

**RUTLEDGE BOROUGH
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. _____**

AN ORDINANCE OF THE BOROUGH OF RUTLEDGE, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING Chapter 20 SOLID WASTE-TO UPDATE THE REGULATIONS FOR SOLID WASTE DISPOSAL.

WHEREAS, the Borough of Rutledge is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Borough Code vests the Borough of Rutledge with the power and authority to make and adopt all such ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth, as is expedient or necessary for the proper management, care and control of, inter alia, the Borough's finances, the maintenance of peace, good government, safety and welfare of the Borough, its trade, commerce and manufactures; and

WHEREAS, the Chapter 20 of the Borough Code establishes regulations for the Solid Waste; and

WHEREAS, Borough Council wishes to amend the regulations to regulate the amount of solid waste which may be disposed of and the manner of disposal.

BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Rutledge as follows:

Section 1: Chapter 20, Entitled "Solid Waste" The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled "Solid Waste" is hereby amended to add new Section 20-100, Definitions to read as follows:

§ 20-100 Definitions

The following definitions shall apply in the interpretation and enforcement of this Part:

BULK ITEM - Any oversized item that requires special handling or management and does not exceed fifty (50) pounds in weight, such as furniture and mattresses.

HOUSEHOLD HAZARDOUS WASTE - items with labels that contain the words: HAZARDOUS – DANGER – WARNING – POISONOUS and TOXIC, indicate items that contain hazardous material. Typical Items are: Oil-based paint, paint thinner, varnish, kerosene, gasoline, motor oil, antifreeze, weed killers, fungicides, pesticides, items containing mercury, cell phones, rechargeable and lead acid batteries, Ni-cad, lithium, rechargeable and lead batteries.

RECYCLABLES - Recyclable materials are defined in the Acceptable Recyclables document, which will be reviewed and updated annually.

SHARPS - Items with sharp points or edges that may be reasonably generated within a home, such as medical syringes, knives/scalpels, and IV catheters.

SOLID WASTE, TRASH, and RECYCLING SCHEDULE – scheduled document detailing sanitation guidelines and expectations in line with fiscal, environmental, and contractual obligations of the Rutledge Borough. This document is determined by the Borough Council of Rutledge from time to time by resolution.

YARD WASTE - Yard waste materials are defined in the Acceptable Yard Waste document, as determined by the Borough Council of Rutledge from time to time by resolution.

Section 2: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to amend Section 20-101, Refuse Containers to read as follows:

§ 20-101 Refuse Containers

1. All reusable garbage and refuse containers shall be made of metal or other rigid material, must be watertight and be provided with a tight fitting cover. All non reusable garbage and refuse containers shall be of polyolefin plastic material or better, formed in the shape of a bag.
2. Refuse receptacles size and capacity imitations are defined in the Solid Waste, Trash and Recycling Schedule as determined by the Borough Council of Rutledge from time to time by resolution.
3. All reusable garbage and rubbish receptacles shall be kept as sanitary as possible in view of the use to which they are out, and shall be thoroughly cleansed by the owner or user after garbage and rubbish are removed by the collector.
4. All containers shall be removed from the Borough right-of-way within 24 hours after collection.
5. Refuse Containers must not be filled with: rubbish from building construction, street refuse, industrial refuse, dead animals, machinery or vehicles or parts thereof or such other waste materials as are not commonly produced in homes.

Section 3: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to add Section 20-103, Penalties to read as follows:

§ 20-103 Penalties

Any person who shall violate any provision of this Part, or causing or helping others to violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$1,000.00 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

Section 4: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to add Section 20-104, Bulk Disposal to read as follows:

§ 20-104 Bulk Disposal

Bulk disposal containers, size, and quantity limitations are defined in the Annual Solid Waste, Trash and Recycling Schedule as determined by the Borough Council of Rutledge from time to time by resolution. Bulk Pick up cannot be used for:

1. Items containing freon, unless they have been certified as having had the freon removed.
2. Household Hazardous Waste

Section 5: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to add Section 20-105, Sharps Containers to read as follows:

§ 20-105 Sharps Containers: Sharp Items such as knives and needles must be in a sealed, labeled FDA-cleared sharps disposal container (generally available through pharmacies, medical supply companies, health care providers, and online). The container should be tightly sealed with duct or other heavy duty packing tape.

Section 6: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to add Section 20-106, Electronic & Hazardous Waste to read as follows:

§ 20-106 Electronic & Hazardous Waste: Residents must follow Pennsylvania Department of Environmental Protection guidelines for removal of Electronic and Household Hazardous Waste (HHW) along with the Covered Device Recycling Act (CDRA) Act 108 of 2010.

Section 7: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to add Section 20-107, Yard Waste to read as follows:

§ 20-107 Yard Waste: Acceptable Yard waste materials must be prepared as listed in the Acceptable Yard Waste document, as determined by the Borough Council of Rutledge from time to time by resolution.

Section 8: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to amend Section 20-302, Definitions to read as follows:

§ 20-302 Definitions
The following words are defined to have meanings as indicated below:
RECYCLABLES – materials having an economic value in the secondary material market as listed in the Solid Waste, Trash and Recycling Schedule, which may be determined by the Borough Council of Rutledge from time to time by resolution.

Section 9: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to amend Section 20-302, Separation of Recyclables to read as follows:

§ 20-303 Separation of Recyclables
Recyclables shall be kept separate and apart from other refuse and shall be collected by the Borough or its designated agent. Individual household units must separate and prepare for collection all recyclables as determined by the Borough Council of Rutledge from time to time by resolution.

Section 10: Chapter 20, Entitled “Solid Waste” The Code of the Borough of Rutledge is hereby amended by amending Chapter 20 entitled “Solid Waste” is hereby amended to amend Section 20-307, Optional Disposal Methods to read as follows:

§ 20-307 Optional Disposal Methods
Any resident may donate or sell recyclables to any person, partnership, corporation or other entity whether operated for profit or not for profit at the discretion of the resident. Under no circumstances may sales occur from any curbside in the Borough.

Section 11: Chapter 20, Section 20-102 Entitled “Scavenging” The Code of the Borough of Rutledge is hereby amended by **repealing** Section 20-102 Entitled “Scavenging”.

Section 12: Severability: The provisions of this Ordinance are severable, and if any sections, sentences, clauses, parts or provisions thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional, sections, sentences, clauses, parts or provisions had not been included therein.

Section 13: Repealer: Any ordinance and or parts of ordinances that are inconsistent herewith are hereby repealed.

Section 14: Immediate Effect: This Ordinance shall take effect and be in force from and after its approval of this amendment.

ENACTED AND ORDAINED, by the Borough of Rutledge, Delaware County, Pennsylvania, this ___st day of _____, 2024.

BOROUGH OF RUTLEDGE

PRESIDENT OF COUNCIL
JODY ROBERTS

ATTEST:

RUTH JONES
SECRETARY

Approved this ___st day of _____, 2024.

MAYOR
GAMAL SHERIF