

Harrison Township Code of Ordinances

Chapter 20: Solid Waste

Part 1: COLLECTION OF GARBAGE

§ 101 Finding of Fact and Declaration of Policy.

[Ord. 1771, 5/23/1985, § 1]

1. Findings of Fact.

D. The uncontrolled accumulation or disposal of garbage, rubbish, or trash creates a hazard and danger to the health, safety and welfare of the people of the Township of Harrison.

2. Declaration of Policy.

A. The purpose of this Part is to protect the health, safety and welfare of people of the Township by regulating such collection.

§ 102 Prohibition Against Accumulation or Dumping of Garbage, Rubbish and Trash.

[Ord. 1771, 5/23/1985, § 2; as amended by Ord. 1838, 7/25/1994, § 1]

1. No person shall keep, bury or suffer to remain on any property, public or private, any garbage, rubbish or trash or dump the same upon any lot or piece of ground within the Township of Harrison or upon the shores or into the waters of any stream or body of water, or into any sewer, inlet or upon any sidewalk or street within the Township. No person shall use or permit to be used any spot or premises within the Township as a private dump for garbage, rubbish or trash.

§ 103 Collection Requirements.

[Ord. 1771, 5/23/1985, § 3; as amended by Ord. 1822, 11/18/1991, § 1; and by Ord. 1838, 7/25/1994, § 2]

B. Collections must be made at least every seventh day at the curb in front of each residential dwelling or in the alley as may be applicable. Residents are responsible for taking their garbage to the curb or alley and returning containers to their property.

C. Collections must be made between 5:00 a.m. and 7:00 p.m. prevailing time in the areas and on the days designated in the collection schedule attached to this Part as § 110 hereof.

D. In order to prevent unexpected discontinuance of collection, collectors must provide 30 days' written notice to the Township and to any affected resident prior to ceasing regular collection from any resident. This requirement shall apply regardless of whether the collector has been fully or promptly paid for collection, however, this provision is in no way intended to relieve residents of their legal obligations to pay for collection.

F. The owner, landlord or agent of the landlord, and the tenants and/or occupants of the dwelling shall be responsible for the prompt collection and removal of recyclables and solid waste and the timely payment of bills for collection of solid waste or recyclables. Should any of these persons fail to arrange for the

prompt collection and removal of recyclables and solid waste, or timely payment to an authorized hauler for collection services, they may be prosecuted in accordance with the Sections of this Part governing penalties for violation and permitting other remedies for failure to comply. In particular, and without limitation on any other remedy, landlords are responsible for the prompt collection and removal of recyclables and solid waste generated by tenants, and landlords shall be deemed in violation of this Part to the extent that their tenants fail to arrange for prompt collection and removal of solid waste and recyclables and/or prompt payment of bills issued by authorized haulers for solid waste or recyclables collection.

G. When uncollected garbage poses a health hazard, the Township is authorized through its proper officers to have an emergency collection made of any garbage uncollected at any property due to nonpayment of the garbage bill. Such emergency collection may be by the Township's own personnel or by third parties. In either case, the Township may file any necessary legal proceedings to hold the property owner and/or any tenant or other occupant individually or jointly liable for all costs of such collection plus attorneys' fees, and, in addition, the Township may also lien the property for all costs of such collection plus attorneys' fees.

[Added by Ord. 1887, 8/27/2001]

§ 108 Penalties.

[Ord. 1771, 5/23/1985, § 8; as amended by Ord. 1782, 2/16/1987]

Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days. Every day that a violation of this Part 1 continues shall constitute a separate offense.

Part 2: COLLECTION OF SOLID WASTE AND RECYCLABLES

§ 201 Findings of Fact.

[Ord. 1814, 8/1/1990, § 1]

The Board of Commissioners of the Township of Harrison ("Township") finds that:

A.

Act 101 of 1988 requires the Township to implement a recycling program.

B.

Recycling in the Township will be done most efficiently if the collection of recyclables is carried out in conjunction with the collection of solid waste.

C.

A successful recycling program will require source separation by Township residents and the use of standardized collection practices and uniform containers for pick up of recyclables.

D.

The success of the Township recycling program will be jeopardized if standard containers and collection practices are not used or if recyclables are removed from containers before authorized collection personnel can pick up the recyclables.

§ 202 Definitions.

[Ord. 1814, 8/1/1990, § 2]

COMMUNITY ACTIVITIES

Any exhibition, show, festival, gathering, entertainment or other activity which requires an outdoor amusement permit from the Township under Chapter 13, Part 6, of the Township Code of Ordinances.

CURBSIDE CONTAINER

The container issued or approved by the Township for the purpose of collecting, storing and placing recyclables at the curbside for collection.

LEAF WASTE

Leaves, garden residues, shrubbery and tree trimmings and similar material, but not including grass clippings.

OWNER

The owner of record as shown by deed recorded in the office of the Recorder of Deeds of Allegheny County.

PERSON

Any individual, entity, association or enterprise.

RECYCLABLES

Those materials that may be specified from time to time by the Township to be separated for recycling. Initially, recyclables shall include clear glass, colored glass and aluminum cans. Thereafter, the Township may specify different recyclables by way of resolution.

SOLID WASTE

All garbage, refuse, trash or rubbish, excluding recyclables, that is collected by a hauler under agreement with or permission of the Township.

RESIDENTIAL DWELLING

Includes all single family dwellings, duplexes, double houses, apartments and multifamily structures.

§ 203 Collection Regulations; Residential Dwellings with Less than Four Dwelling Units.

[Ord. 1814, 8/1/1990, § 3]

From and after September 26, 1990, all solid waste and recyclables from households residing in single family homes, duplexes or multifamily rental housing structures or condominium structures with less than four dwelling units shall be stored, collected and disposed of solely as hereinafter provided:

A.

All residents of such buildings shall separate clear glass, colored glass and aluminum cans, or such other recyclables as may be designated by resolution of the Township Board of Commissioners, from the solid waste generated at their residence.

B.

All residents of such buildings shall arrange and contract with the collector designated by the Township for the collection, removal and disposal of all solid waste and recyclables.

C.

Collection of solid waste will be made between 5:00 a.m. and 7:00 p.m. in the areas and in the days designated in the collection schedule attached to this Part as Exhibit A, which schedule may be revised by resolution of the Township Board of Commissioners.

D.

All residents of such buildings shall place one type of recyclable into a curbside container, i.e., all clear glass into one container, all colored glass into another container and all aluminum cans into the third container, or in such other manner as shall be established by the Township.

E.

Collection of recyclables will be made at least every two weeks at each residence. Residents are responsible for placing their curbside containers at the curb or alley by 5:00 a.m. on the day of collection and removing the containers from the curb or alley, after collection, by 7:00 p.m. on the same day.

§ 204 Collection Regulations; Residential Dwelling with Four or More Dwelling Units.

[Ord. 1814, 8/1/1990, § 4]

From and after September 26, 1990, all solid waste and recyclables from households residing in multifamily rental housing properties or condominium properties with four or more dwelling units shall be collected and disposed of as hereinafter provided:

A.

All individuals residing in such dwellings shall separate clear glass, colored glass and aluminum cans, or such other recyclables as may be designated by resolution of the Township Board of Commissioners, from the solid waste generated at their residence.

B.

The owners, landlords or agents of the owners or landlords of such buildings, shall contract with a collector or collectors or shall otherwise provide for the collection and removal all solid waste and recyclables generated by the residents.

C.

The owners, landlords or agents of the owners or landlords of such building shall establish a collection system for recyclables at each building. The collection of recyclables must be done using suitable containers for collecting and sorting materials, easily accessible locations for the containers. Written instructions must be provided to the residents concerning the use and availability of the collection system.

D.

All recyclables designated by the Township shall be collected at least once every two weeks.

E.

The collector of the recyclables shall collect, transport, process and market the recyclables. The recyclables shall not be disposed of at a landfill.

F.

For each household in such building, a written report shall be submitted to the Township during the month of September of each year which includes the following information:

(1)

The name and address of the occupants in the household.

(2)

The name of the collector who collects solid waste and recyclables from the household.

(3)

The schedule of collection of recyclables and description of the method of collection and of disposal of recyclables.

(4)

The monthly charge paid for solid waste and recyclable collection.

(5)

The report shall be filed and signed by the owner, landlord or agent of the owner or landlord of the building.

G.

Should the owner, landlord or agent of the owner or landlord or such dwelling fail to arrange for collection of recyclables and solid waste are required herein, then such duty shall fall upon the residents of the dwelling, who shall so arrange for the collection and disposal of the solid waste and recyclables generated at their household.

§ 205 Collection Regulations; Commercial, Institutional and Governmental Establishments and Community Activities.

[Ord. 1814, 8/1/1990, § 5]

1.

From and after September 26, 1990, commercial, institutional and governmental establishments and community activities shall provide for the separation and recycling of high grade office paper, aluminum and corrugated paper and other materials deemed appropriate by the Township.

2.

Commencing with the year 1990, each commercial, institutional and governmental establishment shall submit a written report to the Township during the month of September of each year which includes the following information as the Board of Commissioners may direct:

A.

The name and address of the establishment.

B.

The method of collection of recyclables from the establishment and the name of the collector of the recyclables.

C.

The schedule of collection of recyclables.

D.

Commencing in September, 1991, a statement of the annual number of tons of each recyclable material that is collected and recycled.

E.

The report shall be signed by an officer or other person in charge of the establishment.

3.

Community activities will include on their application for an outdoor amusement license a description of the recycling program to be implemented at such activity and the name of the collector of designated recyclables.

§ 206 Unauthorized Collection Prohibited.

[Ord. 1814, 8/1/1990, § 6]

1.

No person shall disturb, scatter, pick through, collect or take any recyclables that have been placed in curbside containers for collection, whether on public or private property, without authorization from the Township.

2.

Each action in violation of this Section shall institute a separate and distinct offense punishable as hereinafter provided.

§ 207 Curbside Containers.

[Ord. 1814, 8/1/1990, § 7]

1.

Curbside containers issued by the Township remain Township property at all times and are to be used for, and only for, recycling storage and collection as directed by the Township.

2.

Should a curbside container be damaged, lost or otherwise become unavailable for recycling use, then the members of the household shall, at their expense, immediately replace the container with a container issued or approved by the Township. Such duty of replacing a curbside container shall be imposed regardless of who may be responsible for the damage or loss of the container.

3.

When any resident moves from their residence, the curbside containers shall be left at the residence for the incoming residents.

§ 208 Collection Franchise or Contract.

[Ord. 1814, 8/1/1990, § 8]

The Township will enter into an agreement with a private entity for the collection, transport, processing, marketing and recycling of the designated recyclables at least once per month from each resident or person generating municipal waste in the Township.

§ 209 Prohibition of Leaf Waste.

[Ord. 1814, 8/1/1990, § 9]

From and after September 26, 1990, no person shall include leaf waste in the solid waste to be collected by the Township's designated collector.

§ 210 Penalty for Violation.

[Ord. 1814, 8/1/1990, § 10]

1.

Any person who violates or fails to comply with any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine or penalty not to exceed \$600 per violation, and, in default thereof, to undergo imprisonment for a term not to exceed 10 days.

2.

Where a residential dwelling is occupied by residents other than the dwelling owner, the duty of compliance with this Part shall rest, to the extent permitted by law, upon both the occupants and owner.

3.

Where there is a failure to separate recyclables or leaf waste from a container of solid waste that has been prepared or placed for collection, a separate violation shall exist for each such container of solid waste.

4.

Where there is a failure to place recyclables generated by any household in containers for collection as required by this Part;

A.

There shall be a separate violation for each date of recyclable collection which such failure occurs; and,

B.

Each adult in the household shall be deemed to have violated the Part.

§ 211 Additional Regulations.

[Ord. 1814, 8/1/1990, § 11]

The Township Board of Commissioners is hereby authorized to add to or amend, by way of resolution, the regulations herein pertaining to the manner of separation and collection of recyclables and the use of curbside containers.

§ 212 Other Remedies.

[Ord. 1814, 8/1/1990, § 12]

In addition to any other remedy provided in this Part, the Township may institute proceedings to restrain violation of, or to require compliance with, this Part or any regulation adopted pursuant to this Part.