

SOUTH LEBANON TOWNSHIP
ORDINANCE NO. 304

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF SOUTH LEBANON TOWNSHIP, LEBANON COUNTY, TO REPEAL ORDINANCE #6 IN ITS ENTIRETY; TO ESTABLISH REGULATIONS FOR THE STORAGE, COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE; AND TO FIX AND PROVIDE PENALTIES FOR VIOLATIONS.

WHEREAS, the South Lebanon Township Board of Supervisors have determined it is in the best interest of the health and safety of its citizens to regulate the storage, collection and disposal of garbage and refuse,

NOW THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained by the Board of Supervisors of South Lebanon Township, as follows:

SECTION 1 - Definitions:

- A. Municipal Waste - Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid semisolid or contained gaseous material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities.
- B. Person - An individual, corporation, partnership or other group acting as a unit.
- C. Owner - Any person, agent, operator, firm or corporation having a legal or equitable interest in real estate in South Lebanon Township or otherwise having control of the property, including the guardian or an estate of such person and the executor or administrator of the estate of such person.
- D. Licensed Hauler - Any owner of a waste transportation vehicle licensed under Pennsylvania Act 90.

SECTION 2 - Storage Practices:

A. Garbage & Refuse Containers

1. General Rules:

- a. Garbage and refuse containers shall be maintained in a clean and sanitary condition and shall be thoroughly cleansed and/or disinfected by the user periodically or upon written notice from the Township.
 - b. Garbage and refuse may be commingled in the same container.
 - c. Containers, in which garbage or wet refuse is stored, shall be leak proof, with water tight, securely fitting cover or lid.
 - d. Garbage and refuse containers shall be maintained in good and safe condition. Any container, which is cracked, leaking, bent, broken, incomplete or with sharp edges, shall be promptly replaced by the user or upon written notice from the Township.
2. For single family residences, the garbage and refuse containers shall be supplied by the owner, occupant, tenant or collector, with a capacity not to exceed forty-four (44) gallons each, or as may be required or agreed upon with the collector, with as many containers as may be necessary, without overfilling, to properly meet the collector's pick up schedule.
3. Multi-Family Dwelling Applications:
- a. In cases of two (2) or more dwelling units in a single building or complex of buildings, including but not limited to apartments, condominiums, rooming houses and dormitories, garbage and refuse containers shall be supplied by the owner or manager of the building or complex.
 - b. The capacity of garbage and/or refuse collection shall be a minimum of 1/6 cubic yard per person occupant per week. Containers shall be sized accordingly and emptied to at least meet that minimum.

- c. Where the capacity of containers is insufficient to contain the amount of garbage/refuse generated, it shall be the duty of the owner or manager to provide a larger container and/or arrange more frequent disposal, in order to prevent overfilling, having material placed on or around the container or preventing lids from being securely closed.
- d. All containers shall have suitable lids or covers, properly secured, to prevent the contents from blowing out of the container during a windstorm event, and to prevent nuisance due to flies, insects, rodents or noxious odors.
- e. In case of property absentee ownership, the person in charge, property manager or agent shall be responsible for implementing the provisions of this Ordinance.

4. Other Commercial and Industrial Applications

- a. The capacity of garbage and/or refuse containers shall be sized and emptied on a schedule which will prevent overfilling, having disposed material outside of the container or having to store disposed material elsewhere awaiting collection.
- b. All containers shall have suitable lids or covers, properly secured, to prevent the contents from blowing out of the container during a windstorm event, and to prevent nuisance due to flies, insects, rodents or noxious odors.

5. Restaurants and Food Preparation Entities

- a. The capacity of garbage and/or refuse containers shall be sized and emptied on a schedule which will prevent overfilling, having disposed material outside of the container or having to store disposed material elsewhere awaiting collection.
- b. All containers shall have suitable lids or covers, properly secured, to prevent the contents from blowing out of the container during a windstorm event, and to prevent nuisance due to flies, insects, rodents or noxious odors.
- c. Garbage and refuse containers shall be located in an area away from entrances to the building, preferably at the rear, and completely enclosed on four (4) sides with a secure fence material which will keep the container(s) out of view and prevent the container contents from blowing out of the enclosure during a windstorm event.

6. Containers Used for Specific Items

- a. Containers used specifically for animal fats or butchering trimmings, frying grease or oil or any similar waste held for special disposal or rendering, shall be securely closed at all times, completely enclosed on four (4) sides with a secure fence.
- b. Grease or oil accumulations on the outside of the container or in the enclosure in which it is kept, shall be removed and prevented at all times to prevent nuisance due to insects, rodents and noxious odors.
- c. Where grease and oil accumulations are present and have not been prevented, the Township may direct the user to remediate the problem, within ten (10) days, by steam or other professional cleaning and the use of appropriate disinfectants and/or odor control.

B. Storing of Garbage and Refuse

No person shall place any garbage or refuse in any street, alley or other public place, or upon any private property either owned by such person or not, within the Township limits except if same is placed in a proper receptacle for collection or under an expressed approval granted by the Township.

Section 3 - Collection Practices:

A. Place of Collection

Garbage and refuse receptacles, for collection purposes, shall be placed at ground level on the property, not within the cartway of a street or alley from which collection is made, except where an agreement exists with the collector to collect from a driveway, porch or elsewhere.

B. Removal By Licensed Haulers

Every owner in South Lebanon Township shall contract with an individual, entity or firm which is a licensed hauler by the Commonwealth of Pennsylvania to have all the municipal waste generated by any of the occupants of the premises removed on a weekly basis or more often if necessary. Whenever requested by the Township, the owner shall present proof that a current contract is in effect with a licensed hauler to dispose of municipal waste generated on the premises.

C. Compost Piles

Notwithstanding the terms of this Ordinance, compost piles kept by occupants or tenants of a structure shall not violate the terms and conditions of this article, provided the material in the compost pile does not generate any offensive odors and provided further the compost pile is secure so that animals do not spread the materials from the pile around the premises.

Section 4 - Place and Method of Disposal:

A. No person shall hereafter dispose of any garbage or refuse from any premises in the Township except by conveyance of the same to a sanitary landfill designated in the Lebanon County Solid Waste Management Plan.

B. No person shall hereafter dispose of or abandon in or near any garbage or refuse container, materials which are not accepted for ordinary collection by the sanitary landfill designated in the Lebanon County Solid Waste Management Plan, including but not limited to tires, batteries, oil or oil based paints or similar material, hazardous or medical waste, explosives or incendiary materials, appliances containing refrigerant gasses and scrap metals.

C. No person shall hereafter dispose of or abandon in or near any garbage or refuse bulk container (dumpster), materials too large to fit into the container or materials not suitable for ordinary collection methods unless prior arrangements have been made with the collector. Such materials include but are not limited to household furniture and bedding, carpet rolls, appliances, outdoor equipment and construction or demolition waste.

D. In cases where unknown persons have disposed or abandoned materials that the collector has opted not to collect, it shall be the responsibility of the property owner or manager to properly remove and dispose of such items within ten (10) days of their rejection by the collector.

Section 5 - Duties of Haulers:

A. Any hauler picking up municipal waste in South Lebanon Township shall be required to advise the Township, in writing within 72 hours after request, as to whether an owner has a current contract for municipal waste disposal from his premises. Furthermore, all licensed haulers shall cooperate with the Township designee in providing information in the event an action is instituted to enforce the terms and conditions of this Ordinance.

B. Any municipal waste collected in South Lebanon Township shall be deposited in a sanitary landfill designated in the Lebanon County Solid Waste Management Plan.

Section 6 - Penalties:

A. Any person who shall violate or fail to comply with any of the provisions of this Ordinance, or any resolutions promulgated pursuant hereto, shall upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) together with the costs of prosecution. In default of payment of the fine or penalty imposed and the costs, said person or establishment will be sentenced to imprisonment in the county jail for a period not exceeding ninety (90) days, provided that each day's continuance of a violation or failure to comply with any provisions of this Ordinance or any resolutions promulgated pursuant hereto, shall constitute a separate offense.

Section 7 - Repeal of Inconsistent Ordinances:

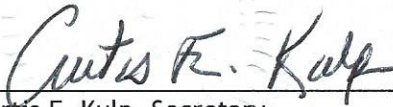
A. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect. All Ordinances of parts of Ordinances, resolutions or parts of resolutions, which shall be inconsistent herewith expressly shall be and are hereby repealed.

B. Ordinance #6 is hereby repealed.

Section 8 - Effective Date:

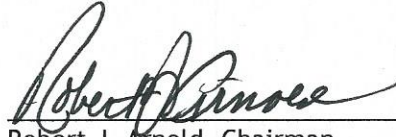
Adopted this 26th day of February 2008.

ATTEST:

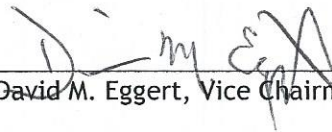


Curtis E. Kulp, Secretary

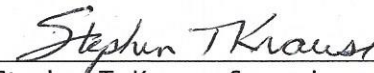
SOUTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS



Robert J. Arnold, Chairman



David M. Eggert, Vice Chairman



Stephen T. Krause, Supervisor