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## **Article IV — Collection and Disposition of Collectible Recyclable Materials**

### **§ 67-401 Collectible Recyclable Materials.**

(a) **Newsprint.** Newsprint is hereby declared to be a mandatory collectible recyclable material.

(b) **Leaf Waste.** Leaf waste is not required to be recycled and is not a voluntary collectible recyclable material. The Borough encourages composting and/or mulching of leaf waste.

(c) **Grass Clippings.** Grass clippings are not required to be recycled, and are not voluntary collectible recyclable materials. The Borough encourages composting and/or mulching of grass clippings.

(d) **Other Mandatory Collectible Recyclable Materials.** The following items are hereby designated as mandatory collectible recyclable materials: aluminum, steel, tin, or bi-metallic food or beverage containers (not including aerosol cans, pots or pans, or aluminum foil); clear or colored glass food or beverage containers (not including ceramics, drinking glasses, window glass, or mirror glass); and #1 (PET or PETE) or #2 (HDPE) plastic containers for food, beverages, laundry, or cleaning items (not including styrofoam, clay pots, or plastic bags).

(e) **Voluntary Collectible Recyclable Materials.** Council hereby designates as voluntary collectible recyclable materials any recyclable materials (other than mandatory collectible recyclable materials) which the Contractor permits to be separated from collectible municipal waste and collected by the Contractor for recycling. These materials may include, but are not limited to, magazines, junk mail, phone books, high grade office paper, and corrugated paper/cardboard. Borough Council may, from time to time, by Ordinance or Resolution, designate other recyclable materials as voluntary collectible recyclable materials.

## § 67-402 Collection Time and Location.

The Borough or its Contractor will collect mandatory and voluntary collectible recyclable materials at such times and in such locations as may be established by regulations promulgated under this Chapter. Until changed by such regulations:

(a) All mandatory or voluntary collectible recyclable materials shall be collected at curbside every other week.

## § 67-403 Separation or Commingling.

Mandatory collectible recyclable materials shall be separated from collectible municipal waste and stored until collection or other disposition. Voluntary collectible recyclable materials which are to be recycled shall also be separated from collectible municipal waste and stored until collection or other disposition. Regulations promulgated under this Chapter may require the separation of certain collectible recyclable materials from other collectible recyclable materials, or permit the commingling of certain collectible recyclable materials. Until changed by such regulations:

(a) the mandatory collectible recyclable materials under § 67-401(d) may be commingled, but they must be separated from all other materials unless otherwise permitted by the Contractor; and

(b) newsprint and the voluntary collectible recyclable materials under the first sentence of § 67-401(e) which are to be placed for recyclable collection may be commingled, but otherwise they must be separated from all other materials unless otherwise permitted by the Contractor.

## § 67-404 Receptacles.

(a) **In General.** All collectible recyclable materials placed for collection by the Borough or its Contractor shall be placed in bags, garbage cans, or other receptacles, which comply with all applicable regulations promulgated under this Chapter. Without limitation, such regulations may include requirements relating to size, weight, materials, and closure. In addition, Borough Council may require, by Resolution, that any or all collectible recyclable materials placed for collection by the Borough or its Contractor be placed for collection in special bags or other receptacles sold or supplied by the Borough or its agents, and/or that any or all receptacles or bundles placed for the collection of collectible recyclable materials by the Borough or its Contractor bear a special tag, sticker, or similar device, sold or supplied by the Borough or its agents. These special receptacles or devices may be required to assist in implementing a “per bag” fee program, to accommodate any handling, collection, transportation, or disposition concerns, to reduce the costs of collection, transportation, or disposition, or to accomplish any other proper purpose related to the municipal recyclable material collection program.

(b) **Initial Rules.** Until changed by regulations authorized under this Chapter, the following rules apply to collectible recyclable materials to be placed for collection by or on behalf of the Borough or its Contractor:

(1) Newsprint and the voluntary collectible recyclable materials under the first sentence of § 67-401(e) which are to be placed for recyclable collection shall be bundled into bundles, and not otherwise placed in bags or other receptacles unless permitted by the Contractor. Each bundle shall be securely tied together to form an easily handled package not exceeding three (3) feet in length, three (3) feet in width, two (2) feet in height, or sixty (60) pounds in weight.

(2) The mandatory collectible recyclable materials under § 67-401(d) shall be placed in authorized recycling containers supplied or sold by the Borough, or in containers to which a recycling sticker supplied or sold by the Borough has been affixed. All such containers shall be securely closed so as to prevent any enclosed materials from escaping.

(3) Collectible recyclable materials that are to be collected “at curbside” must be placed for collection at a point which is no more than ten (10) feet from a public street or alley curb line, and which is accessible to the Borough or its Contractor at ground level.

#### **§ 67-405 Right to Recycle Outside of the Borough Program.**

No person shall be required to place any mandatory or voluntary collectible recyclable materials for collection by the Borough or its Contractor. Any person may arrange to have collectible recyclable materials collected and recycled by others, and may retain any profit realized through such recycling, *provided* that if any person operating a commercial, municipal, institutional, or industrial use or a community activity desires to recycle any mandatory or voluntary collectible recyclable materials outside of the municipal collection system, the person must provide the Borough with quarterly statements of the tonnage of materials so recycled, with accompanying documentation.

#### **§ 67-406 Multi-family Rental Unit Owners.**

With respect to any particular item of collectible municipal waste or mandatory collectible recyclable material generated or present on any property in the Borough, the owner(s) of the property, the occupant(s) of the property, and any other persons generating such item, shall be jointly and severally responsible for complying with the provisions of this Chapter and the regulations promulgated hereunder. However, if the owner, landlord, or agent of an owner or landlord of multifamily rental housing properties with four (4) or more units establishes a collection system for all mandatory and voluntary recyclable materials at each property, including 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, such person shall not be responsible for any violations of the recycling provisions of this Chapter by the occupants of the properties.