

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 356

(Duly Adopted December 29, 1997)

AN ORDINANCE AMENDING CHAPTER 71 OF THE CODE OF THE BOROUGH OF ALBURTIS (RELATING TO SOLID WASTE, RECYCLABLES, AND OTHER REFUSE) BY (I) ADDING BIMETALLIC CANS AND PLASTICS TO THE LIST OF VOLUNTARY RECYCLABLE MATERIALS; (II) REMOVING GRASS CLIPPINGS FROM THE LIST OF MANDATORY RECYCLABLE MATERIALS, DISCONTINUING THE BOROUGH'S COLLECTION OF GRASS CLIPPINGS, AND PERMITTING THEIR DISPOSAL AS GARBAGE; (III) CHANGING THE COLLECTION OF RECYCLABLE MATERIALS FROM MONTHLY TO BI-WEEKLY; AND (IV) MAKING CERTAIN TECHNICAL CHANGES.

WHEREAS, Chapter 71 of the Code of the Borough of Alburtis (adopted by Ordinance 294 on December 9, 1992 and amended by Ordinance 335 on May 29, 1996) provides comprehensive regulations relating to solid waste, recyclables, and other refuse; and

WHEREAS, Borough Council desires to amend Chapter 71 of the Code of the Borough of Alburtis as set forth in this Ordinance;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, that Chapter 71 of the Code of the Borough of Alburtis shall be amended as follows (with deletions indicated in ~~strike-outs~~ and insertions indicated by double underlining):

**CHAPTER 71 — MUNICIPAL SOLID WASTE, RECYCLABLES, AND
OTHER REFUSE**

§ 71-1 Definitions.

The following words, when used in this Chapter, shall have the meanings ascribed to them in this Section, except in those circumstances where the context clearly indicates otherwise:

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R. Unacceptable waste — Except for trace amounts normally found in household or commercial waste:

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(11) ~~Grass clippings;~~ [RESERVED]

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(16) Any material that, by reason of its composition, characteristics, quantity, or concentration, is ineligible for disposal at the disposal facility(ies) ~~designated to receive municipal waste generated within the Borough under the Lehigh County Solid Waste Management Plan (or, if there are no such facilities, or if the provisions of the Lehigh County Solid Waste Management Plan designating disposal facilities are determined to be invalid or unenforceable, at the disposal facility(ies) selected by the Borough and/or the Contractor)~~ Contractor, pursuant to:

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§ 71-3 Collection and Disposition of Collectable Recyclable Materials.

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C. Grass clippings. Grass clippings are hereby ~~declared to be a mandatory collectible recyclable material~~ not required to be recycled. The Borough encourages composting and/or mulching of grass clippings by property owners to remove grass clippings from both the waste stream and recycling collection.

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E. Voluntary collectible recyclable materials. Borough Council may, from time to time, by Ordinance or Resolution, designate other recyclable materials as voluntary collectible recyclable materials. Borough Council may also designate certain recyclable materials as voluntary collectible recyclable materials for some types of property uses in the Borough (*e.g.*, commercial, municipal, institutional, industrial, community activities, or residential) but not others. (For example, high grade office paper and corrugated paper may be designated as voluntary collectible recyclable materials with respect to commercial, municipal, institutional, and industrial uses, but not residential uses.) Until changed by Ordinance or Resolution, the following materials are voluntary collectible recyclable materials which will be collected by the Borough or its Contractor: clear glass, colored glass, ~~and~~ aluminum, bimetallic cans, and plastics. The Borough anticipates designating high grade office paper and corrugated paper as voluntary collectible recyclable materials with respect to commercial, municipal, institutional, and industrial uses and community activities, at some time in the future.

F. Methods of Collection.

(1) Time and Location. The Borough will collect mandatory and voluntary collectible recyclable materials at such times and in such locations as may be established by regulations promulgated under this Chapter. Until changed by such regulations, newsprint shall be collected at curbside once ~~each month~~ every other week; ~~grass clippings shall be collected in a dumpster designated for that purpose behind the Borough Hall~~; leaf waste shall be collected at an identified location behind Borough Hall; and clear glass, colored glass, ~~and~~ aluminum, bimetallic cans, and plastics shall be collected at curbside once ~~each month~~ every other week.

(2) Separation or Commingling. Mandatory collectible recyclable materials shall be separated from collectible municipal waste and stored until collection or other disposition. Voluntary collectible recyclable materials which are to be recycled shall also be separated from collectible municipal waste and stored until collection or other disposition. Regulations promulgated under this Chapter may require the separation of certain collectible recyclable materials from other collectible recyclable materials, or permit the commingling of certain collectible recyclable materials. Until changed by such regulations, newsprint shall be separated from all other materials; ~~grass clippings shall be separated from all other materials;~~ leaf waste shall be separated from all other materials; and clear glass, colored glass, ~~and aluminum, bimetallic cans, and plastics~~ may be commingled, but otherwise separated from all other materials.

(3) Receptacles. All collectible recyclable materials placed for collection by the Borough or its Contractor shall be placed in bags, garbage cans, or other receptacles, which comply with all applicable regulations promulgated under this Chapter. Without limitation, such regulations may include requirements relating to size, weight, materials, and closure. In addition, Borough Council may require, by Resolution, that any or all collectible recyclable materials placed for collection by the Borough or its Contractor be placed for collection in special bags or other receptacles sold or supplied by the Borough or its agents, and/or that any or all receptacles or bundles placed for the collection of collectible recyclable materials by the Borough or its Contractor bear a special tag, sticker, or similar device, sold or supplied by the Borough or its agents. These special receptacles or devices may be required to assist in implementing a “per bag” fee program, to accommodate any handling, collection, transportation, or disposition concerns, to reduce the costs of collection, transportation, or disposition, or to accomplish any other proper purpose related to the municipal recyclable material collection program.

Until changed by regulations authorized under this Chapter, the following rules apply to collectible recyclable materials to be placed for collection by the Borough or its Contractor: newsprint shall be bundled into bundles not more than two feet thick, and not otherwise placed in bags or other receptacles; ~~grass clippings shall be deposited into the dumpster or~~

~~other receptacle identified by the Borough for the collection of grass clippings; leaf waste shall be placed in authorized biodegradable bags sold by the Borough or its agents; and clear glass, colored glass, and aluminum, bimetallic cans, and plastics shall be placed in authorized recycling containers supplied or sold by the Borough.~~

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§ 71-7 Regulations; Supervision of Borough Program.

A. Regulations. To the extent not already governed by a current contract with a Contractor, the Borough Council shall have authority to make regulations concerning the days of collection, type and location of waste receptacles, and such other matters described in or relevant to this Chapter or which otherwise pertain to refuse collection, transportation, and disposition, as the Borough Council may deem advisable, *provided* that such regulations are not contrary to the provisions of this Chapter or any other Ordinance or Resolution. Borough Council may modify any of such regulations from time to time, subject to the terms of any current contract with a Contractor. The Borough Secretary is hereby authorized to issue any temporary regulations under this Chapter which may be necessary, to be effective until the next the second regular meeting of Borough Council following the issuance of the temporary regulations, unless sooner rescinded by motion adopted by Borough Council.

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DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburdis, this 29th day of December, 1997, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURDIS

Steven R. Hill, President

Attest:

Louise Stahley, Secretary

AND NOW, this 29th day of December, 1997, the above Ordinance is hereby APPROVED.

Ronald J. DeIaco, Mayor