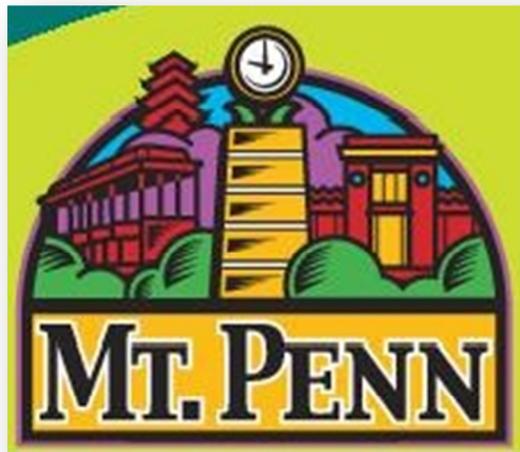


**RECYCLING TECHNICAL ASSISTANCE
PROJECT #546**

FINAL REPORT

**MOUNT PENN BOROUGH
BERKS COUNTY, PENNSYLVANIA**

RECYCLING PROGRAM EVALUATION



August 2014

**Sponsored by the Pennsylvania Department of Environmental Protection through the
Pennsylvania State Association of Township Supervisors**

**RECYCLING TECHNICAL ASSISTANCE
PROJECT #546**

**MOUNT PENN BOROUGH
BERKS COUNTY, PENNSYLVANIA**

RECYCLING PROGRAM EVALUATION

Project Completed By:



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1.0 STATEMENT OF PROBLEM

This solid waste management and recycling study was conducted for Mt. Penn Borough (Borough), Berks County, Pennsylvania, under the Recycling Technical Assistance program. The program is sponsored by the Pennsylvania Department of Environmental Protection (PADEP) through the Pennsylvania State Association of Township Supervisors (PSATS). The Borough has requested assistance to update its solid waste and recycling ordinance, improve commercial education and recycling accountability, and include recyclables marketing in its next curbside solid waste and recyclables collection contract. In this evaluation, Gannett Fleming, Inc. (Gannett Fleming), analyzed the Borough's recycling program and provided recommendations.

2.0 SUMMARY OF WORK

2.1 Background Information

In accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act of July 1988 (Act 101), the Borough is required to offer a curbside recycling program to residential establishments. According to the Borough, 1,308 households receive curbside recycling services. Based on correspondence with the Borough, it is considering the following options to improve its curbside solid waste and recyclables collection program:

- Modify its current hauler Request for Bids (RFB) and contract to include the collection of dual-stream (paper and commingled plastic, glass, aluminum and steel/bi-metallic cans) instead of single stream recyclables.
- Modify its current RFB and solid waste collection contract to allow the Borough to market recovered recyclables to receive sales revenue.
- Update its solid waste ordinances.
- Improve commercial recycling education and commercial recycling compliance.

Gannett Fleming evaluated each option as part of this Study.

2.2 Existing Curbside Solid Waste and Recycling Services

The Borough's curbside solid waste and recyclables collection service is provided by a contracted private waste hauler. Residential municipal solid waste is collected Tuesdays and Fridays. Recyclables are collected every Friday in a single stream format. Acceptable recyclables include plastics #1 through #7, glass, cardboard, newsprint, and aluminum and bi-metallic cans. Bulky items including furniture and approved appliances are collected once each month. Yard waste is collected at the curbside twice per month in paper bags or in bundles from April through November. Borough municipal crews collect leaves from September through December.

According to hauler solid waste reports, the Borough recovers nearly 200 tons of residential recyclables each year (see table below). Commercial recyclables recovery has been highly variable and jumped to 31 tons in 2013.

Year	Residential recyclables + residue (tons)	Commercial recyclables + residue (tons)
2011	194	11
2012	197	8
2013	194	31

Note: Tons are rounded to the nearest whole number.

2.3 Existing Commercial Recycling Education Program

Commercial, municipal, and institutional establishments in Act 101 mandated municipalities such as the Borough are required to recycle aluminum, high-grade office paper, and corrugated paper in addition to other materials designated by the municipality. The Borough does not currently have a comprehensive commercial sector recycling education program, although some business recycling information is distributed in newsletters.

2.2 Existing Solid Waste and Recycling Ordinances

The Borough is required to implement solid waste and recycling ordinances in accordance with Act 101 and PADEP policies and guidelines. Generally, these ordinances address residential and commercial solid waste and recycling requirements including the types of materials to be collected and the frequency each material must be collected. The Borough’s recycling program includes the following ordinances and resolutions:

Chapter 20, Solid Waste, Part 1, Recycling and Part 2, Refuse Collection: Provides the recyclables and solid waste collection and handling requirements.

Ordinance No. 794 (amends Ordinance No. 783 and Ordinance No. 653): Imposes a per-unit refuse collection charge, including recyclables and yard waste collection) for dwellings, commercial, or industrial units serviced by the Borough. Defines yard waste to include leaves, garden residue, tree trimmings, and similar materials with branches no larger than 6 inches in diameter. Specifies refuse pickup to be Tuesday and Friday and recyclables pickup to be on Fridays.

Trash DP Resolution No. 20-07: Verifies participation by the Borough in the “Stop Dumping on Berks” program, including the rewards program for tips leading to the arrest of illegal dumpers.

Ordinance No. 813 (amends Ordinance No. 653): Regulations and restrictions on open burning and open fires.

2.3 Summary of Findings

Existing Residential Collection, Transportation, and Processing Contract

The current Request for Bids (RFB, 2010): Collection, Transportation, and Processing of Municipal Solid Waste, Recyclable Materials, and Yard Waste can be substantially improved to streamline residential solid waste and recycling services. The RFB can be revised to improve its leverage during the bidding process to assure residents pay an equitable fee for comprehensive curbside solid waste collection and disposal services. Some RFB (2010) requirements or language that appears to contribute to elevated contract costs are included below.

- Twice per week trash collection
- Monthly bulky item collection
- The RFB resulted in a contract with two hauling companies, one for municipal solid waste and a second hauler for recyclables collection and curbside yard waste collection. Securing two hauling companies (versus one) via a competitive bid process is uncommon and likely elevates costs while also complicating contract administration and program enforcement.

Mt. Penn Borough Solid Waste and Recycling Ordinances

Based on review of Borough solid waste ordinances and revisions proposed by the Borough, Gannett Fleming's primary findings include:

Chapter 20, Solid Waste, Part 1, Recycling and Part 2, Refuse Collection: The majority of written comments provided by the Borough are acceptable ordinance revisions with these noted comments or exceptions:

- §104. Items to be Separated and Recycled, does not include "leaf waste".
- §104. Items to be Separated and Recycled, adds "Plastics #1-7. The addition of plastics #1-7 is fine in the ordinance language. However, the collection of all grades of plastics may be in conflict with the Township's consideration to revert to a dual-stream recycling program since dual-stream programs typically only accept plastics #1 and #2.
- A comment is provided under §114. Other Remedies, to mandate recycling at community events. As proposed, event recycling would require readily visible recycling receptacles next to every trash receptacle, and spaced every 50 feet. The general proposal to mandate event recycling via ordinance is acceptable and can result in the recovery of additional recyclables. However, as noted, the revision fails to define "community event" and also does not identify the responsible entities and the requirements for the responsible entities that will execute the event recycling mandate. The 50 foot receptacle spacing requirement is too limiting, and will likely not be applicable during community events where waste receptacle configurations are highly variable and configured (sometimes close together) to meet event disposal needs.

Ordinance No. 794: Ordinance No. 794 is not entirely relevant to the current curbside collection program since it is applicable only if the Borough acts as the provider of curbside municipal solid waste collection services. Because this ordinance specifies refuse pickup to be Tuesday and Friday and recyclables pickup to be on Fridays, it limits the ability of prospective waste

hauling companies to optimize collection routes based on their equipment, labor, and collection operations. Since route optimization is critical to efficiency, specifying the days of collection for waste and recyclables may increase the cost of the collection contract. This ordinance's definition of "yard waste" is actually the PADEP-accepted definition of "leaf waste" and is therefore inconsistent with PADEP policies and guidelines. Yard waste includes grass.

Ordinance No. 813: Under Section 303, D., Permitted Materials: The ordinance does not include a statement to prohibit the burning of materials designated by the Borough for recycling.

Commercial Recycling Education and Compliance

The Borough's commercial recycling program can be improved through enhanced education and the development of a process to improve compliance (refer to recommendation in Section 3.0 of this Report). Business recycling requirements and/or guidance regarding establishing or improving commercial recycling are not included on the Borough's website. The Trash/Recycling section of the Borough's website provides limited trash and recycling information targeted to Borough residents. This information includes the schedule for curbside recycling and solid waste, yard waste pick-ups, a list of non-recyclable items, a reference to the Berks County Solid Waste Authority website, and a schedule for special waste collections including hazardous waste and electronics.

3.0 SOLUTIONS

3.1 Request for Bids (RFB): Collection, Transportation, and Processing of Municipal Solid Waste, Recyclable Materials, and Yard Waste

- It is not recommended the Borough revise its RFB to revert to dual-stream recyclables collection for the following reasons.
 - Single stream is more convenient for residents and is proven to cost effectively recover more recyclables per household than typical dual-stream programs.
 - The Borough's recyclables diversion quantity is only 200 tons per year. There is no appreciable financial benefit for collecting and marketing materials in a dual-stream program. Dual-stream collection is not expected to generate appreciable commodity revenues or increase Act 101, Section 904 Performance Grant awards. Dual-stream collection will add collection costs that will far outweigh any profits from sale of materials. These added costs will be passed through to residents in their trash bill. Recycling residue rates for regional single stream markets range from 12-18%. The additional recovery from single stream recycling (over dual stream) is expected to be 10-15%. Therefore, Performance Grants awards will not be expected to decrease, and may improve due to increased material recovery.
 - It is expected that many residents will not be in favor of reverting to a program that requires additional effort to separate recyclables into different containers.
 - There could be issues with contamination of dual-stream recyclables due to confusion of what materials are accepted. Many dual stream programs do not accept plastics #3-#7, and as residue, would be subtracted from total recovery.
- Revise the RFB to assure that only one solid waste company is selected to operate in the Borough for trash and recycling, including the desired curbside leaf waste collections. The "base bid" of the RFB should be structured to "bundle" these core services. "Base

bid” refers to the core services that all haulers responding to the RFB are required to provide under contract. Bundling curbside recycling and bagged leaf waste collection along with municipal solid waste collection leverages competition among haulers. This will allow the Borough to secure a cost-competitive price on behalf of residents for all of the desired curbside service components. In this structure, it is expected the RFB will lower the cost per household, even including the bagged curbside leaf waste collections.

- It is recommended that the option for twice per week curbside municipal solid waste collection be removed from the RFB. Once per week municipal solid waste collection for residential establishments is adequate when recycling is offered. In fact, by volume, recyclables will take up more space in curbside containers than trash. Trash collection in excess of once per week increases truck traffic, noise, and roadway damage while consuming natural resources and contributing to avoidable increases in toxic air emissions. Impacts from waste collection, although difficult to calculate, increase tax payer costs and can be minimized if the Borough streamlines its program.
- It is recommended the RFB allow single stream recyclables to become the property of the solid waste collector. Or, if the Borough is set on marketing its recyclables, it should do this via a rebate agreement for recovered recyclables that is paid to the Borough by the contracted hauler. The RFB language can require the hauler(s) to provide a rebate for recyclables based on a formula tied to the “Consumer Price Index Change” (“CPI”). The percent change to the Consumer Price Index, as published by the U.S. Department of Labor, Bureau of Labor Statistics, for Philadelphia, Pennsylvania (<http://www.bls.gov/ro3/cpiannarchive.htm>) or another similar index. The RFB should request explanation of the index and rebate calculation, methodology, and payment details. The Borough may set the minimum processing rate at \$0 per ton, so the Borough is not at risk to pay the hauler processing fees if commodity prices drop substantially during the contract period. Commodity price increases over a certain percentage of the baseline will increase payment to the Borough.
- In summary, it is recommended the base bid of the next RFB solicitation include.
 - Once per week curbside municipal solid waste collection.
 - Once per week curbside collection of single stream recyclables.
 - Twice per month curbside collection of “leaf waste” April through November, as defined as consisting of leaves, garden residues, shrubbery and tree trimmings, and other similar materials but excluding grass. Leaf waste (not yard waste) is recommended because the majority of outlets for organics processing in Berks County, including land application farms, do not accept grass.
 - Collection of one acceptable bulky item per week, per household. This collection frequency is recommended because once per month collection (the current frequency) may result in the accumulation of bulky items on collection day. If this requires the hauling company to dedicate additional equipment and labor to a separate bulky item collection, it adds costs. One bulky item per week cost effectively provides convenient bulky item service to residential customers because the hauler will collect bulky items with the household trash.

3.2 Ordinances

Revise Chapter 20, Solid Waste, Part 1, Recycling and Part 2, Refuse Collection as follows.

- “Leaf waste”, as defined as consisting of leaves, garden residues, shrubbery and tree trimmings, and other similar materials but excluding grass should be listed under §104. Items to be Separated and Recycled.
- It is recommended §104. Items to be Separated and Recycled, include “Plastics #1-7” as noted by Borough comments assuming the Borough continues single stream recycling under a future contract.
- It is recommended §114. Other Remedies, be updated to include a requirement for event recycling as generally suggested by Borough comments. It is recommended the event recycling language be expanded to address the following elements:
 - Define “Community Events”, which could include street fairs, athletic events, or other events requiring temporary use of occupancy of a public street where beverage containers will be dispensed or a large amount of recyclable materials will be generated.
 - Require Event Coordinators, as part of an event application, to submit a recycling plan regarding waste and recyclables management for events.
 - Events should target the recovery of recyclable materials designated by Borough Ordinance and target a 15% or greater recycling rate.
 - Event coordinators should have proof of waste and recycling service at least 30 days prior to the event.
 - Event recycling bins should be clearly marked to distinguish from waste cans and be placed adjacent to each trash receptacle.
 - Event coordinators are required to provide recycling information to vendors.

Note: It is recommended event solid waste and recycling service is added to the RFB as an option provided sufficient details regarding the Borough’s primary events could be described (e.g. attendees, event date and locations, and number and types of solid waste and recycling containers needed).

Ordinance No. 74 should be revised as follows.

- It is recommended the specification for Tuesday and Friday trash and recyclables collection be eliminated since specifying collection days may impact hauler route optimization and potentially increase the cost of the resulting curbside contract (refer to Summary of Findings, Section 2.3). Rather than specify collection days, explain the Borough’s desired curbside collection schedule and approach in the RFB and discuss this item in one or more pre-bid meetings. As an alternative, Ordinance No. 74 or Chapter 20 could include language to establish solid waste collection zones or districts. For example, the Borough could be divided into two zones. Zone 1 could include trash and recyclables collection on one day (e.g. Tuesday) and Zone 2 trash and recyclables would be collected on a separate day (e.g. Friday). The point is to allow the expert hauling companies responding to the RFB some flexibility to design efficient collection routes, with the baseline to collect trash and recycling on the same day in any given area within the Borough. This can be accomplished through the RFB and does not need to be addressed via Ordinance No. 74, or another Borough ordinance.

3.3 Commercial Recycling Education and Compliance

It is recommended the Borough improve commercial sector recycling education as follows:

- With emphasis to implement recycling programs at large businesses first, provide brochures, flyers, or letters that explain Act 101 and Borough commercial recycling requirements. Education materials should be distributed at least twice annually. Mailings should refer businesses to the Borough's website where commercial recycling information should be posted and available for download.
- Because many businesses do not understand how to start a recycling program, information should be provided to businesses regarding recycling program start up. Provide businesses the list of local waste hauling companies that offer commercial recycling services. The recycling start-up information should explain that some businesses can reduce their trash bill by separating materials for recycling. Savings occur when the frequency of waste pickups are reduced due to increased recycling. Waste haulers typically charge less to service bins or dumpsters filled with recyclables as compared to waste. Consult the resources available at the following websites to develop business recycling materials:
 - PADEP (<http://www.portal.state.pa.us>) Commercial Recycling Resources
 - Professional Recyclers of PA (<http://proprecycles.org/>)
- Update the Borough website with commercial recycling and compliance information.
 - Change the left hand side menu from "Trash/Recycling" to two separate menus.
 - Residential Waste and Recycling
 - Commercial Waste and Recycling
- Under the new Commercial Waste and Recycling menu of the website, include.
 - Act 101 and Borough recycling requirements for commercial, municipal and institutional establishments.
 - Solid waste and recycling ordinances, or at minimum, the ordinance language specific to commercial waste and recycling.
 - Links to commercial recycling program resources.
 - A downloadable version of the annual commercial recycling report form (see **Appendix A**).
 - A downloadable version of the proposed Existing and New Business Application Form with requirements for businesses to identify their waste and recycling service providers (See **Appendix B**).

It is recommended the Borough improve commercial sector recycling compliance as follows.

- A comprehensive commercial education program that clearly explains business recycling requirements, recycling program start up, and opportunities to reduce trash bills through increased recycling.
- Implement a Business License Ordinance (**Appendix C**) and new and existing businesses information request process that requires all businesses to register with the Borough. This process requires businesses to verify solid waste and recycling services.
- Allow small business, defined as those that generate less than 5, 30-gallon bags of municipal solid waste per week, to "opt in" to the residential curbside collection program. Identify interested businesses prior to release of the RFB and include the quantity and address of participating businesses in the RFB so the contracted hauler can begin service upon contract commencement. Businesses will be responsible for terminating existing solid waste services to coincide with the program start-up.

APPENDIX

Appendix A - Annual Commercial Recycling Report Form

Appendix B - New and Existing Business Information Form (Draft)

Appendix C - Business License Ordinance (Draft)

Annual Recycling Report Instructions for Forms FM-11, FM-12 or FM-13

COMPLETE ONLY ONE OF THE RECYCLING REPORT FORMS!

HOW TO DECIDE WHICH REPORT TO SUBMIT:

Act 101 Compliance Report for Commercial, Municipal or Institutional Establishment:

- A. Complete Form **FM-11** and submit to the municipality where you are located.

OR

- B. If you are a retail establishment with multiple store locations that coordinates recycling collection and markets materials through corporate headquarters, complete Form **FM-13** and submit to the county where your stores are located.

IMPORTANT! Ensure you have discussed this with the county and they have agreed to accept your recycling data at the county level. It will be the responsibility of the county to provide the tonnages to the municipalities.

Waste and/or Recycling Hauler:

- A. Complete Form **FM-12** and submit to the municipality where you collected recyclables.

OR

- B. Complete Form **FM-13** and submit to the county where you collected recyclables.

IMPORTANT! Ensure you have discussed this with the county and they have agreed to accept your recycling data at the county level. It will be the responsibility of the county to provide the tonnages to the municipalities.

Document Destruction Company:

- A. Complete Form **FM-12** and submit to the municipality where you collected recyclables.

OR

- B. Complete Form **FM-13** and submit to the county where you collected recyclables.

IMPORTANT! Ensure you have discussed this with the county and they have agreed to accept your recycling data at the county level. It will be the responsibility of the county to provide the tonnages to the municipalities.

Other Company Transporting Recyclables (broker, processor, or commercial establishment who self-hauls):

- A. Complete Form **FM-12** and submit to the municipality where you collected recyclables.

OR

- B. Complete Form **FM-13** and submit to the county where you collected recyclables.

IMPORTANT! Ensure you have discussed this with the county and they have agreed to accept your recycling data at the county level. It will be the responsibility of the county to provide the tonnages to the municipalities.

**This report is due on or before February 1 of each year, covering the period
January 1 to December 31 of the preceding year.**

FM-11

ACT 101 RECYCLING COMPLIANCE REPORT INSTRUCTIONS CHECKLIST

For Commercial, Municipal, Institutional Facilities

This form is to be completed by commercial, municipal or institutional establishments in PA.

Commercial Establishment: An establishment engaged in non-manufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, medical offices, restaurants, shopping centers and theaters.

Municipal Establishment: An establishment engaged in government work including, but not limited to, offices of the federal government, state government, cities, boroughs, incorporated towns, townships, counties and authorities.

Institutional Establishment: An establishment engaged in service including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

The information on this form will be used by the municipality where you are located to gauge your compliance with their recycling ordinance (if they have one) and to complete a recycling performance grant. The materials listed on the first page may be required by local ordinance to be recycled and, with the exception of the organics, can be used for the municipal recycling performance grant. The materials listed on the second page are common materials recycled, but they are not usually required to be recycled by local ordinance and cannot be used for the municipal recycling performance grant.

Please use the following checklist to complete form FM-11:

- Insert the current reporting year (upper right-hand corner of form).
- Insert the county and municipality where your establishment is located.
- Complete the information about your business. Please choose a primary business function which best describes your establishment. For instance:
 - Manufacturing
 - Office/Administrative Services (i.e. realtor, bank, insurance agent, etc.)
 - Wholesale/Retail
 - Institution (i.e. school, hospital, nursing home, etc.)
 - Government
 - Medical office (i.e. dentist, doctor, chiropractor, etc.)
 - Other - explain in your own words
- Check which best describes how recyclables are handled within your establishment. The definitions are as follows:
 - Source separated - all recyclables are kept separated from each other,
 - Commingled - two or more recyclables are collected together but fiber (i.e., paper & cardboard) is kept separate.
 - Single stream - all recyclables, including fiber, are collected together.
- Check which best describes how your recyclable materials are collected.
 - If another company transports the recyclables from your location, please include the name of the hauler, document destruction company or other transporter in the space provided.
 - If you transport your recyclables to a drop-off facility or take the materials to be recycled with a curbside recycling program, please note the name and location of the drop-off or curbside program in the space provided.

If any of the above scenarios fits your situation no tonnages should be reported on this form. However, you must place a check mark beside the materials your establishment recycles in order for the municipality to know if you are in compliance with their recycling ordinance.

- If you transport your recyclables to a recycling facility or other facility where the materials are weighed, please note the name of the recycling facility or other facility.

Place a check beside the materials your establishment recycles.

Report only post-consumer materials on this form. Post-consumer material is material that has been used as a consumer item and then diverted from municipal solid waste for the purpose of collection and recycling. The term excludes material generated in manufacturing and converting processes such as manufacturing scrap and trimmings/cuttings. Also, print overruns, over-issue publications, and obsolete inventories that did not leave the generating facility would be classified as pre-consumer materials and should **not** be reported on this form.

If you do not transport your own recyclables, do not enter tonnages on this form and skip over the boxed section of the instructions below! The weights will be retrieved from the company providing recycling services to you; therefore it is very important you name the company providing the recycling services.

If you deliver your recyclables yourself, enter the tonnage of each material recycled. **Do not report tonnages if you have another company collecting your recyclables.** Tonnages must be entered if you transport the materials yourself to a recycling facility where the materials are weighed. **It is very important you name the company providing recycling services.**

You must attach a legible weight ticket from your recycler for any materials recycled on page 1.

Subtract processing residue before entering your tonnages on this form. Processing residue is material that is collected and weighed with recyclables, but is disposed rather than recycled. The recycling facility can provide you with the % processing residue they produce at their facility. Processing residues vary greatly – from 1% to 30%. You need to ask your recycler to tell you the % of material discarded from their facility and subtract that % from your weight ticket amount. **Do not report processing residues on this form.**

If you deliver your materials commingled or single stream, please check the appropriate boxes to note the recyclable materials in the mix, but only enter the tonnage beside commingled or single stream. Do not estimate tonnages of each individual recyclable material in the commingled or single stream mix.

Use the conversion chart on page 2 as necessary.

Sign and date the form.

Submit to the municipality where you are located by February 1st.

Form FM-11 Rev. 11/06/13	ACT 101 RECYCLING COMPLIANCE REPORT For Commercial, Municipal, Institutional Facilities	For the period: Jan. 1, 20__ to Dec. 31, 20__ Due: February 1, 20__ To: Insert Municipal Contact Info Here
County Name:		Municipality Name:
Name of Establishment:		
Address:	City:	Zip Code:
Email:	Telephone:	Fax:
Primary Business Function:		

How does your establishment handle recyclable materials? Source-separated Commingled Single Stream

How are your recyclable materials collected?

- Collected by recycling facility or broker (name): _____
- Collected by private hauler (name): _____
- Collected by confidential document destruction company (name): _____
- Establishment delivers materials to drop-off or curbside program (location): _____

If any of the above methods are used to collect your recyclable materials, do not include weights in the list below. Actual weights will be retrieved from your service provider or drop-off facility.

- Establishment delivers materials to recycling facility (name): _____
- Other (please specify): _____

1. CHECK the box in front of each **post-consumer*** material that your establishment recycled.
2. If your establishment marketed your own recyclables, enter the weight in tons and **attach a legible weight ticket from your recycler**. Subtract **processing residue**** before entering your weights below.
3. CHECK the box in front of each post-consumer material recycled at your establishment.
4. If you market the recyclables yourself, enter the weight (in tons) of material recycled.
5. If you use a commingled or single stream collection system, check the boxes beside each material in the mix.

<u>Material Type</u>	<u>Weight</u>	<u>Material Type</u>	<u>Weight</u>
<input type="checkbox"/> Single Stream: (all recyclables, including fiber, collected together)	[SS1] _____	Plastics:	
<input type="checkbox"/> Commingled: (two or more materials collected together, fiber separate)	[XXX] _____	<input type="checkbox"/> Plastic: PET	[PL1] _____
Glass Bottles and Jars:		<input type="checkbox"/> Plastic: HDPE	[PL2] _____
<input type="checkbox"/> Glass: Clear	[GL1] _____	<input type="checkbox"/> Plastic: PVC	[PL3] _____
<input type="checkbox"/> Glass: Mixed	[GL2] _____	<input type="checkbox"/> Plastic: LDPE	[PL4] _____
<input type="checkbox"/> Glass: Green	[GL3] _____	<input type="checkbox"/> Plastic: PP	[PL5] _____
<input type="checkbox"/> Glass: Brown	[GL4] _____	<input type="checkbox"/> Plastic: PS	[PL6] _____
<input type="checkbox"/> Glass: Plate	[GL5] _____	<input type="checkbox"/> Plastic: MIXED / OTHER	[PL7] _____
<input type="checkbox"/> Glass: Other	[GL6] _____	<input type="checkbox"/> Plastic: FILM	[PL8] _____
Paper:		<input type="checkbox"/> Plastic: DRUM <small>(high molecular weight HDPE)</small>	[DR1] _____
<input type="checkbox"/> Paper: Cardboard	[C01] _____	<input type="checkbox"/> Plastic: DRUM <small>(mixed bulky rigid)</small>	[DR4] _____
<input type="checkbox"/> Paper: Brown Bags & Sacks	[C02] _____	Metals:	
<input type="checkbox"/> Paper: Gabled/Aseptic Cartons	[C03] _____	<input type="checkbox"/> Aluminum Cans	[AA1] _____
<input type="checkbox"/> Paper: Magazines & Catalogs	[PA1] _____	<input type="checkbox"/> Steel / Bimetallic / Tin Cans	[F02] _____
<input type="checkbox"/> Paper: Newsprint / Newspaper	[PA2] _____	<input type="checkbox"/> Mixed Cans	[MX2] _____
<input type="checkbox"/> Paper: Mixed / Other Paper Grades (junk mail, paperboard, etc.)	[PA3] _____	<input type="checkbox"/> Aluminum Scrap	[AA2] _____
<input type="checkbox"/> Paper: Office Paper (all grades)	[PA4] _____	<input type="checkbox"/> Ferrous Metals	[F01] _____
<input type="checkbox"/> Paper: Phone Books	[PA6] _____	<input type="checkbox"/> Non-Ferrous Metals	[N01] _____
<input type="checkbox"/> Drum: Fiber	[DR3] _____	<input type="checkbox"/> Copper	[N02] _____
		<input type="checkbox"/> Brass	[N03] _____
		<input type="checkbox"/> Lead	[N04] _____
		<input type="checkbox"/> Stainless Steel	[N05] _____
		<input type="checkbox"/> Nickel	[N10] _____

***Report only post-consumer materials on this form.** Post-consumer material: Material that has been used as a consumer item and then diverted from municipal solid waste for the purpose of collection and recycling. The term excludes material generated in manufacturing and converting processes such as manufacturing scrap and trimmings/cuttings. Also, print overruns, overissue publications, and obsolete inventories that did not leave the generating facility would be classified as pre-consumer materials and should **not** be reported on this form.

****Processing residue:** Material that is collected and weighed with recyclables, but is disposed rather than recycled.

<u>Material Type</u>	<u>Weight</u>	
Metals Continued:		
<input type="checkbox"/> Aluminum Cans	[AA1]	_____
<input type="checkbox"/> Steel / Bimetallic / Tin Cans	[F02]	_____
<input type="checkbox"/> Mixed Cans	[MX2]	_____
<input type="checkbox"/> Aluminum Scrap	[AA2]	_____
<input type="checkbox"/> Ferrous Metals	[F01]	_____
<input type="checkbox"/> Non-Ferrous Metals	[N01]	_____
<input type="checkbox"/> Copper	[N02]	_____
<input type="checkbox"/> Brass	[N03]	_____
<input type="checkbox"/> Lead	[N04]	_____
<input type="checkbox"/> Stainless Steel	[N05]	_____
<input type="checkbox"/> Nickel	[N10]	_____
<input type="checkbox"/> Wire / Cable	[W01]	_____
<input type="checkbox"/> Mixed Metals (includes drum steel)	[MM1]	_____
<input type="checkbox"/> White Goods	[F03]	_____
Household/Commercial Hazardous Waste:		
<input type="checkbox"/> Antifreeze	[O02]	_____
<input type="checkbox"/> Batteries: Lead Acid	[B01]	_____
<input type="checkbox"/> Batteries: Other	[B02]	_____
<input type="checkbox"/> E-Waste (includes TV)	[CR1]	_____
<input type="checkbox"/> Fluorescent Tubes/CFLs	[FL1]	_____
<input type="checkbox"/> Used Oil	[OL2]	_____
<input type="checkbox"/> Oil Filters	[OL3]	_____
<input type="checkbox"/> Other Commercial HW (paints, varnish, pesticides, etc.)	[CHW]	_____
<input type="checkbox"/> Other Household HW (paints, varnish, pesticides, etc.)	[HHW]	_____
Other Recyclables:		
<input type="checkbox"/> Asphalt	[ASP]	_____
<input type="checkbox"/> Rubber Tires	[M01]	_____
<input type="checkbox"/> Construction & Demolition	[M02]	_____
<input type="checkbox"/> Clothing / Textiles	[M03]	_____
<input type="checkbox"/> Furniture & Furnishings	[M04]	_____
<input type="checkbox"/> Mattresses	[MT1]	_____
<input type="checkbox"/> Misc. / Other Consumer Items	[MIS]	_____
Organics:		
<input type="checkbox"/> Food Waste	[FW1]	_____
<input type="checkbox"/> Wood Waste	[WW1]	_____
<input type="checkbox"/> Yard & Leaf Waste	[Y01]	_____

Conversion Chart	
Antifreeze:	7.2 lbs per gallon
Battery – Lead Acid:	Car = 17.8 lbs Truck = 48.7 lbs Motorcycle = 8.7 lbs
Rubber Tires:	Car = 21 lbs Truck = 70 lbs
Used Oil:	7.2 lbs per gallon
Oil Filters:	1.2 lbs each
Glass – Whole Bottle:	1 ton = 2 yds ³
Newsprint – Loose:	1 ton = 3 yds ³
Corrugated Cardboard:	2.5' x 4' x 5' bale = 1100 lbs
Plastic Soda Bottles	
Whole, Loose:	30 lbs = 1 yd ³
Plastic Film:	2.5' x 4' x 5' bale = 1500 lbs
Solid & Liquid Fats:	55 gallon drum = 412 lbs
White Goods	
Freezers:	1 = 250 lbs
Refrigerators:	1 = 250 lbs
Other Appliances:	1 = 150 lbs
Yard Waste	
Leaves:	4 yd ³ = 1 ton
Grass Clippings:	2 yd ³ = 1 ton
Wood Chips:	1 yd ³ = 500 lbs

**SUBMIT REPORT
TO MUNICIPALITY
BY FEB 1st!**

Your accurate and timely reporting enables the County and the State to determine an accurate recycling rate and showcase the importance and viability of the recycling industry.

I certify, to the best of my knowledge, that the information on this form is complete and accurate. I further authorize the Municipality to aggregate this report for DEP reporting purposes. If a legible weight ticket is attached, this report may also be used for DEP grant purposes.

Authorized Representative	Title	Signature	Date
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Mount Penn Borough
200 North 25th Street
Reading, Pennsylvania 19606

Existing Business Information Request - DRAFT

The undersigned hereby submits information for the business located at;

Property Owner _____ Phone # _____

Address _____

Parcel Number(s) 60-____-____-____.____ Number of business on premises: _____

Type of business _____ Federal Employee identification # _____

Number of Employees _____

Business Name _____

Business Owner _____ Phone # _____

Business Owner Address _____

ZONING DISTRICT (Check one)

- | | | |
|------------------------------|--------------------------------------|------------------------------|
| R-1 Low density residential | R-2 High Density Residential | R-3 Toughkenamon Residential |
| H/C Highway Commercial | C/I-2 Limited Commercial/ Industrial | |
| C/I Commercial Industrial | BP Business Park | U- D Unified Development |
| ADZ Airport Development Zone | | F H Flood Hazard |

Current and previous use(s) _____

Is this a continuation of a use that existed prior to April 11, 1987 and has not been abandoned or discontinued for a period of one continuous year? YES NO

WASTE MANAGEMENT (completion required)

Businesses operating within the Township are required to recycle and manage waste in accordance with Act 101 of 1988 and Township Solid Waste and Recycling Ordinance 162.

- Have waste and recycling services been procured from an approved hauling company? Yes No
- If your business manages recyclables, where are recyclables taken to be processed? _____
- Date of waste and recycling service commencement _____
- Attach copy of a waste management service invoice or application for service showing commencement date.

Phone: 610-779-5151
Email: mtpennborough@comcast.net

Fax: 610-779-5221
Website: mtpennborough.net

Date: _____

Signature: _____

Date: _____

APPROVED: **YES** **NO** **BY:** _____ **DATE:** _____

ORDINANCE NO. _____
(Municipality), _____ COUNTY,
PENNSYLVANIA
(Draft)

AN ORDINANCE OF THE (MUNICIPALITY), _____ COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO BE KNOWN AS THE **BUSINESS LICENSE ORDINANCE** REQUIRING BUSINESS OWNERS, FIRMS, CORPORATIONS AND HOME BASED OCCUPATIONS WITH EMPLOYEES TO OBTAIN A BUSINESS LICENSE; SETTING FORTH AN APPLICATION PROCEEDURE; AND ESTABLISHING LICENSE FEES; AND ESTABLISING AN APPEAL PROCESS AND PROVIDING PENALTIES.

SECTION 1. ENACTING CLAUSE.

Be it ordained and enacted by the Board of Supervisors of the (municipality) and it is hereby ordained and enacted by the authority of the same, that from and after the effective date of this Ordinance, the following Ordinance shall be in full force and effect in the (municipality).

SECTION 2. SHORT TITLE.

This Ordinance shall be known as the **(Municipality) Business License Ordinance.**

SECTION 3. PURPOSE.

- A. To require an **annual** business license for **ALL** new and existing businesses and home based occupations employing one (1) or more persons not residing in such residence and any time that a new business or home occupation opens, there is a change of ownership of an existing business or an existing business relocates or changes names.
- B. To ensure that the property is properly zoned for the type of business that is located in the district or will locate in the district.
- C. To provide for the public health, safety and general welfare.
- D. To ensure fair and equitable collection of local taxes.
- E. To define and limit the powers and duties of those officers and bodies that are assigned responsibilities under this Ordinance.
- F. To provide registration of lawful non-conforming uses.

SECTION 4. DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

AGENT: Any person who provides written proof that he or she is authorized to act on behalf of a business or property owner.

BUSINESS: an occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

COUNCIL: the Board of Supervisors of (Municipality).

HOME OCCUPATION: an accessory use to a residential use that is incidental to or a use customarily carried on in a dwelling unit constituting entirely or partly the livelihood of the person(s) living in a dwelling unit where one (1) but not more than two (2) persons are employed who do not reside within the residence.

LICENSE OFFICIAL: a person designated by the township to administer this ordinance.

NON CONFORMING USE: A use, of land or a structure, which does not comply with the applicable use provisions of the zoning ordinance or amendments thereto where such use was lawfully in existence prior to the enactment of the zoning ordinance first adopted on April 6, 1987 and amendments thereto.

NO-IMPACT HOME BASED BUSINESS: A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use which satisfy the requirements of the zoning ordinance.

TOWNSHIP : the (Municipality), (_____) County, Pennsylvania.

SECTION 5. BUSINESS OPERATING LICENSE REQUIRED.

Every person engaged or intending to engage in any business, occupation or Profession in whole or in part, within the limits of (Municipality), (_____) County, Pennsylvania is required to pay an **annual** license fee for the privilege of doing business and obtain a business license as herein provided.

SECTION 6. DURATION.

- A. Each license shall be issued for one year beginning January 1st and shall expire on December 31.

SECTION 7. LICENSE FEE.

- A. The required license fee shall be paid for each business subject hereto according to a fee resolution as adopted from time to time by the Board of Supervisors.
- B. A separate business license shall be required for each individual business where more than one business is located on a premises.
- C. No refund shall be made for a business that is discontinued.

SECTION 8. REGISTRATION REQUIRED.

- A. The owner, agent or legal representative of every business and home based occupation subject to this ordinance shall register the business or home occupation and make application for a business license on or before the due date of each year; provided, a new business or home based occupation shall be required to have a business license prior to conducting business within the township.
- B. Application shall be on a form provided by the license official which shall contain the Federal Employer's identification number, the business name as reported on the Pennsylvania income tax return and all information about the applicant and business deemed appropriate to carry out the purpose of this ordinance by the license official.

SECTION 9. FALSE APPLICATION UNLAWFUL.

It shall be unlawful for any person subject to the provisions of this ordinance to make false application for a business or home occupation, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this ordinance.

SECTION 10. DISPLAY AND TRANSFER.

- A. All businesses shall display the license issued to them on the original form provided by the license official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident business shall carry the license upon his or her person or in a vehicle used in the business readily available for inspection by any authorized agent of the township.

- B. A change of address must be reported to the license official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the license official and compliance with zoning and building codes. Failure to obtain approval of the license official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license.

SECTION 11. ADMINISTRATION OF ORDINANCE.

The license official shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations to ensure compliance, initiate denial or revocation procedures, report violations to the township attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned,

SECTION 12. INSPECTION OF BUSINESSES AND HOME OCCUPATIONS.

For the purpose of enforcing the provisions of this ordinance the license official or other authorized agent of the township is empowered to enter upon the premises of any business subject to this ordinance to make inspections. All inspections under this ordinance shall be conducted at reasonable hours. The license official may make systematic inspections to ensure compliance with the provisions of this ordinance.

SECTION 13. SUSPENSION OR REVOCATION OF LICENSE.

When the license official determines:

- A. A license has been mistakenly or improperly issued or issued contrary to law; or
- B. A licensee has breached any condition upon which the license was issue or has failed to comply with the provisions of this ordinance; or
- C. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suspension of a material fact in the license application: or
- D. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
- E. A licensee has engaged in an unlawful activity or nuisance related to the business;

The license official shall give written notice to the licensee or the person in control of the business within the township by personal service or certified mail that the license is suspended pending a hearing before Council for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Council meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

SECTION 14. APPEALS TO COUNCIL.

A. Any person aggrieved by a decision, revocation, suspension, or a denial of a business license by the license official may appeal the decision to the township council by written request stating the reasons therefore, filed with the license official within ten (10) days after issuance of such decision, revocation, suspension or denial.

B. An appeal or a hearing on a decision, revocation, suspension or a denial shall be held by the township council within thirty (30) days after receipt of a request for appeal or service of notice of suspension at a regular or special meeting of which the applicant or licensee has been given written notice, unless continued by agreement. At the hearing all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings may be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by council shall govern the hearing. Council shall be majority vote of members' present render a decision based on findings of fact and application of the standards herein which shall be served upon all parties or their representatives and shall be final unless appealed to a court of competent jurisdiction within ten (10) days after service.

C. No person shall be subject to prosecution for doing business without a license until the expiration of ten (10) days after issuance of notice of violation, denial or revocation which is not appealed or until after final judgment of a court having jurisdiction upholding denial or revocation.

SECTION 15. VIOLATIONS AND PENALTIES.

A. Any person, firm, corporation or business violating any of the provisions of this ordinance shall constitute an offense punishable by a fine of not less than \$100.00 or more than \$1,000.00, plus cost of prosecution. Such fine and costs shall be collectable before any District Justice as like fines and penalties are now by law collectable. Each day during which failure to comply continues shall constitute a separate offense.

B. Nothing contained herein shall be deemed to preclude the Township to seek other relief or avail itself of any remedy that may be a law or in equity to prevent continuing violations of the terms of this Ordinance.

SECTION 16. SEVERANCE. Any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts thereof had not been included herein.

SECTION 17. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after the adoption and enactment hereof.

ORDAINED and **ENACTED** this _____ day of _____, 2009.

**BOARD OF SUPERVISORS OF
(MUNICIPALITY)**

By: _____

ATTEST:

Secretary
