

BOROUGH OF SOUDERTON  
MONTGOMERY COUNTY  
PENNSYLVANIA

ORDINANCE NO. 15-720-03

AN ORDINANCE AMENDING THE SOUDERTON BOROUGH MUNICIPAL WASTE COLLECTION AND RECYCLING ORDINANCE NO. 07-667-03, ADOPTED APRIL 2, 2007, AS AMENDED, BY PROVIDING FOR RESIDENTIAL SOLID WASTE COLLECTION BY A SINGLE MUNICIPAL WASTE COLLECTOR DESIGNATED BY AND UNDER CONTRACT WITH THE BOROUGH OF SOUDERTON; BY ESTABLISHING AN ALTERNATIVE COLLECTION PROGRAM FOR LOW-VOLUME WASTE GENERATORS; BY PROVIDING FOR THE COLLECTION OF RECYCLABLE MATERIALS; REPEALLING INCONSISTENT ORDINANCES.

The Borough Council of the Borough of Souderton hereby ENACTS and ORDAINS, as follows:

SECTION 1. AMENDMENT. Article I, Section 2 of the Souderton Borough Municipal Waste Collection and Recycling Ordinance No. 07-667-03 is hereby amended to amend the definition of "Municipal Waste Collector(s)" to read as follows:

MUNICIPAL WASTE COLLECTOR - The firm or firms designated by and under contract with the Borough of Souderton to collect residential municipal waste and/or recyclable materials within the Borough of Souderton. Any privately contracted collector, remover, transporter and/or hauler of solid waste and recyclable materials generated within the Borough by exempted residential complexes or exempted commercial, industrial or institutional properties or construction or demolition waste generated within the Borough.

SECTION 2. AMENDMENT. Article I, Section 4A of the Souderton Borough Municipal Waste Collection and Recycling Ordinance No. 07-667-03, as amended, is amended to read as follows:

A. Each person or entity, unless exempted under the provisions of this Ordinance, who or which generates municipal waste and/or designated recyclable materials shall have such waste and recyclable materials collected by the Municipal Waste Collector designated by and under contract with the Borough of Souderton. Such collection shall be no less frequent than one (1) time per week. Persons or entities receiving curbside waste and recyclable service from the Municipal Waste Collector designated by the Borough of Souderton, shall pay such fees for such service or alternate service to the Borough as shall be established from time to time by resolution of the Borough Council of the Borough of Souderton.

SECTION 3. AMENDMENT. Article I, Section 4D of the Souderton Borough Municipal Waste Collection and Recycling Ordinance No. 07-667-03, as amended, is amended to read as follows:

D. All occupants of single-family homes, townhouses, row-homes and apartments where municipal waste collection is provided by a collector under contract with the Borough of Souderton, shall maintain separate containers to be provided by the Borough or the Municipal Waste Collector for municipal waste (tote or bag, as the case may be) and for all designated recyclable materials in a commingled or modified commingled (e.g., different materials separated into paper bags and placed in the container) fashion, as established by the Municipal Waste Collector, subject to the rules of the NMCRC. No municipal waste or recyclable material container or bag shall be placed at the curb or in the front yard of any property except during the period beginning at 6:00 p.m. on the evening prior to the day of scheduled collection, and the empty container shall be removed by 12:00 midnight on the day of scheduled collection. The time for placing and removing containers may be changed by the Borough of Souderton by amendment of this Ordinance. Enforcement of container and bag rules for placement at curbside shall be the responsibility of the Borough of Souderton. Municipal waste and recycling placed at the curb or street line for collection shall be in closed, lidded totes or waterproof containers.

SECTION 4. AMENDMENT. Article I, Section 4 of the Souderton Borough Municipal Waste Collection and Recycling Ordinance No. 07-667-03, as amended, is amended to add the following Subsection H:

H. The Borough shall establish an alternate to traditional curbside collection of solid waste for persons or properties identified as low-volume generators of solid waste. Upon application to the Borough for such designation, the generator shall be permitted to purchase from the Borough or at a designated location and utilize up to four (4) individual trash collection bags per week in place of the 96 gallon curbside tote. Souderton Borough logo branded trash collection bags shall not be used for recyclable materials, and the generator shall continue to be responsible to separate and pay the established fee for the collection of recyclable materials.

SECTION 5. AMENDMENT. Article 1, Section 4 of the Souderton Borough Municipal Waste Collection and Recycling Ordinance No. 07-667-03, as amended, is amended to add the following Subsection I:

I. Charges for municipal waste and recyclables collection shall be billed by the Borough of Souderton to the owners of properties required to utilize such services on a quarterly basis. The charges for such services shall be established, from time to time, by resolution of the Borough Council of the Borough of Souderton. Charges shall constitute liens and encumbrances on the properties served and shall be collectable in the same manner as municipal tax claims.

SECTION 6. AMENDMENT. Article I, Section 5A of the Souderton Borough Municipal Waste Collection and Recycling Ordinance No. 07-667-03 is hereby amended to read as follows:

A. All homes, apartments, and other residential establishments shall be required to separate and recycle the following: newspapers and inserts, magazines, catalogs, envelopes, paperback books, cardboard, clean pizza boxes, office and school papers (colored papers), box board (cereal, cake and cracker boxes), paper egg cartons, paper bags, aluminum cans and clean aluminum foil,

tin and empty steel aerosol cans, empty glass jars and bottles and all plastic containers labeled #1 to #7.

SECTION 7. SEVERABILITY. The provisions of this Ordinance are severable. If any provision hereof shall be held invalid, illegal, or unconstitutional by any court of competent jurisdiction, such decision shall not affect or impair the remaining sections or provisions of this Ordinance.

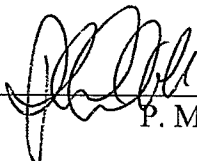
SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect January 1, 2016.

SECTION 9. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED and ENACTED by the Borough Council of the Borough of Souderton this 7<sup>th</sup> day of December, 2015.

BOROUGH OF SOUDERTON

By:   
Brian K. Goshow, President

Attest:   
P. Michael Coll, Secretary

APPROVED this 7<sup>th</sup> day of December, 2015.

  
John R. Reynolds, Mayor