

ORDINANCE NO. 1459 OF 2019

AN ORDINANCE OF THE BOROUGH OF GROVE CITY PENNSYLVANIA, MERCER COUNTY, PENNSYLVANIA, AMENDING TITLE V, CHAPTER 50 OF THE GROVE CITY BOROUGH CODE OF ORDINANCES, BEING PART OF ORDINANCE NO. 1216, ENACTED AUGUST 13, 1990, AS AMENDED, KNOWN AS THE RESOURCE RECOVERY AND RECYCLING ORDINANCE OF THE BOROUGH OF GROVE CITY

WHEREAS, the Borough Council of the Borough of Grove City, Mercer County, Pennsylvania has enacted Ordinance No. 1216, as amended, which is codified in Title V, Chapter 50 of the Grove City Borough Code of Ordinances, which provides regulations for municipal solid waste collection and recycling; and

WHEREAS, certain modifications to the existing provisions of the Borough's Resource Recovery and Recycling Ordinance are appropriate to reflect the present intent of the Borough Council and such amendments are in the best interest of the Borough and provide for the health, safety and welfare thereof;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Grove City that:

SECTION 1

Title V, Chapter 50 of the Grove City Borough Code of Ordinances is amended at certain locations as follows:

§ 50.031 DEFINITIONS, is amended to add a definition for the following:

SINGLE STREAM RECYCLING – Commingling of several recyclable materials into one container for pickup and processing.

§ 50.032 PROGRAM, is amended by replacing (B) with the following:

(B) The Resource Recovery and Recycling Program shall be operated according to the specific program regulations adopted by Resolution of the Borough Council. The Borough Council shall have authority to adopt, modify, and amend recycling regulations from time to time by resolution, including, without limitation, regulations regarding which recyclable materials must be recycled and regulations requiring the source-separation of recyclable materials and/or the placement of Recyclable Materials for collection through Single Stream Recycling. Any regulations so adopted by the Borough Council shall be published at least one time in a newspaper of general circulation in the Borough and posted on the Borough's website. Violations of any such regulations shall be deemed violations of this article and subject to the same penalties hereunder.

§ 50.037 INCENTIVE, VIOLATION AND ENFORCEMENT, is amended by replacing (B) with the following:

(B) Recycling containers provided by the Borough shall be property of the Borough and shall be returned to the Borough if requested. Recycling Containers provided by the person, firm or corporation contracted by the Borough for providing collection, transportation and marketing of recyclable materials shall be property of said person, firm or corporation and shall be returned to the same if requested. Failure to return the container if requested shall be deemed a violation of this article and subject to the penalties hereunder.

§ 50.050 SEPERATION OF RECYCLABLES BY RESIDENCES AND STORAGE AND COLLECTION, is amended by replacing (A), (C) and (D) with the following:

(A) All residential property, including multi-family housing units with four or more units and Commercial "A" establishments being serviced under the borough's contract, shall recycle all Recyclable Materials (as determined by the Borough Council and established by resolution from time to time) generated at their homes, apartments and other establishments in the Borough of Grove City and place such materials at locations designated by the Borough Council for collections by the Borough of Grove City, its agents, servants or contractors.

(C) Each dwelling unit and Commercial "A" establishment has been provided with one recycling container in which to place the recyclable materials. The container shall be returned by the occupant if requested. The container shall remain property of the borough and/or the person, firm or corporation responsible for collecting, transporting and marketing the recyclable materials. Should a resident or user of the container move from the property or terminate its activities or no longer use the same they shall leave the container at the property for the next occupant. Additional or replacement containers will be provided at the resident's expense.

(D) All recyclables are to be co-mingled in the container for Single Stream Recycling. Containers shall be placed at the curb on the days set forth by the Borough Council. Collections of Recyclable Materials shall be made in accordance with a schedule publicly advertised by the Borough of Grove City.

§ 50.051 SEPERATION OF RECYCLABLES BY MULTI-FAMILY HOUSING PROPERTIES AND STORAGE AND COLLECTION, is amended by replacing (A), (D) and (E) AND adding (F) with the following:

(A) All multi-family housing units with four or more units and not being serviced under the borough's contract shall recycle all Recyclable Materials (as determined by the Borough Council and established by resolution from time to time) generated at their property.

(D) All recyclables are to be co-mingled for Single Stream Recycling. The Owner of a Multi-Family housing property shall provide an appropriate number of recycling containers at a sufficient number of drop-off points to accommodate the amount of recycling generated by the

property. The Borough reserves the right to require the Owner to provide additional containers if the number of containers is not adequate.

(E) Arrangement for the collection of designated recyclable materials, as determined by resolution of the Borough Council, shall be the responsibility of the owner and occupier of the Multi-Family property in which the recyclables were generated. Recyclables shall be collected at least once per month. Such arrangements may include direct marketing of recyclables and/or contracts with haulers for separate or Single Stream collection. All owners of property not serviced by the Borough of Grove City must provide the Borough, before January 20th of each calendar year, a written report stating the name of the hauling contractor or direct market recycler and the total weight of each kind of material recycled during the previous calendar year and any other relevant information required by the Borough of Grove City.

(F) All Owners and/or agents of multi-family residential properties located in the Borough of Grove City, regardless of the number of units, shall be required to provide notice to tenants of the Borough's mandatory recycling program and to provide such notice, in writing, either by including language in the lease notifying the tenant of the recycling obligation at the time of tenant change or lease renewal; or by prominently posting written notice of the recycling obligation in the common area of the building. This written notice shall be kept accessible for inspection by Borough officials, if requested.

§ 50.052 SEPERATION OF RECYCLABLES BY COMMERCIAL, MUNICIPAL AND INSTUTIONAL ESTABLISHMENTS AND AT COMMUNITY ACTIVITIES AND STORAGE AND COLLECTION, is amended by replacing (A), (C) and (D) with the following:

(A) All commercial, municipal, institutional establishments and community activities in the borough shall recycle all Recyclable Materials (as determined by the Borough Council and established by resolution from time to time) generated at their property or by their community activity.

(C) Arrangement for the collection of designated recyclable materials, as determined by resolution of the Borough Council, shall be the responsibility of the owner of the commercial, municipal or institutional property or organizer of community activity in which the recyclables were generated. Recyclables shall be collected at least once per month. Community activities are to be collected as required. Such arrangements may include direct marketing of recyclables and/or contracts with haulers for separate or Single Stream collection. All owners of property not serviced by the Borough of Grove City must provide the Borough, before January 20th of each calendar year, a written report stating the name of the hauling contractor or direct market recycler and the total weight of each kind of material recycled during the previous calendar year and any other relevant information required by the Borough of Grove City.

(D) The Owner of a commercial, municipal or institutional property or organizer of community activity shall provide an appropriate number of recycling containers at a sufficient

number of drop-off points to accommodate the amount of recycling generated by the property. The Borough reserves the right to require the Owner or community activity organizer to provide additional containers if the number of containers is not adequate.

Section II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed and/or amended to the extent of their inconsistency. The Borough Council may from time to time amend, supplement, change, modify or repeal this ordinance pursuant to the provisions of Federal, State and Local Laws.


Section III

This Ordinance shall become effective immediately upon enactment according to law, and shall remain in effect hereafter until revised, amended, or repealed by action of the Council of the Borough of Grove City.


ADOPTED by the Borough Council this 18th day of February, 2019.

ATTEST:


Tanya M. Pollard
Borough Secretary

BOROUGH OF GROVE CITY

George A. Pokrant, President
Grove City Borough Council

APPROVED the 18th day of February, 2019.


Randy L. Riddle, Mayor
Borough of Grove City