

ESTABLISHED 1683

Giovanna Iacono, PE, MBA
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VICE-CHAIRMAN

Michael D'Agostino, Esq.
SUPERVISOR

Chuck Dennie, PE
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Stephanie DerOhannessian, MB
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**BETHEL TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE No. 241**

AN ORDINANCE OF BETHEL TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA
ESTABLISHING A PERMIT REQUIREMENT FOR AND REGULATING THE PLACEMENT
AND USE OF DUMPSTERS AND STORAGE CONTAINERS.

WHEREAS, dumpsters and storage containers can be a necessary convenience for Township residents, but also provide an attractive nuisance and disrupt the visual continuity of our community;

WHEREAS, as such, this Board of Supervisors deems it necessary to only permit dumpsters and storage containers on a regulated and temporary basis.

NOW, THEREFORE, be it ORDAINED by the Bethel Township Board of Supervisors:

1. Definitions. As used in this Ordinance, the following terms shall have the meanings ascribed to them in this Section.

COMPACTION CONTAINER

Any receptacle designed or utilized for the purpose of crushing, compressing, storage and/or collection of Refuse, Construction Debris or other solid waste materials.

CONTAINER

Any type of receptacle that meets the definition of "Compaction Container," "Dumpster," "Open-Top Container" or "Portable Outdoor Storage Facility."

CONSTRUCTION DEBRIS

Conventional building materials waste resulting from building construction, remodeling, repair and/or demolition operations, such as lumber, drywall and flooring.

DUMPSTERS

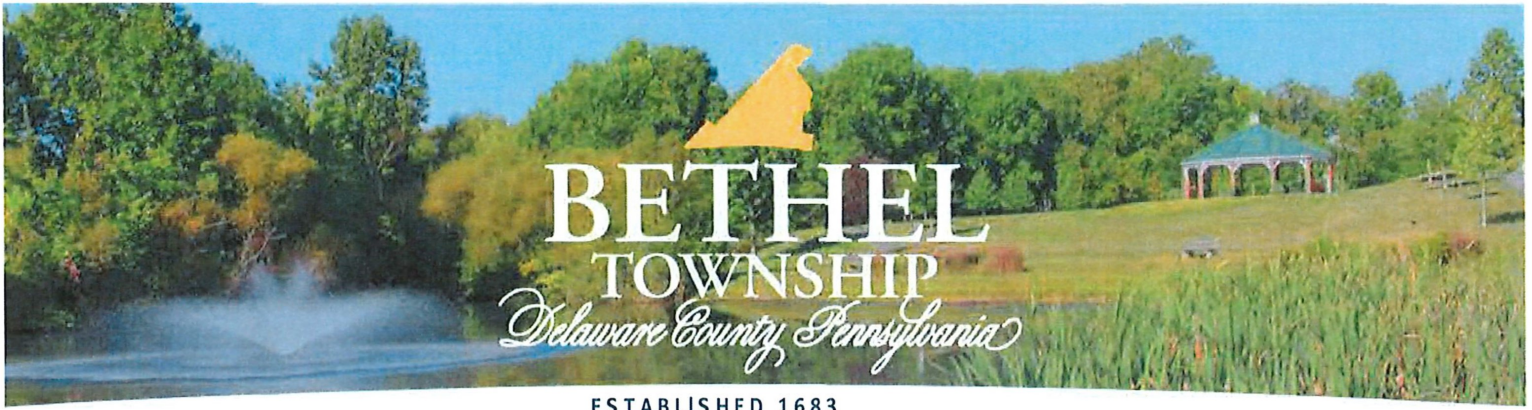
Any uncovered, wheeled or otherwise movable receptacle utilized for the storage and/or collection of Refuse, Construction Debris or other solid waste materials.

OPEN-TOP CONTAINER

Any uncovered receptacle utilized for the storage and/or collection of Refuse, Construction Debris or other solid waste materials.

PERMIT

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A permit issued by the Township authorizing the temporary placement of a Container in or upon a public street, public grounds or private property.

PORTABLE OUTDOOR STORAGE FACILITY (POD)

A portable device or container of 50 square feet or more in size and intended for the storage of personal property. This does not include recreational or work-related trailers, excluding sheds permitted under Chapter 480 of the Code of the Township of Bethel.

REFUSE

Any and all waste wood, wood products, tree trimmings, grass cuttings, dead plants, weeds, leaves, dead trees or branches thereof, chips, shavings, sawdust, printed matter, paper, pasteboard, rags, straw, discarded mattresses, discarded home furnishings, discarded appliances, discarded clothing, shoes and boots, waste pulp and other products such as are used for packaging or wrapping ashes, cinders, floor sweepings, glass, mineral or metallic substances, and any and all other waste materials not otherwise included in the definitions herein.

2. Applicability and enforceability. This article shall be applicable to and shall be enforced upon the use of any Container which is located on a public street, public grounds or private property. Furthermore, this article shall not be applicable to or enforced upon any business within the Township which uses any Container as a regular part of business or as part of any regularly scheduled trash removal.

3. Insurance. Each application for a permit to place any Container on a public street or public grounds hereunder shall be accompanied by a certificate or certificates of insurance, in a form approved by the Township Manager, issued by one or more insurance companies authorized to do business in the Commonwealth of Pennsylvania certifying that said company or companies have issued or have written the following policy or policies, which shall not be cancelled until 15 days' written notice has been given to the Township:

A. Comprehensive general liability, naming Bethel Township as an additional insured, from the applicable hauling company in limits acceptable to the Township.

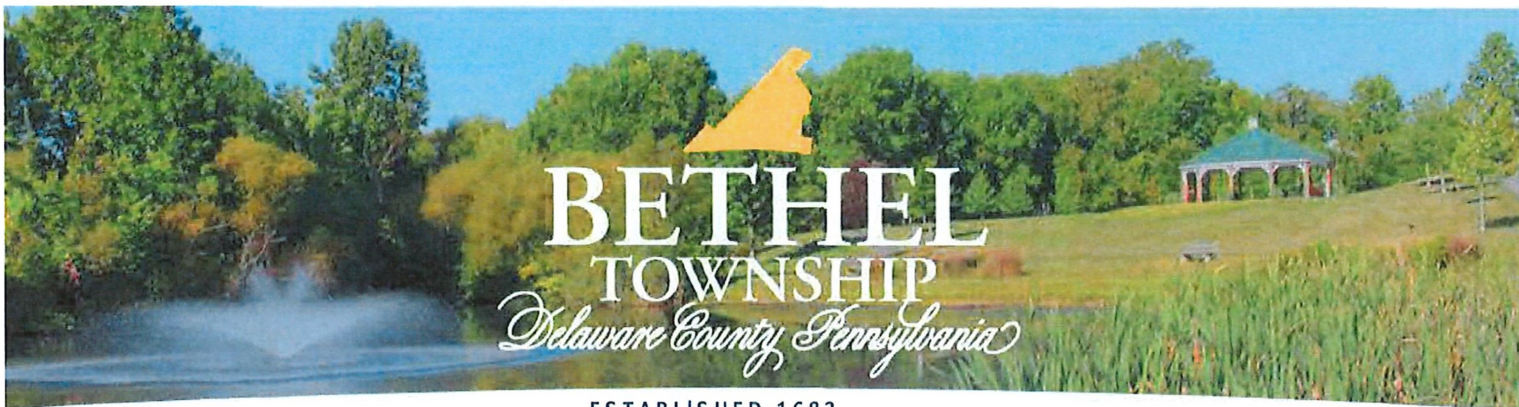
B. A policy to protect the Township in the sum of at least \$20,000 against any loss due to damage caused to any public street or other public property owned by the Township by reason of the placement, maintenance, or use of any item as defined in § 1 pursuant to any permit issued hereunder.

C. Any Container placed solely on private property shall not require certificate of insurance.

4. Permit Requirement. Any person, firm or corporation desiring to use any Container on a public street, public grounds and/or private property within the Township shall apply for a permit as required by this article by submitting an application form prepared and furnished by the Township. At a minimum, the application shall set forth: the name of the owner and operator of the Container, the name of the property owner or owners who will be utilizing the Container, the location and size of the container, the dates the Container will be located on the specific site and the general

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the type of material or personal property that will be placed or stored in the container.

5. Permit Fee and Time Limit.

A. The permit shall be issued only for the actual period of time the container will be located within the Township, not to exceed 30 days. In the event any permit expires while the container is still located within the Township, the applicant, on or before the expiration date, must apply for and receive an extension of the permit not to exceed 30 additional days.

B. The provisions of Section 5.A notwithstanding, permits issued for the placement of a Container on streets or public grounds shall be limited in duration to 5 business days.

D. Permits may be extended for good cause shown at the discretion of the Code Enforcement Officer up to a maximum of 90 total days within any 12-month period for Containers on private property and 60 total days within any 12-month period for Containers on streets or public grounds.

C. The Board of Supervisors shall establish fees for the issuance and renewal of permits via resolution, which fees may be adjusted from time to time.

6. Maintenance. Any container not maintained and permitted in accordance with the provisions of this Ordinance is hereby declared a public nuisance and shall be subject to appropriate abatement procedures.

7. Location.

A. In residential districts:

i. Containers are prohibited from being placed on the streets or in the front yard of any property where it is practicable to locate the Container elsewhere on the property in the opinion of the Code Enforcement Officer.

ii. No Container shall be placed on a side yard of a corner property which fronts on a street where it is practicable to locate the Container elsewhere on the property in the opinion of the Code Enforcement Officer.

B. Containers shall not be placed closer than 30 feet from any intersection, or upon any one-way street, or within 15 feet of any fire hydrant. Any container in a street shall be located adjacent to the property for which it is being utilized.

C. Containers shall not be located in any required open space, landscaped area, on any sidewalk or in any location that blocks or interferes with any vehicular and/or pedestrian circulation and shall be located in accordance with all applicable building and fire code regulations for the purpose of ensuring safe ingress and egress to dwellings, access to utility shut-off valves and efficient fire protection.

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8. General restrictions and requirements.

A. No container shall be transported, emptied or serviced between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday, 7:00 p.m. and 8:30 a.m. on Saturday or anytime on Sunday or legal holiday, nor shall a mechanical, hydraulic, electric loader, or compactor on the container be utilized during such hours. The aforesaid shall not be applicable to private trash haulers.

B. No container shall be filled beyond the top of such container or beyond any weight limits stated on the container. Containers shall be emptied or removed as soon as practical when they are full, or within 48 hours upon receipt of written notice by the Township.

C. No container shall be filled using a chute, conveyor belt or other device that is located on a public street or public property; nor shall it be filled by throwing items across a public street or public property.

D. When not in use, all containers shall be covered with a lid, tarpaulin or otherwise secured, to prevent debris from blowing out of the container.

E. Any container located on a public street must have reflective material which is located in areas that are:

i. readily visible to vehicular and pedestrian traffic; and

ii. located on the outermost sections of the container delineating where the corners of the container are located.

F. The container must be removed by the permit holder on or before the expiration date of the permit. The permit holder is responsible for any clean-up of the area where the container is or was located.

9. Emergency Removal. In the event of an emergency, any container located on a public street or public property may be removed by the Township or its designee.

10. Revocation of Permit. Violation of any terms or conditions of this article by the applicant, his agents, employees or container owner shall be reason for the immediate revocation of the permit. The container shall be removed immediately upon revocation. Such action shall be in addition to the penalties provided in § 11.

11. Violation. Any person, firm, or corporation violating any of the provisions of this article shall be subject to a fine of not more than \$600 per Container that is in violation of this article. Each violation of the provisions of this article shall constitute a separate offense for each day the violation exists. The Township may issue citations to both the owner of the Container that is in violation and/or the user of that Container.

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12. Repealer. All ordinances, resolutions or provisions of ordinances or resolutions directly inconsistent with any provision of this Ordinance are repealed to the extent of such inconsistencies only.

13. Effective Date. This Ordinance shall become effective five (5) days following its adoption by the Board of Supervisors.

ENACTED and ORDAINED this 14th day of May 2024.

Bethel Township Board of Supervisors

Giovanna Iacono
Chair

Attest:

William Addison
Township Manager

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