

RECYCLING REGULATIONS

BOROUGH OF RIDLEY PARK

ORDINANCE NO. 1046

Revision: 10/29/92

### RECYCLING REGULATIONS

#### TABLE OF CONTENTS

SECTION A. Introductions.....

SECTION B. Residential.....

1. Materials to Recycle.....
2. Instructions for the proper preparation of materials for collection.....
3. Collection System.....
4. Reporting System .....
5. Provisions to ensure compliance with the Borough's Recycling Ordinance.....
6. Public Information.....

SECTION C. Commercial, Municipal and Institutional Establishments and Community Activities.....

1. Materials to Recycle.....
2. Instructions for the proper preparation of materials for collection.....
3. Collection System.....
4. Reporting System.....
5. Provisions to ensure compliance with the Borough's Recycling Ordinance.
6. Public Information.....

RIDLEY PARK BOROUGH  
 REGULATIONS FOR RECYCLING PROGRAM  
 (Draft)  
 (Revised 10/29/92)

SECTION A. INTRODUCTION

Regulations to implement the recycling program are authorized by Section (7) of the Ridley Park Borough Recycling Ordinance. The Regulations address two waste generation sectors as required by specific sections of Pennsylvania Act 101 of 1988; 53 Pa. Stat. 4000.1501 et seq.

1. Residential (Section 4000.1501, (c), (1), (i))
2. Commercial, Municipal or Institutional establishments and community activities (Section 4000.1501, (c), (iii))

SECTION B. RESIDENTIAL

1. Materials to Recycle

Act 101 requires persons to separate at least three materials, from a list of eight materials, from other municipal waste generated at their homes, apartments and other residential establishments. The eight materials listed by Act 101 are listed in the table below in these categories: Paper, Glass, Metals and Plastics.

a. Recyclable Materials for Residential Recycling

Recyclable materials to be kept separate from waste by residents of dwellings with three or less units and, those four unit dwellings whose owners use the Borough's recycling service, are as follows:

<u>Paper</u>	<u>Glass</u>	<u>Metals</u>	<u>Plastics</u>	<u>Leaf Waste</u>
Newspaper	Clear Glass	Aluminum	HDPE	
Corrugated paper	Colored Glass	Steel and bimetallic cans	PET	

The Borough may, by Resolution, add or delete materials from the above list of recyclables.

- b. Recyclable materials to be kept separate from waste by residents of dwellings with four or more dwelling units:
- newspapers
  - aluminum
  - clear glass
  - leaf waste

The Borough may, by Resolution, add or delete materials from the above list of recyclables.

2. Instructions for the proper preparation of materials for collection.

Materials must be properly prepared in the following manner:

- a. All glass, metal and plastic recyclables shall be rinsed and placed together in the approved red recycling container. Excess material must be placed in a clear plastic bag.
- b. All paper recyclables must be bagged or bound together and kept separate from other recyclables.

3. Collection System

- a. Each residential property, in dwelling units of three or fewer units and owners of four unit dwellings who use the Borough's recycling service, shall place properly prepared recyclables for collection at the curb.
- b. Each residential property shall ensure that leaf waste is kept separate from municipal waste. Leaf waste may be placed for collection during the municipal leaf collection program at times determined by the Borough. The leaves are to be placed in a pile next to sidewalk and out of the street.
- c. For those multi-family residential properties not receiving waste collection service from the Municipal Contractor, the Borough shall be notified by the resident, landlord or property owner of the name of the private recyclable collector utilized. As a condition of the right to conduct waste collection service in the Borough, each private waste collection firm must secure a license from the Borough. As a requirement of this license, the Private Waste Collector must provide recycling collection service for each customer. The frequency of collection shall not be less than once per month, although more frequent service is acceptable.

Owners or landlords of multifamily rental housing properties with four or more units must comply with their responsibilities by establishing a collection system for recyclables at each property. The collection system must include suitable containers for collecting and sorting materials, easily accessible locations for the containers, and written instructions to the occupants concerning the use and availability of the collection system. Owners, landlords and agents of owners or landlords who comply with this regulation are not liable for the non-compliance of occupants of their buildings.

- d. All residents of the Borough are free to deliver recyclables to the Borough recycling drop-off site behind the Highway Department Garage. Material shall be properly prepared for recycling before placement at the drop-off site according to the terms of Section B.2.
- e. No person may place a used lead acid battery in the mixed municipal solid waste, discard or otherwise dispose of a lead acid battery, except by delivery to an automotive battery retailer or wholesaler, to a secondary lead smelter permitted by the Environmental Protection Agency or to a collection or recycling facility authorized under the laws of the Commonwealth.

#### 4. Reporting System

- a. Recycling Report to Delaware County

The Borough is required by Act 101 to prepare and submit reports on its recycling program. A recycling report must be submitted to Delaware County on or before February 15th of each year, for inclusion in waste management planning reports to DER, as required by Act 101, 53 PA. Stat. 4000.304(f). The report must contain specific information on the amount of material recycled during the previous year. The Borough will collect information of the recycling services provided to users of the municipally contracted waste and recycling collection service. Multi-family residential units receiving private waste and recycling collection services must submit a Source Separation and Recycling Report for Multi-Family Residential, Commercial, Institutional Establishments and Community Activities.

- b. Source Separation and Recycling Report for Multi-Family Residential, Commercial, Institutional Establishments and Community Activities.

In order to gain information from residences not receiving recycling services from the Municipal Contractor, each residential establishment (landlord, owner or tenant) shall file annually a Source Separation and Recycling Report for Multi-Family Residential, Commercial, Institutional Establishments and Community Activities with the Borough on or before January 31st of each year. The quantities of each material collected for recycling, and the location at which each material was marketed shall be provided in the report. If the Private Waste Collector is utilized as the recycler, the Collector must provide weight slips to customers, or other means to verify quantities recycled. The recycling report shall be on a form prepared by the Borough.

c. Performance Grant Application

The Borough's recycling report to Delaware County will be used by the Borough as the basis for reporting achievements in the recycling program to the PA DER for Performance Grant funding under Section 904 of Act 101. The Borough can apply for this funding annually.

5. Provisions to ensure compliance with the Municipal Recycling Ordinance.

a. Compliance Program

The Borough has established provisions in Section 7 of its Recycling Ordinance to ensure compliance with its Recycling Ordinance, as required by Act 101, Section 4000.1501, (c) (4).

Residents in the Borough are required to keep separate from waste recyclable items identified in Section B.1 of these regulations. Residents placing recyclables for collection at the curb or at the drop-off site are required to prepare materials according to specifications in Section B.2 of these regulations. The collector will notify residents using its waste or recycling services if material has been improperly prepared.

The Ordinance compliance program of Section 7 requires two steps: Notification and Warning.

1. Notification

As the first step, a Notice or ("Sorry Card") will be attached to the waste container or recycling container indicating the reason(s) the container was not emptied or collected. The following reasons will apply:

- a. Recyclables placed in waste container
- b. Recyclables placed for collection on the wrong day, or at the wrong location
- c. Recyclables not prepared properly
- d. Nonrecyclables in recycling container

The Notice form, provided by the Borough to the collector may contain a tear-off tag, which is to be removed by the waste collection crew, recycler or the Private Waste Collection, whichever is appropriate, completed and submitted within 48 hours to the Borough Secretary. Information required to be supplied on the tag consists of the following: address of the residence, date, and the reason notification was left. The tag will also contain a space to write any comments regarding the incident.

## 2. Warning

Repeated offenses will be tagged by the waste collection crews, recyclers or the Private Waste Collector with a Warning Notification. This Warning Notification shall indicate why material was not collected, and that this has been a repeated violation of the Borough Recycling Ordinance. The tear-off tag of the Warning Notification shall be completed and submitted within 48 hours to the Borough Secretary. The Borough upon receipt of the Warning Notification shall correspond with the property owner by registered mail. The correspondence shall repeat the reason for the Warning Notification, include a statement of the penalties found in the Borough Recycling Ordinance, and provide a copy of the most recent recycling program notice and instruction sheet.

Warning Notifications shall be submitted to the Borough for each violation of the Ordinance. The Borough shall investigate repeated Warning Notifications and upon the advice of Counsel initiate legal proceedings against the violator. Fines recovered shall be used to offset all costs to bring legal action with the balance placed into a fund to educate the public regarding the recycling program unless as otherwise specified in 4000.1709 (b), wherein all fines collected pursuant to 4000.1704 and 4000.1705 are paid into the solid waste fund.

### a. Incentives

Incentives to encourage recycling are a requirement of Act 101. The incentives in the Borough's Recycling Program for the residential sector that are customers of the municipal waste or recycling service includes providing household recycling containers to each residence.

The recycling program has the additional incentive of depressing the accelerating rise in disposal costs. By removing materials from the waste stream the overall waste disposal bill is reduced, with this saving passed on to users of the waste system.

### b. Penalties

The Municipality's Recycling Ordinance, Section 8 provides for penalties for violation of the Ordinance.

Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this Ordinance, or any regulation thereof, shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00) upon a first conviction and Three Hundred Dollars (\$300.00) upon a second or subsequent conviction. The above fines shall not be applicable to a conviction for Section 5 hereof which shall be punishable by a fine not to exceed Five Hundred Dollars (\$500.00). No enforcement of Sections 3 and 4 of this Ordinance shall be made until three (3) months from the effective date of regulations authorized to be promulgated hereunder.

#### 6. Public Information

Act 101 requires that the Municipality establish a comprehensive and sustained public information and education program concerning the recycling program features and activities. The Borough must notify persons occupying residential premises of the requirements of the Borough's Recycling Ordinance and these regulations. Such notification shall occur 30 days prior to starting the program, and every six months, at a minimum, thereafter.

##### a. Mailer

The Borough will distribute information by mail for circulation to residents. The mailer will contain articles about the recycling program, its status, success, progress, and the responsibilities of residents. The mailer will form the basis for informing each resident of the recycling program.

The Borough will post notice of information in public places.

The Borough will notify each property owner of a multi-family unit containing more than three units of the recycling program and provide copies of the mailer for distribution to tenants or residents. The Borough will request that the property owner of multi-family units post, in areas commonly used for notices, the mailer and special information regarding the recycling program.

##### b. Recycling Containers

Residents of the Borough occupying dwellings of four or less units will receive recycling containers which will also serve as reminders of the recycling program.

##### c. Recycling Posters

The Borough shall distribute Recycling Posters to multi-family residential buildings. The Poster will contain information about

the Municipal Recycling Program. A large space will be provided for the landlord to place information about the recycling program available to tenants. The poster shall be placed in the area the landlord has established as a common point for the collection of recyclables.

#### SECTION C. COMMERCIAL, MUNICIPAL AND INSTITUTIONAL ESTABLISHMENTS AND COMMUNITY ACTIVITIES

Act 101 requires that a source separation and recycling program be established for commercial, institutional, municipal facilities and for community activities.

##### 1. Materials to Recycle

Act 101 specifies that high grade office paper, aluminum, corrugated paper and leaf waste and other material deemed appropriate by the Borough shall be kept separate from waste at commercial, municipal or institutional establishments and from community activities.

Each commercial, municipal and institutional establishment receiving private waste collection service is advised that the following items, as a minimum, must be kept separate from the waste stream:

- Highgrade office paper
- Corrugated paper
- Aluminum
- Clear glass
- Leaf waste

##### 2. Instructions for the proper preparation of materials for collection.

Materials shall be properly prepared for collection in a manner satisfactory to the private recyclable collector.

##### 3. Collection System

A collection system must be established for each of the recycled materials. Establishments receiving Private Waste Collection service shall look first for recycling collection service from the Private Waste Collector because the license issued by the Borough to the collector requires that recycling collection services be provided to each customer. The waste collector can provide the service directly for all materials, or provide an alternate collection service for a particular material. This may be true for facilities that generate substantial quantities of high grade office paper. Material shall be collected as frequently as necessary to prevent storage problems and at the same time provide for economic service.

##### 4. Reporting System

Act 101 authorizes the Municipality to exempt commercial, municipal or institutional establishments and community activities from receiving

Ordinance shall be made until three (3) months from the effective date of regulations authorized to be promulgated hereunder.

Each firm and its Private Waste Collector are considered liable for prosecution for violation of the Ordinance.

6. Public Information

Personnel in each establishment shall be informed of the requirements of the source separation and recycling program, and individual responsibilities. Each firm shall be required to display information provided by the Borough regarding the recycling program. Each firm shall inform employees of the firm's recycling program through memos, staff meetings, surveys, and other conventional means.

ADOPTED THIS 14<sup>th</sup> DAY OF November 1992

ATTEST: Ruth Ann Adams  
RUTH ANN ADAMS, SECRETARY

JBP  
JACK B. PETRIE, PRESIDENT

Edward Guy  
EDWARD GUY, MAYOR