrial Applications
- a. The capacity of garbage and/or refuse containers shall be sized and emptied on a schedule which will prevent overfilling and avoid the placement of disposed material outside of the container and/or the storage of disposed materials elsewhere while awaiting collection.
 - b. All containers shall have suitable lids or covers, properly secured, to prevent the contents from blowing out of the container during a windstorm event, and to prevent nuisance due to flies, insects, rodents, or noxious odors.
5. Restaurants and Food Preparation Entities
- a. The capacity of garbage and/or refuse containers shall be sized and emptied on a schedule which will prevent overfilling and avoid the placement of disposed material outside of the container and/or the storage of disposed materials elsewhere while awaiting collection.
 - b. All containers shall have suitable lids or covers, properly secured, to prevent the contents from blowing out of the container during a windstorm event, and to prevent nuisance due to flies, insects, rodents, or noxious odors.
 - c. Garbage and refuse containers shall be located in an area away from entrances to the building, preferably at the rear, and completely enclosed on four sides with a secure fence material which will keep the container(s) out of view and prevent the container contents from blowing out of the enclosure during a

windstorm event.

6. Containers Used for Specific Items

- a. Containers used specifically for animal fats or butchering trimmings, frying grease or oil, or any similar waste held for special disposal or rendering, shall be securely closed at all times, and shall be located in an area completely enclosed on four sides with a secure fence.
- b. Grease or oil accumulations on the outside of the container or in the enclosure in which it is kept shall be removed regularly and prevented at all times to the extent possible to prevent nuisance due to insects, rodents, and noxious odors.
- c. Where grease and oil accumulations are present and have not been prevented, the Township may direct the user to remediate the problem, within ten (10) days, by steam or other professional cleaning and the use of appropriate disinfectants and/or odor control.

B. Storing of Garbage and Refuse

1. Garbage Container Storage on Property

- a. No person shall place any garbage or refuse in any street, alley or other public place, or upon any private property either owned by such person or not, within the Township limits except if same is placed in a proper container on the day of collection or under express approval granted by the Township.
- b. All garbage and refuse, whether in bags or not, shall be stored in containers with lids.
- c. Garbage and refuse containers shall not be placed on the front porch, front yard, private sidewalk, or on the public sidewalk. Garbage and refuse containers shall only be placed along the street's curb line during the property's designated collection days.

SECTION 3 - COLLECTION PRACTICES

A. Place of Collection

1. Garbage and refuse receptacles for collection purposes shall be placed at ground level on the property, not within the cartway of a street or alley from which collection is made, except where an agreement exists with the collector to collect from a driveway, porch, or elsewhere.

SECTION 4 - PLACE AND METHOD OF DISPOSAL

A. Contract with Licensed, Registered Hauler

1. Every property owner in North Cornwall Township shall contract with an individual, entity, or firm which is a licensed, registered hauler by the Greater Lebanon Refuse Authority and the Commonwealth of Pennsylvania to have all municipal waste generated on the premises by any of the occupants of the premises removed and deposited at the Greater Lebanon Refuse Authority no less frequently than on a weekly basis.

B. Proof of Contract

1. Whenever requested by North Cornwall Township, the property owner of any real estate within North Cornwall Township shall present adequate proof, in the judgment of the Township designee, that the owner of said real estate has a current contract with a licensed hauler to dispose of municipal waste generated on the premises on a weekly basis or more frequently. The property owner of the premises shall have 72 hours to provide proof to the Township designee that he/she has a current contract with a licensed hauler to provide sufficient service to satisfy the terms and conditions of this article. Proof of contract must be kept for a minimum of two (2) years by the property owner.

C. Hauler Notification

1. Any hauler collecting municipal waste in North Cornwall Township shall be required to advise the Township in writing within seventy-two (72) hours after request from the Township as to whether an owner has a current contract for municipal waste disposal from his/her premises within North Cornwall Township. Furthermore, all licensed haulers shall cooperate with the Township designee in providing information in the event that an action is instituted to enforce the terms and conditions of this Ordinance.

SECTION 5 - IMPROPER DISPOSAL

- A. No person shall hereafter dispose or abandon in or near any garbage or refuse container materials which are not accepted for ordinary collection by the Greater Lebanon Refuse Authority, including but not limited to tires, batteries, oil, oil-based paints or similar

materials, hazardous or medical waste, explosives or incendiary materials, appliances containing refrigerant gasses, and scrap metals.

- B. No person shall hereafter dispose or abandon in or near any garbage or refuse bulk container (dumpster), materials too large to fit into the container or materials not suitable for ordinary collection methods unless prior arrangements have been made with the collector. Such materials include but are not limited to household furniture and bedding, carpet rolls, appliances, outdoor equipment, and construction or demolition waste.
- C. In cases where persons unknown have disposed or abandoned materials which the collector has opted not to collect, it shall be the responsibility of the property owner or manager to arrange for the prompt removal and disposal of such items within ten (10) days of their rejection by the collector.

SECTION 6-PENALTIES

- A. Any person who shall violate or fail to comply with any of the provisions of this Ordinance, or any resolutions promulgated pursuant hereto, shall upon conviction thereof, be sentenced to pay a fine of not more than six hundred (\$600.00) dollars together with the costs of prosecution. In default of payment of the fine or penalty imposed and the costs, said person or establishment will be sentenced to imprisonment in the county jail for a period not exceeding ninety (90) days, provided that each day's continuance of a violation or failure to comply with any provisions of this Ordinance or any resolutions promulgated pursuant hereto, shall constitute a separate offense.

SECTION 7 -SEVERABILITY

- A. In the event any provisions, section, sentence, clause, or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

SECTION 8-REPEALER

- A. All Ordinances or parts of Ordinances, and resolutions or parts thereof which are

inconsistent herewith expressly shall be repealed, and are hereby repealed.


SECTION 9-EFFECTIVE DATE

This Ordinance shall become effective five (5) days after the adoption thereof.

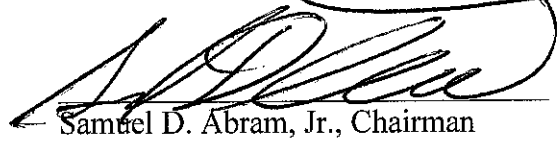
BE IT ENACTED, this 15th day of September, 2020, by the Board of Supervisors of North Cornwall Township.

**NORTH CORNWALL TOWNSHIP
BOARD OF SUPERVISORS**
Lebanon County, Pennsylvania

ATTEST:


Secretary

Date: Sept. 15, 2020


Samuel D. Abram, Jr., Chairman


Ronald Sell, Vice-Chairman


Michael Wahmann, Treasurer

[TOWNSHIP SEAL]

