



Hatboro Borough Evaluation of Recycling Program Project #615

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- A – Summary of Act 101 Municipal Recycling Requirements
- B – Sample Recycling Images/Text
- C – Sample Commercial Recycling Information/Text
- D – Draft Revised Solid Waste and Recycling Ordinance

1 STATEMENT OF PROBLEM

Hatboro Borough (Borough) is located about 25 miles north of Philadelphia. The Borough is mandated to conduct a curbside recycling program by the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101). The U.S. Census Bureau estimated the population of the Borough to be about 7,400 in 2010. The Borough has operated a curbside recycling program that serves residents since the early 1990's. Currently, 2,363 households are serviced by the Borough's curbside solid waste collection programs. This includes twice per week collection of trash and yard waste and once a week collection of recyclable materials. In addition, about 90 small businesses in the Borough receive trash and recyclable material collection services from the Borough. Businesses and commercial properties that do not receive collection services from the Borough must contract with a private hauler for solid waste collection services.

Borough staff requested a consultant review their current solid waste and diversion programs to provide recommendations for how these programs can be made more efficient and effective. Program areas of focus include operations, public education and outreach, and policy.

2 SUMMARY OF WORK PERFORMED

This section summarizes the work activities performed as part of the recycling technical assistance project to Hatboro Borough. The project includes the following tasks:

Task 1 – Data Collection and Site Visit

A representative from SCS traveled to Hatboro Borough to meet with Borough staff to discuss the project. SCS requested information and data on the Borough’s existing solid waste, recycling, and yard waste collection program, including material quantities collected, equipment used, and program costs. The meeting was used to fill-in data gaps, discuss program evaluation components, and see/observe solid waste facilities and collection practices and/or equipment used.

Task 2 – Solid Waste Program Operational Improvements

Using the information provided by the Borough and observations from the site visit, SCS developed a list of recommendations for the Borough’s consideration on how the trash, recycling, and yard waste programs can be improved operationally.

Task 3 – Recycling Program Education Improvements

With respect to recycling and other solid waste programs/services, education and outreach is central to their success. For this task, SCS reviewed and provided recommendations on how the Borough could improve their education/outreach program.

Task 4 – Recycling Ordinance Improvements

This task included reviewing the Borough’s solid waste and recycling ordinance. Recommendations for how the ordinance can be updated/improved with respect to Act 101 requirements, specific considerations of the Borough, and best practices SCS has observed in reviewing other recycling ordinances is provided.

Task 5 – Final Report

Program information and details obtained as part of Task 1 and the recommendations developed for Tasks 2, 3, and 4 are provided in this report.

3 RESULTS

CURRENT PROGRAM

Hatboro Borough is mandated to conduct a curbside recycling program by the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101). The Hatboro Borough Public Works Department collects solid waste, single-stream recyclable materials, and yard waste from all households and about 90 small businesses. The Borough charges an annual refuse fee of \$357 (~\$30/month) per unit for all households to pay for the costs of the solid waste services. Annual commercial collection fees for businesses serviced by the Borough are \$735/unit (~\$61/month). Businesses and commercial properties that are not serviced by the Borough’s Public Works Department contract with a private waste hauler at their own expense for solid waste and recyclable material collection services.

Trash

Solid waste is collected from residents two times per week. The Borough is divided into four zones that determine the days of the week trash is collected. Residents receive trash collection services on Monday and Thursday or Tuesday and Friday. Residents provide their own containers to facilitate the collection of solid waste and are limited to no more than two 35-gallon containers of trash each collection day (four items per week).

Trash collected in the Borough is brought to Covanta’s Abington Transfer Station. From there the waste is consolidated into transfer trailers and disposed of at a Covanta waste-to-energy facility.

Recyclable Materials

Recyclable materials are collected from residences by the Borough’s Public Works Department once a week. The Borough implemented their original source-separation recycling program in 1990, and in 2010, the program transitioned to single-stream. In 2011, the Borough issued 25-gallon recycling bins to all households. At this time, the Borough does not provide bins, but instead offers reflective recycling stickers that can be attached to residents’ personal containers for recyclable material collection. The Borough recently applied for a Section 902 Recycling Program Grant to purchase 2,500 new 32-gallon single stream recycling containers.

Residents are not limited to how many recyclable materials they place at the curb each week. The following materials are accepted in the Borough’s recycling program:

Aluminum and steel cans	Food and beverage cartons	Glass bottles and jars	Plastic beverage, kitchen, and laundry bottles and containers
Mixed paper	Newspapers	Magazines	Flattened cardboard

In addition to the curbside recycling program provided, some schools and churches have established drop-off centers for paper and cardboard recycling. These recycling containers are not maintained or serviced by the Borough, although the hauler servicing these containers reports the quantity of paper collected from these containers.

The Borough is part of a consortium of Montgomery County communities that owns a materials recovery facility (MRF). The facility is operated by a private company. The Borough pays a tipping fee based on the amount of recyclable materials they deliver to the facility.

Yard Waste

Yard waste is collected from residents two times per week by the Borough’s collection crews. Residents are limited to 10 bags or bundles of material each collection day. Yard waste is required to be in paper bags that residents must purchase for \$0.50 cents per bag or 50 for \$20. The Borough uses a 1999 International 4900 rear loader vehicle to collect yard waste. The Borough hopes to secure a Section 902 Recycling Program Grant in order to purchase a new collection truck that has reduced emissions and increased capacity.

Collected yard waste is brought to the Abington Township Public Works Facility where it is processed into mulch or compost. The Borough pays a flat fee of \$12,000 per year to deliver yard waste to the facility. As a benefit to Borough residents, free mulch and compost from the processing of the Borough’s yard waste is available to residents for pick-up at Eaton Park. Mulch is available for pick-up all year on a first come, first serve basis.

Diversion Quantities

Table 1 summarizes the amount of trash, recyclable materials, and yard waste that were collected in each of the last three years by the Borough’s Public Works Department from households and small businesses participating in the Borough’s collection program. The residential and small business recycling rate in the Borough is estimated to be about 34 percent for each of the last three years. **Table 2** summarizes the recyclable material tonnages collected from larger businesses in the Borough by private waste haulers that report material tonnages to the Borough. The Borough identified about a dozen private haulers that collect waste and/or recyclable materials from businesses in the Borough. The amount of recyclable materials captured from large businesses in the Borough has decreased over the last three years from about 1,708 tons in 2015 to 737 tons in 2017.

Table 1. Residential and Small Business Material Collection Tonnage¹

Material	2015 Tons	2016 Tons	2017 Tons
Trash	2,282	2,251	2,294
Single Stream Recyclables	668	656	650
Yard Waste	553	501	546
TOTAL	3,503	3,408	3,490

Table 2. Large Commercial Recyclable Material Tonnages

Commercial	2015 Tons	2016 Tons	2017 Tons
Recyclable Materials	1,708	879	737

Bulky Waste

The Borough’s Public Works Department operates a bulky waste collection program that includes the recycling of electronics. The fee for bulky waste collection and disposal is not included in the annual refuse fee charged to all households in the Borough. Residents who need bulky waste services pay a fee (starting at \$10) depending on the type of item they have for disposal. Bulky waste collection occurs on the first and third Wednesdays of each month. In 2017, the Borough’s bulky waste program collected nearly 950 items, including furniture, televisions, electronics, white goods, and metal. **Table 3** summarizes the quantities of select materials that were collected in 2017.

If Borough collection crews encounter unauthorized bulky waste materials at the curb during their routine collection routes, the crew will place an orange “rejection” sticker on the material. The truck driver logs the address, material, date, and truck number and reports the information to the Superintendent of Public Works. Public Works staff then issues a letter to the homeowner stating that they must remove the item from the curb and obtain a bulky waste permit in order to have the item collected. If the item is left at the curb and no bulky waste permit is obtained, the code enforcement officer is notified for follow-up.

¹ Includes material tonnage collection from approximately 90 small businesses serviced by the Borough’s Public Works Department.

Table 3. Bulky Waste Collection Quantities in 2017

Material	Quantity (pounds)
Metal/Electronics	8,560
TVs/Monitors	6,440
White Goods	580
TOTAL	15,580

The Borough has declared that 2018 is the “year of recycling” and seeks to upgrade their recycling program to divert more materials from disposal. The following sections of this report provide recommendations for how the Borough could update their recycling program to be more effective.

Appendix A provides a summary of the Act 101 municipal recycling requirements for the Borough of Hatboro.

OPERATIONAL IMPROVEMENTS

Consider Reducing Trash Collection Frequency

The Borough provides trash collection services to residents two days per week. The Borough should consider evaluating the need for twice per week trash collection services. Potential benefits from a weekly trash collection program may be the additional diversion of recyclable materials and cost savings. Cost savings results from residents placing more materials in their recycling containers than in their trash containers since the Borough pays about \$80 per ton to dispose of solid waste whereas the tipping fee for source-separated recyclable materials is only about \$20 per ton. Reduced solid waste collection frequency could compliment the Borough’s plans to issue new larger (32-gallon) recycling containers to all households. The combination of issuing larger recycling containers for residents with reducing trash collection frequency has the potential to increase the amount of materials the Borough diverts for recycling.

Potential Recycling Impacts

In general, SCS believes that more materials that are recyclable are put in the trash when recycling is not offered at the same time. Data that support this belief is based on discussions with local recycling coordinators and information gained during a waste characterization study conducted for Anne Arundel County, Maryland in 2009/2010. Anne Arundel County’s solid waste collection program was similar to Hatboro Borough’s current program. Solid waste was collected two times per week and recyclable materials were collected once a week. That meant one of the residential trash collection days did not include the collection of recyclable materials. The objective of the waste characterization study was to compare the composition of waste collected by the two types of curbside collection routes, including:

- **Trash-Only Routes:** Only waste was collected from residents; and

- **Trash-and-Recycling Routes:** Waste and recyclable materials were collected from residents on the *same* day of the week.

Until 2010, Anne Arundel County, Maryland provided residents curbside trash collection twice each week. One of the weekly trash collections also included collection of single-stream recyclables. The waste characterization study collected and sorted 100 waste samples over two seasons (i.e. spring and fall) with equal (i.e. 50 samples) samples collected from the trash-only routes and trash-and-recycling routes.

Exhibit 1 presents the proportion of recyclable paper and commingled containers disposed in trash for both the trash-only routes and trash-and-recycling routes. In general, there were more recyclable materials in waste collected through trash-only routes than trash-and-recycling routes. Recyclable paper and recyclable commingled materials comprised a greater proportion of trash collected through trash-only routes in both seasons.

Exhibit 1. Proportion of Recycling Materials in Trash Only and Trash-and Recycling Routes

Material Type	Proportion of Waste Stream			
	Fall 2009		Spring 2010	
	Trash-Only Routes	Trash AND Recycling Routes	Trash-Only Routes	Trash AND Recycling Routes
Recyclable Paper	19.8%	17.5%	15.6%	15.2%
Commingled Containers	11.5%	9.9%	11.3%	9.9%
Total	31.3%	27.4%	26.9%	25.1%

The results of this study helped Anne Arundel County eliminate one trash collection day per week so that trash and recyclables are collected only once per week on the same day for all single-family households. Since making this transition, Anne Arundel County has seen a six percent increase in recycling quantities and a ten percent decrease in trash quantities collected curbside.

Potential Cost Savings

The operating costs incurred by the Borough for the collection and disposal of trash in 2017 amounted to about \$321,000. Approximately \$137,000 of the cost was for fuel, labor, maintenance and department supplies, while the remaining cost, approximately \$184,000, was the tipping fee to dispose of the trash collected at about \$80 per ton. The Borough could expect to reduce these expenses by switching trash collection frequency from twice to once a week. The following provides a short summary of the potential cost savings that may result:

- **Fuel, Labor, Maintenance, and Supplies Costs** - By reducing trash collection frequency, the second trash collection truck currently used each day (to collect trash from a zone that does not have recycling service that collection day) would not be needed. This essentially reduces the number of trucks the Borough utilizes each collection day from three to two. Quantifying these reductions based on the Borough’s 2017 costs for fuel, labor, maintenance, and supplies, the

Borough has the potential to save about \$45,000 each year. That full savings would likely not be realized as changing collection frequency from twice to once per week will place a higher demand on the trash collection route that is operating that day, as more trash will be collected. It also means the trucks may “pack-out” quicker and having another truck available to collect additional waste would be necessary. The Borough may also seek to reassign staff to other areas so as not to reduce their labor-force.

- **Tipping Fees** – As shown in the Anne Arundel County, Maryland example above, switching to weekly trash collection has the potential to increase the amount of materials diverted for recycling. For each additional ton of materials diverted for recycling, the Borough saves approximately \$60 through reduced tipping fees (\$80/ton to tip trash compared to \$20/ton to tip recyclable materials). If the Borough were to switch to weekly trash collection and realize a six percent increase in the quantities of recyclable materials diverted (39 tons based on a 2017 tonnage amount of 650), that would save the Borough about \$2,300 each year. Additional money can be saved if the Borough experiences reduced quantities of solid waste generation like Anne Arundel County.

Providing New Services

If the Borough were to eliminate the second weekly residential trash collection service, the potential exists to decrease labor expenses through reduced staffing to complete solid waste collection services. A significant concern for the Borough would be to maintain current staffing levels and avoid downsizing. This would require the Borough to reassign staff that would typically collect solid waste to other areas of the Public Works Department. This may include shifting collection staff to focus on recycling. Employing dedicated staff to support residents and commercial property owners with implementing and executing recycling programs can be effective at increasing participation in the program as well as compliance with the Borough’s recycling ordinance (see “Provide Business Recycling Technical Assistance” below).

Collect Data

In order to evaluate the feasibility of reducing trash collection services to one day per week, the Borough should seek to collect solid waste data and survey residents to make an informed decision on how the collection program should be modified.

The Borough could consider tracking the amount of waste placed for collection on each route by day to gauge how waste quantities vary on the same route over the two weekly collection days. This can be done by documenting the weight of the waste in the collection vehicles when the materials are delivered to the Covanta Abington Transfer Station. Weights of the waste can be compared between the two weekly collection days to understand how waste quantities compare between the two days. The Borough should note which of the waste collection days also include the collection of recyclable materials. Care should be given to make sure the routes for the two days are as identical as possible in order to make an accurate comparison. This may require the Borough to modify routes to mirror each other if they are not identical. The comparison should be done for multiple routes in different areas of the Borough over a time-period that would account for seasonal differences in waste generation and disposal for the best data available.

The Borough currently uses 25 and 20 cubic yard capacity trucks to collect solid waste. If the Borough finds that the quantity of waste collected in one week on the same collection route (two collection days) exceeds the capacity of the trucks owned by the Borough, it may not be feasible to move to once a week collection until existing trucks reach their end of life and larger sized trucks can be procured. Research has shown that there is generally a decline in the amount of waste generated when a municipality switches to weekly collection. Adding together the volume of waste collected from the two collection days should provide a conservative number of how much waste could potentially be collected at one time.

Another measure for evaluating the necessity of having two residential solid waste collections each week is to track how many households place waste at the curb on each of their two weekly collection days. In areas of the Borough that consist of single-family residences, tracking this information is relatively easy. Collection crews can tally how many households have placed (or did not place) solid waste out for collection. Tracking this information should be done for multiple routes in different areas of the Borough over a time-period that would account for seasonal differences in waste generation and disposal. If the Borough finds that fewer households place waste out for collection on either of the weekly collection days, the data may provide important information and evidence that weekly solid waste collection may sufficiently serve residents.

Allow Residents More Than One Recycling Container

The Borough's current recycling program does not limit the amount of recyclable materials placed out for collection. This is an important policy and practice that encourages recycling, especially when coupled with a solid waste program that limits the amount of solid waste that can be placed curbside each collection day.

The Borough seeks to upgrade their recycling program by providing new 32-gallon recycling containers to all households. Providing larger recycling containers is an important opportunity to encourage recycling. SCS's experience is that 32-gallon recycling containers still may not be of large enough capacity to maximize recycling for some residents, especially those with three or more people living in a household. For example, Mr. Scott Gill of nearby Caln Township, recently stated he would encourage municipalities that are considering upgrading their recycling program to consider at least 64-gallon recycling bins. His experience in Caln Township is that 32-gallon bins are not large enough for many households. For these reasons, the Borough should allow residents who require additional recycling capacity to obtain a second container for placement of recyclable materials. The Borough should keep an inventory of recycling containers on hand that can be distributed to households who find that one 32-gallon container is not sufficient capacity to satisfy their needs. The Borough can also continue to encourage residents that have excess recyclable materials to place them in other containers (provided by the residents) for collection.

Complete a Waste Characterization Study

In order to understand the composition of the waste stream and benchmark the effectiveness of the Borough's diversion programs, the Borough should consider implementing a waste

characterization study. A waste characterization study can identify and quantify the types of recyclable materials in the waste stream that have the potential to be diverted. This data is important for tailoring and refining the Borough's recycling program to target waste generators and materials that are not achieving their potential for recycling. Information generated from a waste characterization study can be an important public education tool to motivate residents to recycle. For example, by knowing the quantities of recyclable materials in the trash the Borough can estimate the energy or material values of the items. This can be effective in motivating residents to recycle more.

Waste characterization studies can range in size and scope to suit the needs of the Borough. The studies can be significant multiple season events that study many different waste streams. Alternatively, they can also be designed to be relatively low-cost studies that target specific waste streams and select material categories. If the Borough were to consider such a study, SCS recommends the Borough characterize both the residential and commercial waste streams so that composition profiles for each waste generating sector are developed. This would allow the Borough to understand the differences in the waste streams and tailor programs and policies to divert more materials from each waste generating sector. The data from this study would provide a baseline for the Borough to measure the impact of new recycling and waste diversion policies, programs, and initiatives that are implemented. It may reveal what materials are not being recycled at sufficient rates or if there are materials in the waste stream that may not be included in the Borough's recycling program, but markets may exist for their diversion.

Focus on Recyclable Material Quality

SCS encourages the Borough to place a greater emphasis on getting residents to recycle "right," rather than on maximizing the quantity of materials residents place in recycling bins. This is especially important in the current recycling market, as increased contamination of recyclable materials has depressed markets and disrupted recycling programs in Pennsylvania and all over the United States. While it is good to have measurable goals for the Borough's recycling program, SCS cautions the Borough against establishing arbitrarily high recycling targets that may facilitate "wishful" recycling among residents – that is, residents deliberately placing non-recyclable materials in recycling containers because a resident believes or thinks these materials can or should be recycled.

Many of the educational improvements listed in the next section of this report can be tailored to encourage residents to place the right materials in the recycling bins. The Borough could launch an educational campaign on the residual rate the Borough experiences in their recycling program as a way to highlight why it is important to place only acceptable items in recycling bins. The Borough might also consider taking their current curbside-screening program a step further by conducting a recyclable material stream characterization study. For such a study, the Borough would specifically quantify the types of non-recyclable materials that residents place in their recycling bins. The findings of such a study could be used to educate residents on what they need to be doing differently. The Borough's "OOPS!" flyer specifically lists eight materials that should not be placed in the recycling bin. A recyclable material stream characterization study will help the Borough refine that handout/flyer when it is time to update it.

A recycling program that produces quality, marketable materials will help facilitate and drive the success of the program and make it sustainable into the future. The Borough should not sacrifice recovering high-quality materials at the expense recovering more materials.

EDUCATION IMPROVEMENTS

Expand Information Available on Website

The Borough's website serves as one of the most important tools to communicate with residents and business owners about recycling. SCS recommends improving the availability and content of the Borough's recycling information on the website as follows:

- **Placement** – Information on the Borough's solid waste and recycling program is listed under the "General Information" tab of the website. While having a separate link for trash and recycling under this section of the website is important, SCS believes that many individuals will go to the "Department" tab and look under Public Works for information on trash and recycling. SCS recommends adding information on trash and recycling under the Public Works heading of the website in order to link the Public Works Department to providing trash and recycling services. Alternatively, the Borough could consider providing a link under Public Works to the trash and recycling information that is included under "General Information."
- **Images** – SCS encourages the Borough to use images on their website to educate residents on what can and cannot be recycled. The current trash and recycling information provided on the website contains paragraphs of words and information on recycling. Details of the program can be lost or unread when there are many words on a webpage. SCS recommends the Borough use a combination of images and words to communicate what is recyclable. The Borough's "OOPS!" and "Recycle More of These" flyer is a good, visually appealing public information and educational tool that can be incorporated into the Borough's website and other media to promote recycling. **Appendix B** contains a sample table that visually depicts what recyclable materials are included in the Borough's recycling program as another example of what the Borough could incorporate into their website.
- **Include Information on Commercial Trash and Recycling** – Commercial trash and recyclable materials collection occurs through either the Borough's Public Works Department or private haulers. The Borough provides about 90 small businesses with trash and recycling services while the remainder are serviced by private haulers. Commercial trash and recycling information should be included on the Borough's website. This information can be organized by "residential" and "commercial" in order to provide more details on the requirements for trash and recycling collection. The Borough could expand the current information and establish bold typeface headings to reference the different information needed for residential and commercial trash and recycling, or the Borough could create separate webpages for residential and commercial trash and recycling. Although the Borough does not provide trash and recycling services for a number of commercial entities, it is still responsible for ensuring that businesses and

institutions are recycling. **Appendix C** contains sample commercial recycling information that can be adapted to the Borough's program.

- **Flyers and Guides** – The Borough has developed and issued a number of different public education materials for residents and businesses. This includes the Borough's Mandatory Commercial and Institutional Recycling Guide and the Borough's "OOPS" flyer left curbside when recyclable materials are discovered in the trash or unacceptable materials are found in recycling bins. These documents are eye-catching and visually appealing. SCS recommends that this information be made electronic and posted on the Borough's website. This will make the information available to residents and business owners at all times for educational purposes and references. Including this information available on the website will also help in branding the recycling program and conveying a consistent message.

Use Social Media

The opportunity exists to expand the Borough's presence on social media to reach younger residents who increasingly rely on social networking sites to get information. The Borough maintains a Facebook® page that is regularly updated with stories and information of public interest. SCS's review of previous posts reveal the Borough's Public Works Department has used this media as an avenue to share information on parking and a recent community shred event to prevent identify theft. Other social media outlets the Borough could use include Twitter®, Snapchat®, Google+®, and You Tube®.

Social media is designed to communicate quick and often instantaneous messages to recipients. The Borough should use these platforms to educate constituents on issues in regards to recycling. For example, if the Borough finds that a certain type of unacceptable material is consistently/widely being placed in recycling bins, a message on social media can reinforce what can and cannot be placed in the recycling container. The Solid Waste Authority of Palm Beach County, Florida took to Twitter® in late December to remind their "followers" that if they have cardboard too big for curbside collection it can be brought to one of their convenience centers for recycling. The Borough can use similar messages to communicate quick and specific requirements to residents about recycling. As a starting point for using social media, SCS recommends that the Borough establish a regular schedule (weekly or bi-weekly) where some solid waste or recycling information is shared on the Borough's Facebook® page. This might include a reminder about a collection schedule, a quick note about recyclable material preparation guidelines, or identifying a common contaminant in the recycling stream.

Social media should also be used for "human interest" stories about recycling and waste diversion. For example, the Borough could report the annual tons of aluminum cans recycled and connect the energy savings that result to what it takes to power a TV for "X" number of hours. The opportunities to share information on social media are endless. Below are two examples of solid waste authorities that use social media on a regular basis.

- Lancaster County Solid Waste Management Authority - <https://twitter.com/LCSWMA?lang=en>

- Solid Waste Authority of Palm Beach County – <https://twitter.com/swapbc?lang=en>

Branding Recycling

The Borough has applied for a Section 902 Recycling Grant to upgrade the equipment and infrastructure needed to improve the Borough’s recycling program. An important component of this program is to improve recycling education and awareness in the community. Of particular note, the Borough seeks to procure a new vehicle to be used for the collection of yard waste and recycling materials. The Borough seeks to capitalize on the utility of a new truck by placing recycling messages on the body of the truck to serve as a “rolling billboard” for recycling as it collects materials in the Borough. Likewise, the Borough seeks to procure new curbside recycling containers with monies received from the recycling grant being sought. The Borough expects to have the containers imprinted with a list of materials that can and cannot be recycled. As the Borough ramps up their recycling awareness campaign with messages throughout the community, SCS encourages the Borough to think about using a consistent message and graphics to brand their recycling program. Specifically, SCS encourages the Borough to use the “Hatboro Recycles” emblem that is proposed for printing on the new recycling containers on all educational and outreach materials. As recycling is promoted on the Borough’s website, social media accounts, newsletters, and in other places the Borough should use the same language and graphics to convey a consistent message when discussing recycling.



Utilize Opportunities for Face-to-Face Interaction

The Borough should consider increasing opportunities for face-to-face interaction with the public on recycling issues. Similar to reasons why politicians hold rallies and go door-to-door campaigning, face-to-face interaction is effective at prompting people to action.

The Borough should identify community events that staff can participate in to share information about recycling. Opportunities to meet with residents and provide information on recycling might include hosting a booth at local special events such as the annual carnival, car show, parade, and book sale held in the community. Setting up a tabletop display at these events could be timed to coincide with providing new public recycling containers at these events as the Borough envisions as part of their Section 902 Recycling Grant. The Greater Hatboro Chamber of Commerce keeps a calendar of events that the Borough could consider participating in to share recycling information (www.hatborochamber.com).

Presentations to local groups such as the Rotary Club of Hatboro or Greater Hatboro Chamber of Commerce can also be effective at encouraging recycling and waste diversion. The Borough might consider hosting an annual “Hatboro Borough Recycling Day” where the community is

invited to see the Borough's solid waste and recycling collection vehicles and equipment. The event could also include entertainment, kid activities, and food. Prince William County, Virginia holds a similar event each fall at their solid waste complex. County employees lead activities on why recycling is important. Local environmental organizations are invited to have displays on how residents can live more sustainably. Ample entertainment and food is also available as well as drawings for prizes. More information on Prince William County's recycling day can be found at www.pwcgov.org.

The Borough should publicize their availability and interest in providing displays and presentations to groups and at events throughout the community.

Distribute Durable Recycling Educational Guide to Each Household

Act 101 requires that the Borough establish a comprehensive and sustained public education and outreach program that provides information on recycling program features and requirements. The Borough utilizes a number of print and electronic media to promote recycling to residents in the community to fulfill this requirement of Act 101. SCS encourages the Borough to consider developing a durable educational piece that can be distributed to all households and businesses that receive trash and recyclable material collection services from the Borough. Many communities design, print, and distribute a combination door hanger and magnet to promote recycling in their communities. The door hanger contains information on the recycling program. In many cases, it can be attached to curbside collection containers as waste and recycling routes are being completed. The door hanger includes a pocket where a magnet is placed. The magnet is designed to be a quick-reference guide for residents to identify what can and cannot be recycled in their curbside recycling program – information the Borough already has readily available that can be printed on a magnet. Residents can place the magnet on their fridge, filing cabinet, or on another surface near the trash and recycling containers in their house or businesses. Development and distribution of such a public educational piece could be provided with the rollout of the new 32-gallon recycling containers that the Borough anticipates purchasing with the pending Section 902 Recycling Grant.

Provide Business Recycling Technical Assistance

Recycling at businesses is often more challenging than in the residential sector. Obstacles such as space constraints and employee turnover can create a difficult environment for implementing and sustaining a recycling program. Business owners can be overwhelmed at just the thought of beginning a program. The Borough could develop a program that specifically helps businesses plan and implement a recycling program. Such a program could not only target businesses that receive Borough collection services, but also include those businesses serviced by private haulers.

One powerful and effective, but sometimes time-consuming, way to help businesses recycle is by providing on-site consultation and recycling technical assistance (usually free) to businesses in establishing or evaluating a recycling program. This provides an opportunity for tailored one-on-one assistance to businesses where the Borough (and possibly the business' hauler for recyclable materials) can encourage recycling, address specific challenges, and work together to find an acceptable solution. This technical assistance can take on many forms depending on the level of

effort put into it. Business technical assistance programs that have dedicated staff to consistently provide assistance and can follow-up on recommendations are the most effective in increasing recycling. Such a program does take staff resources, but the increase in recycling that can result from this technical support to businesses may increase recycling performance grant funds awarded to the Borough. If the Borough shifts to once per week trash collection, staff resources may be reallocated from collection to providing this type of technical assistance.

Consider Recycling Award Program

Residents, businesses, and others in the Borough may be motivated to participate in the Borough's recycling program if a recycling recognition or award program is established. Such a program can be relatively simple and low-cost to operate, but have the potential to encourage residents to recycle due to the competitive atmosphere it may create. The recognition or award program can be monthly or quarterly and be based on established criteria (i.e. no contamination, materials prepared properly) the Borough uses as they examine or collect recycling containers placed curbside for collection. The Borough could solicit prizes (i.e. coupons, gift cards, etc.) from local businesses that would be awarded to the winner of the recycling award. For example, the Montgomery County, Maryland Department of Environmental Protection administers their Recycling Achievement Recognition and Awards program. The program recognizes volunteers, multi-family, and business recycling achievements on an annual basis. More information about Montgomery County's program can be found at www.montgomerycountymd.gov

ORDINANCE IMPROVEMENTS

The Borough's solid waste ordinance (#854) was enacted in 1991. The section contains recommendations for the Borough to consider in revising the ordinance to improve its clarity and utility for enforcing recycling requirements in the Borough. A draft of the Borough's revised solid waste and recyclable ordinance is included in **Appendix D**. The following recommendations are suggested:

- **Restructuring** – The Borough's ordinance contains the following parts:
 - I - Control and Collection of Garbage, Rubbish, and Recycling;
 - II – Municipal Waste Management.

The information included in these sections appear to be disjointed and unorganized. For example, Part I, Section 20-113 is titled "Mandatory Electronic Consumer Products Recycling," but contains no information or provisions related to electronics recycling. It also contains a number of definitions that appear to be arbitrarily included. SCS recommends the ordinance be reorganized and revised to follow a more intuitive organization structure as follows:

- **Part I – Municipal Waste Requirements** – This section includes requirements for each waste generating sector in the Borough (i.e. residential, commercial, institutional, and community activities) for managing and preparing solid waste for collection.

- **Part II – Recycling Requirements** - This section includes requirements for each waste generating sector in the Borough (i.e. residential, commercial, institutional, and community activities) for managing and preparing recyclable materials, including yard waste, hazardous waste, batteries, and electronics, for collection.
- **Part III – Municipal Waste and Recyclable Material Collection Requirements** – This section specifically outlines the requirements for collecting municipal waste and recyclable materials by “authorized haulers” (discussed below under Hauler Registration Program) in the Borough.

Organizing the ordinance into three parts as outlined above provides an organizational structure to the ordinance that allows residents, businesses, collectors, and others to identify which requirements pertain to them.

- **Recyclable Materials List** – The revised draft recycling ordinance expands the list of recyclable materials required for recycling to include mixed paper, magazines, and catalogs. The Borough should carefully consider what materials should be included in their recycling program in light of state requirements, the current market, and what materials the Borough and private haulers currently accept. The “core” list of materials required for recycling should take these considerations into account.
- **Collection Service Requirement** – An important requirement of the Act 140 amendment to Act 101 is that the Borough’s ordinance require that all residents have waste and recycling collection service. Without these provisions in the ordinance, the Borough risks limiting the amount of Recycling Performance Grant funding they can obtain.
- **Requirements by Generating Sector** – The revised ordinance has been reorganized to consolidate municipal waste and recycling requirements by generating sector. The requirements for managing, preparing, and collecting municipal waste and recyclable materials are scattered throughout different sections of the current ordinance, which makes it difficult to obtain a full understanding of what is required. Part I Municipal Waste Requirements and Part II: Recycling Requirements are structured around the following Borough generating sectors.
 - Single-Family Residences;
 - Multi-Family Residences;
 - Commercial, Institutional, and Municipal Establishments; and
 - Community Activities

Details of the requirements for each generating sector include provisions for placement of containers, collection frequency, and what materials are required for recycling.

- **Collection Frequency** – The draft revised ordinance specifies that municipal waste, recyclable materials, and yard waste collection frequencies occur no less than once per week. This language was used to facilitate the move to once per week collection (if deemed appropriate) of municipal waste without the need to modify the solid waste and recycling ordinance.

- **Reporting** – As outlined in the draft revised ordinance, owners of commercial, institutional, municipal, and multi-family residential establishments are to submit material tonnage reports to the Borough on an annual basis. This includes reporting of the amount of municipal waste, recyclable materials, and yard waste generated and collected from each establishment. Requiring the reporting of municipal waste generation along with the quantities of materials diverted for recycling will help the Borough better understand how successful recycling programs are at different properties in the Borough. SCS encourages the Borough to require reporting on one form to streamline the reporting requirements. SCS acknowledges that collecting data from many businesses and apartment buildings in addition to a handful of different haulers may require more administrative time. However, SCS believes that requiring individual property owners to report material tonnages will help the Borough collect thorough data on waste and recyclable materials, better connect with business owners and property owners of apartment buildings, and provide more opportunities for enforcement of the recycling requirements in the Borough. Care should be taken, however, when obtaining data from various sources so that material quantities are not double-counted. This is especially important when it comes to reporting recycling tonnages for the Act 101, Section 904 Recycling Performance Grant.
- **Requirements for Hazardous Waste and Electronics** – A new section of the draft ordinance, under Part II – Recycling Requirements, provides guidance for how hazardous waste and electronics should be managed. The requirements prohibit disposing of these materials with municipal waste, even in small quantities as is currently allowed under the Borough’s existing ordinance. The regulations reference Montgomery County’s hazardous waste collection events and the Borough’s program to collect electronics.
- **Hauler Registration Program** – Part III of the draft revised ordinance includes specific details of a hauler registration and authorization program. The Borough’s current ordinance indicates haulers operating in the Borough are required to register with the Borough, but no details of the program are provided. SCS recommends reestablishing such a program in order to exercise some control over haulers operating within their jurisdiction. The proposed language includes details on what information haulers must provide to the Borough in order to be authorized, requirements for maintaining hauler authorization, and reasons the Borough might revoke or suspend hauler authorizations. The provisions of this program are for the Borough to consider and tailor to meet their needs while providing haulers opportunities to serve businesses and other entities not eligible to receive Borough waste and recyclable material collection services. SCS cautions against establishing such a program that requires haulers to pay a fee to the Borough in order to be authorized. Such fees were generally understood to be incompatible with the Pennsylvania Waste Transportation Safety Act (Act 90) of 2002.

It is important to have the Borough’s solicitor review and approve all updates the Borough seeks to implement.

4 RECOMMENDATIONS

Section 3 – Results contains SCS’s recommendations for how the Borough could improve their solid waste and recyclable material programs to divert more materials from disposal. This study specifically identified the operational, educational, and policy improvements that could be made. Many of the recommendations in this report fit the Borough’s goal to make 2018 the “year of recycling,” and would complement the Borough’s plans to improve their program upon receipt of the Section 902 Recycling Program Grant.

5 CONCLUSION

The Borough's recycling program has been consistent in diverting about 3,500 tons of the waste generated in the Borough for the last three years. Borough staff believe additional opportunities exist to make their recycling program more effective to increase the amount of materials recovered. Although all recommendations provided in this report are recommended for consideration, the Borough should especially evaluate the potential of moving to once a week curbside collection of solid waste. This initiative, coupled with the planned rollout of new, larger recycling containers, has the potential to increase recycling. Throughout the Borough's efforts to increase recycling, attention should be given to ensuring quality, uncontaminated materials are collected. This is important for the Borough to maintain an effective and sustainable recycling program.

Appendix A
Summary of Act 101 Municipal Recycling Requirements

Summary of Act 101 Municipal Recycling Requirements

Overview

Chapter 15, Section 1501 of the Pennsylvania Municipal Waste Planning Recycling and Waste Reduction Act (Act 101), outlines the requirements for large municipalities to recycle. Municipalities, other than counties, with a population of 10,000 or more people or with a population of more than 5,000 but less than 10,000 people, and a population density of more than 300 people per square mile, are mandated to recycle.

Recycling Ordinance

An Act 101 mandated local government must adopt an ordinance that requires recycling. The ordinance shall require the following:

- 1) Recycling at single-family homes and apartments; commercial, municipal, and institutional establishments; and at community activities.
- 2) A scheduled day, at least once per month, when separated recyclable materials are to be placed at the curb or similar location for collection.
- 3) A collection system, including trucks and related equipment, to pick-up separated recyclable materials from the curb or similar location at least once per month from homes and businesses in the municipality. The municipality shall explain how the system will operate, the dates of collection, the responsibilities of persons within the municipality and incentives and penalties.
- 4) Provisions to ensure compliance with the ordinance, including incentives and penalties.
- 5) Provisions for the recycling of collected materials.

Residential Recycling

Residents must separate for recycling at least three materials deemed appropriate by the municipality from municipal waste generated at their homes, apartments, or other residential establishments. Separated materials must be stored at the property until collection. The three materials must be selected from the following:

- Clear glass;
- Colored glass;
- Aluminum;
- Steel and bimetallic cans;
- High-grade office paper;
- Newsprint;
- Corrugated paper;
- Plastics.

Leaf waste must also be separated from municipal waste generated at residential properties and stored for collection, unless residents have already provided for the composting of the materials (i.e. backyard composting).

Owners or landlords of multi-family rental properties with four or more units must establish a recycling collection system at each property. The collection system must include 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. Owners or landlords that comply with these requirements shall not be liable for noncompliance by occupants of their buildings.

Commercial, Municipal, and Institutional Recycling

Occupants of commercial, municipal, and institutional establishments are required separate and store for recycling of the following materials at a minimum:

- High-grade office paper
- Aluminum;
- Corrugated paper;
- Leaf waste.

Occupants of commercial, municipal, and institutional establishments may be exempt from the requirements of this law if those persons have otherwise provided for the recycling of materials they are required to recycle. To be eligible for an exemption, the commercial, municipal, or institutional generator must provide written documentation to the municipality annually.

Community Activity Recycling

Organizers of community events must provide for the separation, storage, and collection of high-grade office paper, aluminum, corrugated paper, and leaf waste at the events. Community activities required to recycle include events sponsored in whole or in part by a municipality or held within a municipality and sponsored privately. Events include fairs, bazaars, picnics, or sporting events that will be attended by more than 200 or more people each day of the event.

Leaf Waste Diversion

Municipalities mandated to recycle under Act 101 must require residential and commercial establishments to separate and store leave waste for collection. Leaf waste includes leaves, shrubbery, tree trimmings, and similar materials, excluding grass clippings. These materials must be collected at least monthly. In order to comply with Act 101, mandated municipalities must at a minimum:

- 1) Implement an ordinance that requires leaf waste to be separated from municipal waste for recycling at residential and commercial, municipal, and institutional establishments, AND
 - 2) Establish a scheduled day, at least once per month, when leaf waste is collected curbside or similar location, OR
 - 3) Establish a scheduled day, no less than two times per year and preferably in the spring and fall, when leaf waste is collected curbside or similar location from residential and commercial establishments, AND facilitate a drop-off location or other collection alternative approved by the Pennsylvania Department of Environmental Protection that allows persons to drop-off leave waste for composting at least once per month. A leaf waste drop off site can be in a neighboring municipality or at a private establishment provided there is an agreement in place to utilize the site, and residents and occupants of commercial establishments are informed of the drop-off location at least every six months.
-

Municipalities are encouraged to manage source separated Christmas trees as leaf waste for processing at DEP approved composting facilities.

Public Education and Outreach

Municipalities subject to the requirements of Act 101 must implement a comprehensive and sustained public education program. This program is to provide residents and owners/tenants/occupants of commercial, municipal, and institutional establishments with information on recycling program features and requirements. The educational program includes two features:

- **Initial Education** – At least 30-days prior to the start of a recycling program notify all persons occupying residential, commercial, municipal, and institutional establishments of the recycling requirements as contained in the ordinance.
- **Sustained Education** – Every six months the municipality must inform and remind all persons occupying residential, commercial, municipal, and institutional establishments of the recycling requirements.

Numerous forms of educating the public are acceptable and include:

- Newspaper advertisement circulating in the municipality;
- Public notice posted where such notices are customarily posted;
- Notices in other official notifications (i.e. utility bills);
- Website;
- Newsletter;

A combination of forms are acceptable and at least one form must be in print annually.

Implementation

Municipalities may implement their responsibilities for the collection, transportation, processing, and marketing of recyclable materials in one or a combination of the following ways:

- 1) Collect, transport, process, and market recyclable materials themselves;
- 2) Enter into a contract(s) with other entities for the collection, transportation, processing, or marketing of recyclable materials. If contracting for recycling services, the entity being contracted is responsible to the municipality for implementing of recycling activities.
- 3) Contract with a landfill or material recovery facility, in lieu of a curbside recycling program, that guarantees by contract that at least 25 percent of the waste received is recycled. The technology utilized in this program must have prior approval from DEP.
- 4) Utilize a recycling facility that demonstrates that the materials separated, collected, recovered, or created by the facility can be marketed as readily as materials collected through a curbside recycling program. In addition, the mechanical separation technology used by the facility has been demonstrated to be effective for the life of the facility.

Exceptions

The municipality is not required to collect, transport, process, or market recyclable materials or contract for these services if all of the following conditions are met:

- 1) The municipality is not collecting and transporting municipal waste from such establishment or activity.
- 2) The municipality has not contracted for the collection and transportation of municipal waste from such establishment or activity.
- 3) The municipality has adopted an ordinance as required, and the establishment or activity complies with the provisions of the ordinance.

Act 140
Requirements for Section 904 Recycling Performance Grants

Overview

Act 101 was amended in 2006 by Act 140 to establishment requirements for the use of Section 904 Recycling Performance Grants.

Requirements:

Municipalities mandated to recycle under Act 101 and receive more than \$10,000 in funding from recycling performance grants must meet the following requirements:

- 1) Requires, through ordinance, that all residents have waste and recycling service.
- 2) Has an implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program.
- 3) Has a residential and business recycling education program.
- 4) Has a program of enforcement that periodically monitors participation, receives complaints and issues warnings for required participants and provides fines, penalties, or both, in its recycling ordinance.
- 5) Has provisions, participates in a county or multi-municipal program or facilitates a private sector program for the recycling of special materials.
- 6) Sponsors a program, facilitates a program or supports an organization to address illegal dumping and/or littering problems.
- 7) Has a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipal or municipalities.

If these requirements are not satisfied by the municipality, then the grant funds awarded under this section must be expended by the municipality only to satisfy these requirements. If all these requirements are satisfied, then the grant funds awarded may be used for any expense as selected by the municipality.

Appendix B
Sample Recycling Images and Text

SAMPLE WEBPAGE – WHAT CAN AND CANNOT BE RECYCLED

ALL ACCEPTABLE MATERIALS CAN BE PLACED TOGETHER IN YOUR RECYCLING BIN – NO NEED TO SEPARATE MATERIALS!

What to Recycle	YES (materials should be clean and dry)	NO
<p>Paper</p> 	<p>Office and computer paper Newspaper Magazines and catalogs Phone books Mixed paper (junk mail, envelopes, flyers) Corrugated cardboard (flattened) Paperboard boxes (cereal, food, soda/beer cases)</p>	<p>Paper milk and juice cartons Ice cream containers Wet or soiled paper Tissues or paper towels Waxed or coated paper/cardboard</p>
<p>Metal</p> 	<p>Food and beverage containers Steel cans Aluminum cans Tin cans</p>	<p>Aluminum foil Paint cans Aerosol cans</p>
<p>Plastic</p> 	<p>Plastic containers with recycling symbol coded #1-#7 Plastic bottles and jugs Plastic trays and containers</p>	<p>Remove all lids Polystyrene cups and containers Plastic bags Toys Garden hoses</p>
<p>Glass</p> 	<p>Glass bottles and jars</p>	<p>Broken glass Window glass Light bulbs Mirrors Porcelain/ceramics Blue glass</p>
<p>Yard Waste</p> 	<p>Yard waste is collected on all scheduled trash days. All leaves, grass clippings, sticks, weeds and yard waste must be placed in a paper biodegradable bag. Lawn and leaf bags may be purchased at Borough Hall for \$0.50 per bag, or a bundle of 50 bags for \$20.00. Residents may also purchase and use biodegradable bags available at Lowe's, Home Depot and other retailers.</p> <p>Vine, hedge, and tree trimmings must be tied securely in bundles not to exceed 4 feet in length and 2 feet in diameter. There is a 10 bag limit per collection day, and no bag may weigh more than 50 pounds.</p> <p>The Borough cannot accept dirt, mud, rocks and similar materials as a part of yard waste collection.</p>	

<p>Electronics</p> 	<p>PA State Law bans the disposal of electronic waste with municipal waste, including computers, televisions, cell phones, electronic games or devices, and any item smaller than 18" and weighing less than 50 pounds.</p> <p>All residents must call Borough Hall at (215) 443-9100 when wishing to dispose of these electronic consumer products and schedule a pickup. The electronic products will be picked up on the same day as bulk trash collection days, which are the first and third Wednesdays of each month. The small electronic items should be placed at the curb in a recycling bin. For up to date prices on bulk trash and electronic recycling collection permits, please reference our fee schedule under the general information tab.</p> <p>Large bulk item and electronic recycling pickups must be scheduled and paid for at least one business day in advance. Please contact Borough Hall at (215) 443-9100 if you have any questions.</p>
<p>Bulk Items</p> 	<p>The disposal of large items such as box springs, mattresses and other household furniture and appliances, requires a special bulk permit that can be purchased at Borough Hall. These items cannot be included with regular trash. These items are collected on the first and third Wednesdays of each month.</p>
<p>Tires</p> 	<p>Each year Montgomery County sponsors free tire collection events for Montgomery County residents in order to prevent tires from being improperly disposed. All tires collected at these events are shredded and repurposed into other products including road surface material, highway sound barrier wall material, and playground material.</p> <p>A maximum of 8 tires/rims will be accepted per vehicle. Please note that NO off-road tires will be accepted at these events and that businesses are not permitted to participate in this collection. For more information on these events, please call the Montgomery County Recycling Line at 610-278-3618 or visit www.montgomerycountyclecyles.org.</p>
<p>Hazardous Waste</p> 	<p>Each year Montgomery County sponsors a free hazardous waste collection program for Montgomery County residents. These events held at various locations throughout Montgomery County and take place rain or shine.</p> <p>Accepted items for these events include gasoline, oil, kerosene, turpentine, paint thinner, oil paint, stains, varnish, pool chemicals, herbicides, pesticides, antifreeze, caustic cleaners and solvents, mercury, thermometers, flares, fire extinguishers, lead acid batteries, rechargeable batteries, fluorescent tube light bulbs and ballast, CFL bulbs, mini propane canisters, and electric oil filled heaters. For information on this year's program, please call the Montgomery County Recycling Line at 610-278-3618 or visit www.montgomerycountyclecyles.org.</p>

Recycling protects the environment and saves resources! Do your part!

Appendix C
Sample Commercial Recycling Information/Text

SAMPLE WEBPAGE – COMMERCIAL RECYCLING

Commercial and Institutional Recycling

What

Recycling at commercial and institutional properties is required by state law and the Borough's local solid waste and recycling ordinance. The Borough has developed a flexible and cost effective recycling program to meet the needs of commercial and institutional establishments within the Borough.

Materials Accepted

All businesses, institutions, and commercial establishments must recycle the following materials:

- Aluminum cans
- Corrugated cardboard
- Glass
- Office paper
- Yard waste
- Plastic containers #1-#7

Businesses receiving Borough collection services may place all materials in the same container, which is known as single-stream recycling. Businesses that receive recycling collection services from private haulers must conform to the preparation guidelines established by the hauler. Please see below.

Program Details

All businesses, institutions, and commercial establishments must set-up a program for recyclable materials to be separated from solid waste and placed in a container for collection. Recyclable materials may be collected by the Borough (if eligible) or by a private waste hauler as follows:

- 1) Borough Collection – The Borough collects solid waste, recyclable materials, and yard waste from small businesses that generated limited amounts of these materials. Please call the Borough at [PHONE NUMBER] to find out if your business or property is eligible to receive Borough collection services.
- 2) Private Hauler Collection – Businesses and commercial properties not eligible for Borough collection services must arrange with a private hauler for the separate collection of municipal waste, recyclable materials, and yard waste. The use of a private hauler for solid waste collection services does not relieve the business from separating recyclable materials and yard waste from municipal solid waste.

Assistance

If you need assistance establishing and implementing a recycling program, please contact the Borough at [PHONE NUMBER] or your waste service provider. Please remember that recycling in the Borough is required by law. Borough code enforcement officers may issue warnings or citations to businesses who do not comply with the recycling requirements.

Ordinance

The Borough's Solid Waste and Recycling Ordinance can be found in the Borough's Code of Regulations available at [LINK TO WEBSITE].

Borough of Hatboro
(215) 443-9100
www.hatboro.org

Appendix D
Draft Revised Solid Waste and Recycling Ordinance

Appendix D
Draft Revised Solid Waste and Recycling Ordinance

Chapter 20
Hatboro Borough
Municipal Waste and Recycling Requirements

Part I – Municipal Waste Requirements

Part II – Recycling Requirements

Part III – Municipal Waste and Recyclable Material Collection Requirements

PART I
Municipal Waste Requirements

Title.

This part shall be known and may be cited as the "Hatboro Borough Municipal Waste Ordinance."

Program established.

There is hereby established a program for the management and mandatory collection of municipal waste within Hatsboro Borough, Montgomery County, Pennsylvania. No person shall collect, remove, treat, transport, or dispose of municipal waste in Hatboro Borough except in accordance with this part. The use of a registered hauler will not relieve any person from compliance with this part.

Legislative Intent.

- 1) It shall be the intent of this part to establish standards to protect the health, welfare, and safety of the citizens of Hatboro as pertains to the storage, collection, and disposal of garbage and rubbish within the Borough of Hatboro and to establish rules and regulations therefor.
- 2) To establish rules and regulations for the removal of discarded building materials, household furniture and appliances, and all other large discarded items.

Compliance.

All persons shall store, collect, haul, transport, process, and dispose of any municipal waste in accordance with the provisions of this part, any applicable municipal ordinance, the Montgomery County Municipal Waste Management Plan Revision 2006-2015, Act 90, Act 101, the minimum standards and requirements established in 25 Pa. Code, Chapter 285, of the PADEP municipal waste management regulations, any applicable Montgomery County Department of Health regulations, and/or any other federal, state, or local regulations.

Definitions.

- 1) In interpreting this part, the present tense includes the future; the singular number includes the plural and the plural the singular.
- 2) As used in this part, the following terms shall have the following meanings:

Authorized Hauler - Person registered and authorized by Hatboro Borough to collect, remove, transport, and dispose of municipal waste, recyclable materials, and/or leaf or yard waste for owners or occupants of single-family residential establishments, multi-family residential establishments, commercial establishments, institutional establishments, and municipal establishments in Hatboro Borough.

Article, Large – Large articles including, but not limited to, furniture, appliances, and electronic consumer products which article is larger than 18 inches by 12 inches by 12 inches and/or weighs more than 50 pounds.

Article, Small – Anything smaller or equal to an article the size of 18 inches by 12 inches by 12 inches and weighs 50 pounds or less.

Borough – The duly incorporated Borough of Hatboro, County of Montgomery, Commonwealth of Pennsylvania, United States of America.

Borough Council – The duly elected members of the Borough Council of the Borough of Hatboro.

Borough Zoning Ordinance – The duly enacted Zoning Ordinance of the Borough Council of the Borough of Hatboro.

Building Line – The line parallel to the street line at a distance therefrom equal to the depth of the front yard required by the Borough Zoning Ordinance

Commercial Establishment – A building or buildings used or designed for use for commercial purposes, including wholesale, retail, industrial, manufacturing, transportation, financial or professional services, offices, businesses, or other commercial activities.

Community Activity — Events sponsored or organized in whole or in part by Hatboro Borough or conducted within Hatboro Borough and sponsored privately by a non-profit or for-profit organization and conducted within Hatboro Borough for recreational, educational, cultural, social, or civic purposes, which are attended by 200 or more members of the public or members of a specific organization or group per day. Community activities include but are not limited to fairs, bazaars, socials, picnics and organized sporting events.

Curbside – The edge of a public street. When a curb exists, the sidewalk or yard side of the curb. When no curb exists, the unpaved side of the edge of the paved street or road.

Dwelling Unit – One or more rooms in a residential establishment in which rooms have fixed cooking facilities arranged for occupancy by one or more people in each room.

Institutional Establishment – Of or pertaining to any establishment engaged in service to persons, but not limited to hospitals, nursing homes, orphanages, schools, universities, churches and social or fraternal societies and organizations.

Landlord – The owner of residential property or such owner's authorized agent.

Multi-Family Residential Establishment – A building or buildings under single or multiple ownership and designed as a residence for four or more families living independently of each other and doing their own separate cooking therein, including apartments townhomes, or condominiums.

Municipal Establishment – Of or pertaining to any office or other property under the control of any branch or arm of the Federal Government of the United State of America, the Commonwealth of Pennsylvania, or any political subdivision of the Commonwealth of Pennsylvania including, but not limited to, Hatboro Borough, any counties, cities, townships, and municipal authorities.

Municipal Waste — Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or gaseous material resulting from the operations of residential, municipal, commercial or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. § 6018.101 et seq., from a municipal, commercial, or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials and leaf waste.

Person — Any individual, partnership, association, corporation, institution, cooperative enterprise, trust, municipal authority, federal government or agency, commonwealth institution or agency or any other legal entity whatsoever which is recognized by law as a subject of rights and duties. In any provision of this part prescribing a fine, imprisonment or penalty or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or any other legal entity having officers and directors.

Recyclable Materials — Materials designated as recyclable in this part or by Borough resolution for separation, collection, processing, and recovery as part of a recycling program. These materials may include aluminum containers, bi-metal containers, cardboard, glass, leaf waste, magazines, mixed paper, newspaper, office paper, and plastic.

Resident – Any person who owns, leases or occupies a property located in Hatboro Borough used as a residence.

Single-Family Residential Establishment — Of or pertaining to any occupied dwelling unit for human habitation, except multi-family residential establishment with four or more units. Home occupations incidental to the residential use within a dwelling unit are considered a “residential establishment.”

Powers, duties, and responsibilities.

- 1) Responsibilities – The Borough shall have the power to adopt and implement a program for the control and management of municipal waste.
- 2) Powers – In carrying out its duties under this section, the Borough Council may, by resolution, establish and promulgate regulations to administer and implement this part. These regulations may be amended, by resolution, from time to time by the Borough Council of Hatboro Borough.
- 3) Duties – The Borough shall implement the provisions of this part by registering haulers to collect, transport, process, and market municipal waste from single-family residential;

multi-family residential; commercial, institutional, and municipal establishments; and from community activities.

Requirement for collection service.

All persons in the Borough must arrange for the curbside or similar location collection of municipal waste.

Collection eligibility

- 1) The following and no others shall be eligible for collection of garbage, trash, and refuse by the Borough of Hatboro:
 - a. Owners of single-family residential establishments or properties or their tenants.
 - b. Owners of multi-family residential establishments or their tenants, when the building contains four or less dwelling units located on a single lot.
 - c. Owners of commercial properties or their tenants, when the property is used for retail sales as permitted by the Borough Zoning Ordinance, except those as noted in Subsection 2 and except those properties which generate more garbage, trash, or refuse than the permitted collection limits.
- 2) The following shall be ineligible for collection of garbage, trash, and refuse by the Borough:
 - a. Any activity that generates contaminated or potentially contaminated waste due to use of petroleum products or toxic chemicals.
 - b. Any multi-family residential establishment with more than four residential units or combined residential and commercial units.
 - c. Restaurants, fast food establishments, animal hospitals, pet stores, and any other retail establishment which generates excessive or potentially dangerous waste.

Preparation, placement, and collection of municipal waste

Single-family residential establishments

- 1) Collection of municipal waste shall be made by the Borough at a collection frequency that shall occur no less than once per week.
- 2) All persons owning and occupying single-family residential establishments shall make municipal waste available for collection at such times and dates as may be established by regulation.
- 3) Requirements for collection.
 - a. All municipal waste must be placed in a watertight and animal-proof container with handles that can be easily carried by Borough staff. Containers shall not be less than 20 gallons or more than 35 gallons in capacity. The municipal waste and container combined shall weigh no more than 50 pounds.

- b. All persons must provide a sufficient number of containers for the collection and storage of municipal waste.
- c. Municipal waste must be prepared to prevent the materials from being blown about or littered on Borough streets or on private property. This may include placement of municipal waste in containers with latching lids or in bags that have been tied shut as directed by the Borough.
- d. Containers shall be placed at the curb or another location as designated by the Borough for collection at such times and dates as may be hereinafter established by regulation. Under no circumstances shall containers be placed on the paved portion of a roadway or sidewalk or otherwise obstruct the flow or vision of motorists or pedestrians traveling on adjacent roads, streets, or sidewalks.
- e. No container shall be placed at the curb or in the building line on any lot before 6:00 P.M. on the night prior to the scheduled collection day. Empty containers shall be removed from the curb by 10:00 p.m. on the day of collection. Containers shall not be kept at the curb or street line or at an area designated by the Borough between scheduled collections, and they shall be stored on the owner's property in such location to be unseen from public streets or roads or from the front yard of immediate neighboring property.

Multi-family residential establishments.

- 1) Owners, landlords, or agents of owners or landlords of multi-family residential establishments must establish a system for the collection, transportation, and disposal of municipal waste generated at each building.
- 2) Owners, landlords, or agents of owners or landlords of multi-family residential establishments, if not eligible for Borough collection of municipal waste, must contract with an authorized hauler for the collection of municipal waste.
- 3) Municipal waste collection frequency shall be set by the owner, landlord, or agent of an owner or landlord of a multi-family establishment and the Borough, if eligible, or authorized hauler, but shall occur no less than once a week. More frequent collection of municipal waste may be necessary to prevent containers from being overfilled and cause materials to be blown about or littered on Borough streets and private property.
- 4) The owner, landlord, or agent of an owner or landlord of multi-family residential establishments not serviced by the Borough's collection program must provide a written report to the Borough that lists the authorized hauler collecting municipal waste from the property, the total quantity of municipal waste collected from each multi-family establishment, and the name and affiliation of the person submitting the report. Reports are to be completed on a form supplied by the Borough and shall be submitted annually, by January 31, for the preceding calendar year.

Commercial, institutional, and municipal establishments

- 1) Owners, landlords, or agents of owners or landlords of commercial, institutional, and municipal establishments must establish a system for the collection, transportation, and disposal of municipal waste generated at each building.
- 2) Owners, landlords, or agents of owners or landlords of commercial, institutional, and municipal establishments, if not eligible for Borough collection of municipal waste, must contract with an authorized hauler for the collection of municipal waste.
- 3) Municipal waste collection frequency shall be set by the owner, landlord, or agent of an owner or landlord of a commercial, institutional, or municipal establishment and the Borough, if eligible, or authorized hauler, but shall occur no less than once a week. More frequent collection of municipal waste may be necessary to prevent approved containers from being overfilled and cause materials to be blown about or littered on Borough streets and private property.
- 4) The owner, landlord, or agent of an owner or landlord of commercial, institutional, and municipal establishments that does not receive Borough collection services must provide a written report to the Borough that lists the authorized hauler collecting municipal waste from the property, the total quantity of municipal waste collected from each commercial, institutional, and municipal establishment, and the name and affiliation of the person submitting the report. Reports are to be completed on a form supplied by the Borough and shall be submitted annually, by January 31, for the preceding calendar year.

Community activity

- 1) Organizers or sponsors of community activities must establish a system for the collection, transportation, and disposal of municipal waste.
- 2) Organizers or sponsors of community activities must establish a collection system that includes an appropriate number of containers at easily accessible locations to accommodate the amount of municipal waste generated.
- 3) Organizers or sponsors must contract with an authorized hauler for the collection of municipal waste.
- 4) Organizers or sponsors of a community activity must provide a written report to the Borough that lists the authorized hauler collecting municipal waste from the community activity, the total quantity of municipal waste collected, and the name and affiliation of the person submitting the report. Reports are to be submitted annually to the Borough no later than 30 days upon the conclusion of the event.

Prohibited acts.

- 1) Ineligible collection - It shall be unlawful for any person not eligible for collection as permitted in the Collection Eligibility section of this part, to place any garbage or rubbish, or refuse, or to allow any person not eligible to place any garbage, rubbish, or refuse out for collection by the Borough of Hatboro.
- 2) Importing of municipal waste - It shall be unlawful for any person to bring or allow to have imported into the Borough for the purpose of collection by the Borough or a authorized hauler, any garbage or rubbish generated outside the Borough.
- 3) Collection by unauthorized persons - From the time of municipal waste placement at the curb or other designated location, it shall be a violation of this part for any person not authorized by the Borough to collect municipal waste. Any and each collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereafter provided.
- 4) Burning – No person shall burn or cause to burn for purposes of disposal any municipal waste.
- 5) Littering/illegal dumping – It is unlawful for any person in the Borough to dump or deposit municipal waste on any private or public property or grounds in the Borough.
- 6) Overfilling containers – Containers of municipal waste must not be overfilled to provide for or allow materials to become displaced by natural or manufactured elements.
- 7) Storing/stockpiling materials – All persons in the Borough are prohibited from storing, processing, or disposing of municipal waste on a property except at a facility or in preparation for the collection by an authorized hauler as provided herein. Municipal waste may not be stored on any property for a period longer than seven days. Exceptions include:
 - a. The accumulation of rubbish resulting from construction or renovations of buildings or structures being carried out under a valid permit issued by the Borough may be permitted to accumulate but must be removed within 30 days from the completion of said project.
 - b. Wood stored for fireplace or stove use, when piled neatly behind a building line.
 - c. Storage of new or used building materials or other new or used items of value when stowed neatly behind the building line, and intended for use on the property by the owner or tenant.
- 8) Comingling municipal waste and recyclable materials - No persons shall place recyclable materials in containers used for the collection of municipal waste and no municipal waste shall be placed in recycling containers.
- 9) Public nuisance – It shall be unlawful to keep or allow in or about any dwelling or upon land or other premises within the Borough solid waste of any kind which is obnoxious or offensive by reason of dust or odor, or which attracts insects and vermin, except in

covered receptacles. The cover shall be tight and prevent insects, rodents, or other vermin from accessing the waste materials.

- 10) Hazardous materials – No liquids, explosives, radioactive material or containers which would explode upon contact with heat or fire shall be placed for collection, except small (retail-sold) spray cans. Hazardous waste shall not be stored or placed for collection except for small quantities of waste normally found in the household and available on a retail basis to homeowners.

Fees

- 1) All persons owning property in the Borough eligible for Borough collection services shall be charged an annual fee for collection services provided by the Borough. The fee is to include collection and disposal services for municipal waste, recyclable materials, and leaf waste. Anyone not paying the fee by June 15 of the current year shall be charged a penalty of 10%.
- 2) It shall be the responsibility of the property owner to ensure payment of the annual fee for each eligible residential or commercial unit.
- 3) Fees may be set on an annual basis by resolution of Borough Council, and shall be effective from January 1 until December 31 of the year for which the fee is set.
- 4) All persons owning property in the Borough that is not eligible for Borough collection services shall arrange with an authorized hauler for municipal waste collection and disposal services. The costs of those services shall be arranged between the authorized hauler and the property owner seeking municipal waste services.

Enforcement

The Borough Manager, the Borough Manager's designee, and sworn Hatboro Borough Police Officers are hereby authorized and directed to enforce this Part.

Violations and penalties.

Any person who shall violate any provision of this part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and cost, to a term of imprisonment not to exceed 30 days. Each day that a violation of this part continues or each section of this part which shall be found to have been violated shall constitute a separate offense. For purposes of this section, the doing of any act or thing prohibited by any provision of this part, or the failure to do any act or thing as to which may any provision of this part creates any affirmative duty, shall constitute a violation of this part punishable as herein stated.

PART II
Recycling Requirements

Title.

This part shall be known and may be cited as the "Hatboro Borough Recycling Ordinance."

Program established.

There is hereby established a program for the mandatory source separation and collection of recyclable materials in Hatboro Borough, Montgomery County, Pennsylvania. No person shall collect, remove, treat, transport, or dispose of recyclable materials and leaf waste in Hatboro Borough except in accordance with this part. The use of a authorized hauler will not relieve any person from compliance with this part.

Legislative Intent.

- 1) It shall be the intent of this part to establish standards to protect the health, welfare, and safety of the citizens of Hatboro as pertains to the storage, collection, and disposal of recyclable materials and yard/leaf waste within the Borough of Hatboro and to establish rules and regulations therefor.
- 2) It shall further be the intent of this part to recognize the importance of recycling materials to reduce the amount of municipal waste while encouraging conservation, and to establish rules and regulations therefor.

Definitions.

- 1) In interpreting this part, the present tense includes the future; the singular number includes the plural and the plural the singular.
- 2) As used in this part, the following terms shall have the following meanings:

Act 101 – The statewide recycling requirement in Pennsylvania known as the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988.

Aluminum Containers – Empty beverage and food containers, trays and plates comprised of 100 percent aluminum.

Authorized Hauler - Person registered and authorized by Hatboro Borough to collect, remove, transport, and dispose of municipal waste, recyclable materials, and/or leaf waste for owners or occupants of single-family residential establishments, multi-family residential establishments, commercial establishments, institutional establishments, and municipal establishments in Hatboro Borough.

Bi-Metal Containers – Empty food or beverage container made of steel with a thin plating of tin over the steel.

Borough – The duly incorporated Borough of Hatboro, County of Montgomery, Commonwealth of Pennsylvania, United States of America.

Borough Council – The duly elected members of the Borough Council of the Borough of Hatboro.

Cardboard – A structural paper material with an inner core shaped in rigid parallel furrows and ridges.

Commercial Establishment – A building or buildings used or designed for use for commercial purposes, including wholesale, retail, industrial, manufacturing, transportation, financial or professional services, offices, businesses, or other commercial activities.

Community Activity — Events sponsored or organized in whole or in part by Hatboro Borough or conducted within Hatboro Borough and sponsored privately by a non-profit or for-profit organization and conducted within Hatboro Borough for recreational, educational, cultural, social, or civic purposes, which are attended by 100 or more members of the public or members of a specific organization or group per day. Community activities include but are not limited to fairs, bazaars, socials, picnics and organized sporting events.

Dwelling Unit – One or more rooms in a residential establishment in which rooms have fixed cooking facilities arranged for occupancy by one or more people in each room.

Electronics – Those items which are powered by some form of electricity, or battery including, but not limited to, computers, laptops, computer monitors and keyboards, VCR's, DVD player/recorders, iPods, photocopiers, scanners, printers, stereos, microwave ovens, and televisions.

Glass – Empty bottles, jars, and food and beverage containers made of clear, blue, green, brown, or amber glass, excluding plate glass, window glass, automotive glass, porcelain, ceramic products, and glass ornaments.

High Grade Office Paper – Any white printed or unprinted sheets of ledger, bond, writing, or other papers, including letter-writing stationery, note paper, computer paper, envelopes, and other general purpose paper, including shredded paper.

Institutional Establishment – Of or pertaining to any establishment engaged in service to persons, but not limited to hospitals, nursing homes, orphanages, schools, universities, churches and social or fraternal societies and organizations.

Landlord – The owner of residential, commercial, institutional, and/or municipal property or such owner's authorized agent.

Leaf Waste — Leaves, garden residues, shrubbery, tree limbs and similar materials, but not including grass clippings.

Magazines and Catalogs – A periodical publication containing a collection of articles, stories, photographs, illustrations, and other features usually bound with a paper cover and printed in one or more colors on glossy or chemically coated paper.

Mixed Paper – Recyclable paper materials including paperboard/boxboard, junk mail, and other designated recyclable paper. Excludes cardboard, magazines and catalogues, high grade office paper, and newsprint.

Multi-Family Residential Establishment – A building or buildings under single or multiple ownership and designed as a residence for four or more families living independently of each other and doing their own separate cooking therein, including apartments townhomes, or condominiums.

Municipal Establishment – Of or pertaining to any office or other property under the control of any branch or arm of the Federal Government of the United State of America, the Commonwealth of Pennsylvania, or any political subdivision of the Commonwealth of Pennsylvania including, but not limited to, Hatboro Borough, any counties, cities, townships, and municipal authorities.

Municipal Waste — Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or gaseous material resulting from the operations of residential, municipal, commercial or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. § 6018.101 et seq., from a municipal, commercial, or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials and leaf waste.

Newspaper – Paper distributed at fixed or stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excludes newspapers that are soiled, wet, or otherwise contaminated.

Person — Any individual, partnership, association, corporation, institution, cooperative enterprise, trust, municipal authority, federal government or agency, commonwealth institution or agency or any other legal entity whatsoever which is recognized by law as a subject of rights and duties. In any provision of this part prescribing a fine, imprisonment or penalty or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or any other legal entity having officers and directors.

Plastic – Empty and clean plastic containers that contained food, beverage, cleaning, laundry, and other household products. Includes only rigid containers marked with a recycling symbol and a single number (i.e. 1, 2, 3, 4, 5, 6, or 7). Examples include soda and water bottles, milk and water jugs, laundry soap containers, produce and other food containers, and soap bottles. Excludes expanded polystyrene containers.

Recyclable Materials — Materials designated as recyclable in this part or by Borough resolution for separation, collection, processing, and recovery as part of a recycling program. These materials may include aluminum cans, bi-metal containers, cardboard, glass, leaf waste, magazines and catalogs, mixed paper, newspaper, high grade office paper, and plastic.

Recycling – The separation, collection, processing, and recovery and sale or reuse of recyclable materials, which could otherwise be disposed of or processed as municipal waste.

Resident – Any person who owns, leases or occupies a property located in Hatboro Borough used as a residence.

Single-Family Residential Establishment — Of or pertaining to any occupied dwelling unit for human habitation, except multi-family residential establishment with four or more units. Home occupations incidental to the residential use within a dwelling unit are considered a “residential establishment.”

Source-Separation - The separation of recyclable materials from municipal waste at the points of origin for the purpose of recycling.

Yard Waste — All materials defined as leaf waste in this part in addition to grass clippings.

Powers, duties, and responsibilities.

- 1) Responsibilities – The Borough shall have the power to adopt and implement a program for the recycling of recyclable materials and leaf waste.
- 2) Powers – In carrying out its duties under this section, the Borough Council shall adopt resolutions establishing procedures, regulations and standards for the separation, storage, collection, transportation, and recycling of recyclable materials.
- 3) Duties – The Borough shall implement the provisions of this part by collecting recyclable materials using Borough collection crews or by authorizing haulers to collect, transport, process, and market recyclable materials and leaf waste.

Requirement for collection service.

All persons in the Borough must arrange for the curbside or similar location collection of recyclable materials.

Collection eligibility

- 1) The following shall be eligible for collection of recyclable materials by the Borough of Hatboro:
 - a. Owners of single-family residential establishments or properties or their tenants.
 - b. Owners of multi-family residential establishments or their tenants, when the building contains four or fewer dwelling units located on a single lot.

- c. Owners of commercial properties or their tenants, when the property is used for retail sales as permitted by the Borough Zoning Ordinance, except those as noted in Subsection 2.
- 2) The following shall be ineligible for collection of recyclable materials by the Borough:
 - a. Any activity that generates contaminated or potentially contaminated waste due to use of petroleum products or toxic chemicals.
 - b. Any multi-family residential establishment with more than four residential units or combined residential and commercial units.
 - c. Restaurants, fast food establishments, animal hospitals, pet stores, and any other retail establishment that generates excessive or potentially dangerous waste.

Requirement for collection service.

All persons in the Borough must arrange for the curbside or similar location collection of recyclable materials and leaf waste.

Designated recyclable materials

Designated recyclable materials for the recycling requirements pursuant of this part shall include the following materials:

- 1) Materials designated as recyclable in this part or by resolution of the Borough.
- 2) Other recyclable materials as designated by resolution after 30 days of designation and publication in newspaper, or other publication with general circulation in the Borough.

Separation, preparation, placement, and collection of recyclable materials

Single-family residential establishments

- 1) Except as otherwise provided herein, all persons owning or occupying single-family residential establishments shall separate all recyclable materials generated in their single-family residential establishment from municipal waste. Recyclable materials shall be placed in designated recycling containers and the recycling containers placed curbside or in another designated location for collection by the Borough.
- 2) Separate collection of recyclable materials shall be arranged with the Borough by the owner or occupants of each single-family residential establishment. Owners or occupants of each single-family residential establishment and the Borough shall establish a collection frequency that shall occur no less than once per week.
- 3) The owner or occupant of the single-family residential establishment must obtain information from the Borough on how recyclable materials should be prepared for collection.
- 4) Requirements for collection.

- a. All recyclable materials must be placed in a recycling container separate from municipal waste. Recycling containers may be provided by the Borough, property owner, or resident.
 - b. Containers shall be placed at the curbside or another location as designated by the Borough for collection. Under no circumstances shall containers be placed on the paved portion of a roadway or sidewalk or otherwise obstruct the flow or vision of motorists or pedestrians traveling on adjacent roads, streets, or sidewalks.
 - c. No container shall be placed at the curb or in the front yard on any property before 6:00 P.M. on the night prior to the scheduled collection.
 - d. Recyclable materials must be clean and dry and prepared according to the requirements of the Borough.
- 5) Nothing herein shall be deemed to impair the ownership of recyclable materials by the person who generated them unless and until such materials are placed at the curb or similar location for collection by the Borough.

Multi-family residential establishments.

- 1) Owners, landlords, or agents of owners or landlords of multi-family residential establishments must establish a system for source-separation, collection, transportation, and recycling of the recyclable materials generated at multi-family residential establishments. The system must include an appropriate number of labeled recycling containers at easily accessible locations to accommodate the amount of recyclable materials generated at each multi-family residential establishment. The system must also include written instructions to the tenants or occupants of multi-family residential establishments to inform them of the requirement to recycle and the use and availability of the collection program. The Borough reserves the right to require additional recycling containers for recyclable materials if the Borough deems there is insufficient recycling containers to serve residents.
- 2) Owners, landlords, or agents of owners or landlords of multi-family residential establishments must contract with an authorized hauler for the separate collection of recyclable materials.
- 3) Recyclable material collection frequency shall be set by the owner, landlord, or agent of an owner or landlord of a multi-family residential establishment and the authorized hauler, but shall occur no less than once a week. More frequent collection recyclable materials may be necessary to prevent recycling containers from being overfilled and cause materials to be blown about or littered on Borough streets and private property.
- 4) The owner, landlord, or agent of an owner or landlord of multi-family residential establishments must provide a written report to the Borough that lists the authorized hauler collecting recyclable materials, the total quantity of each recyclable material

collected, and the name and affiliation of the person submitting the report. Reports are to be completed on a form supplied by the Borough and shall be submitted annually, 30 days after the close of each calendar year.

- 5) Owners, landlords, or agent of an owner or landlord who comply with the ordinance shall not be liable for the non-compliance of residents and/or tenants.

Commercial, institutional, and municipal establishments

- 1) Owners, landlords, or agents of owners or landlords of commercial, institutional, and municipal establishments must establish a system for source-separation, collection, transportation, and recycling of recyclable materials generated at each building. The system must include an appropriate number of labeled recycling containers at easily accessible locations to accommodate the amount of recyclable materials generated at the property. It must also include written instructions to the tenants or occupants of commercial, institutional, and municipal establishments to inform them of the requirement to recycle and the use and availability of the collection program. The Borough reserves the right to require additional recycling containers for recyclable materials if the Borough deems there is insufficient containers to serve occupants or tenants.
- 2) Owners, landlords, or agents of owners or landlords of commercial, institutional, and municipal establishments must receive Borough collection services, if eligible, or contract with an authorized hauler for the separate collection of recyclable materials.
- 3) Recyclable material collection frequency shall be set by the owner, landlord, or agent of an owner or landlord of a commercial, institutional, or municipal establishment and the Borough or authorized hauler, but shall occur no less than once a week. More frequent collection of recyclable materials may be necessary to prevent recycling containers from being overfilled and cause materials to be blown about or littered on Borough streets and private property.
- 4) The owner, landlord, or agent of an owner or landlord of a commercial, institutional, or municipal establishment that does not receive Borough collection services must provide a written report to the Borough that lists the authorized hauler collecting recyclable materials, the total quantity of each recyclable material collected, and the name and affiliation of the person submitting the report. Reports are to be completed on a form supplied by the Borough and shall be submitted annually, 30 days after the close of each calendar year.

Community activities

- 1) The organizers or sponsors of a community activity must establish a system for source-separation, collection, transportation, and recycling of aluminum containers, cardboard, plastics, newspapers, glass, mixed paper, and leaf waste. Arrangements for the source-

separation and collection of these materials shall be the responsibility of the organizers or sponsors.

- 2) The organizers or sponsors of a community activity must establish a collection system that includes an appropriate number of recycling containers at easily accessible locations to accommodate the amount of recyclable materials generated. Community activity organizers and sponsors must provide signage and/or labels on recycling containers to indicate what recyclable materials are to be source-separated by event participants.
- 3) Organizers or sponsors must contract with an authorized hauler for the collection of recyclable materials.
- 4) Organizers or sponsors of a community activity must provide a written report to the Borough that lists the name of the community activity, authorized hauler collecting recyclable materials, the total quantity of each recyclable material collected, and the name and affiliation of the person submitting the report. Reports are to be submitted to the Borough no later than 30 days upon the conclusion of the event.

Yard waste

- 1) It is prohibited and will be deemed a violation hereof for any person in the Borough to put or cause to put yard waste with municipal waste. Yard waste shall be source-separated from municipal waste generated on any property and stored for collection in biodegradable bags that will either be provided by the Borough or procured by the person.
- 2) It shall be illegal to place, sweep, or otherwise dispose of yard waste in any public or private street or public or private right-of-way.
- 3) Nothing herein shall prevent any person from utilizing yard waste for compost, mulch, or other agriculture, horticulture, or landscaping purposes on the property where the yard waste is generated.
- 4) All persons in the Borough shall arrange to have yard waste collected curbside or similar location by the Borough, if eligible, or authorized hauler separate from municipal waste and recyclable materials on days established by resolution by Borough Council or at a collection frequency of no less than once per week.
- 5) The owner, landlord, or agent of an owner or landlord of a multi-family residential, commercial, institutional, or municipal establishment not receiving Borough yard waste collection services must provide a written report to the Borough that lists the authorized hauler collecting yard waste, the total quantity of yard waste collected, the name of the facility authorized by the State to receive collected yard waste, and the name and affiliation of the person submitting the report. Reports are to be completed on a form supplied by the Borough and shall be submitted annually, 30 days after the close of each calendar year.

Hazardous waste, batteries, and electronic waste.

- 1) It shall be unlawful for any person to place hazardous or residual waste, as defined in Act 101, in municipal solid waste or to discard or otherwise dispose of hazardous or residual waste except by disposition in compliance with applicable state and federal laws and regulations. For specific material recycling and disposal requirements, refer to the Pennsylvania Department of Environmental Protection guidelines and Montgomery County Pennsylvania requirements. Montgomery County periodically hosts hazardous waste collection events for Borough residents to dispose of hazardous waste.
- 2) It shall be unlawful for any person to place a used lead acid battery in municipal solid waste or to discard or otherwise dispose of a lead acid battery except by delivery to an automotive battery retailer or wholesaler, a Montgomery County hazardous waste collection event, a secondary smelter permitted by the U.S. Environmental Protection Agency, or to a collection or recycling facility authorized under the laws of Pennsylvania.
- 3) In accordance with Act 108, no person may dispose of a Covered Device or any of its components with their municipal solid waste. This type of waste requires special collection and disposal arrangements. Information on how to recycle Covered Devices may be obtained by contacting the Borough for special collection.
- 4) Large and small appliances containing Freon may not be combined with municipal solid waste. These appliances contain chlorofluorocarbons and Freon that must be removed by a certified professional, and these should be taken to a Freon-certified handler. Freon-containing appliances may include refrigerators, freezers, air conditioning units, dehumidifiers, and water coolers.

Prohibited acts.

- 1) Collection by unauthorized persons - From the time of recyclable material placement at the curb or other designated location, it shall be a violation of this part for any person unauthorized by the Borough to collect or pick up recyclable materials. Any and each collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereafter provided.
- 2) Burning – No person shall burn or cause to burn for purposes of disposal any recyclable materials or yard waste.
- 3) Comingling municipal waste and recyclable materials - No persons shall place recyclable materials in containers used for the collection of municipal waste and no municipal waste shall be placed in recycling containers.
- 4) Littering/illegal dumping – It is unlawful for any person in the Borough to dump or deposit recyclable materials, leaf waste, municipal waste, or any other refuse on any private or public property or grounds in the Borough.

- 5) Overfilling containers – Containers of recyclable materials, leaf waste, municipal waste, or any other refuse must not be overfilled to provide for or allow materials to become displaced by natural or manufactured elements.
- 6) Storing/stockpiling materials – All persons in the Borough are prohibited from storing, processing, or disposing of recyclable material on a property except at a facility or in preparation for the collection by an authorized hauler as provided herein. Notwithstanding the forgoing, yard waste may be composted onsite.
- 7) Public nuisance - It shall be unlawful and a public nuisance for any person to violate, cause or assist in a violation of any provision of this part or violate, cause or assist in the violation of any rule, regulation or resolution promulgated by the Borough Council pursuant to this part.

Ownership of recyclable materials.

Nothing in this part or any regulation promulgated pursuant hereto shall be deemed to impair the ownership of recyclable materials by the persons who generated them unless and until separated materials are placed at curbside or similar location and collected by the Borough or authorized hauler.

Enforcement

The Borough Manager, the Borough Manager's designee, and sworn Hatboro Borough Police Officers are hereby authorized and directed to enforce this Part.

Violations and penalties.

Any person who shall violate any provision of this part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this part continues or each section of this part, which shall be found to have been violated, shall constitute a separate offense. For purposes of this section, the doing of any act or thing prohibited by any provision of this part, or the failure to do any act or thing as to which may any provision of this part creates any affirmative duty, shall constitute a violation of this part punishable as herein stated.

PART III
Municipal Waste and Recyclable Material Collection Requirements

Title

This part shall be known and may be cited as the “Hatboro Borough Municipal Waste and Recyclable Material Collection Ordinance.”

Definitions

Act 101 – The statewide recycling requirement in Pennsylvania known as the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988.

Authorized Hauler - Person registered and authorized by Hatboro Borough to collect, remove, transport, and dispose of municipal waste, recyclable materials, and/or leaf waste for owners or occupants of single-family residential establishments, multi-family residential establishments, commercial establishments, institutional establishments, and municipal establishments in Hatboro Borough.

Borough – The duly incorporated Borough of Hatboro, County of Montgomery, Commonwealth of Pennsylvania, United States of America.

Borough Council – The duly elected members of the Borough Council of the Borough of Hatboro.

Commercial Establishment – A building or buildings used or designed for use for commercial purposes, including wholesale, retail, industrial, manufacturing, transportation, financial or professional services, offices, businesses, or other commercial activities.

Disposal Facility - A State-permitted facility which processes or acts upon municipal waste, recyclable materials, and/or leaf waste so as to dispose of the material, such as a composting facility, an incinerator, a resource recovery plant, a recycling processing facility, a waste-to-energy facility, or a sanitary landfill.

Institutional Establishment – Of or pertaining to any establishment engaged in service to persons, but not limited to hospitals, nursing homes, orphanages, schools, universities, churches and social or fraternal societies and organizations.

Leaf Waste - Leaves, garden residues, tree limbs and similar materials, but not including grass clippings.

Municipal Establishment - Of or pertaining to any office or other property under the control of any branch or arm of the Federal Government of the United State of America, the Commonwealth of Pennsylvania, or any political subdivision of the Commonwealth of

Pennsylvania including, but not limited to, Hatboro Borough, any counties, cities, townships, and municipal authorities.

Municipal Waste - Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or gaseous material resulting from the operations of residential, municipal, commercial or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. § 6018.101 et seq., from a municipal, commercial, or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials.

Person - Any individual, partnership, association, corporation, institution, cooperative enterprise, trust, municipal authority, federal government or agency, commonwealth institution or agency or any other legal entity whatsoever which is recognized by law as a subject of rights and duties. In any provision of this part prescribing a fine, imprisonment or penalty or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or any other legal entity having officers and directors.

Recyclable Materials - Materials designated as recyclable in this part or by Borough resolution for separation, collection, processing, and recovery as part of a recycling program. These materials may include aluminum cans, bi-metal cans, corrugated paper, glass, leaf waste, magazines, mixed paper, newsprint, office paper, and plastic.

Resident - Any person which owns, leases or occupies a property located in Hatboro Borough used as a residence.

Source-Separation - The separation of recyclable materials from municipal waste at the points of origin for the purpose of recycling.

Hauler registration required.

It shall be unlawful for any person to collect, remove and/or transport municipal waste, recyclable materials, and/or leaf waste within Hatboro Borough without first registering with the Borough. This includes contractors, companies, organizations, or other entities that perform landscaping or other yard services to persons in the Borough and transport yard waste generated from their services off the property where the materials were generated.

Hauler registration and approval requirements.

All persons wishing to collect, remove, and/or transport municipal waste, recyclable materials, and/or yard waste within the Borough must annually register and receive authorization from the Borough. Authorization by the Borough will allow the registered hauler to provide collection, removal, and transportation services to residential, commercial, institutional, and municipal establishments. Authorized haulers may collect, remove or transport municipal waste, recyclable materials, and/or yard waste within the Borough from the date of authorization until December 31 of the same calendar year, only so long as the authorized hauler is in full compliance with the requirements of this part, and any regulations enacted pursuant thereto. Authorized haulers must renew their registration with the Borough no later than January 31 of each year in order to

continue collecting, removing, and/or transporting municipal waste, recyclable materials, and/or yard waste in the Borough for the subsequent year. Any person whose registration is received and approved by the Borough shall have the privilege of collecting, removing, and/or transporting municipal waste, recyclable materials, and/or leaf waste within the boundaries of Borough. Hauler authorizations are not transferable.

At the time of registration, the person shall provide the following information on a form prepared by the Borough. Upon receipt and review of the following information, the Borough will issue an authorization letter to persons who have satisfied all the requirements of the Borough's registration program.

- 1) The business name of the person, name of a contact person, business address, telephone number, email address, and twenty-four hour emergency telephone number to receive calls from persons in the Borough who will be serviced by the person.
- 2) The make, model, year, and registration number of each truck or vehicle used by the person in the Borough to collect, remove, and/or transport municipal waste, recyclable materials, and/or yard waste.
- 3) A certificate of the person's workmen's compensation insurance, as required by law.
- 4) A certificate of insurance coverage providing complete third-party public liability for both bodily injury and property damage, owner's and person's protective insurance and automobile insurance with respect to personal injuries and property damage. Such insurance shall be in amounts that shall be from time to time set forth by the Borough by regulations adopted hereunder. Each and every policy of insurance herein mentioned which is required pursuant to the terms of this part shall carry with it an endorsement to the effect that the insurance carrier will convey to Hatboro Borough, by certified mail, written notice of any modifications, alterations or cancellation of any such policy or policies or the terms thereof. The above-mentioned written notice shall be mailed to Hatboro Borough at least 10 days prior to the effective date of any such modification, alteration or cancellation.
- 5) Persons shall provide the Borough with its current rate schedule, its intended areas of operation in the Borough, by street, the terms of service, and the scheduled days of collection in different areas of the Borough.
- 6) The name of the disposal facility(s) where municipal waste will be taken for disposal.
- 7) The processing and/or marketing facility(s) where the recyclable materials will be taken.
- 8) The state-permitted composting site(s) where yard waste will be taken for composting.
- 9) The annual quantities of municipal waste, recyclable materials, and yard waste collected from commercial, institutional, municipal, and multi-family residential establishments in

the Borough if the hauler collected these materials at any time in the previous calendar year.

- 10) Other information as the Borough, in furtherance of this part, shall deem appropriate and necessary.

Conditions of registration approval.

As a condition to the approval of an authorized hauler's registration, the authorized hauler shall comply with the following:

- 1) Services Required - Provide separate collection, removal, and transportation services for municipal waste, recyclable materials, and yard waste from persons in the Borough with whom the authorized hauler provides services.
- 2) Collection equipment and transportation vehicles. The collection equipment and transportation vehicles used for the collection, removal, and transportation of municipal waste, recyclable material, and yard waste shall be of the closed metal-body-type. The equipment and vehicles shall be at all times in good and proper mechanical condition and in compliance with the minimum safety and sanitary regulations and statutes of the Commonwealth of Pennsylvania. All such vehicles shall be specifically designed to prevent leakage of any liquids or fluids.
- 3) Establish Preparation Procedures. Authorized haulers must establish procedures for the separation, storage, and collection of municipal waste, recyclable materials, and yard waste. The Borough and persons serviced must be given adequate notification of these instructions.
- 4) Authorization to provide services. At all times while in the process of collecting, removing, and/or transporting municipal waste, recyclable materials, and/or yard waste in the Borough, a copy of the current, unexpired authorized hauler's registration and approval issued by the Borough shall be available in each collection vehicle. The driver of the vehicle shall produce the document on request by a Borough Code Enforcement Officer or his/her designee or to any police officer of the Borough.

Refusal to grant registration approval; suspension; revocation.

- 1) The Borough shall have the right to refuse to approve or authorize a registration to any authorized hauler or person or to revoke or suspend previously approved registration or refuse to renew the same if said person or authorized hauler submits incomplete or false information to the Borough or fails to comply with the Borough's hauler registration requirements, any provision of this ordinance or any regulation adopted hereunder, Act 101, or any other applicable federal, state, or local regulations.
- 2) Refusal to grant registration authorization or suspension or revocation of an authorized hauler's registration shall be made in writing by the Borough. The written notification

shall indicate the reason for the refusal, suspension, or revocation of the registration and provide a limited opportunity for the hauler to satisfy the requirements or issues identified.

Prohibited acts.

It shall be unlawful and a violation of this part for any authorized hauler to:

- 1) Collect or transport municipal waste from persons failing to source-separate recyclable materials and yard waste from municipal waste.
- 2) Commingle or mix source-separated recyclable materials or yard waste collected in the Borough with municipal waste.
- 3) Fail to provide for the proper disposal of any municipal waste collected or transported within the Borough at a disposal facility in accordance with state and local laws.
- 4) Fail to recycle recyclable materials and yard waste in accordance with this part and other Borough ordinances and federal and state laws and regulations.
- 5) Load or operate any vehicle within the Borough or transport municipal waste, recyclable materials, and/or yard waste within the Borough in such a manner as to allow municipal waste, recyclable materials, and/or yard waste to fall upon public roads or upon land abutting the public roads in the Borough.
- 6) Fail to replace the containers with their lids or covers in place at the location of collection in an orderly manner and off roads, streets, and/or sidewalks.
- 7) Otherwise create a public nuisance.

Rules for collection.

The collection of municipal waste, recyclable materials, and yard waste by authorized haulers shall be made in compliance with this ordinance or any other regulations adopted by the Borough Council to carry out the intent and purpose of this part. Such rules and regulations shall be approved by resolution of the Borough Council and, when so approved, shall have the same force and effect as the provisions of this part. Said rules and regulations may be amended, modified or repealed by resolution of the Borough Council.

Contracting collection services

The Borough or its designated agent may enter into one or more agreements at any time with authorized haulers for the collection of municipal waste, recyclable materials, and/or leaf waste from residential, commercial, institutional, and/or municipal establishments. Procuring collection services from an authorized hauler shall be completed using a public bid process that

will permit authorized hauler(s) to exclusively collect all or part of the municipal waste, recyclable materials, and/or leaf waste generated in the Borough.

Enforcement

The Borough Manager, the Borough Manager’s designee, and sworn Hatboro Borough Police Officers are hereby authorized and directed to enforce this Part.

Violations and penalties.

Any person who shall violate any provision of this part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this part continues or each section of this part, which shall be found to have been violated, shall constitute a separate offense. For purposes of this section, the doing of any act or thing prohibited by any provision of this part, or the failure to do any act or thing as to which may any provision of this part creates any affirmative duty, shall constitute a violation of this part punishable as herein stated.