

## Chapter 337

### SOLID WASTE

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[HISTORY: Adopted by the Borough Council of the Borough of West Grove as indicated in article histories. Amendments noted where applicable.]

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#### ARTICLE I Recycling

[Adopted 12-16-1991 by Ord. No. 1991-07]

##### § 337-1. Applicability.

The provisions of this article establishing a recycling program shall be applicable to those persons and properties who qualify to have their garbage, rubbish, and refuse collected by the Borough of West Grove.

##### § 337-2. Recyclable materials.

The recyclable materials which are required to be separated and prepared and placed for collection by the Borough or its authorized agents shall include newspaper, aluminum cans, green glass, brown glass and clear glass. The Borough may from time to time, upon public notice, delete or add to the list of recyclables.

**§ 337-3. Manner of separation, preparation and placement for collection.**

All persons or properties to whom the provisions of this section are applicable shall separate, prepare and place for collection the designated recyclable materials in the manner set forth hereinafter:

- A. Newspaper shall be separated from other garbage, rubbish or refuse to be collected by the Borough and placed into neatly packaged and securely tied bundles not exceeding a weight of 50 pounds, or in neatly and snugly packed strong or doubled paper bags.
- B. Glass and aluminum cans shall be separated as directed by the Borough, drained free of all food, liquid or other substances and placed in containers provided by the Borough or other suitable open containers not less in size than five gallons nor more than 30 gallons and shall not exceed 50 pounds in weight. In addition, all metal shall be removed from the glass before such glass is placed in the containers.
- C. Day and place of collection. All recyclable materials shall be placed for collection on the first and third Thursdays of each month at the same time and place as regular collection for garbage, rubbish and refuse as specified.
- D. Collection by unauthorized persons prohibited.
  - (1) From the time of placement of the recyclable materials at the curb or other designated place for collection by the Borough pursuant to the provisions of this Ordinance and any rules and regulations adopted hereafter, the recyclable materials shall become and be the property of the Borough.
  - (2) It shall be a violation of this Ordinance for any person not duly authorized by the Borough to collect or pick up or cause to be collected or picked up any recyclable materials placed at the curb or other designated place for collection by the Borough pursuant to the provisions of this Ordinance. Any and each such unauthorized collection in violation hereof from one or more residences shall constitute a separate and distinct offense punishable as hereinafter provided in this Ordinance.

**§ 337-4. Violations and penalties.**

Any person who shall violate any provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25 and costs of prosecution. Each violation of any provisions of this Ordinance and each day the same is continued shall be deemed a separate offense.

**§ 337-5. Effective date.**

This Ordinance shall become effective on January 1, 1992.

ARTICLE II  
**Collection and Disposal**  
 [Adopted 12-3-2003 by Ord. No. 2003-07]

**§ 337-6. Definitions.**

The following words, when used in this Ordinance, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise.

**BULK TRASH** — Any appliances, furniture, small machinery, or large item.

**DEMOLITION AND BUILDING WASTE** — Any debris such as windows, doors, drywall, insulation, lumber, concrete, shingles, etc. from the destruction or construction of any structure.

**HOUSEHOLD GARBAGE** — The animal and vegetable waste resulting from the preparation, handling, and consumption of foods. It shall also include packaging materials of the above mentioned items. It shall not include more than a minimum amount of free-flowing liquid. It shall not include waste from any commercial or industrial processing operation or large quantities of condemned food.

**HOUSEHOLD HAZARDOUS WASTE** — Any paint, batteries, tires, pesticides, petroleum products, and other chemicals.

**INFECTIOUS WASTE** — Any material such as wound dressings, bandages, etc., that may have been in contact with infectious body fluids of humans or animals.

**MULTIPLE UNIT BUILDING** — A building with four or more units.

**RECYCLABLE WASTE** — Any aluminum cans, rinsed metal food cans, glass food containers, glass beverage containers, Pete #1 soda bottles, HDPE #2, unpigmented jugs, HDPE #2, pigmented bottles and jugs, newspapers, magazines, junk mail, phones books, catalogs, office paper, shredded paper, and corrugated boxes.

**RECYCLING CONTAINER** — Any plastic container approved by the Borough.

**SOLID WASTE** — Any materials as herein defined.

**TRASH STICKER** — A sticker purchased from the Borough to put on bags when the residence has more trash than can fit in the waste container.

**WASTE CONTAINER** — Container designed to be handled and collected, and emptied mechanically by a refuse truck, and approved by the Borough.

**YARD WASTE** — All grass, weeds, leaves, hedge and tree trimmings.

**YARD WASTE BAG** — Paper bags purchased from the Borough.

**§ 337-7. Administration.**

- A. All solid waste accumulated in the Borough of West Grove shall be collected conveyed and disposed of by the Borough or in accordance with this Ordinance except that any

Owner of a multiple unit building shall provide at their expense an approved waste container for the collection of refuse or make other arrangements for collection of excessive amounts at their expense, providing the requirements of this Ordinance are met.

- B. The West Grove Borough Council through this Ordinance regulates the collection of all solid waste within the Borough and makes regulations concerning the day of collection, type, and location of waste containers, and such matters pertaining to the collection and disposal.
- C. The West Grove Borough Council may add, modify, or change any part of this regulation, as it may deem appropriate.
- D. The producers of solid waste or the owners of premises upon which waste has accumulated who desire personally to collect and dispose of said waste material not included in the definition of this document and licensed haulers of waste who desire to haul over the streets of the Borough, shall use a water tight vehicle, provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and waste from being blown.
- E. All waste materials set out for collection by the Borough shall be the ownership of the property owner or their occupant until it is deposited in a vehicle owned or contracted by the Borough.

#### § 337-8. Separation of waste.

All waste shall be separated into the following categories:

- A. Household garbage.
- B. Recyclable waste.
  - (1) Aluminum beverage cans, metal food cans, glass food and beverage containers, soda bottles, unpigmented jugs, and pigmented bottles and jugs.
  - (2) Newspapers, magazines, junk mail, phone books, catalogs and office paper.
  - (3) Shredded paper.
  - (4) Corrugated boxes.
- C. Yard waste.
  - (1) Grass and weeds.
  - (2) Leaves.
  - (3) Brush.
- D. Bulk trash.
- E. Hazardous waste.

F. Building and demolition waste.

**§ 337-9. Preparation of waste.**

Waste to be collected by the Borough shall be prepared in the following manner:

- A. Household garbage. To be free of flowing liquids, to be placed in the Waste Container as provided by the Contractor. When a residence has more garbage than can be put in the waste container, a sticker must be purchased from the Borough and placed on the bag for pickup by the Contractor.
- B. Recyclable waste. To be free of flowing liquids, cans are to be crushed, bottles are to be rinsed and labels and lids are to be removed to be commingled in the recycling container. Newspapers, magazines, junk mail, phone books, catalogs, and office paper are to be tied in bundles or placed in paper bags not to exceed 50 pounds. Shredded paper to be placed in paper or plastic bags. Corrugated boxes must be flattened and tied in bundles.
- C. Yard waste. Grass and weeds are to be composted, or bagged in a Borough purchased paper bag, brush is to be tied in bundles not to exceed four feet by two feet and not to exceed 50 pounds. Leaf pickup other than during the fall are to be bagged in a Borough purchased paper bag.
- D. Bulk trash. Furniture, small machinery, appliances shall be separated with no loose materials. The Borough will pick up any appliance, which contains a refrigerant, after the fee is paid to the Borough office.

**§ 337-10. Waste container maintenance and use.**

- A. All Waste Containers will be provided by and owned by the Contractor. It is the responsibility of the Borough residents to keep the containers in as sanitary condition as possible and in good physical condition as not to hamper or injure the Collector.
- B. All Household Garbage must be placed in the Waste Container for refuse pickup. Any household garbage not placed in the Waste Container must have a Borough purchased sticker on the trash bag for pickup by the Contractor.
- C. Bags for grass and leaves shall be purchased from the Borough.
- D. It shall be unlawful for any person other than the occupant of the premises to which the receptacle is stored to deposit waste into said receptacle.
- E. No person shall place any waste in any street, alley, or other public place or upon any private property whether owned by such person or not within the Borough except it be in proper containers for collection or under express approval granted by the Borough.
- F. No person shall throw or deposit any refuse in any stream or other body of water.
- G. Any unauthorized accumulation of waste anywhere in the Borough shall be declared a nuisance and a violation of this Ordinance with penalties as herein stated.

- H. It shall be unlawful for any person other than the owner or collector to remove the cover of any container, or any of its contents.

**§ 337-11. Point of collection.**

- A. Waste Containers shall be placed for collection at street level but not in the street or alley and not more than 10 feet from the edge of the pavement. Placement of the Waste Containers other than as stated must be approved by the Borough.
- B. Waste Containers shall be placed on site at a location equally approved by the owner and the Borough.
- C. Waste Containers for Borough pickup shall not be placed for collection more than 12 hours before day of collection and must be removed within 12 hours after collection.

**§ 337-12. Collection practices.**

Frequency of collection.

- A. Household waste will be collected once per week unless a holiday falls on a collection day in which case it will be collected the following collection day. Collection day will be announced annually.
- B. Yard waste will be collected once a week on Fridays unless a holiday falls on a collection day in which case it will be collected on Thursdays.
- C. Recycle will be collected once a week on Fridays unless a holiday falls on a collection day in which case it will be collected on Thursdays.
- D. Bulk trash will be collected curbside once every month, no more than one bulk item per residential household, trash items of such size that two persons may be needed to handle. Types of bulk items include but are not limited to: hot water heaters, sofas, televisions, rugs, tire rims, mattress/box spring, furniture, etc.
- E. Leaf collection will take place starting approximately the 1st of October through December 15th. During this time leaves are to be raked to the curb for collection. Collection of leaves other than during the above stated time must be in bags purchased by the Borough.
- F. Hazardous materials shall not be collected by the Borough it shall be the responsibility of the owner to lawfully dispose of any waste. Southeastern Pennsylvania Household Hazardous Waste (HHW) Collection Dates are announced for lawful disposal of Hazardous Materials.
- G. Demolition and building waste. The owner will be responsible for the lawful disposal of said waste. The Borough will not collect demolition and building waste.

**§ 337-13. Enforcement.**

- A. Enforcement of the provisions of this Solid Waste Management Ordinance shall fall under the West Grove Borough Police Department.
- B. An aggrieved person shall have the right of appeal against the person in regards to this Ordinance to this West Grove Borough Council, which may confirm, modify or revoke the action taken.

**§ 337-14. Violations and penalties.**

Any person, whether principal, agent or employee, violating or assisting in the violation of any provisions of this Ordinance or of any regulation of solid waste shall, upon conviction thereof, pay a fine of not less than \$25 or more than \$100, plus court costs. After notice, each day such violation continues shall be deemed a separate offense, and separate proceedings may be instituted and separate penalties imposed for each day's offense after the first conviction.

**ARTICLE III****Accumulation and Storage of Garbage and Refuse**

[Adopted 4-3-2012 by Ord. No. 2012-02]

**§ 337-15. Purpose.**

It is the purpose of this Ordinance and the policy of the Council of the Borough of West Grove, in order to protect and promote the public health, safety and welfare of the residents of the Borough of West Grove, to prohibit the accumulation of garbage and refuse on properties within the Borough of West Grove.

**§ 337-16. Definitions.**

For the purposes of this Ordinance, the following terms shall have the meanings set forth in this § 337-16.

**GARBAGE** — The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**RUBBISH** — Combustible and noncombustible waste materials, except garbage; the term shall including the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.

**§ 337-17. Accumulation of garbage or refuse prohibited; storage.**

- A. It shall be unlawful for any person, company, firm, individual, or corporation to maintain on public or private property any garbage, trash, litter, rubbish or other refuse, or to permit the accumulation of any garbage, trash, litter, rubbish or other refuse that creates

an unsightly or noxious condition or which in any way endangers the public health or welfare.

- B. Garbage, trash, litter, rubbish or other refuse stored on residential properties other than the properties described in Subsection C below must be stored in closed containers designed for such purposes and provided by the Borough. Storage in such containers must not permit noxious odors to escape into the air. Such storage in closed containers is limited to seven days after which time the garbage, trash, litter, rubbish or other refuse must be placed along the street side curb for pick up by the Borough or the Borough's contractors.
- C. Garbage, trash, litter, rubbish or other refuse stored on commercial properties and residential apartment properties having five or more residential dwelling units must be stored in closed garbage dumpsters of sufficient size to contain all such garbage, trash, litter, rubbish or other refuse to be stored upon such property. Storage in such closed garbage dumpsters must not permit noxious odors to escape into the air. Such storage in closed garbage dumpsters is limited to seven days after which time such closed garbage dumpster must be emptied by a private trash collection contractor.
- D. The Borough Code Enforcement Officer, upon receipt of a complaint of a violation of this section, may enter on to the property where said violation is alleged to exist and, upon examination, if such condition does exist, he must give to the owner, lessee, or other person in charge of the premises written notice of the violation. The recipient of the said notice shall have three days after receipt of the notice to correct any such violation.
- E. Nothing contained in this Ordinance shall be deemed to prohibit composting of organic materials for gardening purposes.

#### § 337-18. Violations and penalties.

Any person who violates or permits the violation of any provision of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense, and shall be subject to the payment of a fine of not less than \$500 and not more than \$1,000, plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$500 and not more than \$1,000, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines and penalties collected for the violation of this chapter shall be paid to the Borough Treasurer.



**§ 337-19. Enforcement.**

The Police and/or the Borough Code Enforcement Officer are authorized to enforce the regulations contained in this Ordinance. Borough Council may also authorize other individuals by resolution to enforce the regulations contained in this Ordinance.

**§ 337-20. Effective date.**

This Ordinance shall become effective on March 23, 2012.