

ORDINANCE NO. 683

Butler County, PA

SOLID WASTE MANAGEMENT AND RECYCLING

PENNSYLVANIA, AMENDING, MODIFYING AND REPLACING ORDINANCE 542 "SOLID WASTE MANAGEMENT AND RECYCLING" PROVIDING FOR DEFINITIONS, REGULATIONS FOR DISPOSAL, COLLECTION AND STORAGE OF SOLID WASTE; PROVIDING FOR A RECYCLING PROGRAM AND REGULATIONS FOR THE COLLECTION OF RECYCLABLES; ADDING PROVISIONS FOR THE DISPOSAL OF E-WASTE; SETTING FORTH PROHIBITIONS, FINES FOR ORDINANCE VIOLATIONS AND PROVIDING FOR SEVERANCE AND REPEAL.

WHEREAS, the Borough Council of the Borough of Slippery Rock determined the need to update and revise its solid waste ordinance to comply with the Pennsylvania Solid Waste Management Act, and the Butler County Ordinance, and to accurately reflect the Borough's waste management practices; and

WHEREAS, the Borough Council by this Ordinance amends in its entirety and codifies Chapter 20, Ordinance No. 542 (8-4-1992); and

WHEREAS, as the changes were comprehensive and required that Chapter 20 be redrafted, this amendment considers that this Ordinance will be codified and Borough Council directs that all necessary formatting occur to codify ordinance and provide for clarity and consistency; and

NOW, THEREFORE, Slippery Rock Borough Council hereby ordains and enacts the following Ordinance:

Section 1: Short title.

This article shall be known and may be cited as the "Slippery Rock Borough Municipal Solid Waste Management and Recycling" Ordinance.

Section 2: Definitions.

The following words and phrases as used in this article shall have the meaning ascribed to them herein, unless the context clearly indicates a different meaning:

ACT 101 — The Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988 (Act 1988-101, July 28, 1988), as amended.

AUTHORIZED COLLECTOR — A person, firm, partnership, corporation, or public agency with whom the Borough has contracted to collect municipal waste or recyclable materials from residential establishments.

BULKY ITEMS — Large waste items including, but not limited to, appliances, auto parts, furniture, and trees, branches, or stumps or other items too large for approved reusable or disposable waste containers.

COLLECTOR — Any person, firm, partnership, corporation, or public agency licensed to collect municipal waste and/or recyclable materials from multifamily, commercial, municipal, or institutional establishments.

COMMERCIAL ESTABLISHMENT — Properties used primarily for commercial or industrial purposes.

COMMUNITY ACTIVITIES — Events that are sponsored by public or private agencies or individuals including, but not limited to, fairs, bazaars, socials, picnics, and organized sporting events attended by 30 or more individuals per day.

COVERED DEVICE -- A covered computer device and covered television device marketed and intended for use by a consumer.

The term does not include:

- (1) a device that is a part of a motor vehicle or any component part of a motor vehicle assembled by or for a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;
- (2) a device that is functionally or physically a part of or connected to or integrated within equipment or a system designed and intended for use in an industrial, governmental, commercial, research and development or medical setting, including, but not limited to, diagnostic, monitoring, control and medical products as defined under the Federal Food, Drug and Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.), or equipment used for security, sensing, monitoring, antiterrorism, emergency services purposes or equipment designed and intended primarily for use by professional users;
- (3) a device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, air purifier or exercise equipment; or
- (4) any of the following:
 - (i) Telephone of any type, including a mobile phone.
 - (ii) Personal digital assistant.
 - (iii) Global positioning system.

COVERED COMPUTER DEVICE – A desktop or notebook computer or computer monitor or peripheral, marketed and intended for use by a consumer. The term does not include a covered television device.

COVERED TELEVISION DEVICE – An electronic device that contains a tuner that locks on to a selected carrier frequency and is capable of receiving and displaying television or video programming via broadcast, cable or satellite, including, without limitation, any direct view of projection television with a viewable screen of four inches or larger whose display digital light processing, liquid crystal on silicon, silicon crystal reflective display, light emitting diode or similar technology marketed and intended for use by a consumer primarily for personal purposes.

The term does not include a covered computer device or a mobile telephone.

PERIPHERAL – A keyboard, printer or any other device sold exclusively for external use with a computer that provides input into or output from the computer. The term does not include adaptive or assistive technologies.

COVERED DEVICE RECYCLING ACT—An Act of 2010 (P.L. 1083, No. 108, Nov. 23 2010)

DETACHABLE CONTAINER — Any metal bin or container which may be mechanically lifted and emptied into a collection vehicle.

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

HAULER — See "authorized collector" or "collector."

HAZARDOUS MATERIALS — Materials which are ignitable (flammable), corrosive (capable of dissolving metals or burning skin), reactive (unstable or react violently with water) and toxic (poisonous, containing heavy metals or man-made chemical pesticides except those specific pesticides officially designated as non-hazardous by the U.S. E.P.A. and the PA D.E.P., and the Borough of Slippery Rock).

HAZARDOUS WASTE-- A solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may--

(A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

(B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

42 U.S.C. §6903.

HOUSEHOLD HAZARDOUS WASTE —Hazardous material found in or generated by residential establishments that is unwanted.

INDUSTRIAL ESTABLISHMENT — Any establishment engaged in manufacturing or processing, including, but not limited to factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

INSTITUTIONAL ESTABLISHMENT — Any establishment engaged in service, including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

LEAD ACID BATTERIES — Automotive, truck, and industrial batteries that contain lead.

MULTIFAMILY HOUSING — Properties having three (3) or more residential dwelling units per structure.

MUNICIPAL ESTABLISHMENT — Public facilities operated by the Borough and other governmental and quasi-governmental agencies.

MUNICIPAL WASTE — Any garbage, refuse, industrial lunchroom or office waste and other material including solid, liquid, semisolid or contained gaseous material resulting from operation

