

NORTH LONDONDERRY TOWNSHIP

Resolution No. 05-20-2013

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NORTH LONDONDERRY TOWNSHIP ADOPTING RULES AND REGULATIONS REGARDING THE COLLECTION, STORAGE, TRANSPORTATION, REMOVAL, AND DUMPING OF SOLID WASTE, AND TO ESTABLISH A PROGRAM FOR THE COLLECTION OF RECYCLABLE MATERIALS, PROHIBITING THE DISPOSAL OF CERTAIN RECYCLABLE MATERIALS, AND AUTHORIZING LICENSING OF SPECIFIC WASTE HAULERS.

WITNESSETH:

WHEREAS, the Board of Supervisors of North Londonderry Township, Lebanon County, Pennsylvania, has enacted Ordinance Number 95, an Ordinance regulating the collection, storage, transportation, removal and dumping of solid waste; to establish a program for the collection of municipal waste and recyclable material from properties within North Londonderry Township; to prohibit the disposal of recyclable materials into the conventional municipal solid waste disposal system; to empower the Township to adopt and promulgate rules and regulations therefore; and to fix penalties for the violation thereof; and

WHEREAS, Section IV of said Ordinance Number 95 specifies that rules and regulations shall be set forth and promulgated by Resolution of the Township.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Board of Supervisors of North Londonderry Township, Lebanon County, Pennsylvania, and it is hereby resolved and enacted, that the North Londonderry Township Municipal Waste and Recycling Rules and Regulations contained herein are adopted in accordance with the provisions of Ordinance Number 95 which Recycling Rules and Regulations shall become effective June 1, 2013.

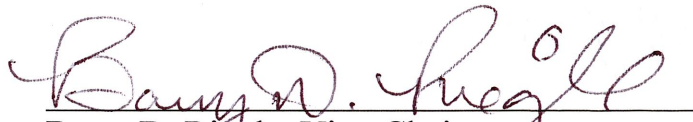
RESOLVED AND ENACTED this 20th day of May, 2013.

ATTEST:

NORTH LONDONDERRY TOWNSHIP
BOARD OF SUPERVISORS


Secretary


Ronald E. Fouche, Chairman


Barry D. Riegler, Vice-Chairman


William C. Buckfelder, Member

NORTH LONDONDERRY TOWNSHIP

MUNICIPAL WASTE AND RECYCLING RULES AND REGULATIONS

These Municipal Waste and Recycling Rules and Regulations are promulgated by the Board of Supervisors of North Londonderry Township to establish rules and policies regarding the collection, storage, transportation, removal and dumping of solid waste; to establish a program for the collection of recyclable material from properties within North Londonderry Township; to prohibit the disposal of recyclable materials into the conventional municipal solid waste disposal system; and to empower the Township to authorize or license specific waste haulers.

The Rules and Regulations set forth herein are intended to be legally binding on all persons and trash haulers operating within North Londonderry Township.

SECTION I – DEFINITIONS:

For the purpose of these Recycling Rules and Regulations, the following definitions shall apply:

Aluminum - All food and beverage cans made of the light-in-weight, ductile and malleable metallic substance commonly known as Aluminum. This description excludes aluminum foil, trays, plates and miscellaneous Aluminum products.

Authorized Collector - Person, firm, or corporation licensed or contracted by North Londonderry Township to handle municipal solid waste and recyclables in accordance with the provisions of this ordinance.

Bulky Waste - Items of solid waste which due to their size, shape, or weight cannot be collected as a part of the normal weekly municipal waste collection, and therefore require special handling.

Bi-Metal Containers - All empty food or beverage containers consisting of a combination of ferrous metals and aluminum.

Collector - A commercial establishment which collects refuse from a residence or commercial establishment on a regular basis for a fee.

Collection Site - The curbside location for each customer at which collection services are to be performed. Each Residential Unit and Commercial Establishment shall be a separate Collection Site.

Commercial Establishment - Properties which are used primarily for commercial and/or industrial purposes, and those multiple dwelling residential buildings containing more than four dwelling units.

Commingled - Recyclable Materials which have been segregated from Regulated Municipal Waste but have not been separated into different types of Recyclable Materials, and have been placed in a Recycling Container for the purpose of collection.

Construction and Demolition Waste - Lumber, roofing materials, sheathing, rubble, broken concrete, macadam, plaster, brick conduit, pipe, insulation, and other material which results from a construction, demolition, or remodeling project.

Corrugated Cardboard - Paper boxes constructed in a corrugated manner and used as containers for business and consumer applications.

County - The County of Lebanon, Pennsylvania.

Curbside - The location for the placement of Refuse Containers and Recycling Containers for the purpose of collection by the Haulers. The curbside location for each Customer shall be (1) adjacent to the Residential Unit or Commercial Establishment; and (2) not on a public street.

Designated Disposal Facility - A Facility identified by the GLRA or the North Londonderry Township Recycling Rules and Regulations for the disposal or processing of selected categories of Regulated Municipal Waste or recyclable materials.

Dwelling Unit - Any room or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating by one (1) family.

Exclusive Contract - An agreement entered into by the Township with a private person or corporation for the collection and disposal of all municipal waste and/or recyclables within the Township to the extent provided by this ordinance and the agreement.

Facility - Any Solid Waste storage, collection, transfer processing or disposal facility; or site constructed, owned or operated by or on behalf of GLRA, or approved by GLRA or the Township, for the processing or disposal of Regulated Municipal Waste or Recyclable Materials.

Ferrous Containers - Empty steel or tin food or beverage containers.

Glass Containers - Bottles and jars made of clear, green or brown glass. Expressly excluded are non-container glass, plate glass, blue glass and porcelain and ceramic products.

GLRA - Greater Lebanon Refuse Authority.

Grass Clippings - Blades of lawn grass that have been cut by mowing and gathered for disposal.

Institutional Establishments - Facilities that house or serve groups of people, such as hospitals, schools, nursing homes, etc.

Large Appliances - Appliances weighing more than 50 pounds, often referred to as white goods, including clothes washers, clothes dryers, dishwashers, freezers, refrigerators, stoves, ovens, hot water heaters, air conditioners, furnaces and electrical heaters.

Leaf Waste - Leaves, garden residues, shrubbery and tree trimmings, and similar materials, but not including grass clippings.

Magazines and Periodicals - A publication that is issued periodically and is generally bound with a shiny cover and often utilizes a shiny surface paper for its articles, photographs, etc. These publications are published at fixed or varying intervals other than daily.

Municipal Waste - Any garbage, refuse, industrial lunchroom waste, office waste, and any other material including solid waste, liquid, semi-solid or contained gaseous materials resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities. All Solid Waste which is within the definition of "Municipal Waste" as set forth in Section 103 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of July 28, 1988.

Newspapers - Paper of the type commonly referred to as newsprint. Expressly excluded are newspapers that have been soiled.

North Londonderry Township Municipal Waste and Recycling Rules and Regulations - The rules and regulations governing municipal waste and recycling in North Londonderry Township as established by the North Londonderry Township Board of Supervisors and adopted by Resolution of the Township.

Person - Any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, governmental entity or agency, or any other legal entity whatsoever, which is recognized by law as the subject of specific rights and duties.

Plastic Containers - Empty plastic food and beverage containers of either type 1 or 2 as designated on the container.

Processing Center - The location maintained by the Collectors or other Persons for the purpose of sorting, preparing and/or consolidating Recyclable Materials for sale.

Recyclable Materials - Materials as specified by these rules and regulations which are to be collected separately from other municipal waste for the purpose of reusing the materials and to reduce the amount of solid waste entering the conventional solid waste stream.

Recycling Container - A container provided by a Collector, made of rigid plastic construction, with a capacity adequate to match the collection interval, but not less than twelve (12) gallons, unless otherwise contracted by the Customer.

Refuse - All Regulated Municipal Waste except the following categories of Solid Waste:

1. Tires
2. Large Appliances
3. Construction/Demolition Waste
4. Bulky Waste
5. Putrid Waste
6. Un-compacted Waste
7. Sludge
8. Infectious Pathological Waste
9. Ash Residue
10. Special Handling Waste
11. Friable Asbestos Waste
12. Recyclable Materials
13. Household Hazardous Waste
14. Oversized Refuse Items
15. Yard Waste
16. Grass Clippings
17. Leaf Waste

Refuse and Recycling Contract or Licensing Agreement - An agreement between the Township and any person or trash hauler wishing to collect refuse and recyclable materials within the Township, which sets forth specific rules and regulations regarding the collection of the refuse and recyclable materials.

Refuse Container - A receptacle with a capacity of not more than 35 gallons which is (1) constructed of plastic, metal, or fiberglass, having handles of adequate strength for lifting, and having a tight fitting lid; or (2) a paper or polyethylene bag which is designed for storage and collection, is protected against precipitation, animal damage, over loading, and has sufficient strength to withstand normal stresses until it is collected. The weight of the refuse container and its contents shall not exceed thirty (30) pounds.

Regulated Municipal Waste - Any Solid Waste generated or collected within the County which is garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities, and any sludge which is not residual waste or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include Recyclable Materials.

Residence - Any occupied single family or multi-family dwelling having up to four dwelling units per structure. (Also see Dwelling Unit.)

Residential Municipal Waste - Municipal solid waste generated from a dwelling unit.

Segregated - Recyclable Materials which have been separated from Regulated Municipal Waste.

Solid Waste - Any waste, including but not limited to, municipal, residual or hazardous waste, including solid, semi-solid or contained gaseous materials.

Steel and Bi-metallic Cans - The ferrous metal food or beverage containers commonly known as "tin cans".

Township - The governmental jurisdiction and legal entity of North Londonderry Township, Lebanon County, Pennsylvania.

Unacceptable Waste - Unacceptable waste consists of the following categories of solid waste:

1. Hazardous Waste
2. Residual Waste
3. Unsterilized or Unprocessed Infectious or ethological Waste
4. Chemotherapeutic Waste
5. Gas Cylinders, unless empty and delivered separate from other waste
6. Explosive and Ordinance Materials
7. Liquid Waste (i.e. containing less than 20% solids by weight, or flow-able)
8. Drums, Barrels and Buckets unless lids have been removed and interiors cleaned and free of any residue
9. Radioactive Materials
10. Any Solid Waste generated outside of the Municipality

Yard Waste - Weeds, garden wastes, and prunings, excluding tree limbs and twigs in excess of one-quarter inch in diameter.

SECTION II – STORAGE AND HANDLING:

- A. General - It shall be the duty of every property owner or every person occupying a dwelling unit, premise, or place of business within the Township where municipal waste is generated and accumulated, by his/her own expense and cost, except as otherwise specified in this ordinance, to provide and keep at all times a sufficient number of containers to hold all Municipal Waste and Recyclable Materials accumulated between intervals of collection of such waste by an authorized collector; and to insure the sanitary and legal disposal of such waste in accordance with this ordinance and all other Township, State and Federal applicable laws and regulations.
- B. Containers - All municipal waste set out for collection by owners of residential property and/or the occupants of residential properties shall be placed in containers for collection by

an authorized collector. The containers shall be durable, watertight, and made of rust-resistant metal or plastic. The size of each container shall not exceed thirty-five (35) gallon capacity unless bulk (dumpster type) containers are used. Containers for the curbside collection of recyclables will be of a type suitable to the authorized collector or otherwise selected and furnished by the individual authorized collector. Use of bulk containers at multi-family establishments shall comply with the provisions of Section 3, paragraph A below.

- C. Location of Containers - Each municipal waste container and curbside recyclable container set out for collection shall be placed so it is accessible to the collector at ground level and at a point immediately behind the curb line of the street, or within 10 feet of the cart-way of the street or alley from which the collection with a vehicle is made if there is no curbing, or at a location mutually agreeable between the resident, the Township, and the collector. Failure to place containers at such locations may result in waste not being picked up. Location of bulk containers at multi-family establishments shall be in accordance with Section 3, paragraph B below.

SECTION III – STORAGE AND HANDLING ON COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL PROPERTIES:

- A. Containers - Storage of municipal waste on commercial, institutional and industrial properties shall be done in the same type of containers as required for residential properties except where the accumulation of solid waste for such commercial, institutional, or industrial property precludes their use, in which case such owner or occupant shall make special arrangements with the authorized collector for the storing of such additional quantities.
- B. Location of Containers - Containers for the collection at commercial, institutional, or industrial properties shall be located on the owner or occupant's premises at a place agreed upon by the owner or occupant of the commercial, institutional, or industrial property and the authorized collector and shall not be unsatisfactory to the Township. Such locations shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways, alleys or entrances and exits of public or private buildings.

SECTION IV - TRANSPORTATION, HANDLING AND DISPOSAL OF MUNICIPAL WASTE:

- A. Removal by Licensed Hauler - An owner in North Londonderry Township, Lebanon County, Pennsylvania may contract with an individual, entity, or firm which is a licensed hauler by the Commonwealth of Pennsylvania or the Greater Lebanon Refuse Authority to have all the Municipal Waste generated on the premises by any of the occupants of the premises removed and deposited at the Lebanon County's designated solid waste management facility as per the Lebanon County Solid Waste Management Plan approved by the Department of Environmental Protection (DEP), on a weekly basis or more often.

Recyclable Materials shall be collected in accordance with the provisions of the Ordinance.

- B. Transportation of Solid Waste - Any person transporting solid waste within the Township shall prevent or remedy any spillage from vehicles or containers used in the transport of such solid waste. The vehicles used to transport or convey solid waste shall be leak-proof and enclosed to the extent necessary to ensure no loss or spilling of waste from the vehicles. The Township shall have the authority to inspect the vehicles used for the transport of solid waste as it deems necessary.
- C. Disposal of Municipal Waste - All municipal waste produced, collected, and transported from within the jurisdictional limits of the Township shall be disposed of at the Lebanon County landfill, operated by the Greater Lebanon Refuse Authority, or other disposal facility as applicable which is licensed or permitted by the Greater Lebanon Refuse Authority, the Commonwealth of Pennsylvania Department of Environmental Resources or other State government. The Township reserves the right to, designate an appropriate facility of its choice and to require that all municipal waste generated in the Township be disposed of at this designated facility. If the Township designates a disposal facility as provided for above, all authorized (licensed) collectors, or collectors operating under contract with the Township for collection of Municipal Waste or Recyclable Materials shall be informed by the Township of the location, regulations, and other information pertaining to the Designated Disposal Facility. The Township reserves the right to make inspections of authorized collectors to insure that waste generated within the Township is being disposed of in an authorized or designated facility and to limit the use of a designated facility only to waste generated within the Township. Any authorized collector found to be in violation of this section shall have his license to collect or haul municipal waste in the Township revoked.
- D. Unlawful Deposition of Municipal Waste - It shall be unlawful for any person to deposit for collection any solid waste including bulky items not generated at the address from which collection is made or to bring any solid waste into the Township or from one address to another in the Township for the purpose of taking advantage of the collection service or to avoid the cost of collection.
- E. Bulky Waste - Bulky waste which is not collected by the normal or weekly residential collection shall not be stored outside of a building or accessory building on any land in the Township, except for a period not exceeding fourteen (14) days pending the special handling for disposal of the bulky waste. However, brush, tree trimmings, yard clippings, leaves, grass, or other waste from live plantings may be stored for longer periods of time if necessary until collected or for the purpose of composting such materials in accordance with Township ordinances, unless such storage violates other ordinances or regulations of the Township. It shall be unlawful for any person to place bulky waste on any property other than on the property at which it was generated or directly associated with. Bulky waste shall be disposed of at a State permitted or licensed disposal facility, a facility especially designated by the Township to take such bulky items, or a legitimate salvage dealer that is in the business of disposing or recycling such items.

- F. Construction and Demolition Waste - All waste materials resulting from the building, structural alteration, repair, construction or demolition of buildings or structures shall be disposed of as permitted by the regulations of the State Department of Environmental Resources or pertinent ordinances or regulations of the Township. It shall be the responsibility of the property owner to ensure the disposal of such waste in accordance with applicable laws and regulations.
- G. Exclusions -
1. Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting municipal waste from hauling his own municipal waste on an irregular or unscheduled basis to the Lebanon Landfill, or as applicable, a State permitted disposal facility or to the disposal facility as designated by the Township in accordance with the regulations of the disposal facility.
 2. Nothing contained herein shall prohibit a farmer from carrying out normal farming operations, including composting or spreading of manure or other farm produced agricultural waste, not otherwise prohibited or regulated for land application.
 3. The provisions of this ordinance do not apply to anything but the storage, collection, transportation, and disposal of Municipal Waste and Recyclable Materials, and do not apply therefore, to hazardous or residual waste as defined by the Pennsylvania Solid Waste Management Act and its amendments. All hazardous or residual waste must be disposed of in compliance with applicable State and Federal laws and regulations.

SECTION V – RECYCLABLES:

- A. General Provisions - Ordinance Number 95 establishes and requires recycling by all persons within North Londonderry Township, in an effort to better utilize existing and future solid waste disposal facilities, and to develop a more productive and environmentally sound method of solid waste management. All residential properties, and commercial, industrial, and institutional establishments within the Township are required to separate recyclable materials from their trash. Recyclable materials shall be collected separate from other municipal waste, and such recyclable materials as designated in these Municipal Waste and Recycling Rules and Regulations, are promulgated and amended by Resolution of the Township.

Recyclable Materials shall be segregated from the municipal waste, rinsed and placed in marked recycling containers, which shall be provided by the Authorized Collector. Recyclable materials may be commingled and placed as outlined in Sections II and III of this Resolution.

Residential properties, and commercial, industrial, and institutional establishments within North Londonderry Township shall keep all Yard Waste separate from Municipal Waste and recyclable materials.

B. Designated Recyclable Materials - All persons within the Township are required to separate the following materials, hereby designated as recyclable materials, from their trash, which are to be collected separately for the purpose of recycling:

1. Newspapers
2. Glass Containers
3. Aluminum Cans
4. Bi-metal Containers
5. Ferrous Containers
6. Plastic Containers (types 1 and 2)
7. Yard Waste
8. Leaf Waste

Newspapers that are used for secondary purposes such as wrapping other waste or for cleaning which renders them unfit for recycling shall not be required to be recycled and are hereby excluded.

C. Designated Recyclable Materials - All commercial, industrial, and institutional establishments within the Township are required to separate the following materials, hereby designated as recyclable materials, from their trash, in addition to the designated recyclables set forth in Clause B above, which are to be collected separately for the purpose of recycling:

9. Corrugated Cardboard
10. Office Paper

D. Alternative Collection of Recyclable Material - Any person may donate or sell recyclable materials to any individual or organization authorized by the Township. These materials must either be delivered to the individual's or organization's site or they may be placed at the curb for collection by such individual or organization. A list of approved individuals or organizations shall be posted in the Township office.

E. Ownership of Recyclable Materials - Recyclable materials shall remain the property of the generator until such time as those recyclable materials are set out for collection. Nothing herein shall be construed to prevent generators of recyclable materials, from donating such materials to non-profit organizations, from transporting materials to recycling centers, or from selling the recyclable materials for profit.

SECTION VI – RESPONSIBILITIES OF THE TOWNSHIP:

- A. Administration - The North Londonderry Township Board of Supervisors shall establish, promulgate, change or amend the North Londonderry Township Municipal Waste and Recycling Rules and Regulations in accordance with the terms hereof, along with any other matters required to implement Ordinance Number 95. The Township may change, modify, repeal or amend any portion of the North Londonderry Township Municipal Waste and Recycling Rules and Regulations by a Resolution of the Township at any time.
- B. Enforcement - The North Londonderry Township Police are charged with the enforcement of Ordinance Number 95 along with the rules and regulations promulgated in these Municipal Waste and Recycling Rules and Regulations.
- C. Additional Township Responsibilities -
1. The Township shall use reasonable efforts to inform residents of the benefits which may be obtained from recycling and inform the residents of the licensed Authorized Collectors operating within the Township.
 2. The Township shall use reasonable efforts to enforce the Municipal Waste and Recycling Rules and Regulations as may be enacted.
 3. The Township shall pick up leaves at the curb.
 4. The Township will develop and implement a public awareness program to provide information on local recycling efforts. The program may include the preparation and distribution of recycling information to all residents as well as preparation of occasional press releases, presentations at local schools and community organizations, and distribution of flyers or brochures.

SECTION VII – AUTHORIZATION OF COLLECTORS:

- A. General - It shall be unlawful for any person or corporation other than persons or corporations authorized by license or contract by the Township, to collect and/or transport Municipal Waste and Recyclable Material as a regular hauling business within or from the Township. If the Township enters into an exclusive contract for the collection of municipal waste and recyclables in the Township, said contractor shall be required to collect municipal waste and recyclables in the Township exclusive of other private haulers and collectors subject to exceptions to the exclusive Township contract. The Township shall not issue a license to any private hauler or collector for the collection of residential municipal waste other than the hauler or collector having the exclusive contract with the Township. Authorization to collect, transport, and dispose of municipal waste for persons other than oneself may be given only by the Township through the issuance of a contract or license. All applicants for licensing shall be reviewed by the Township and shall be

approved in accordance with the following:

- B. Municipal waste collection licenses or contracts may be issued to only those persons or corporations who can provide satisfactory evidence that they are capable of providing the necessary services and can comply with the provisions and intent of this ordinance. The municipality reserves the right to disapprove any application for license.
- C. Applicants for municipal waste collection license must furnish the following information:
 - 1. The number of collection vehicles; the make, model, license plate number, and size of each vehicle to be used for the collection and transportation.
 - 2. The location, address, and telephone number of the business office of the applicant.
 - 3. The location, address, and operating hours of the drop-off facility provided by the applicant.
 - 4. A certificate of the applicant's workers' compensation insurance as required by law.
 - 5. A certificate of insurance coverage providing complete third party comprehensive, bodily injury and property damage liability insurance, limits of which will be not less than \$500,000/\$1,000,000 for bodily injury and \$100,000 for property damage.
 - 6. Intended disposal facility to be used by the applicant.
 - 7. Any other information which the Township may request and deem necessary prior to the issuance of a license.
- D. Licenses shall be issued on a calendar year basis, but may be revoked at any time by the Township for just cause, including, but not limited to, violation of any of the provisions of these Rules and Regulations, applicable State or Federal laws or regulations, other policies established by the Township, or contractual arrangements entered into between the applicant and the Township.
- E. Fees for licenses shall be set by the Township and the amount shall be provided to an applicant or any person upon request.

SECTION VIII – RESPONSIBILITIES OF AUTHORIZED COLLECTORS:

- A. Compliance With Law - Authorized collectors acknowledge that the collection of Municipal Waste and Recyclable Materials is subject to Federal, State and local laws, ordinances, rules and regulations, and specifically, to GLRA's and DER's Rules and

Regulations. The authorized collector shall agree that all such laws, ordinances, rules and regulations are incorporated into and made a part of these Rules and Regulations as if set forth in full and that any violation thereof by the authorized collector shall be deemed a violation of these Rules and Regulations.

- B. Indemnification - Authorized collectors shall assume full responsibility for all their officers, employees, and agents. The collector shall indemnify North Londonderry Township, its officers, employees, and agents, and to hold and save the Township harmless from and against all claims, demands, and causes of action, which may be asserted by any person, because of any injury to property, injury or death to any person, or any other cause whatsoever, which arises out of, or is related to, any of the actions or omissions of the authorized collector or their officers, employees or agents, whether intentional, unintentional, reckless, negligent or inadvertent. Authorized collectors shall agree to indemnify and hold harmless the Township from and against any claims, demands and causes of action which may be asserted by any person arising out of injury or death suffered by any of the officers, employees, or agents of any authorized collector, including, but not limited to, third party actions for any injury or death otherwise covered under applicable Workers' Compensation Law. The authorized collectors' obligations for indemnification provided in these Rules and Regulations shall apply regardless of any sole or concurring or contributing negligence of the Township. The authorized collector shall indemnify and hold harmless the Township against and from any and all loss, damages, cost and expenses, including reasonable attorney's fees, suffered or incurred by the Township as a result of any violation by the authorized collector or enforcement by the Township of these Rules and Regulations.
- C. Office - Authorized collectors shall maintain an office or telephone service which has responsible personnel from 8:00 a.m. to 5:00 p.m. on regular collection days to receive and respond to all complaints and inquiries.
- D. Insurance - At all times, the authorized collector shall maintain in full force and effect the required employer's liability, workers' compensation, public liability and property insurance.
- E. Non-discrimination - Authorized collectors shall not discriminate against any employee or other person because of race, color, religious creed, national origin, sex, marital status, non-job related handicap, ancestry or age.
- F. Customer Services - Authorized collectors shall offer a drop off facility for Township residents in addition to offering services to collect and remove Recyclable Materials and/or Municipal Waste at each residence. Haulers may waive the drop off facility requirement of this section by agreeing to collect recyclables only, from residents who do not want to have municipal waste collected. Collection of Municipal Waste and Recyclable Materials in North Londonderry Township is subject to the following conditions:
 - 1. Recyclable materials set out for collection shall be collected at least once every other week on days specified by the Authorized Collector.

2. Municipal Waste set out in refuse containers shall be collected at least once each week on days specified by the Authorized Collector, or more frequently as contracted by a Customer.
3. Bulky Waste which may require special handling shall be collected at least once a year at a time designated by the Authorized Collector, or more frequently as contracted by a Customer.
4. No collection services shall be provided under these Rules and Regulations for unacceptable waste, household hazardous waste, construction/demolition waste, putrid waste, un-compactible waste, infectious/pathological waste, sludge, ash residue, or friable asbestos waste.
5. Authorized collectors may, by contract or other special arrangement with a customer, agree to collect municipal waste, recyclable materials, yard waste, bulky waste and municipal waste requiring special collection or handling at curbside or at a location other than curbside. Such contracts or special arrangements shall be provided to customers on a uniform basis and at a reasonable cost.
6. All Municipal Waste and Recyclable Materials shall be collected in a neat, clean and workmanlike manner. Collectors shall load vehicles in such a manner as to prevent spillage. Any spillage shall be cleaned up immediately by the collector. All receptacles and containers shall be handled as carefully and quietly as possible, being returned (not thrown) to the location where picked up. Employees of the authorized collector shall behave in a manner which is not noisy, vulgar, obscene or insulting. All Municipal Waste and Recyclable Materials hauled by an Authorized Collector shall be so contained, tied or enclosed that leaking, spilling or loss from windblown materials are prevented.
7. Authorized collectors shall supply all labor, vehicles, tools, equipment and facilities for the collection, removal and disposal of all Municipal Waste and Recyclable Materials in strict conformity with these Rules and Regulations. Equipment shall be maintained in good working order and shall be kept in a safe, clean and sanitary condition. Municipal Waste and Recyclable Materials shall be collected in vehicles which are suitable for such collection, which are dedicated for use in performing such collections, and which bear prominent markings of signs or decals located on both the right and left sides of the vehicle identifying them as being Municipal Waste or Recyclable Materials collection vehicles. Authorized collectors shall provide an adequate number of vehicles for regular collection services and for performance of the collectors' obligations under these Rules and Regulations. Each vehicle shall have clearly visible on each side, the identity of the collector, and shall have prominently displayed all mandated

Federal, State, county, municipal and GLRA identification and license numbers.

8. Authorized collectors shall supply each customer with one recycling container free of charge. Title to the recycling containers shall remain with the authorized collector. The collector shall promptly replace recycling containers when notified by a customer that a recycling container is damaged or missing. Customers must negotiate with their authorized collector regarding the cost of replacing missing or damaged containers, or to purchase additional recycling containers.
9. Disposal:
 - a) Regulated Municipal Waste - All municipal waste shall be hauled directly to the Designated Disposal Facility for disposal. Authorized collectors shall not transfer any waste from vehicles after collection or prior to disposal at the Designated Disposal Facility, without Township approval.
 - b) Recyclable Materials - Authorized collectors shall transport the collected recyclable materials either to a processing center, a facility, or directly to markets. Authorized collectors shall sell the recyclable material to whatever market they deem appropriate for recycling and the collectors shall retain the full proceeds of such sales. Authorized collectors shall take title to the recyclable materials upon collection at curbside. While it is within the discretion of the collectors to determine the market for sale of the recyclable materials collected, it is the responsibility of the collectors to remove and dispose of recyclable materials generated by customers in a manner which is consistent with the intent and effect of recycling. Authorized collectors are responsible to ensure that all recyclable materials collected are transported to markets for sale and not disposed of as refuse in landfills or other disposal sites. Any storage of recyclable materials by the authorized collector shall be conducted so as to prevent the attrition, harborage or breeding of insects or rodents and to eliminate conditions harmful to public health and which create safety hazards, odors, unsightliness or public nuisances.
10. In the event of any missed pick-ups, Authorized Collectors shall collect from the missed locations within 24 hours of notification.
11. Authorized collectors shall notify all customers and North Londonderry Township regarding the collectors' procedures, rates and day(s) for scheduled collection.

- G. Reports - On or before the 10th day of the month following the end of each month, authorized collectors shall submit their monthly report for the preceding month to the Township along with weight receipts, for all Municipal Waste and Recyclable Materials collected in the Township. The monthly report shall include complete information with respect to the preceding month, including the amounts of Municipal Waste and Recyclable Material collected. The weight receipts shall include the name of the facility receiving the municipal waste or recyclables and reflect the total weight of all municipal waste or recyclable materials collected and disposed of during the month.

- H. Weather and Other Circumstances - Authorized Collectors shall make scheduled collections, notwithstanding unexpected occurrences such as varying weather conditions, temporarily closed streets, and the like. Upon the occurrence of any such event, the Collector shall make appropriate arrangements to ensure the collection is made within 24 hours. These provisions shall not require the Collector to take any action which would endanger the health or safety of any person.

- I. Other Responsibilities - In addition to providing Customer Services imposed by these Rules and Regulations, Authorized Collectors shall:
 1. Comply with all GLRA, DER, and Township Rules and Regulations, including obtaining and maintaining a current Licensing Agreement or Exclusive Contract;
 2. Transport all Municipal Waste or Recyclable materials collected directly to the Designated Disposal Facility without any interceding transfer or storage;
 3. Not commingle any Recyclable Materials with Municipal Waste;
 4. Accept title to all Recyclable Materials collected from the Township;
 5. Not commingle yard waste, grass clippings, or leaves with Municipal Waste.

SECTION IX – SERVICE FEES AND BILLING:

- A. General - It shall be the duty and responsibility of every owner of property and every person occupying a dwelling unit, premise, or place of business within the Township where municipal waste is produced and is accumulated, to pay a service fee for the collection and disposal of this waste, except as otherwise provided by the Ordinance, or the North Londonderry Township Municipal Waste and Recycling Rules and Regulations, to an authorized collector, or to the Township. An authorized collector, or the Township may discontinue' service for non-payment of service fees by any person or establishment. Discontinuance of service due to non-payment of service fees shall not relieve the person or establishment from abiding by all of the requirements of this ordinance.

- B. Charges to be Established by Resolution - All service fees established under an exclusive contract for the collection of waste by the Township shall be established by a resolution of the Township Board of Supervisors. Service charges so established shall be reviewed at least annually and adjusted as necessary to insure that all costs involved in the collection and disposal of municipal waste under the exclusive contract, including the administrative costs of the Township, are covered by the service charges.

SECTION XI – WAIVER:

No waiver of, or failure to enforce, any provisions of these North Londonderry Township Recycling Rules and Regulations or any breach thereof shall be construed to be a waiver of any such provision, or any other provision of these Rules and Regulations, or a waiver of any rights the Township may have with respect to any future breaches, whether of a like or different character.

SECTION XII – SEVERABILITY AND AMENDMENT:

- A. Severability - Should any section, paragraph, sentence, clause, or phrase of these Municipal Waste and Recycling Rules and Regulations be declared unconstitutional or invalid for any reason, the remainder of this Resolution shall not be affected thereby.
- B. Amendments - This Resolution or any part thereof may be amended in accordance with the provisions of Ordinance Number 95.

These Rules and Regulations shall become effective on the 1st day of June, 2013 in accordance with Resolution No. 05-20-2013.

NORTH LONDONDERRY TOWNSHIP
MUNICIPAL WASTE AND RECYCLING
MONTHLY REPORT

_____, 20____
(Month)

1. Name & Address of Trash Collector: _____

2. Recyclable Materials:

Glass _____ lbs.

Aluminum _____ lbs.

Steel and Bimetal Cans _____ lbs.

Plastics _____ lbs.

Newspapers _____ lbs.

Other _____ lbs.

Total Pounds Recycled _____ lbs.

Total Tons Recycled _____

3. Municipal Waste:

Total Tons Collected _____

Attach all weight receipts to verify the amounts listed above.

I, _____ the undersigned, hereby certify that all of the
Type or print

information listed above in the Monthly Report is accurate and correct.

Signature

Date