

Chapter 480
Residential Waste
Article I

480. Title, Authority, Purpose

A. This article shall be known and may be cited as a collection of residential waste and recyclable materials for South Waverly Borough.

B. As mandated by the Borough Code 8 Pa. C.S.A. §1202 Specific Powers (8) (i) (A) municipalities have the power and duty “to provide for collection and imposition of reasonable fees and charges for the collection of garbage and other refuse material.” 8 Pa. C.S.A. §1202 (8) ii regulations enacted under this paragraph shall be consistent with the Act of July 7, 1980 (P.L. 380, No. 97) known as the Solid Waste Management Act, the Act of July 28, 1988 (P.L. 556, No. 101) known as the Municipal Waste Planning, Recycling and Waste Reduction Act, and subject to any other necessary federal or state approval.

§ 480-1. Collection.

The Borough of South Waverly and their designated contractor shall collect residential waste and recyclable materials from one- and two-unit residential and multi-family residential properties within the limits of said Borough east of Route 220. Waste collection and disposal is the responsibility of the property owner. The Borough shall only accept said residential waste and recyclable materials as defined in this chapter.

§480-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ASHES

No ashes will be collected by the Borough. Includes ashes from coal or wood.

JUNK GOODS, APPLIANCES, AND MOTOR VEHICLES

No junk goods will be collected by the Borough. Includes but is not limited to mattresses, carpet, rubber goods (such as tires), scrap metal, sheet metal, used furniture, appliances (including refrigerators, freezers and air conditioners). Junk motor vehicles and items of more than 200 pounds weight, and any items specified in the recycling regulations and may be revised from time to time as deemed necessary by the Borough Council by Resolution.

RECYCLABLE MATERIAL

Aluminum cans, clear glass, colored glass, newsprint, certain plastics, magazines, cardboard, and such other materials, if any, as specified from time to time by the municipality to be recycled. These materials are specified in the recycling regulations and may be revised from time to time as deemed necessary by the Borough Council by Resolution.

RESIDENTIAL WASTE

Includes any offal or refuse of fish, fruit, vegetable, animal matter or any other organic substance subject to fermentation or decay, nonrecyclable items such as some types of paper, street

sweepings, old shoes, old cloth, broken glass and china, small pieces and limited quantities of scrap metal, all resulting from the ordinary conduct of housekeeping. Items excluded from this definition are (but not limited to) all items listed under "junk goods, appliances, and motor vehicles," major demolitions debris, hazardous and flammable waste materials such as drain cleaners, paint and associated products, motor oil, pesticides and herbicides.

YARD WASTE

Leaves, garden residues, shrubbery, grass clippings, tree branches that fall naturally from a tree, excluded Christmas trees and tree trimmings and similar material. Excludes waste resulting from the conduct of commercial tree operations. The Borough at a designated time in the Spring and Fall yard waste will be picked up by the Borough at no charge to the resident. Specific instructions on the free yard waste pick up will be available at the Borough Hall.

- A. Leaves and grass clippings (Loose leaves and brush)
- B. Twigs and branches (Properly bundled)

§ 480-3. Preparation and deposit of residential waste; for containers.

A. All householders shall drain the residential waste of all liquids, and the waste shall be deposited in suitable containers before placing in the Borough collection containers.

B. Borough Containers used for residential waste.

(1) The Borough will supply two commercial containers one for recycling and one for residential waste. These hard-form containers made of plastic for residential waste and recyclable material will be provided to the Borough residents. These containers will have covers and handles.

(2) The Borough does not recommend the use of plastic bags. If plastic bags are used, they must be securely closed and be of substantial construction so as to preclude rupture of the bag and spillage of the contents. The homeowner shall deposit the plastic bag containing residential waste in proper Borough supplied heavy plastic containers.

(3) The Borough will not be responsible for the cleaning up of the contents outside the Borough container.

(4) The property owner can utilize a 65 gallon or 95 gallon container. One for residential waste and one for recycling. Not more than two containers per individual household.

(5) On the days advertised for collection, the containers must be placed on the curb of the street or at a point most convenient and agreeable to the collector per residential unit at the appropriate collection time.

C. Containers for residential waste and recyclables must not be damaged, destroyed or removed from the properties where they are placed except by the householder or owner or with his/her consent.

D. All residents residing in residential properties shall dispose of any medical wastes by a proper method recommended by the Department of Environmental Protection. Any person disposing of disposable needles and syringes, such as testing devices for blood, i.e., diabetics, and/or insulin users, i.e., diabetics, and other users using medically approved needles, shall place the used needles in a solid container and seal the same before disposing said medical waste in the municipal collection system.

§480-4. Schedule of removal.

The hours, days, times, places and amounts of removal of residential waste and recyclable material shall be governed by rules and regulations which may be revised from time to time as the Borough Council may determine. (The dates and times will be posted on the Borough website and at the Borough Hall)

§ 480-5. Sanitation and care of containers and vehicles used for collection.

All containers and vehicles (powered and nonpowered) used in the collection and transporting of residential waste and recyclable material within the limits of the Borough shall always be kept in a clean and sanitary condition, maintained so as not to create a public nuisance or be in any way a menace to the public health, and shall at all times be subject to a rigid inspection by the Code Enforcement for the Borough of South Waverly or any other authorized agent of said Borough.

§480-6. Promulgation of additional regulations; contracts.

The Borough Council of South Waverly is hereby authorized and directed to make such rules and regulations as it shall determine relative to the removal of residential waste and recyclable materials. Said Council is hereby further authorized to make contracts for removal of residential waste and recyclable materials or such other arrangements as it may deem best for removal of the same.

§ 480-7. Violations and penalties.

A. Any person, firm or corporation who or which shall violate or fail to comply with any of the provisions of this article shall, upon conviction, be sentenced to pay a fine of not more than \$600 and costs of prosecution and, in default of payment of such fine and costs.

B. The provisions of this article shall be enforced by the Police Department of Sayre Borough. (Under contract with the police)

Article II. Waste Residential and Recyclable Materials Charges and Collection

§ 480-8. Imposition of fee.

There is hereby charged and imposed upon the owner of any residential unit in the Borough (not excluded by location) a \$53.00 a quarter residential waste and recyclable materials fee which shall be due and payable to the Borough for each residential unit in single family, two family, and multi-

family development and will be billed with the property sewer bill for months of January, April, July, and October each year.

A. The owner shall be required to pay the Borough residential waste and recyclable materials fee for the weekly collection of residential waste and recyclable materials. They may also utilize the yard waste collection provided by the Borough at no charge.

§ 480-9. Notice; amount of fee.

The Borough shall give notice to all property owners required to connect to said residential sewer system and utilize the Borough residential waste and recyclable materials system. Each such owner shall pay a residential waste and recyclable material fee in accordance with the South Waverly Municipal residential waste program.

Article III. Waste Rentals; Charges; Penalties; Collection

§ 480-10. Rentals and charges generally.

Residential waste rentals and charges are hereby established which shall be payable by and collected from the owner of each residential unit with the Borough collection area.

§ 480-11. Rentals, residential units.

A. Effective January 1, 2025, the waste fee for each residential unit shall be \$53 per quarter in arrears, representing January 2025, February 2025, and March 2025.

B. Effective April 1, 2025 the waste charge for each residential unit per quarter shall be \$53.00 in arrears due for January, February, and March 2025. On July 1, 2025, the bill shall be in arrears for April, May, and June. On October 1, 2025, the bill shall be in arrears for July, August, and September the bill on January 1, 2026 shall be in arrears for October, November, and December. This billing system and rate shall continue until modified by Borough Council by Resolution.

§ 480-12. Time and method of payment; penalties; interest.

A. Waste rentals for residential units shall be billed quarterly on the first day of each January, April, July and October and shall be due and payable on the last day of each month billed.

B. If the full amount of such bill shall not be paid within 30 days from the date of billing, \$15 shall be added thereto, which, together with the face amount of the bill, shall become the gross amount thereof. Any bill which remains unpaid after 60 days from the date thereof shall be subject to a further penalty of \$15 on the gross amount thereof and so on, and so on, each month not paid.

C. Failure of any owner to receive quarterly bills for waste rentals and charges due to the failure of such owner to notify the Borough of their correct address or the failure of any owner to receive a correct bill for waste rentals and charges, by reason of the failure of such owner to notify the Borough of the use or uses of which an improved property or any portion thereof is

made, pursuant to the notice requirements, shall not excuse nonpayment or failure to pay the amount which would be properly applicable to the use or uses of which said improved property is made and shall not result in an extension of the period of time during which the net bill shall be payable.

§ 480-13. Collection of delinquent rentals.

Delinquent waste removal bills together with all charges, expenses and fees added thereto, shall be collected in the manner provided by law, become a lien upon the property served and shall be collectible by the Borough against the owner of such property or be enforced against such property by the filing of a municipal claim under Chapter **361**, Municipal Claims.

§480.14 – Non-Residential, Commercial, Business, and Industrial, Agricultural

Non-Residential, Commercial, Business, and Industrial, Agricultural shall not be required to utilize the Borough residential waste and recyclable materials collection system.

§480-15. Effect on other provisions

A. Any ordinance or part of any ordinance conflicting with the provisions of this article shall be subordinate to this article to the extent of such conflict, and the language contained in this article shall control.

§409-15. Severability; Amendment

A. If any section, clause, provision or portion of this article shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this article so long as it remains legally enforceable minus the invalid portion.

B. The Borough reserves the right to amend this article or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this article and the effective administration thereof.

§409-16. When effective

This article shall be effective on the date of enactment.