

# Chapter 500. SOLID WASTE; RECYCLING

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## Article I. Recycling

**[Adopted as Art. 935 of the 1965 Codified Ordinances; amended in its entirety 3-28-2012 by Ord. No. 5350.]**

§ 500-1. Intent and purpose.

- A. Recycling conserves valuable material resources and energy, promotes greater efficiency in the regional economy and provides local employment.
- B. Recycling will reduce the overall amount of solid waste presently generated, and thus, reduce storage, collection, transportation and disposal costs.
- C. To establish a program for the mandatory source separation and separate collection of designated recyclable materials and leaf waste from residences and commercial, institutional and educational properties located within the City of Easton for recycling and composting purposes; to prohibit the disposal of designated recyclable materials into the conventional municipal waste disposal system; to empower the City of Easton to promulgate and adopt reasonable rules and regulations therefor, and to fix penalties for violation of this article.

**[Added 10-24-2012 by Ord. No. 5377]**

§ 500-2. Definitions.

For the purpose of this article, the following list of defined items shall be included as recyclables for the mandatory separating of recyclables from garbage and rubbish in the City. The following words and phrases shall have the meanings respectively ascribed to them by this section:

#### **AEROSOL CANS**

Any containers dispensing an aerosol spray.

#### **ALUMINUM**

All aluminum containers and other aluminum products.

#### **COMMERCIAL**

Of or pertaining to any wholesale, retail, industrial, manufacturing, transportation, financial or professional service or office enterprise, business or establishments, or residential multifamily dwelling with seven or more units.

**[Added 10-24-2012 by Ord. No. 5377]**

**COMMUNITY ACTIVITY**

A special event sponsored in whole or in part by a municipality, which may include, but not be limited to, fairs, festivals and concerts with an expected attendance of 200 or more persons.

**[Added 10-24-2012 by Ord. No. 5377]**

**CORRUGATED CARDBOARD**

Any corrugated paper product, such as a cardboard box (no food-contaminated items, i.e., pizza boxes, or boxes with waxy coating, i.e., frozen food boxes).

**GLASS CONTAINERS**

All containers made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass, excluding, however, blue glass, float glass, plate glass and glass commonly known as "windowpane glass."

A. **CLEAR GLASS** — That which has no discernible color or tint.

B. **BROWN GLASS** — That which generally has a brown hue.

C. **GREEN GLASS** — That which generally has a green hue.

**INSTITUTIONAL**

Of, or pertaining to, any establishment engaged in service to persons, including, but not limited to, hospitals, nursing homes, schools, universities, churches and social or fraternal societies and organizations.

**[Added 10-24-2012 by Ord. No. 5377]**

**LEAF WASTE**

Leaves from trees and other large plants and shrubs but not including grass clippings.

**[Added 10-24-2012 by Ord. No. 5377]**

**MIXED PAPER**

Magazines, colored newspaper or coupon inserts, office paper, junk mail, phone books, colored paper, and envelopes with or without plastic windows.

**MULTIFAMILY DWELLING**

A type of residential property, either under single ownership or organized as a condominium or cooperative form of housing, which contains more than one unit on a single lot.

**[Added 10-24-2012 by Ord. No. 5377]**

**MUNICIPAL ESTABLISHMENTS**

Of, or pertaining to, any office or other property under the control of the City of Easton.

**[Added 10-24-2012 by Ord. No. 5377]**

**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. The term does not include source-separated recyclable materials.

**[Added 10-24-2012 by Ord. No. 5377]**

#### **NEWSPAPER**

Includes paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed therein news and opinions and containing advertisements and other matters of public interest. Magazines and periodicals as well as other paper products of any nature are not considered newspaper.

#### **PLASTICS**

Any food or beverage container constructed of plastic marked as No. 1 (PETE), No. 2 (HDPE), No. 3 (PVC), No. 4 (LDPE), No. 5 (PP), No. 6 (PS), and No. 7 (other).

#### **RECYCLABLES**

Material having an economic value in the secondary materials market. The following materials have such economic value: aluminum cans and articles, tin cans, clear glass containers and newspaper. In addition, yard waste will be considered as recyclable.

#### **SINGLE-STREAM (ALSO KNOWN AS "FULLY COMMINGLED" OR "SINGLE-SORT") RECYCLING**

Refers to a system in which all paper fibers, plastics, metals, tin, and other materials are mixed in a recycling container instead of being sorted into separate commodities (newspaper, paperboard, corrugated fiberboard, plastic, glass, etc.) by the resident.

#### **YARD WASTE**

Branches, twigs, leaves and other types of biodegradable materials and other mixtures of decayed or decaying organic matter.

§ 500-3. Establishment of collection program for recyclables.

#### **[Amended 10-24-2012 by Ord. No. 5377]**

- A. Persons living in single-family homes, multifamily housing and other residential establishments not otherwise classified by this article must separate recyclables from their municipal waste and recycle such materials. The materials to be recycled under Pennsylvania Act 101 *Editor's Note: See 53 P.S. § 4000.101 et seq.* may include: clear glass, colored glass, aluminum, tin, steel and bimetallic cans, high-grade office paper, mixed paper, newsprint, corrugated paper and plastic food and beverage containers. These persons shall also be required to separate leaf waste until collection unless these persons have provided for the composting or other use of leaf waste. The frequency of collection of these recyclables and leaf waste will be specified by the regulations to this article. The materials must be separated by persons until they are collected, taken to a dropoff center or otherwise distributed for recycling.
- B. Responsibilities of owner or landlord.
  - (1) The owner, landlord or agent of an owner or landlord of any single-family or multifamily residential housing properties shall establish a collection system for

recyclable materials at each property. The materials to be recycled shall include: clear glass, colored glass, aluminum, tin, steel and bimetallic cans, high-grade office paper, mixed paper, newsprint, corrugated paper and plastic food and beverage containers. 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. The owner, landlord or agent of an owner or landlord of any single-family or multifamily residential housing properties must also make arrangements for the materials to be collected or transported for recycling.

- (2) The owner, landlord or agent of an owner or landlord of any single-family or multifamily residential housing properties must also arrange for the separation of leaf waste generated on the grounds of the multifamily rental housing properties for composting or other use.
- (3) The owner, landlord or agent of an owner or landlord of any single-family or multifamily residential housing properties shall annually provide written documentation to the municipality's recycling coordinator of the total number of tons recycled.

C. Commercial, municipal or institutional establishments.

- (1) Commercial, municipal and institutional establishments shall recycle clear glass, colored glass, aluminum, tin, steel and bimetallic cans, high-grade office paper, mixed paper, newsprint, corrugated paper and plastic food and beverage containers. Leaf waste shall be separated and used in any way permitted by Pennsylvania Act 101. *Editor's Note: See 53 P.S. § 4000.101 et seq.* Leaf waste is not to be included with municipal waste. Commercial and institutional establishments shall provide annually written documentation to the municipality's recycling coordinator of the total number of tons recycled.
- (2) Schools, colleges, universities and other educational institutions shall comply with the City of Easton's guidelines for institutional establishments. The following exceptions shall apply.
  - (a) Those establishments subject to the provisions of § 4000.1509 of Act 101 shall be exempt from the provisions of the City of Easton's Recycling Ordinance after they have received DEP guidelines distributed by the State Board of Education.
  - (b) Educational institutions which are commonwealth agencies shall follow the guidelines for commonwealth agencies as specified in Act 101.

D. Community activities. The organizers of special events with 200 or more attendees sponsored in whole or in part by the City of Easton, which include, but are not limited to, festivals, fairs or concerts, shall be required to recycle at their event.

§ 500-4. Preparation of recyclables and placement for removal.

Clear, brown and green glass, aluminum and tin cans, newspapers, plastic food and beverage containers marked No. 1 thru No. 7 (per above description), magazines and colored newspaper inserts, cardboard, and office paper products may now be combined in a single blue recycling container as single-stream recycling. All single-family dwelling units and hotels, restaurants, commercial

establishment, and other businesses and institutions, and apartment houses consisting of seven or more units or those with mixed commercial and residential use shall prepare for collection these materials in the following manner:

- A. Clear, brown and green glass, aluminum and tin cans, and plastic containers No. 1 thru No. 7 (per above description) shall be empty and cleaned.
- B. Newspaper and magazines, if placed out separately, may be bundled and tied with string both across and lengthwise in bundles no larger than 12 inches in height. These materials may also be placed in paper bags and kept dry.
- C. Yard waste shall be stored separately and, if bagged, should be placed in clear bags.
- D. Corrugated cardboard, if placed out separately, should be flattened and bound together neatly with string in easily managed bundles no larger than three feet by three feet by three feet.

§ 500-5. Collection by unauthorized person.

- A. From the time of placement of recyclables at the curb, items shall be and become the property of the City or its authorized agent. It shall be a violation of this article for any person unauthorized by the City to collect or pick up or cause to be collected or picked up any such items. Any and each such collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereinafter provided.
- B. It shall be unlawful for a person to collect, remove or dispose of solid waste which contains recyclables combined with other forms of solid waste.
- C. The Mayor, or his agent, is empowered to designate the day(s) of the month on which recyclables shall be collected, removed and disposed of from a particular area.

§ 500-6. Authority; violations and penalties.

- A. The separation, placement, collection and disposal of recyclables in the City shall be under the supervision of the Director of Public Works. The Director shall have the authority to make and enforce regulations concerning days of collection, type of recyclables accepted, procedures for disposing of recyclables and such other matters pertaining to the separation, placement, collection and disposal of recyclables as he or she may deem advisable, and to change and modify the same after notice as required by law, provided that such regulations do not conflict in substance with the provisions hereof.
- B. Whoever violates any provisions of this article shall receive a written warning from the City authorities. The person or persons shall be given until the next regularly scheduled recycling pickup to comply with the provision(s) of the article. If after such notice a second violation of the same provision of the article occurs, a person or persons shall, upon conviction by a Magisterial District Judge, be sentenced to pay a fine of \$100 and court costs. Persons convicted by a Magisterial District Judge for a third or subsequent violation of the same

provision of the article shall be sentenced to pay a fine of \$300 and court costs or to imprisonment for 90 days, or both.

C. Each violation of any provision of this article and each day the same is continued shall be deemed a separate offense.