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PART 1

GARBAGE AND REFUSE

§20-101. Definitions.

1. The following words, as used in this Part shall have the meanings ascribed thereto, unless the context clearly indicates a different meaning:

GARBAGE - all table refuse, animal and vegetable offal from meat, fish and fowl; fruits, vegetables and parts thereof, and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded.

PERSON - any natural person, association, partnership, firm or corporation.

REFUSE - all discarded articles or materials, except sewage and liquid waste, including garbage, ashes and combustible and noncombustible waste.

2. In this Part the singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 350A, 7/19/1954, §1)

§20-102. Disposal Areas Designated by Council; Regulation of Storage.

All garbage and refuse originating within the City of Lock Haven shall be disposed of only at those certain areas which shall be so designated from time to time by the City Council. Pending disposition as herein authorized, garbage may be stored in covered containers only, and in such limited quantities and for such limited period of time as shall insure that no annoyance, nuisance or health hazard shall be created or maintained thereby. Except for such temporary storage as is herein specified and authorized, no person shall keep, have, maintain, store upon or allow to exist in any manner whatsoever, any garbage upon any plot or piece of ground within the limits of the City.

(Ord. 350A, 7/19/1954, §2; as amended by Ord. 949A, 2/16/1976, §1)

§20-103. Hauling License.

1. No person who is regularly engaged in the business of removing, hauling or conveying garbage or refuse for disposal shall remove, haul or convey any such garbage or refuse through or upon any of the streets or alleys of the City without first securing a license from the Board of Health of the City acting by and through the City Code Officer. Nothing contained herein shall apply to any person who is regularly engaged in the business of demolishing any improvement to realty, or the removal of the resulting

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debris from demolition of improvements of realty. The fee for such license shall be established from time to time by resolution of City Council and all licenses shall be issued for the calendar year or such portion thereof as shall remain after the issuance thereof. There shall be no reduction in the fee for a license issued after the beginning of any calendar year. [Ord. 670]

2. No license shall be issued to any person unless he shall have a valid dumping or tipping permit from the Clinton County Solid Waste Authority for a period equal to the period of such license. [Ord. 220B]
3. No license shall be issued unless the applicant agrees that he shall dispose of all municipal waste collected within the City at the disposal site designated by the City. [Ord. 220B]

(Ord. 350A, 7/19/1954, §3; as amended by Ord. 949A, 2/16/1976, §2; and by Ord. 220B, 6/17/1985; and by Ord. 670, 2/24/2003, §1)

§20-104. Use of Unlicensed Collector Prohibited.

No person shall permit any unlicensed collector to take or remove any garbage or refuse from the premises occupied by him.

(Ord. 350A, 7/19/1954, §4)

§20-105. Burning Garbage Prohibited.

No person shall at any time burn any garbage within the limits of the City.

(Ord. 350A, 7/19/1954, §5)

§20-106. Authorized Disposal Only.

No person, except residents of the City and persons licensed to collect garbage and refuse hereunder, shall dispose of any garbage or any refuse at those certain areas designated within the City for such disposal by Council.

(Ord. 350A, July 19, 1954, §6; as amended by Ord. 3B, 3/17/1977, §1)

§20-107. Regulation of Hauling.

Any person hauling or conveying any garbage or refuse through or upon any of the streets or alleys of the City shall cover such garbage and refuse with a tarpaulin or other similar or like cover so as to prevent said garbage and refuse from falling or blowing into or upon the streets and alleys of the City.

(*Ord. 350A, 7/19/1954, §7*)

§20-108. Penalty.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 350A, 7/19/1954, §8; as amended by Ord. 3B, 3/7/1977, §2; and by Ord. 670, 2/24/2003, §1*)

§20-109. License Revocation.

Licenses for collecting, transporting and hauling of garbage and refuse in the City may be revoked at any time by the City in accordance with the following:

- A. Failure of the licensee to furnish and provide collection and disposal of City garbage and refuse in accordance with the terms of this Part and the conditions under which the license was issued.
- B. A written notice to the licensee shall be delivered at least 90 days prior to the date that such license is proposed to be revoked and a hearing shall be held by the City within 30 days after such notice to determine whether such revocation is necessary and in the best interest of the City.

(*Ord. 350A, 7/19/1954, §9; as added by Ord. 220B, 6/17/1985*)

PART 2
RECYCLABLE MATERIALS

A. Title.

§20-201. Title.

This Part shall be known as the "City of Lock Haven Municipal Solid Waste Recycling Ordinance."

(Ord. 331B, 12/18/1989, Art. I)

B. Definitions.

§20-211. Definitions.

The following words and phrases when used in this Part shall have, unless the context clearly indicates otherwise, the meanings given to them in this section

ALUMINUM CANS - empty all-aluminum beverage and food containers.

BIMETAL CONTAINERS - empty beverage or food containers consisting of ferrous sides and bottom and an aluminum top.

BUYBACK OPERATION - any public or private agency, organization, company or individual which accepts recyclables and pays cash or other forms of remuneration for such recyclables to the bearer.

CITY - City of Lock Haven.

COLLECTOR - for purposes of collecting and transporting recyclables means the City or its authorized agents.

COMMERCIAL ESTABLISHMENTS - those properties used primarily for commercial or industrial purposes.

CORRUGATED - that material consisting of two or more pieces of kraft liner separated by corrugated (fluted) liner board. Excluded are materials without a corrugated interliner and those materials with a corrugated liner made from rice or other nonwood-based materials.

CURBSIDE RECYCLING COLLECTION - the scheduled collection and transport of recyclable materials placed at the curblineline or other designated area.

DROPOFF SITES - those specified locations, staffed or unstaffed, where recyclable materials may be taken at specified times.

FERROUS CONTAINERS - empty steel or tin food or beverage containers.

GLASS CONTAINERS - bottles and jars made of clear, green or brown glass. Expressly excluded are noncontainer glass, plate glass, blue glass, lead crystal and porcelain and ceramic products.

HIGH GRADE OFFICE PAPER - paper collected from commercial, institutional and municipal establishments which was discarded from xerographic copiers, nonthermal computed printers, general office use forms, memos and correspondence, print shops and other commercial printing processes. Expressly excluded are papers with self carbons, carbon paper, envelopes and all other grades of papers not meeting specifications in the regulations.

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INSTITUTIONAL ESTABLISHMENT - those facilities which house or serve groups of people, e.g., hospitals, schools and nursing homes.

LEAF WASTE - leaves, garden residues and similar material, but does not include grass clippings.

MAGAZINES AND PERIODICALS - printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded are other paper products of any nature whatsoever.

MULTIFAMILY DWELLING - any residential dwelling having in excess three or more individual dwelling units.

NEWSPAPERS - paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions and containing advertisements and matters of public interest. Expressly excluded are newspapers which have been soiled.

RECYCLABLE MATERIALS - those materials to be recycled as specified by this Part and regulations promulgated thereunder.

RESIDENTIAL - any occupied single or multifamily dwelling.

RECYCLABLES - any used material having an economic value in the secondary materials market and includes: aluminum cans and articles, bimetal cans, glass containers, corrugated cardboard, magazines, computed printout paper, computed tab cards, office paper, steel cans, newspaper, paper products not chemically coated, plastics and other materials designated by this Part and the regulations promulgated thereunder as having value.

SOLID WASTE - solid waste as defined in P.L. 380, No. 97, known as the "Pennsylvania Solid Waste Management Act."

YARD WASTE - prunings, grass clippings, leaves and garden wastes.

(Ord. 331B, 12/18/1989, Art. II)

C. Recyclables.

§20-221. Introduction.

The Council, recognizing that the reclaiming of recyclable materials has become an important method for addressing the growing solid waste disposal problem by conserving landfill space, and that recycling conserves natural resources, reduces energy consumption and promotes the general interest, does hereby authorize the collection, processing, storage, transportation and disposition of recyclable materials in accordance with the provisions of this Part.

(Ord. 331B, 12/18/1989, Art. III)

§20-222. General.

Those recyclables separated for purposes of materials recovery rather than disposal shall not be considered solid waste as defined under the ordinance of the County or its municipalities and shall not be subject to provisions of those ordinances which require disposal of such wastes at designated facilities.

(Ord. 331B, 12/18/1989, Art. III)

§20-223. Establishment of the Program.

Council, by the provisions of this Part, hereby establishes a program for the mandatory separation of recyclable materials, as specified by the recycling regulations resulting from this Part, from solid waste by persons residing in single family dwellings, multifamily dwellings and by commercial establishments.

(Ord. 331B, 12/18/1989, Art. III)

§20-224. Establishment of Regulations.

The Council of the City of Lock Haven will develop appropriate regulations concerning the recyclable materials to be included in the City's recycling program. The Council shall promulgate regulations with respect to the manner, days and times of collections of recyclable materials and for the bundling, handling, location and time of placement of such materials for collection. Regulations shall be promulgated for each type of program undertaken including, but not limited to, residential, office, multifamily and commercial sources of recyclable materials. City may change, modify, repeal or amend any portion of said regulations at any time.

(Ord. 331B, 12/18/1989, Art. III)

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§20-225. Separation of Recyclables and Placement for Disposition.

Recyclable materials shall be placed at the curb or other designated area, separate from solid waste, for collection, or taken to dropoff sites at such times, dates, manner and places as may be established by regulation. Separated recyclables shall be placed in special household storage containers specified by and/or provided by the City or its agent.

(Ord. 331B, 12/18/1989, Art. III)

§20-226. Collection by Unauthorized Persons(s).

It shall be a violation for any person(s) unauthorized by City to collect or pick up, or cause to be collected or picked up, any such recyclable materials as specified in the regulations promulgated under this Part. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

(Ord. 331B, 12/18/1989, Art. III)

§20-227. Theft or Destruction of Household Recyclables Storage Containers.

It shall be a violation for any person(s) to steal, mutilate, destroy or render useless the household recyclables storage containers specified and/or provided by the City or its agent.

(Ord. 331B, 12/18/1989, Art. III)

§20-228. Franchise or License.

City shall license any and all public or private agencies, organizations, companies and individuals providing services or conducting operations involving the recycling of municipal solid waste materials generated within the City. The terms and conditions of such licenses shall be developed by City and will, at a minimum, include a requirement for reporting weights and types of recyclables, as well as other vital data, to the City on a regular basis.

(Ord. 331B, 12/18/1989, Art. III)

§20-329. Alternative Disposition of Recyclable Materials.

Any person may donate or sell recyclable materials to licensed individuals or organizations. Any such materials must be delivered to the licensed individual's or organization's site by the donor or seller. Documentation of the quantities donated by weight, shall be provided to the City annually.

(Ord. 331B, 12/18/1989, Art. III)

§20-330. Yard Waste.

Whenever specifications for the disposition of yard waste are included in the recycling regulations resulting from this Part, it shall be prohibited and will be deemed a violation hereof for any owner, lessee or occupant of any residential, multifamily or commercial property in the City to put or cause to be put yard waste into the City's solid waste stream.

(Ord. 331B, 12/18/1989, Art. III)

D. Penalties and Remedies.

§20-241. Penalties and Remedies.

Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this Part or any regulation(s) resulting therefrom shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not less than \$100 and not more than \$1,000 and costs and, in default of the payment of such fines and costs, to undergo imprisonment for not more than 30 days. Each violation shall constitute a separate and distinct offense and shall be subject to the penalty imposed by this Section for each and every day such violation shall continue.

(Ord. 331B, 12/18/1989, Art. IV)

E. License Requirements.

§20-251. License Requirements.

Licenses required by this Part shall be issued by the Code Enforcement Office, City Hall. The conditions under which such licenses shall be issued are as follows:

- A. On or before February 10 of each year, the licensee must submit a report to the City, on a form provided by the City, that identifies the types of materials that were recycled during the preceding calendar year.
- B. Each type of recycled material must be described by weight, in pounds or in tons, and all materials so reported shall be accompanied by signed and dated weigh slips.
- C. The fee for each license issued shall be in an amount as established from time to time by resolution of City Council. [*Ord. 670*]
- D. The City reserves the right to alter, modify or expand these requirements for the issuance of licenses under this Part.
- E. The failure of a licensee to comply with these license requirements shall constitute a violation of this Part and the penalties contained in §20-241 shall apply.

(*Res. 12/18/1989*; as amended by *Ord. 670, 2/24/2003, §1*)

