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Article VIII — Prohibited Acts

§ 67-801 Unauthorized Collection, etc.

It shall be unlawful for any person to collect, transport, or dispose of any refuse generated or present in the Borough in violation of this Chapter or any regulations promulgated hereunder.

[Ord. 415 10-29-2003]

§ 67-802 Outdoor Placement of Refuse.

It shall be unlawful for any person to place any refuse in any street, alley, or other public place in the Borough, or upon any private property in the Borough outside of a completely enclosed building, whether the property is owned by such person or not, unless:

(a) the refuse is placed in proper receptacles for collection which are securely tied or closed so as to prevent any enclosed materials from escaping (other than riff-raff and bound newsprint placed outside at the proper location for collection by the Borough or its Contractor no earlier than 5:00 P.M. on the day before the scheduled collection thereof); and

(b) the refuse is placed on the property with the permission of the owner of such property, or is placed in a public right-of-way at a location directed or approved by the Borough Manager or Borough Council for collection by the Borough or its Contractor, no earlier than 5:00 P.M. on the day before the scheduled collection thereof.

[Ords. 415 10-29-2003, 526 01-28-2015, 545 04-25-2018]

§ 67-803 Dumping.

(a) **Refuse Generated Off-Site.** It shall be unlawful for any person to place any refuse on any property in the Borough (or in the location designated by the Borough for the collection of refuse generated on the property) unless the refuse was generated on that property, except for—

(1) minor and incidental quantities of refuse generated by an owner or resident of the property elsewhere; and

(2) minor and incidental quantities of refuse generated by a guest or customer of the owner, resident, or operator of the property.

Accordingly, without limitation, it shall be unlawful to dump refuse in the Borough, and it shall be unlawful to transport refuse to a property in the Borough or for the owner of property in the Borough to accept refuse generated off-site, in order to reduce or eliminate any person's costs for disposing of refuse.

(b) **Recyclable Materials Generated Off-Site.**

(1) **Individual Properties.** It shall be unlawful for any person to place any recyclable materials on any property in the Borough (or in the location designated by the Borough for the collection of refuse or recyclable materials generated on the property) unless the recyclable materials were generated on that property, except for—

(A) recyclable materials authorized by the owner or possessor of the property which are being collected for recycling outside of a recycling program operated by the Borough or its Contractor;

(B) minor and incidental quantities of recyclable materials generated by an owner or resident of the property elsewhere; and

(C) minor and incidental quantities of refuse or recyclable materials generated by a guest or customer of the owner, resident, or operator of the property.

(2) **Borough Recycling Program.** It shall be unlawful for any person to place any recyclable materials generated outside of the Borough in any receptacle or at any location designated by the Borough for the collection of recyclable materials under a recycling program operated by the Borough or its Contractor.

(c) **Public Waste Receptacles.** It shall be unlawful for any person to place any refuse in any public waste receptacle in the Borough other than a minor and incidental quantity of refuse.

(d) **Exceptions.** This section shall not apply to:

(1) the placement of any recyclable materials in locations designated or authorized by the Borough for the collection of such recyclable materials, provided that such placement is in accordance with the regulations of the Borough and the person operating the recycling center; or

(2) any transfer facility licensed under the Solid Waste Management Act, 35 PA. STAT. ANN. § 6018.101 *et seq.*, and operating in conformity with all applicable requirements of Chapter 21 (relating to Zoning).

§ 67-804 Accumulations of Refuse.

It shall be unlawful for any person to allow any accumulation of refuse on any premises in the Borough of Alburdis other than for the purpose of collection in a timely manner provided or permitted by this Chapter or by any regulations promulgated hereunder. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Any accumulation of refuse for more than fifteen (15) days shall be presumed to be for a purpose other than collection in a timely manner.

[Ord. 415 10-29-2003]

§ 67-805 Removal of Receptacle Covers; Removal of Refuse.

It shall be unlawful for any person other than the occupants of the premises on which refuse receptacles are stored or the authorized collector of such refuse to remove the covers of any of the refuse receptacles or to remove the refuse stored in such containers.

[Ord. 415 10-29-2003]

§ 67-806 Removal of Recyclable Materials.

It shall be unlawful for any person to remove any recyclable materials from any drop-off recycling receptacle or from any curbside recycling receptacle after the receptacle has been placed in the designated or approved location for the collection of the recyclable materials, other than the authorized collector of the recyclable materials or the person operating the drop-off recycling center.

[Ord. 415 10-29-2003]

§ 67-807 Pollution of Water.

It shall be unlawful for any person to throw or deposit any refuse in any stream or other body of water.

[Ord. 415 10-29-2003]

§ 67-808 Attempted Disposal of Unacceptable Waste with Collectible Municipal Waste.

It shall be unlawful for any person to place any unacceptable waste, or any receptacle containing any unacceptable waste, in any location designated for the collection of collectible municipal waste by the Borough or its Contractor in any manner which would suggest, to a reasonable person, that the person so placing the material intends to have the Borough or its Contractor collect the material as collectible municipal waste.

[Ord. 415 10-29-2003]

§ 67-809 Adulteration of Drop-Off Recyclables.

It shall be unlawful for any person to place any materials in any drop-off receptacle designated by the Borough for the collection of one or more collectible recyclable materials by the Borough or its contractor, unless the materials so placed consist solely of those collectible recyclable materials designated for collection in that receptacle.

[Ord. 415 10-29-2003]

§ 67-810 Adulteration of Curbside Recyclables.

It shall be unlawful for any person to place any receptacle identified for participation in a curbside voluntary or mandatory recycling program of the Borough in any location designated for the collection of collectible recyclable materials by the Borough or its Contractor, unless the materials inside such receptacle consist solely of those collectible recyclable materials designated for collection in that receptacle.

[Ord. 415 10-29-2003]

§ 67-811 Diversion of Collectible Municipal Waste from the Borough Collection Program.

Except as provided in § 67-305 (relating to permits for private disposal of collectible municipal waste):

(a) It shall be unlawful for any person other than the Borough or its Contractor to collect, transport, or dispose of any collectible municipal waste generated or present in the Borough; and

(b) It shall also be unlawful for any person to arrange for the collection, transportation, or disposition, of any collectible municipal waste generated or present in the Borough by any means other than the municipal waste system operated by the Borough or its Contractor.

This section shall not apply to any refuse generated outside of the Borough and which is present in the Borough only during transportation to another location outside of the Borough.

[Ords. 415 10-29-2003, 521 11-12-2014]