

**BOARD OF SUPERVISORS
TOWNSHIP OF WILLIAMS NORTHAMPTON COUNTY, PENNSYLVANIA**

RECYCLING

ORDINANCE NO. 2014-10

AN ORDINANCE OF THE WILLIAMS TOWNSHIP BOARD OF SUPERVISORS AMENDING ORDINANCE NO. 2003-01 TO PROVIDE DEFINITIONS OF TERMS USED IN THE ORDINANCE, TO PROVIDE REGULATIONS FOR RECYCLING LEAF WASTE, TO PROVIDE REGULATIONS FOR WASTE HAULERS AND TO PROVIDE REGULATIONS FOR THE WILLIAMS TOWNSHIP RECYCLING DROP-OFF CENTER.

WHEREAS, the Williams Township Board of Supervisors desires to ensure that waste collection, hauling and recycling in the Township is compliant with the requirements of Act 101 and the regulations enacted pursuant to that Act; and

WHEREAS, the Williams Township Ordinance No. 2003-01 established a mandatory recycling program; and

WHEREAS, the Williams Township Board of Supervisors desires to amend Ordinance No. 2003-01 in order to update it and make it consistent with state law; and

NOW THEREFORE, be it and it is hereby **ORDAINED** by the Board of Supervisors of Williams Township, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

Article I.

Under Part I-GENERAL of Ordinance No. 2003-01, Section 3, the following definitions are added or amended as follows:

F. "Collector" – Any Person, firm, partnership, corporation or public agency, excluding nonprofit organizations or associations, who is engaged in the collection and/or transportation of Municipal Waste and/or Source-Separated Recyclable Materials

M-1. "Department or DEP" – The Pennsylvania Department of Environmental Protection.

U. "Licensed Hauler" – Any Collector or Hauler of vegetative waste, Municipal Waste and/or source-separated recyclables possessing a current license issued by the DEP

DD. "Recyclable Collection Permittee" – a Person registered with the Township to collect, transport, and dispose of Recyclables exclusively (and not Municipal Waste) for Persons other than himself, his immediate family, or Persons for whom he is acting as an Agent, excluding a nonprofit organization or association.

OO. "Waste" – A material whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed of. The term does not include source-separated Recyclable materials or material approved by DEP for beneficial use.

Article II.

Under Part III- MUNICIPAL WASTE of Ordinance 2003-01, Section 17 AUTHORIZATION OF COLLECTORS is hereby amended and replaced with the following:

1. No person shall collect or remove and then subsequently haul or transport any Municipal Waste or source-separated recyclable material through or upon the streets of Williams Township without first obtaining written authorization from DEP in accordance with the provisions of Act 90. This section shall not apply to private individuals (e.g., homeowners) who wish to transport their own household waste or recyclables to approved facilities or recyclables to recycling centers, nor to farmers, landscapers or nurserymen who collect, remove, haul or otherwise transport agricultural or other organic waste associated with their respective business activities.

2. Each licensed waste hauler or collector shall dispose of all Municipal Waste at a facility or facilities approved by DEP or facility approved by a state other than Pennsylvania.

3. For a Collector or Waste Hauler to collect and transport Municipal Waste within Williams Township or Recyclable Collection Permittee to collect and transport Recyclables within Williams Township, a Collector, Waste Hauler or Recyclable Collection Permittee shall submit a registration form to the Municipality which shall include a copy of their state issued written authorization, and a copy of their Municipal and Residual Waste Transporter Authorization Application (DEP form 2500-PM-BWM0015) along with any of the following information that may be deemed appropriate by Williams Township:

- a. A list of collection vehicles covered under the written authorization including, as a minimum, the following information for each vehicle: identification information for each vehicle (such as vehicle license number, vehicle registration number, or company identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.
- b. The type of Municipal Waste to be collected and transported.
- c. If they are hauling or collecting Source-Separated Recyclable Materials in the Municipality, identify the materials being hauled or collected and provide the following information for each vehicle: identification information for each vehicle (such as vehicle license number, vehicle registration number, or company identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.

4. Any person who fails to satisfy the minimum standards and requirements of this Ordinance or is in violation of the provisions of this Ordinance may not lawfully collect Municipal Waste or source-separated material in Williams Township.

All Licensed Collectors, Licensed Waste Haulers and Recyclable Collection Permittees shall meet the requirements of Act 90, Act 97, Act 101, the County Municipal Waste Management Plan, and all PADEP rules and regulations (25 PA Code Chapter 285)

Article III.

Under Part V- MUNICIPAL WASTE of Ordinance 2003-01, is hereby amended by adding the following Sections:

27. REQUIRED COLLECTIONS

Each Spring and Fall the Township shall provide for at least one collection of:

1. leaves, garden residue, and similar vegetative materials; and
2. shrubbery, tree trimmings and similar vegetative materials.

28. TOWNSHIP RECYCLING DROP-OFF CENTER

By Resolution the Williams Township Board of Supervisors may establish the hours when the Township Recycling Drop-off center will be open to the public and may prescribe rules and regulations for using same. In addition to Recyclable separated bins or containers, the Township shall also have a container for Leaf Waste to be deposited. The drop-off center shall be open and available for use by all Williams Township residents.

Article IV. REPEALER

All other ordinances or parts thereof which are in conflict with this ordinance are hereby repealed.

Article V. VALIDITY

The provisions of this ordinance are severable, and if any section, clause, sentence, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts, or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.

Article VI. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after final enactment.

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ENACTED AND ORDAINED this 10th day of September, 2014.

ATTEST:

Melody Ernst

Melody Ernst, Secretary

(municipal seal)

**WILLIAMS TOWNSHIP
BOARD OF SUPERVISORS**

[Signature]

George Washburn, Chair

Vincent Foglia

Vincent Foglia, Vice Chair

Raymond Abert

Raymond Abert, Member