

AN ORDINANCE PROVIDING FOR THE HEALTH, SAFETY AND WELFARE OF THE TOWNSHIP OF LOWER CHANCEFORD, YORK COUNTY, PENNSYLVANIA, BY REGULATING STORAGE PRACTICES, MANNER OF COLLECTION, AND METHODS OF DISPOSAL OF REFUSE; REQUIRING THAT ALL REFUSE COLLECTORS BE LICENSED; AND PROVIDING PENALTIES FOR ANY VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lower Chanceford Township, York County, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

SECTION 1. Short Title: This Ordinance shall be known as the "Lower Chanceford Township Refuse Ordinance."

SECTION 2. Definitions:

A. The term "garbage" shall mean all animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of foods.

B. The term "ashes" shall mean the residue resulting from the burning of wood, coal, coke or other combustible material.

C. The term "rubbish" shall include glass, metal, paper, plant growth, wood, or non-putrescible solid wastes.

D. The term "refuse" shall mean all solid wastes except body wastes and shall include garbage, ashes and rubbish.

E. The term "disposal" shall include the storage, collection, disposal or handling of refuse.

F. The term "person" shall include any natural person, association, partnership, firm or corporation.

G. The term "bulky rubbish" shall include discarded furniture, large household appliances such as refrigerators, washing machines, bathtubs, sinks and commodes.

H. The term "dwelling unit" shall mean any house, apartment, group of rooms or part of a building occupied or suitable for occupancy by a single family unit.

I. The term "business establishment" shall mean any office, hotel, motel, boarding house, and any building, group of buildings or part of a building occupied or capable of being used for the conduct of a business, commercial, industrial or institutional purpose.

J. Other: the singular shall include the plural, and the masculine shall include the feminine and the neuter.

## SECTION 3. Preparation of Refuse and Storage Practices:

### Refuse Preparation

A. Garbage shall be drained and stored in durable, rust-resisting, nonabsorbent, watertight, easily washable containers, equipped with handles and tight-fitting covers.

B. Ashes shall be stored in fire-resistant containers equipped with handles and tight-fitting covers. Ashes containing hot embers shall not be collected until they have been adequately quenched.

C. Rubbish shall be stored in durable containers with tight-fitting covers. Tree trimming, hedge clippings, old newspapers and similar materials, which cannot be conveniently placed in the aforementioned containers shall be baled, tied or sacked in compact bundles less than three (3) feet in length and placed in a location easily accessible to the collector.

D. Bulky rubbish shall not be allowed to accumulate on any premises except in containers which are approved by the Township Supervisors in accordance with the specifications contained in this Ordinance.

E. No person shall place refuse in any street, alley, or other public place, or upon any private property within the limits of the Township of Lower Chanceford, unless it is placed in a proper refuse container for collection. No person shall place refuse in a container not owned by him without permission from the owner of the container. Likewise, no person shall throw or deposit refuse in any stream or any other body of water.

F. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within three (3) days after the effective date of this Ordinance shall be deemed a violation of same.

G. Certain materials, such as scrap lumber and fire wood, may be stored and kept on the premises, but they shall be stored so that a minimum clear space of twelve (12) inches above the ground surface is provided.

### Refuse Collection

All refuse storage shall conform to the following standards:

#### A. General

1. All refuse receptacles shall be provided by the

owners, tenant, or occupant of the premises, unless otherwise specified.

2. The storage of all refuse by residents of Lower Chanceford Township shall be practiced so as to prevent the attraction, harborage or breeding of insects and/or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness, and public nuisances.

3. A sufficient number of containers necessary to meet the intent of paragraph 2 shall be provided to contain all waste materials generated between regularly scheduled collections.

#### B. Individual Containers

1. Individual containers utilized for the storage of refuse at household and other premises shall have the following physical characteristics:

a. Constructed in such manner as to be easily handled for collection.

1) Not greater than fifteen (15) gallons capacity for garbage storage.

2) Not greater than thirty-two (32) gallons capacity for refuse storage.

b. Constructed of rust and corrosion resistant materials.

c. Be equipped with tight-fitting lids.

d. Constructed in such manner as to be watertight, leak-proof, weatherproof, insect-proof and rodent-proof.

e. Shall not exceed fifty (50) pounds in weight when filled.

2. Methods of use of individual containers.

a. Containers shall not be filled to the point where the lid will not fit properly.

b. The area around the container(s) shall be kept clean.

#### C. Disposable Containers

1. Disposable containers such as paper and polyethylene bags shall be acceptable for storage of refuse provided the following conditions are met:

- a. Only those bags specially designed for storage and collection shall be used.
- b. Bags are protected against precipitation, animal damage and overloading to prevent littering or attracting of vectors.
- c. Bags have holding strength capable of withstanding stresses until they are collected.
- d. Bag opening is securely closed prior to setting out for collection.

#### D. Bulk Containers

1. Bulk containers for multiple apartment units or for commercial, industrial, and institutional refuse shall meet the General and Individual Container Requirements previously set forth except for size limitations. Bulk containers shall be sized according to the type and quantity of waste production, equipment handling capabilities, and the frequency of collection.

#### E. Open Storage

1. Certain wastes of a non-decomposable nature may be stored temporarily between dates of scheduled refuse collection in a manner other than containerization.

a. In order to minimize littering, magazines, newspapers, waste paper, tree prunings, brush and yard trimmings, when stored outside of containers shall be tied securely in bundles of such size as to be readily handled by the collection system.

### SECTION 4. Collection Practices

#### Place of Collection

A. For collection purposes, except where there is an agreement with the collector to the contrary, refuse containers shall be placed at ground level, on the property, not within the cartway of a street or alley and easily accessible from the side of the street or alley from which collection is made.

#### Frequency of Collection

Refuse shall be collected in accordance with a regular schedule.

### SECTION 5. Licensing of Refuse Collectors and Refuse Collection Vehicles

A. Only a person licensed by the Township of Lower Chanceford

may collect or transport refuse within the territorial limits of the said Township.

B. Only a vehicle licensed by the Township of Lower Chancelford may be used for the transportation of refuse within the territorial limits of said Township.

C. Any one applying for a license to collect and/or transport refuse within the territorial limits of Lower Chancelford Township shall submit an application to the official designated by the Board of Supervisors as the "Licensing Official". The application shall set forth:

1. The name and address of the applicant;
2. The identity of each vehicle for which the applicant wishes to obtain licenses (including license plate number);
3. Include a fee of ten (\$10.00) dollars for each vehicle for which a license is sought;
4. Include a proposed collection schedule; and
5. Designate the place where the refuse collected will be disposed which shall be the York County Resource Recovery Facility.

D. The Licensing Official shall inspect each vehicle for which a license is sought and if the requirements of this Ordinance are complied with, issue a license to the applicant and issue a license for each vehicle which meets the requirements of Section 6 of this Ordinance.

E. The licensed collector shall place and maintain in each licensed vehicle the license for that vehicle.

F. The licensed collector shall inform the Licensing Official of any change in license plate numbers or other changes in identification of any licensed vehicle.

G. All licenses shall be valid for a period of one (1) year from date of issue unless earlier revoked.

H. Failure of a licensed collector to comply with the provisions of this Ordinance shall result in the revocation of his license.

I. The provisions of this section shall not be interpreted to prevent a person from collecting and transporting refuse originating on his own property provided that such person prevents such refuse from blowing or falling from his vehicle.

SECTION 6. Collection Vehicles

A. Except for the collection of bulky rubbish as defined in Section 2(G) of this Ordinance, all vehicles used for the collection of refuse shall:

1. Be suitably enclosed so as to prevent refuse from blowing or falling from the vehicle. The fact that refuse does blow or fall from the vehicle shall be considered evidence that it is in violation of this section;
2. At all times display a currently valid Pennsylvania certificate of inspection;

SECTION 7. Notification Requirement: Each collector shall, when delivering refuse to the York County Resource Recovery Facility, inform that facility by a written document that the refuse delivered was generated in Lower Chanceford Township and if the load contains refuse both from Lower Chanceford Township and from one or more other municipalities, the licensed collector shall inform the York County Resource Recovery Facility of the estimated amount of such load which has been generated in Lower Chanceford Township. Copies of all documents delivered to the York County Resource Recovery Facility shall be delivered to Lower Chanceford Township on a monthly basis.

SECTION 8. Penalties: Any person violating any of the terms or provisions of this Ordinance shall upon conviction thereof before a District Magistrate be subject to a penalty in the amount of three hundred (\$300.00) dollars for each and every offense. Each and every day that a violation continues shall constitute a separate and distinct offense and shall be subject to separate and distinct penalties hereunder.

SECTION 9. Effective Date: This Ordinance shall be effective thirty (30) days after enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Chanceford Township, York County, Pennsylvania, on the 3<sup>rd</sup> day of April, 1990.

ATTEST:

LOWER CHANCEFORD TOWNSHIP  
BOARD OF SUPERVISORS

Evan T. Atkins  
Secretary

By Debate B. Burchett  
Chairman