

**MUNICIPALITY OF BETHEL PARK
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 9-9-24A

AN ORDINANCE OF THE MUNICIPALITY OF BETHEL PARK, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ARTICLE I (“COLLECTION, REMOVAL AND DISPOSAL”) OF CHAPTER 39 (“GARBAGE AND RUBBISH”) OF THE CODE OF THE MUNICIPALITY OF BETHEL PARK, TO UPDATE THE PROCEDURES FOR TRASH COLLECTION AND THE ALLOWABLE ITEMS THAT WILL BE COLLECTED BY THE TRASH COLLECTOR IN THE MUNICIPALITY.

WHEREAS, Chapter 39 of the Code of the Municipality of Bethel Park (“Garbage and Rubbish”) at Article I (“Collection, Removal and Disposal”) sets forth criteria for the collection, removal, and disposal of garbage and rubbish in the Municipality of Bethel Park; and

WHEREAS, to further the public health of its residents, the Municipality of Bethel Park entered into a waste removal contract; and

WHEREAS, the waste removal contract changed the allowable items that will be collected by the trash collector in the municipality; and

WHEREAS, the Council of the Municipality of Bethel Park has determined that the public health and welfare of the residents and property owners in the Municipality of Bethel Park will be benefited by an amendment and restatement of Article I of Chapter 39 of the Code of the Municipality of Bethel Park.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Municipality of Bethel Park, in meeting assembled, and it is hereby ordained and enacted by and with the authority of the same, as follows;

SECTION 1: Chapter 39 (“Garbage and Rubbish”) at Article I (“Collection, Removal and Disposal”) of the Code of the Municipality of Bethel Park is hereby repealed and shall be replaced with the following:

Article I Collection, Removal, and Disposal

39.1. Definitions.

39.1.1. All definitions in the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. Section 4000.101 et. seq.) as amended, are hereby adopted and made a hereof by reference. The following words, terms and phrases shall be construed in this ordinance to have the following meanings, except in those instances where the context clearly indicates otherwise:

39.1.2. ACT 101 — Municipal Waste Planning, Recycling and Waste Reduction Act, as amended.

39.1.3. MUNICIPAL WASTE — Any garbage, refuse, industrial lunchroom or office waste and

other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials.

39.1.4. RECYCLABLE MATERIALS — May include clear glass, colored glass, aluminum, steel and bimetallic cans, high grade office paper, newsprint, corrugated paper and/or plastics as designated by resolution of the Municipal Council to be recycled from rubbish by those residences receiving Municipal garbage collection, those residences not receiving Municipal garbage collection and commercial and institutional establishments.

39.2. Materials that will be collected.

39.2.1. The following materials will be collected at the curblines by the municipality:

1. General household rubbish and trash in plastic bags, sound metal or plastic containers and sound and dry cardboard boxes.
2. All rags, crockery, waste debris and small household refuse placed in sound containers.
3. Broken glass, only when placed in a substantial container identified in clearly printed letters not less than two inches in height with the following: CONTAINS BROKEN GLASS. Broken glass shall not be placed in bags of any kind.
4. Leaf waste only when provided for as part of a separate Municipal leaf collection program.
5. One major bulk item per month as defined by the current waste removal contract.
6. Magazines and newspapers, when tied in bundles weighing less than 50 pounds. Magazines and newspapers shall not be placed in plastic bags.
7. Grass clippings, which shall be bagged and shall weigh less than 50 pounds.
8. All material for weekly collection must be placed in approved Municipal containers.

39.3. Materials not to be collected.

39.3.1. The following materials shall not be collected by the Municipality:

1. Building materials, such as lumber, bricks, concrete, ceiling tile, plaster, plasterboard, shingles, roofing, tar paper, siding materials, cinder or concrete block, wood or metal gutters and downspouts, as a result of repair work, alterations, additions or new construction.
2. Plumbing fixtures, tubs, commodes, stationary tubs, old furnaces and exterior air conditioner units.
3. Tires.

4. Automobiles or parts of same.
5. Petroleum products or residue.
6. Ashes and cinders from heating plants.
7. Soil of any type, including sod.
8. Stones and rocks.
9. Rubbish, trash and debris generated as a result of commercial activities.
10. Sales samples and displays shall not be picked up.
11. Flammable liquids, acids, strong alkalines or other dangerous, explosive or corrosive or toxic chemicals.
12. Animal fecal matter (only if not placed in plastic bags).
13. Leaf waste effective September 1, 1990 unless provided for as part of a separate Municipal leaf collection program.

39.4. Municipal program collection coverage.

39.4.1. Garbage, trash and rubbish, as defined and regulated by this ordinance, shall be picked up only from one family dwellings, two-family dwellings, and townhouse dwellings as defined in Chapter 69, Bethel Park Zoning Ordinance. No pickup shall be made from apartments, churches, schools or commercial or industrial establishments.

39.4.2. No pickup shall be made to properties having their frontage on a public street under construction until formally accepted by the Municipality pursuant to the terms of the Subdivision Development Improvement Agreement.

39.4.3. No pick up shall be made to properties having their frontage on a private street under construction pursuant to the requirements of Chapter 60, Bethel Park Subdivision and Land Development Ordinance unless the street meets the specifications for formal acceptance by the Municipality or when a hold harmless agreement releasing the Municipality from any and all claims for damages done to the street by garbage collection vehicles and agreeing to indemnify the Municipality from any and all claims by third parties for damages to the street is signed by the owners of said private street.

39.5. Schedule; holidays; adverse weather conditions.

39.5.1. From and after the effective date of this ordinance, the municipality shall pick up the garbage, trash and rubbish, as defined and regulated by this ordinance, on all days of the week except Sunday and the following holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. For weeks which contain a holiday, the schedule shall normally be one day late and shall include Saturday. During periods of extreme cold or icing conditions, pickup may be delayed. The homeowner is advised to contact the municipal offices for revised schedules during such periods.

39.6. Receptacles required; condition; placement.

39.6.1. Garbage or rubbish stored outside must be placed at all times in portable plastic or metal containers. The container(s), when used for storage or placed at curbside in accordance with the ordinance, shall be kept in good condition, free of perforated rust or splits and tears. The same must be watertight, equipped with tight fitting lids and strong handles and shall not weigh more than 50 pounds when loaded. No pickup will be made in the event that a resident's dog is either at large on the premises or chained or tethered in such a location as to present a hazard to the collectors. All kitchen and table waste or vegetable and animal matter shall be wrapped in dry paper or placed in plastic bags before being deposited in the receptacles. All garbage receptacles shall be kept in a clean, sanitary condition. All garbage receptacles and containers shall be placed at curbside, ready for collection, in accordance with the terms of this ordinance not later than 7:00 a.m. of the scheduled pickup day.

39.7. Recycling and leaf waste collection.

39.7.1. Residences Receiving Municipal Garbage Collection. Effective November 1, 1989 all residences receiving Municipal garbage collection shall separate recyclable materials from each other and from other refuse. Recyclable materials shall be placed at the curb in containers provided by the Municipality and shall be separated from the other refuse for collection by a contractor designated by the Municipality. Nothing in this ordinance shall be deemed to impair the ownership of separated materials by the person who generated them unless and until such materials are placed at the curbside for collection. Upon placement at the curbside the recyclable materials become the property of the Municipality. Collection of the recyclable materials by any person other than those designated by the Municipality shall be a violation of this ordinance. Any containers provided to residences for collection of recyclables shall be the property of the Municipality and shall be used only for the collection of recyclable materials. Any resident who moves within or from the Municipality shall be responsible for leaving the allocated recycling containers for the next property owner at the existing residence or shall pay the replacement cost of said containers. Use of recycling containers for any purpose other than the designated recycling program or use of the recycling containers by any person other than the person allocated such container(s) shall be a violation of this ordinance.

39.7.2. Recycling by Multifamily Residences. Effective September 1, 1990 all residences not receiving Municipal garbage collection shall separate and recycle at least three of the following: clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper or plastics. In addition, all residential establishments not receiving Municipal garbage collection shall separate leaf waste from other waste and provide for disposal of said leaf waste in compliance with Municipal Waste Planning, Recycling and Waste Reduction Act effective September 1, 1990. The owner, landlord, or agent of an owner or landlord of multifamily rental housing properties with four or more units may comply with its responsibilities for recycling 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 and landlords who comply with this ordinance shall not be liable for noncompliance of occupants of their building. Owners, landlords or agents of an owner or landlord shall submit a recycling plan to the municipality for approval by the Director of Community Development within six months from the date of approval of this ordinance. Such plan shall indicate materials for collection, location, type and size of containers to be used, sources for marketing recyclables, disposal

methods for leaf waste and a sample of the letter notifying occupants of the recycling collection system. Owners, landlords or agents of an owner or landlord shall submit an annual report to the municipality by January 31 of each year reporting the tonnage of materials recycled during the previous calendar year.

39.7.3. Recycling by commercial and institutional establishments. Effective September 1, 1990, all occupants of commercial, municipal and institutional establishments and all community activities shall recycle high-grade office paper, aluminum, corrugated paper, leaf waste and other materials deemed appropriate by the Municipal Council. Said occupants shall submit a recycling plan to the municipality for approval by the Director of Community Development within six months from the date of approval of this ordinance. Such plan shall indicate materials for collection, location, type and size of containers to be used, method for disposal of leaf waste and sources for marketing recyclables. Occupants of said establishments shall submit an annual report to the municipality by January 31 of each year reporting the tonnage of materials recycled during the previous calendar year.

39.7.4. Regulations. The Municipal Manager is hereby empowered to make reasonable rules and regulations for the operation and enforcement of this ordinance as he deems necessary, which shall include, but not be limited to:

1. Establishing collection procedures for recyclable materials.
2. Establishing reporting procedures for amounts of materials recycled.
3. Establishing procedures for the distribution, monitoring and collection of recyclable containers.
4. Establishing procedures and rules for the collection of backyard composting of leaf wastes and grass clippings.

39.8. Limitations on collection.

39.8.1. No municipal waste or recyclable materials shall be picked up, collected or conveyed over the streets, alleys and thoroughfares of this municipality by any person or persons other than the municipality or its duly authorized agent, excepting those establishments not included covered under the municipal garbage and recycling collection program.

39.9. Prohibited acts.

39.9.1. The following are prohibited and shall constitute a violation of this ordinance:

1. To place or allow deposits of curbside trash and rubbish for pickup to remain between the hours of 3:00 p.m. Saturday to 6:00 p.m. Sunday.
2. Bringing or depositing trash, rubbish or garbage to a location other than the premises where it was generated or produced.
3. To place or allow to remain trash, rubbish, refuse or garbage containers at the curblines of any property before 6:00 p.m. or one hour prior to dusk on the day preceding the day designated for the pickup of trash, rubbish or other refuse from such property.
4. To permit metal or plastic receptacles or other receptacles not in violation of this

ordinance to remain at the curbside and/or in the front yard longer than 12:00 midnight of the day of collection unless said receptacles are screened from view at grade level from the street or from the abutting property boundary.

5. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within the municipality, any garbage, rubbish, bulky waste or any other municipal or residual solid waste except in accordance with the provisions of this chapter, any applicable rules and regulations adopted pursuant to Act 97 and the Health Department Rules and Regulations, Article VIII.
6. It shall be unlawful for any person to burn any solid waste within the municipality except in accordance with the provisions of this chapter, any applicable rules and regulations adopted pursuant to Act 97 and the Health Department Rules and Regulations, Article VIII.
7. It shall be unlawful for any person to dispose of any solid waste in the municipality except in accordance with the provisions of this chapter, any Department rules and regulations adopted pursuant to Act 97 and the Health Department Rules and Regulations, Article VIII.
8. It shall be unlawful for any person to scavenge any materials from any solid waste that is stored or deposited for collection within the municipality without prior approval by the municipality.
9. It shall be unlawful for any person to salvage or reclaim any solid wastes within the municipality except at an approved and permitted resource recovery facility under Act 97 and any applicable rules and regulations adopted pursuant to Act 97.
10. It shall be unlawful for any person to throw, place or deposit or cause or permit to be thrown, placed or deposited any solid waste in or upon any street, alley, sidewalk, body of water, public or private property within the municipality except as provided in this ordinance.

39.10. Standards for storage of municipal waste.

39.10.1. The following standards apply to all Municipal waste, whether collected by the Municipality or by a private hauler:

1. The storage of all solid waste shall be practiced so as to prevent the attraction, harborage or breeding of insects or rodents, and to eliminate conditions harmful to public health which create safety hazards, odors, unsightliness or public nuisances.
2. Any person producing municipal waste shall provide a sufficient number of approved containers to store all waste materials generated during periods between regularly scheduled collections, and shall place and store all waste materials therein.
3. Any person storing municipal waste for collection shall comply with the following preparation standards:
 - a. All municipal waste shall be drained of free liquids before being placed in storage containers.

- b. All garbage or other putrescible waste shall be securely wrapped in paper, plastic bags.
 - c. All cans, bottles or other food containers should be rinsed free of food particles and drained before being placed in storage containers.
 - d. When specified by the Municipality special preparation and storage procedures may be required to facilitate the collection and resource recovery of certain waste materials.
 4. Individual containers and bulk containers utilized for storage of municipal waste shall comply with the following standards:
 - a. Reusable containers shall be constructed of durable, watertight, rust and corrosion resistant material, such as plastic, metal or fiberglass, in such a manner as to be leakproof, weather-proof, insect-proof, and rodent-proof.
 - b. Reusable containers for individual residences shall have a tight-fitting cover and suitable lifting handles to facilitate automated collection.
 - c. Disposable plastic bags or sacks are acceptable containers provided the bags are designated for waste disposal. Plastic bags shall have sufficient wall strength to maintain physical integrity when lifted by the top, shall be securely tied at the top for collection, and shall have a capacity of not more than 30 gallons and a loaded weight of not more than 35 pounds.
 - d. All containers, either reusable or disposable, shall also comply with the minimum standards established by the National Sanitation Foundation.
 5. Any person storing municipal waste whether by Municipal or private haulers for collection shall comply with the following storage standards:
 - a. Containers shall be kept tightly sealed or covered at all times. Solid waste shall not protrude or extend above the top of the container.
 - b. Reusable containers shall be kept in a sanitary condition at all times. The interior of the containers shall be thoroughly cleaned, rinsed, drained and disinfected, as often as necessary, to prevent the accumulation of liquid residues or solids on the bottom or sides of the containers.
 - c. Containers shall be used and maintained so as to prevent public nuisances.
 - d. Containers that do not conform to the standard of this Ordinance or which have sharp edges, ragged edges or any other defect that may hamper or injure collection personnel shall be promptly replaced by the owner upon notice from the Municipality or its designated representative.
 - e. Containers shall be placed by the owner or customer at a collection point specified by the Municipality or its designated representative.
 - f. With the exception of pick-up days when the containers are placed out for collection, the containers shall be properly stored on the owner or customer premises at all times.

- g. Bulk waste items such as furniture, automobile parts, machinery, appliances, and tires shall be stored in a manner that will prevent the accumulation of collection of water, the harborage of rodents, safety hazards and fire hazards.
- h. All residential, commercial, institutional, public and industrial lunchroom and office waste containing garbage shall be collected at least once a week. Rubbish collection from these sources shall be made as often as necessary to control health hazards, odors, flies, and unsightly conditions. The Municipality reserves the right to require more frequent collection when deemed necessary.

39.11. Regulations of haulers.

39.11.1. All rubbish haulers, whether municipal or private, shall comply with the following standards and regulations:

1. All municipal waste collected within the Municipality shall ultimately be disposed only at a landfill cited in the Allegheny County Solid Waste Plan - 1990 or on subsequent revisions thereto.
2. Any trucks or other vehicles used for the collection and transportation of municipal waste must comply with the requirements of Act 97, and any Department regulations adopted pursuant to Act 97 and must be licensed by the Allegheny County Health Department.
3. All collection vehicles conveying municipal waste and garbage shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors, the creation of odors and other nuisances.
4. Collection vehicles for rubbish and other solid waste shall be enclosed or covered to prevent roadside litter and other nuisances.
5. All solid waste shall be collected and transported so as to prevent public health hazards, safety hazards and nuisances.
6. All solid waste collection vehicles shall be operated and maintained in a clean and sanitary condition.
7. Collections shall not commence prior to 6:00 a.m. or after 9:00 p.m.

39.12. Violations and penalties.

39.12.1. That any person violating any provision of this article shall be guilty of a summary offense and shall be fined not more than \$100. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition, theft of recyclable materials at the curbside or theft of recycling containers may be prosecuted under the Pennsylvania Crimes Code.

39.13. Severability.

39.13.1. If any section of this ordinance is declared invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

39.14. Repealer.

39.14.1. Any ordinance or part of an ordinance conflicting with the provisions of this ordinance shall be and the same is hereby repealed to the extent of such conflict.

SECTION 2: Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance.

SECTION 3: Effective Date and Repealer.

This ordinance shall be effective thirty (30) days after adoption. Any ordinance or part of ordinance conflicting with the provisions of this Ordinance be, and the same is hereby, repealed to the extent of such conflict.

ORDAINED AND ENACTED in by the Council of the Municipality of Bethel Park, this 9th day of September, 2024.

ATTEST:

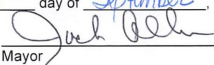


Secretary/Manager

MUNICIPALITY OF BETHEL PARK



President of Council

EXAMINED AND APPROVED by me, this 9th day of September, 2024.


Mayor