

Recycling Technical Assistance Project
#593

MORTON BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

**DEVELOPING A MANDATORY RECYCLING ORDINANCE AND LANDLORD/TENANT RECYCLING
EDUCATION PROGRAM IN MORTON BOROUGH, PA**

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



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1.0 STATEMENT OF PROBLEM

Morton Borough (the Borough, or Morton) is seeking to enact a mandatory recycling ordinance, and establish a landlord/tenant recycling education program. The Borough is a non-mandated municipality with a weekly single-stream curbside recycling collection program that was started in 2013. Morton has reached out to residents to educate them about the new recycling program, and residential participation has increased significantly. Morton Borough is home to many businesses and tenants. To increase recycling participation, both residential and commercial, and make the most of the existing recycling collection program, Morton is seeking to make recycling mandatory via ordinance, and to reach out to businesses, landlords, and tenants to educate them about recycling. Additionally, according to Act 140 of 2006, in order for Morton Borough to receive more than \$10,000 in a Section 904 Recycling Performance Grant award, the Borough must make a few changes to the current recycling program. Through the partnership between the Pennsylvania State Association of Township Supervisors and the Pennsylvania Department of Environmental Protection (PADEP), the Borough was provided with technical assistance by KRF Environmental.

2.0 SCOPE OF WORK

Task 1 – Project Organization – KRF Environmental (KRF) contacted Morton Borough and developed a Scope of Work.

Task 2 – Data Gathering – KRF gathered ordinance language examples, enforcement policy details, educational measures, program effectiveness, administrative requirements, common issues, and other information for the types of mandatory and landlord/tenant programs of interest, as specified by Morton Borough. KRF contacted other municipalities via phone and e-mail to obtain program information. KRF developed draft recycling ordinance language, and developed a landlord/tenant recycling education program.

Task 3 – Report Writing – KRF produced a report detailing ordinance and education options. Appendices include example ordinance language, enforcement program structure, example educational materials, landlord/tenant recycling program plan, and landlord/tenant education material suggestions. The report also addresses other considerations such as grant opportunities.

Task 4 – Report Revision and Final Submission – KRF revised the report as necessary and submitted the final report.

3.0 EXISTING WASTE MANAGEMENT PROGRAM

Morton Borough is a 0.4 square-mile non-mandated¹ municipality in Delaware County, Pennsylvania with 2,669 residents, or 1,215 households, according to Borough records. The Borough has one full-time secretary and two public works staff. Borough vehicles include two pickup trucks and no waste, recycling, or leaf hauling trucks. Morton Borough established a weekly single-stream curbside recycling collection program in 2013 that has significantly increased recycling in the Borough as shown in the following table. The success of the Borough's program is in large part due to the excellent public education effort put forth by the Borough and volunteers. Morton Borough currently contracts with Republic Services for residential trash and bulk item collection once per week, and with Suburban Waste Services, Inc. for residential recycling collection once per week. The annual waste-hauling fee per household is \$176.00. There are four Suburban Paper Retriever paper drop-off bins located in Morton at the Amvets Post, Our Lady of Perpetual Help, Delaware County Intermediate Unit, and Amosland Elementary School, at which residents may deposit newspapers, magazines, and office paper. Yard waste is not collected, but residents may drop off yard waste at the County Composting Farm in Aston. Businesses are responsible for contracting privately for trash and (if desired) recycling collection. There are many tenants in the Borough, but currently no recycling information is specifically given to new renters.

¹ Act 101 mandates that Pennsylvania municipalities containing over 10,000 people, or over 5,000 people if population density exceeds 300 per square mile, require residential and commercial recycling.

Year	2014	2013	2012	2011	2010	2009
Residential Tons Reported	291.2	238.8	90.3	95.4	96.6	3.8
Commercial Tons Reported	247.8	413.0	302.2	343.7	351.9	401.1
Total Tons Reported	539.0	651.8	392.5	439.1	448.5	404.9
Census Population	2669	2669	2669	2669	2669	2715
Municipal Recycling Rate	25.24	22.37	8.46	8.94	9.05	0.35
Section 904 Grant Award*	\$9,780	\$8,887	\$2,729	\$3,080	\$3,160	\$4,013

* Beginning in 2010, PADEP changed the grant award formula calculations to reduce the total award amount by 40%

4.0 PROPOSED WASTE MANAGEMENT PROGRAM OPTIONS

4.1 Ordinance Language

4.1.1 Recyclables

A mandatory recycling ordinance is a way to require recycling, commercially and residentially, in the municipality. Pennsylvania's Act 101 mandates recycling in municipalities with populations of greater than 10,000, or in municipalities with populations between 5,000 and 10,000 and more than 300 persons per square mile. Morton Borough is *not* a mandated municipality and does not currently have an ordinance mandating recycling. According to Act 140 of 2006, the PADEP does require any municipality receiving more the \$10,000 of Section 904 grant money to have a mandatory residential and commercial recycling ordinance, recycling education, recycling enforcement, anti-litter program, designated recycling coordinator, and involvement in the County hazardous waste collection program. See Appendix A for Pennsylvania's Recycling Program Requirements. Since the 2013 inception of Morton's recycling program, the recycling tonnage and corresponding Section 904 grant award has increased significantly, and in 2014 Morton received \$9,780. Morton Borough should enact an ordinance that requires recycling commercially and residentially, both to be eligible for Section 904 grant amounts over \$10,000 and to increase the effectiveness of their recycling program. Also, as discussed later in this report, the more a non-mandated municipality complies with the Act 101 requirements for a mandated municipality, the more favored they are for a competitive Section 902 Recycling Program Implementation and Development Grant. An ordinance would require commercial establishments to contract privately with a hauler for recycling collection. Some commercial establishments in the municipality are already recycling. Morton Borough currently provides residential trash and recycling hauling. If an ordinance was added to require recycling, residents may feel more obligated to use the provided recycling services, and commercial recycling may also increase significantly.

4.1.2 No-Burning

A Borough that is mandated to recycle under Act 101 may not allow the burning of any materials it recycles (e.g., paper, plastic, glass, cardboard, cans, and leaf waste). While Morton is not an Act 101 mandated municipality, complying with Act 101 is beneficial as previously mentioned. Prohibition of outdoor burning may be addressed in the recycling ordinance, or may be addressed in a fire prevention or specific no-burn ordinance. Certain burning activities may be permitted by the Borough on a case-by-case basis, which can be managed through dispensation of "burn permits." Some local Boroughs have burning activities in the municipality monitored by the fire marshal. KRF included the burning prohibition in the draft recycling ordinance.

4.1.3 Leaf Waste Separation

As a non-mandated municipality, Morton is not required to provide yard waste pickup. However, complying with Act 101 requirements for mandated municipalities is beneficial when applying for Section 902 grants, as previously discussed. Per Act 101, leaf waste must be separated from the municipal waste stream and composted at home or at

a composting facility; it therefore cannot be disposed of or burned. Pennsylvania’s Act 101 Leaf Waste Collection Requirements are included as Appendix B and provide exact details. Since Morton residents can drop off leaf waste for composting at the Composting Farm in Aston, the municipality is only required to establish a leaf waste collection schedule for pickup at least twice per year, once in the spring and once in the fall, to be in compliance with Act 101. However, having leaf pickup once in the spring and *twice* in the fall is a preferable and much more effective schedule. An effective yard waste pickup schedule could include two fall bagged-leaf pickups, one spring bagged-leaf pickup, and a January Christmas tree pickup. Morton could include bagged leaf waste collection as an optional bid item in the next hauler bid request, or Morton could apply for a Section 902 grant to fund the purchase of a leaf collection truck and perform collection in-house. According to review of Section 902 grant recipient records, the purchase of leaf collection trucks are being funded through the grant program. KRF included leaf waste separation language in the draft ordinance. The Borough and Borough Solicitor can discuss the recommended ordinance language and keep, edit, or remove parts as they see fit. The Draft Recycling Ordinance can be found in Appendix C.

4.2 Enforcement

After educating residents and businesses about a new recycling ordinance, some non-compliance issues may arise. It is important to advertise a Borough contact email and/or phone number to answer recycling questions or address problems. This same contact email and/or phone number can be used in case of illegal dumping or litter complaints, to fulfill the anti-litter requirement of Act 140. Facilitating communication about recycling will prevent some non-compliance issues and provide an avenue identifying problems. It is also important to educate the Borough’s contracted waste and recycling haulers about the recycling ordinance, and encourage them to report compliance problems to the Borough and refuse to pickup cans with mixed trash and recyclables. When a non-compliance issue arises, most municipalities contacted by KRF enforce their recycling program through warning letters, notices of violation, and fines. The Borough secretary, a zoning officer, or other Borough official should be designated as the recycling violations coordinator, and may cite and keep record of recycling violations. Based on interviews conducted by KRF, Boroughs did not identify the need to impose fines on a regular basis. A simple way of dealing with a violation is to send a letter to the violator outlining the nature of the violation and a highlighted copy of the ordinance, identifying fine amounts. According to many municipalities, a warning letter often fixes the problem. If the problem persists a fine may be imposed. Appendix D provides an Example Notice of Violation. This Draft Notice does not constitute legal advice, and any such notice should be reviewed by the municipal solicitor.

Some municipalities have municipal employees, rather than or in addition to contracted hauler employees, check cans for incorrect material and issue warnings when residents are in violation. This practice has proven to be a very effective means of education in other municipalities. It can be employed in Morton, though it requires dedicated staff time. The acronym SWEEP (Solid Waste Education and Enforcement Program) is used in multiple municipalities and could be adopted by Morton. Naming and acknowledging the can check program, on the website or in newsletters, can increase recycling awareness and also alert residents that they may see Borough public works staff checking cans for compliance. While this is an option, it is not recommended by KRF at this time due to limited staff availability.

4.3 Hauler Education

When Morton Borough enacts the recycling ordinance, it is important to educate the contracted residential waste and recycling haulers, as well as local commercial haulers, about the requirements of the new ordinance so they can act as partners in establishing the new recycling rules. The contracted residential haulers can educate residents by tagging cans that contain inappropriate material. For example, a hauler would tag a recycling can containing some trash, and would leave the full can at the curb, then inform the Borough of the address in non-compliance. If other local commercial haulers know that businesses are required to recycle, the haulers can inform businesses that they are providing those services. Commercial haulers need to be informed of the services they must offer, and their recycling reporting requirements. Morton should send each hauler a bullet point summary of the new rules, with a

copy of the new ordinance. Appendix E provides a Draft Hauler Notification. Although the Borough can request hauler assistance with education, Morton must ultimately take responsibility for enforcing the ordinance.

4.4 Residential and Commercial Education

Haulers and municipalities agree that education is the most important factor for a recycling program's success. When Morton establishes the recycling ordinance, significant residential and commercial education is highly recommended. A letter should be sent to all residents and businesses before the ordinance takes effect. Information should be posted on the Borough's website and Facebook® account as well. Another letter should go out after the ordinance takes effect. At a minimum, most municipalities provide recycling education via their website and newsletters (sent at least twice per year). Municipalities recommended the following additional effective education methods: Twitter® or Facebook® accounts to send out reminders, door hangers, flyers twice per year, postcards, detailed website information, press releases, information on the municipal cable access channel, a publicly-displayed banner, promotional items, school education, and inclusion in any municipal communication such as newsletters and tax bills.

Residents and businesses should be educated on the new recycling and leaf waste collection requirements per the Recycling Ordinance. To comply with Act 140 and be eligible for over \$10,000 of Section 904 Grant funding, a municipality must have a "residential and business recycling education program." If Morton wishes to comply with Act 101, at a minimum the municipality must, at least 30 days prior to the initiation of the recycling program and at least once every 6 months thereafter, notify residents and businesses of the ordinance requirements. Morton could send out an initial letter notifying residents and businesses of the recycling ordinance, and then continue to send reminders in most Borough communications sent to residents. The website should include a copy of the Recycling Ordinance, an overview of recycling and leaf waste separation requirements, a Borough contact email and/or phone number in case of recycling questions or problems, a contact email and/or phone number in case of illegal dumping or litter complaints, and links to the County Household Hazardous Waste Program Information. Appendix F provides more detailed information on Pennsylvania's Act 101 Recycling Education Requirements. Appendix G provides a Draft Resident and Business Notification.

4.5 Landlord/Tenant/Business Recycling Education Program

Morton expressed concern that many landlords and tenants in the Borough may not currently be recycling. As outlined in the draft Recycling Ordinance, and current Borough procedures, multifamily residences with three or less units are served by the Borough recycling collection program. Businesses and multifamily residences with four or more units are responsible for contracting their own recycling services. Since the transient population (i.e., tenants) may not have a strong "pride of place" or incentive to recycle, it is beneficial to make recycling as straightforward and easy as possible. Fortunately, the Borough's existing weekly single-stream curbside program makes recycling easy for those it serves, so the foremost task is to educate those tenants and landlords about the responsibility, the benefits, and the ease of using the program. For other landlords and businesses required to contract recycling services, the Borough should assist them with recycling program development and education. Other municipalities have provided businesses and landlords with tools for recycling program startup and education, and some municipalities credit their chamber of commerce or local business meetings with increasing the sense of civic responsibility, and therefore increasing business/landlord recycling participation. Many municipalities keep a contact list of businesses so they can email important information, plan business gatherings, or send out e-newsletters. Since renters' duration in a municipality can be short, they may not be aware of the recycling requirements. Sending out some form of recycling education every 6 months, as previously noted, and maintaining up-to-date information on the website will help reach transient residents.

The Borough should keep a business/landlord directory with contact names, numbers, emails, and their contracted recycling haulers. Each year the Borough can contact a portion of the businesses/landlords to check on their recycling efforts, and ask for suggestions or questions. After the Recycling Ordinance is passed, the Borough should

send the Draft Resident and Business Notification, presented in Appendix G. The Morton website should be updated with information on, and a link to, the new Ordinance and a new webpage should be added using the Draft Landlord/Tenant/Business Recycling Webpage Text provided in Appendix H. The new webpage for Landlord/Tenant/Business Recycling can include a downloadable Landlord/Business Toolkit, including a Recycling Information Sheet, Recycling Reminder Poster, and Acceptable Materials Poster. These are provided in Appendix I and materials can be downloaded, printed, and used in the apartment or workplace to educate tenants and employees about recycling practices. Morton could reach out to the business community to see if someone might be interested in chairing a Morton Business Networking Meeting that could be held approximately every 6 months. A local Business Networking Meeting would be a forum to discuss sharing recycling contracts, beneficial partnerships, community sponsorship, and other community-building ideas.

4.6 Section 902 Grant Requirements

Morton previously considered applying for a PADEP Section 902 Recycling Program Implementation and Development Grant for the purchase of recycling totes. The Section 902 Recycling Program Development and Implementation Grant offered by the PADEP reimburses counties and municipalities 90% of eligible recycling program development and implementation expenses. This grant is very competitive and is typically offered once per year, but does not have a predictable schedule. The last Section 902 grant application was due November 2015 and the grant round was open only about two months. Municipalities may apply every year, but if they are awarded a grant, they may not apply during the next grant round. To be eligible for this grant, the Borough would need to make sure none of its ordinances authorize the burning of leaves or other recyclable material. To be competitive for this grant, non-mandated municipalities like Morton should be in compliance with Act 101 requirements for mandated municipalities as much as possible. According to PADEP representatives, a municipality is more likely to receive a grant if it has a mandatory recycling ordinance, has recycling collection once-per-week, collects at least seven of the Act 101 recyclables (office paper, cardboard, mixed paper, clear glass, colored glass, aluminum cans, steel cans, newspaper, various plastics, etc.), collects leaves and yard waste, distributes residential and commercial recycling education material at least twice per year, collects recycling at community events, has an anti-litter program, demonstrates a financially sustainable program, etc.

The Section 902 grant application is different every year and the next application is not yet available. In past years, the application has required contact information, detailed information about the waste, leaf, and recycling programs, details about processing facilities, copies of applicable ordinances, details about the education program, copies of the past year's recycling education material, details on the project to be funded, itemized financial statements for the past five years of income and expenses of the waste and recycling programs (including line items for education and leaf collection), proposed project scope of work, itemized financial data for the proposed project to be funded, detailed quotes from vendors, and more. After completing a draft of the grant application, a municipality must schedule a pre-application conference with the regional PADEP representative. The PADEP representative will review the draft application and make edits and suggestions. After the application is submitted, there is no specific time frame for approval. If the grant application is not approved, the municipality may apply the following year re-using much of the same information that was collected for the previous grant application.

Due to the extremely competitive nature of the Section 902 grants, the Borough would most likely have to change, or be in the process of changing aspects of the recycling program, including a mandatory recycling ordinance, leaf collection, and increased recycling education. See Appendix J for Act 101 Section 902 Recycling Grant Application Guidelines Regarding Proper Management of Recyclables, Including Leaf Waste. If the Borough intends to submit a Section 902 application, it would be helpful to consider starting a leaf collection program, as discussed in Section 4.1.3. Morton could even consider conducting leaf collection in-house and applying for funding to purchase a leaf collection truck through the Section 902 grant.

5.0 RECOMMENDATIONS AND CONCLUSION

- ORDINANCE – Review, revise, and enact the attached draft recycling ordinance with no-burning clause, requiring residents and businesses to recycle. Consider requiring the separation of leaf waste.
- LEAF WASTE PROGRAM – Consider establishing a leaf collection program either via an optional bid item in the next hauler bid or in-house collection with the purchase of a collection truck funded by the Section 902 grant.
- ENFORCEMENT – Designate a recycling violations coordinator and determine a clear process for handling violations. For example, the recycling violations coordinator can receive complaints of violation, send a notification of violation and fines, and have the solicitor proceed with the penalty procedure if the problem is not resolved. Request that the Borough’s waste and recycling haulers inform the Borough of recycling violations and refuse to pick up cans with unacceptable material.
- HAULER EDUCATION – Review and revise the Draft Hauler Notification included in Appendix E, and send it to haulers before instituting the recycling ordinance.
- RESIDENTIAL AND COMMERCIAL EDUCATION – Review, revise, and send residents and businesses the Draft Resident and Business Notification of the recycling and leaf waste requirements included in Appendix F before the ordinance takes effect. Update the website and Facebook® page, include information in most Borough mailings, and prepare press releases. Plan to send out some form of recycling education at least every 6 months.
- LANDLORD/TENANT/BUSINESS RECYCLING EDUCATION PROGRAM - Review, revise, and publish the webpage text for Landlord/Tenant/Business Recycling, included in Appendix I. Form a business/landlord contact list and contact businesses occasionally to update recycling information. Support the formation of a semi-annual Morton Business Networking Meeting.
- SECTION 902 RECYCLING IMPLEMENTATION AND DEVELOPMENT GRANT – After implementation of the Recycling Ordinance, apply for a Section 902 Grant to fund the purchase of recycling totes and possibly a leaf collection truck.

Ultimately, the Morton Borough Council should choose the recycling program modifications it feels best serve the residents of Morton at this time. The Borough should consult with the Solicitor or legal counsel to determine the appropriateness of these recommendations.

Appendix A

Pennsylvania's Act 101 Recycling Program Requirements

Description of Recycling Performance Grant Requirements per PADEPAct 140 of 2006 Impacts on Act 101 Recycling Performance Grants

Municipalities, except for counties, receiving more than \$10,000 in Act 101 Section 904 Recycling Performance Grant funding must meet the following performance requirements.

- Requires, through ordinance, that all residents have waste and recycling service.
- Has an implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program.
- Has a residential and business recycling education program.
- 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.
- Has provisions, participates in a county or multi-municipal program or facilitates a private sector program for the recycling of special materials.
- Sponsors a program, facilitates a program or supports an organization to address illegal dumping and/or littering problems.
- Has a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipality or municipalities.

If the municipality has not met the above performance requirements, the grant funds awarded shall be expended by the municipality only to meet the performance requirements. If the municipality has met the performance requirements, the grant funds awarded may be expended by the municipality on any expense as determined in the discretion of the municipality. The Department may require budget documents or other expenditure records and may deny funding through this Section if an applicant cannot demonstrate that funds have been expended on eligible activities.

Appendix B

Pennsylvania's Act 101 Leaf Waste Collection Requirements

PENNSYLVANIA'S ACT 101 LEAF WASTE COLLECTION REQUIREMENTS

Act 101, Section 1501(c)(1)(ii) and (iii), requires persons in mandated municipalities to separate leaf waste from other municipal waste generated at residential, commercial, municipal and institutional establishments. "Leaf waste" is defined in the Act and its regulations as "Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings." Source separated leaf waste, as with other recyclable material, is to be collected at least once per month as set forth in Act 101 Section 1501(c)(2) and (3) and processed at Pa. DEP-approved composting facilities.

Act 101 mandated municipalities with programs that collect leaves only in the fall are not in compliance with the Act. Mandated municipalities desiring to establish leaf waste collection programs in compliance with Act 101 must, as a minimum:

1. Require by ordinance that leaf waste consisting of leaves, garden residues, shrubbery and tree trimmings, and other similar material are targeted for collection from residences and commercial, municipal and institutional establishments; and
2. Establish a scheduled day, at least once per month, when leaf waste is collected from residences; or
3. Establish a scheduled day, not less than twice per year and preferably in the spring and fall, when leaf waste is collected from residences, and facilitate a drop-off location or other collection alternative approved by Pa. DEP that allows persons in the municipality to deposit leaf waste for the purposes of composting or mulching at least once per month. The leaf waste drop-off location may be located in a neighboring municipality or at a private sector establishment provided that an agreement is in place to utilize that location and the municipality keeps residents and commercial, municipal and institutional establishments informed of the option at least once every six months.
4. Ensure that commercial, institutional and municipal establishments generating leaf waste have collection service.
5. Municipalities are encouraged to manage source separated Christmas trees as leaf waste for processing at Pa. DEP-approved composting facilities.

Appendix C

Draft Recycling Ordinance

NOTE: DRAFT – In NO Way does this draft ordinance constitute legal advice. This draft language is presented to convey a proposed structure for the newly mandated recycling program, and is for discussion and review by the municipality, Solicitor, and those they wish to share it with.

**BOROUGH OF MORTON
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. OF 2016

AN ORDINANCE OF THE BOROUGH OF MORTON, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES OF THE BOROUGH OF MORTON, ENTITLED “SOLID WASTE,” TO ADD PART 3 ENTITLED “RECYCLING PROGRAM” PROVIDING THAT ALL PROPERTY OWNERS, BUSINESSES, AND RESIDENTS SHALL SEPARATE RECYCLABLE MATERIALS FROM TRASH FOR COLLECTION IN THE BOROUGH.

BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Morton as follows:

Section 1: Enactment of Chapter 20, Part 3 “Recycling Program” Part 3 of Chapter 20 of the Code of Ordinances of Morton Borough, entitled “Recycling Program,” is hereby added as follows:

§ 20-301. Purpose.

The Borough of Morton hereby establishes a program for the reduction of the amount of solid waste and the conservation of certain recyclable material, as defined herein, by the separation and collection thereof in the Borough of Morton pursuant to 53 P.S. § 4000.1501, et seq.

§ 20-302. Definitions.

As used in this article, the following definitions shall apply:

CANS

Containers comprised of aluminum, tin, steel, or a combination thereof which contain or formerly contained only non-aerosol substances.

CARDBOARD

All corrugated or other cardboard normally used for packing, mailing, shipping, or containerizing goods, merchandise, or other material, but excluding plastic, foam, or wax-coated or soiled cardboard.

CATALOGS

Printed material soliciting products for sale to the reader.

COMMERCIAL

Includes all business and industrial uses but not residential uses of property.

COMMINGLED RECYCLING

Commingling of several recyclable materials into one container for processing and pickup, also referred to as single stream recycling.

COUNTY PLAN

The district solid waste management plan for Delaware County as approved by the Pennsylvania Department of Environmental Protection.

GLASS BOTTLES/JARS

Any bottles or jars made from melted sand formed into a container.

JUNK MAIL/ENVELOPES

Mail received but not for a specific purpose and the container that mail is mailed in.

LEAVES

Tree and plant leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings or branches.

MAGAZINES

Magazines and other materials printed on similar paper.

MUNICIPALITY

The Borough of Morton.

NEWSPAPER

A newspaper and other materials printed on newsprint.

PAPER (ANY GRADE)

Printing and writing papers not considered newspaper, including, without limitation, printed white ledger and computer print and notebook paper.

PAPERBOARD

A heavier and thicker paper used as cereal boxes and beer and soda carriers.

PERSON

Any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, federal

government or agency, state institution or agency (including but not limited to the Department of General Services and the State Public School Building Authority) or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. In any provisions of this article 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 other legal entity having officers and directors.

PLASTIC

Any plastic labeled with a SPI Code Number 1 through Number 7, excluding plastic bags and plastic film.

PUBLIC INFORMATION AND EDUCATION PROGRAM

A program developed and provided by the municipality to inform and encourage residents to use the recycling collection services.

RECYCLABLE MATERIALS

Any materials established by the Borough Council from time to time by resolution, which may include: cans, cardboard, catalogs, glass bottles/jars, junk mail/envelopes, magazines, newspaper, paper (any grade), paperboard, plastic bottles, telephone/soft-covered books and/or yard waste and any other materials which the Borough Council may deem by resolution to be recyclable.

RECYCLING

Any process by which material that would otherwise become solid waste is collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

RECYCLING COLLECTION SERVICES

Those services to be performed as follows:

- A. The collection of recyclable materials from locations within the municipality.
- B. The delivery of recyclable materials to a recycling facility.

RECYCLING CONTAINERS

A container designated by the property owner or resident for the storage of recyclable materials which is labeled with an official recycling sticker provided by the Borough.

RECYCLING DROPOFF

Any facility designed and operated solely for the receiving and storing of materials that are to be returned to the economic mainstream instead of becoming part of the solid waste stream.

SOLID WASTE

Waste, including but not limited to municipal, commercial, institutional, or industrial waste.

SOURCE-SEPARATE

To separate recyclable materials from the solid waste stream at the point of waste generation.

TELEPHONE/SOFT-COVER BOOKS

Printed material with non-hardbound covers used for reading or listing of phone numbers.

YARD WASTE

Tree limbs and branches may not exceed eight inches in diameter or six feet in length; the term does not include leaves or grass clippings.

§ 20-303. Authority to establish regulations by resolution.

1. The Borough Council shall have the authority to adopt, modify, and amend recycling regulations from time to time by resolution, including, without limitation, regulations regarding which recyclable materials must be recycled and regulations requiring residents to source-separate recyclable materials and/or place recyclable materials for collection through single-stream recycling. Any regulations so adopted by the Borough Council shall be published at least one time in a newspaper of general circulation in the Borough and posted on the Borough's website. Violations of any such regulations shall be deemed to be violations of this article and subject to the same penalties hereunder.

2. There is hereby established, starting upon enactment of this Ordinance, and until modified or amended by resolution as permitted herein, a program for the mandatory source-separation and collection of recyclable materials from municipal waste, as set forth herein, from residential, commercial, institutional, and municipal premises within the Municipality. The occupant or owner of a home, apartment, or other residential establishment shall separate recyclable materials and leaf waste from other municipal solid waste. In addition, commercial, institutional, and municipal establishments and community events shall separate the materials described in this Section from other municipal solid waste.

3. Items to be recycled by dwelling units, mobile home parks, commercial, industrial, institutional, municipal facilities, and community activities shall be clean and free of residue to the extent possible, and shall include, at a minimum:

- A. Glass containers (excluding mirrors, window glass, and crystal)

- B. Cans: Aluminum, tin, bimetallic, steel
- C. Plastics: No. 1 to No. 7
- D. Paper: newspaper, books, phone books, catalogs, magazines, junk mail, paper, envelopes, high grade office paper
- E. Cardboard boxes and containers: Corrugated and paperboard (excluding Styrofoam, take out and pizza boxes, and containers with food residue)

§ 20-304. Residential property.

1. Except as otherwise herein provided, all persons owning or occupying residential property in the Borough of Morton shall recycle all recyclable materials (as determined by the Council by resolution from time to time) generated at their homes, apartments, and other residential establishments in the Borough of Morton and place such materials at locations designated by the Borough Council for collection by the Borough of Morton or its agents, servants, or contractors.
2. Collections by the Borough of Morton of recyclable materials shall be made in accordance with a schedule of areas and dates to be publicly advertised by the Borough of Morton.
3. All recyclable materials placed by residents for collection pursuant to the program established under this article shall be prepared for collection in a secure manner so as to prevent such recyclable materials from being blown about or otherwise scattered upon the streets or private property within the Borough. When placed at the curb for collection in accordance with the provisions of this Ordinance, recyclable materials shall be placed in separate, reusable containers, not-to-exceed 65-gallons, that clearly identify the contents as recyclables. No person shall place municipal solid waste in containers designated for the separation and collection of recyclables. No person shall place recyclable materials in containers used for the separation and collection of municipal solid waste.
4. Containers for municipal solid waste, recyclable materials, bulk waste, and yard waste set out for collection shall be placed at the street curb or at the end of the driveway of the property from which collected, but in no case within the paved cartway of the street. It is the responsibility of the individual residents to place their containers at curbside in time for collection by the municipal waste collector. Containers shall not be placed in a location that obstructs a public sidewalk or that impedes clear vision for motorists traveling on the adjacent street or at intersections. Containers

shall be taken inside or removed from the curbside no later than 11:59 p.m. of the collection day.

5. Multifamily residential properties with no more than three units shall be served by the collection system operated by the Borough of Morton.

6. The owners and occupiers of multifamily housing properties with more than three units will not be served by the collection system operated by the Borough of Morton but such owners must establish a system for source separation, collection, transportation, and recycling of the materials designated by this article at each property within 30 days of the date of enactment of this Ordinance. Arrangement for collection of designated recyclables for disposition herein shall be the responsibility of the owner of the property in which the recyclables were generated and/or the person (occupier or property manager) contractually obligated to the owner to arrange for collection and disposal of its solid waste and recycling. Such arrangements may include, without limitation, direct marketing of recyclables, delivery to a drop-off, contracts with solid waste collectors/haulers for separate or commingled collection of any or all designated recyclables, or contracts with other persons for separate or commingled collection of any or all designated recyclables. The owner of a multifamily housing property containing more than three units shall provide an appropriate number of recycling containers at a sufficient number of dropoff points to accommodate the amount of recycling generated by the property. The Borough reserves the right to require the owner to provide additional containers if the number of containers in place is not adequate. The owner of a business or multifamily housing property containing more than three units must provide the Borough of Morton, before January 30 of each year, a written report stating the name of the hauling contractor (if the property owner used one), the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Borough of Morton.

7. All owners/agents of multifamily residential properties (regardless of the number of units) in the Borough shall be required to provide to tenants notice of the Borough's mandatory recycling program and to provide such notice, in writing, either by including language in the lease notifying the tenant of the recycling obligation at time of tenant change or lease renewal with the tenant, or by prominently posting written notice of the recycling obligation in the common area of the building. This written notice shall be kept accessible for inspection by the Borough official, if requested.

§ 20-305. Commercial and institutional establishments and community activities.

1. Except as specifically provided in this article, all persons occupying commercial or institutional establishments or conducting community activities in the Borough of Morton shall be subject to the same duties and requirements of this article as owners and occupiers of multifamily residential properties containing more than three units.
2. The Borough of Morton shall not be responsible for the collection, transportation, processing, or marketing of materials or contracting for the collection, transportation, processing, or marketing of materials from commercial or institutional establishments or from community activities; provided, however, that the owners or occupiers of commercial office buildings may request to have the Borough collect recycling materials from such properties on the same basis as residential properties for which the Borough collects recycling materials for an annual fee set by the Borough Council by resolution from time to time. The Borough may elect to reject any such request if the Borough, in its sole discretion, determines that the amount of recyclable materials generated from such commercial office building is excessive or burdensome to the Borough.
3. All persons owning or occupying commercial or institutional establishments or conducting community activities within the Borough of Morton and all other persons not served by the collection system operated by the Borough of Morton must establish a system for source separation, collection, and transportation of designated recyclables at each property within 30 days of the date of enactment of this Ordinance. Arrangement for collection of designated recyclables for disposition herein shall be the responsibility of the person who generated the recyclables and/or the person contractually obligated to the generator to arrange for collection and disposal of its solid waste. Such arrangements may include, without limitation, direct marketing of recyclables, delivery to a drop-off, contracts with solid waste collectors/haulers for separate or commingled collection of any or all designated recyclables, or contracts with other persons for separate or commingled collection of any or all designated recyclables. The system must include suitable containers for collecting and sorting materials at an easily accessible location and written instructions to the occupants concerning the use and availability of the system. All persons not served by the collection system operated by the Borough of Morton must provide the Borough of Morton, before January 30 of each year, a written report stating the name of the hauling contractor (if the property owner used one), the total weight of each kind of material recycled during the previous calendar year, and any other relevant information required by the Borough of Morton.
4. All community activities or events sponsored within the Municipality shall separate aluminum, glass, plastics, and corrugated cardboard, store

materials until collected by a registered municipal waste collector, and provide written documentation before January 30th of the following year, to the Municipality of the total weight of each kind of material recycled.

§ 20-306. Leaves.

1. Nothing herein shall prevent any person from utilizing leaves for compost, mulch, or other agricultural, horticultural, silvicultural, gardening, or landscaping purpose.
2. The occupant or owner of a home, apartment, or other residential establishment shall separate leaf waste from other municipal solid waste. No leaves shall be commingled with other waste collected by the Borough or its agents, servants, or contractors. The Borough, under regulations hereafter established, will collect leaves source-separated by the owners or occupiers of properties served by the Borough's trash collection program.
3. Residents have the option of disposing of leaf waste by self-hauling to a State-permitted compost facility, such as the Delaware County Composting Farm in Aston, PA.
4. All persons owning or occupying commercial, institutional, and/or municipal establishments within the Borough shall collect and separate leaf waste in accordance with this Part and store the leaf waste until collected and recycled. All persons who are not served by the Borough's trash collection program shall arrange for the separate disposal and processing of leaves at a composting facility or an agricultural, horticultural, silvicultural, or other facility that processes or utilizes leaves for compost, mulch, or other beneficial uses.

§ 20-307. Electronics.

1. In accordance with Act 108, no person or company 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 may be obtained from the County. Covered Devices include:
 - A. Desktop computers, laptop computers, computer monitors, and associated central processing units (CPUs);
 - B. Computer peripherals (keyboards, mouse, printers, scanners, and faxes);
 - C. Radios, stereo equipment, and speakers;

D. Televisions and television screens; and

E. Associated cables, batteries, and battery backups

2. Companies recycling electronics in Pennsylvania must have R2 or similar certification that assures the public that any information contained in recycled devices is protected until the time the device is destroyed, and that human health and the environment are protected at all steps during the recycling process, whether the recycling occurs in the United States or abroad.

§ 20-308. Unlawful activities; public nuisance. Outdoor burning, and illegal dumping.

1. It shall be unlawful for:

A. Any person other than the municipality, or another person authorized by the municipality, to collect any designated recyclable that has been placed for collection pursuant to this article.

B. Any person to violate, or to cause or to assist in the violation of, any provision of this article.

C. Any person to hinder, to obstruct, to prevent, or to interfere with this municipality or its personnel in the performance of any duty under this article or in the enforcement of this article.

D. Any person to burn or cause to be burned outdoors for purposes of disposal any municipal waste, leaf waste, yard waste, or recyclable materials that are required to be separated and collected pursuant to this Ordinance.

E. Any person to store, process or dispose of any regulated municipal waste or designated recyclable material except at a facility or in preparation for collection by a permitted collector as provided herein. Notwithstanding the foregoing, yard waste may be composted.

F. Any person to accumulate, dump, or deposit trash, recyclables, garbage, ashes, rubbish, and/or other refuse on any private or public property or grounds within the Borough.

G. Any person on whose property a bulk container is located to allow bulk containers (such as dumpsters) to overflow or have municipal waste or recyclables strewn or left about them on the ground.

2. All unlawful conduct set forth in this section is hereby prohibited and shall constitute a public nuisance.

§ 20-309. Refusal to collect solid waste contaminated by designated recyclable materials.

This municipality or any other person collecting solid waste generated within this municipality may refuse to collect solid waste from any person who has clearly failed to source-separate recyclables designated under an applicable section of this article. Similarly, this municipality or any other person collecting recyclables generated within this municipality may refuse to collect recyclables from any person who has contaminated recyclables with materials not designated as acceptable recyclable material under an applicable section of this article.

§ 20-310. Existing contracts.

1. Nothing contained in this article shall be construed to interfere with or in any way modify the provisions of any existing contract that is in force in the municipality on the effective date of this article.

2. No renewal of any existing contract upon the expiration of the original term thereof and no new contract for the collection, transportation, processing or purchase of solid waste or recyclables shall be entered into after the effective date of this article, unless such renewal or such contract shall conform to the requirements of this article.

§ 20-311. Authorized Recyclables Collection.

1. With the exception of those persons who directly deliver (self-haul) their municipal waste and/or recyclables, it shall be unlawful for any municipal waste collector to collect and/or transport municipal waste or recyclable materials from any other person's property within the municipality without being duly authorized by the Commonwealth of Pennsylvania. Any and each such collection in violation hereof from each location shall constitute a separate and distinct offense, punishable as hereinafter provided.

2. Any municipal waste collector operating within the municipality shall provide for the collection of municipal solid waste, bulk waste, recyclable materials, and leaf waste, including annual written reports to the municipality of the materials collected. Such reports shall include separate tonnages of each type of recyclable material, including leaf waste, collected in the municipality for the past calendar year. Residential and commercial tonnages shall be reported separately and residue percentage shall be noted. A representative of the authorized collector shall sign the

reports. Such reports shall be provided to the Municipality within 30 days of the end of the calendar year.

3. Any municipal waste collector operating within the municipality shall provide the following information to the Municipality.

A. The name of the municipal waste collector, the name of a contact person, an email address, the business address, fax, and telephone number of the business office and a 24-hour emergency telephone number to receive calls from persons in the Municipality who receive collection service.

B. An annual written recycling report with collected material tonnages, as outlined in §20-311.2

C. Such other information as the Municipality, in furtherance of this Ordinance, shall deem appropriate and necessary.

4. Any municipal waste collector operating within the Municipality shall issue warning notices of violations to persons failing to comply with procedures for the separation, storage, and collection of bulk waste, recyclable materials, and leaf waste, and provide a copy of such warning to the Municipality.

§20-312. Municipal Waste Collector Prohibitions.

It shall be unlawful and a violation of this Part for any municipal waste collector to:

1. Collect or transport any municipal solid waste, bulk waste, recyclable materials, or leaf waste from any person failing to source-separate said materials in violation of this Ordinance.

2. Commingle recyclables or leaf waste collected within the Municipality with municipal solid waste.

3. Fail to provide for the proper disposition of any municipal solid waste, bulk waste, recyclable materials, or leaf waste collected or transported within the Municipality.

4. Commence the collection of municipal waste, bulk waste, recyclable materials or leaf waste for any property in the Municipality prior to 7:00 a.m. or after 8:00 p.m.

5. Load or operate any vehicle within the Municipality or transport municipal solid waste, bulk waste, recyclable materials, or leaf waste

within the Municipality in such a manner as to allow municipal solid waste, bulk waste, recyclable materials, or leaf waste to fall upon public roads or upon land abutting the public roads in the Municipality.

6. Fail to replace the containers with their lids or covers in place at the location of collection in an orderly manner and off of the roadway.
7. Fail to accurately report the residential and commercial tonnages of recyclable materials collected in the Municipality in accordance with this Part.
8. Otherwise create a public nuisance.

§ 20-313. Violations and penalties.

1. Any person who violates any of the provisions of this article shall, upon conviction thereof before a Magisterial District Judge, be fined not more than \$1,000, plus costs of prosecution, including reasonable attorney's fees, incurred by the municipality and, in default of payment of such fine and costs be imprisoned for not more than 30 days. Each day that a violation of each Part continues, or each Section of this Part, which shall be found to have been violated continues in effect shall be deemed a separate violation. No judgment shall be imposed until the District Justice imposes the date of determination of a violation. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure.

2. Private haulers that violate any provision of this Part may be reported to the DEP by the municipality and may be subject to the revocation of the Commonwealth's authorization to transport municipal waste, as described in the amended Waste Transportation Safety Program, 27 Pa.C.S.A. §6201 et seq.

§ 20-314. Enforcement.

The Code Enforcement Official, the Property Maintenance Officers, Borough police officers, and other appointed Borough officials are hereby individually and severally empowered to enforce the provisions of this article. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material. An inspection may also consist of sorting through containers and opening of recyclable material containers to detect, by sound or sight, the presence of any solid waste.

§ 20-315. Injunctions; concurrent remedies.

1. In addition to any other remedy provided in this article, the Borough of Morton may institute a suit in equity where unlawful conduct or public nuisance exists as defined in this article for an injunction to restrain a violation of this article. In addition to an injunction, the court may impose penalties as authorized by § 20-44 hereof.

2. The penalties and remedies prescribed by this article shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the Borough of Morton from exercising any other remedy provided by this article or otherwise provided at law or equity.

§ 20-316. Construal of provisions.

The terms and provisions of this article are to be liberally construed so as best to achieve and to effectuate the goals and purposes hereof.

Section 2: Severability: The provisions of this Ordinance are severable, and if any sections, sentences, clauses, parts, or provisions thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional, sections, sentences, clauses, parts, or provisions had not been included therein.

Section 3: Repealer: Any ordinance and or parts of ordinances that are inconsistent herewith are hereby repealed.

Section 4: Immediate Effect: This Ordinance shall take effect and be in force from and after its approval of this amendment.

ENACTED AND ORDAINED, by the Borough of Morton, Delaware County, Pennsylvania, this _____ day of _____, 2016.

BOROUGH OF MORTON

Mario Cimino,
Council President

APPROVED this ____ day of _____, A.D., 2016

Maureen Piselli
Mayor of Morton Borough

Attest: _____
Martha Preston,
Borough Secretary

Appendix D

Example Notice of Violation

EXAMPLE NOTICE OF VIOLATION



Morton Borough Letterhead
(Address)
(City, State, Zip)
(Phone)
(Fax)

(Date)

Attn: (Name)
(Address)
(City, State, Zip)

RE: FIRST AND FINAL NOTICE OF RECYCLING PROGRAM VIOLATION

Dear (Name):

All residents and businesses, including multi-family dwellings and apartments, in Morton Borough are required by Ordinance #____ to separate recyclables and leaf waste from the municipal waste stream. The burning of recyclables and leaves is prohibited. You have been found in violation of Ordinance # ____ due to

A copy of the Ordinance is enclosed. Please note the applicable fines, fees, and penalties. Each day that a person is in violation of the ordinance constitutes a separate offense. Please remedy the aforementioned problem(s) within 10 calendar days.

We appreciate your cooperation with Morton’s mandated recycling and leaf collection program. If you have any questions, please contact the Borough at (610) 543-4565 or MPreston@MortonPA.org.

Sincerely,

Morton Borough Recycling Violations Coordinator

Enc. (1)

Appendix E

Draft Hauler Notification

EXAMPLE HAULER NOTIFICATION



Morton Borough Letterhead
(Address)
(City, State, Zip)
(Phone)
(Fax)

(Date)

Attn: (Hauler Contact)
(Hauler Company Name)
(Address)
(City, State, Zip)

Dear (Hauler Contact):

Morton Borough recently adopted a Recycling Ordinance effective beginning _____, mandating that residents and businesses in Morton Borough participate in a recycling and leaf waste collection program. The Borough contracts with one hauler for residential recycling collection. Businesses and apartments with 4 or more units are required to obtain recycling collection services independently.

We have enclosed a copy of the ordinance, and below are a few key points to note.

- **Recycling Collection:** Haulers must collect recyclables including, at a minimum, glass, plastics #1-#7, aluminum and bimetallic cans, mixed paper, and cardboard, from businesses. Please inform your customers of the proper way to prepare recyclables for pick up.
- **Leaf Waste Collection:** Haulers must collect source-separated leaf waste at least once in the spring and twice in the fall and deliver them to a state-approved composting facility. Please inform your customers of the proper way to prepare leaf waste.
- **Hauler Reporting:** Haulers operating in Morton Borough must report the collected recycling and leaf tonnage to the Borough each calendar year.
- **Education:** The Borough will implement a recycling education campaign with the adoption of the Recycling Ordinance. We hope to work in conjunction with haulers to provide continuing recycling education to remind businesses of the proper recycling methods and leaf-pickup schedules. Haulers can include recycling and leaf pickup information with customer bills or as separate literature provided to customers.

- **Enforcement:** The Borough will establish a system to handle recycling and waste violations and complaints of which we are made aware. We hope haulers will provide curbside feedback to customers in the form of a tag or sticker left on containers if the hauler notices inappropriate material in the can (e.g., trash in the recycling can, recyclables in the trash can, leaf waste in the trash can).

We appreciate your cooperation as Morton establishes a mandated recycling and leaf collection program. If you have any questions, please contact the Borough at (610) 543-4565 or MPreston@MortonPA.org.

Sincerely,

Martha Preston, Borough Secretary
MPreston@MortonPA.org

Enc. (1)

Appendix F

Pennsylvania's Act 101 Recycling Education Requirements

Recycling Education Requirements

Requirements for Public Education, as per Title 25 PA Code 272.423.

(a) A municipality subject to this subchapter shall establish a comprehensive and sustained public information and education program concerning recycling program features and requirements. As part of this program, a municipality shall, at least 30 days prior to the initiation of the recycling program and at least once every 6 months thereafter, notify persons occupying residential, commercial, institutional and municipal premises within its boundaries of the requirements of the ordinance. This notice shall include an explanation of how the system will operate, the dates of collection, and responsibilities of persons within the municipality and incentives and penalties.

(b) The governing body of a municipality may place an advertisement in a newspaper circulating in the municipality, post a notice in a public place where public notices are customarily posted, including a notice with other official notifications periodically mailed to residential taxpayers, or utilize a combination of the foregoing.

Appendix G

Draft Resident and Business Notification

EXAMPLE RESIDENT AND BUSINESS NOTIFICATION



ATTN: Morton Borough Residents and Businesses
RE: New Recycling and Leaf Waste Ordinance

Morton is beginning residential leaf collection, and enacting a Recycling Ordinance!

Effective _____, Morton Borough will enact Recycling Ordinance #_____, requiring:

- All residents and businesses must separate **recyclables**, including glass, plastics #1 - #7, aluminum and bimetallic cans, paper, and cardboard, from their solid waste.
- All residents and businesses must separate **leaf waste**, including leaves from trees, bushes, and other plants, garden residue, chipped shrubbery and tree trimmings, but not including grass clippings, from their solid waste, and either compost leaf waste on their property, self-haul the leaf waste to a state-approved composting facility (such as the Delaware County Composting Farm in Aston), or have a hauler collect the leaf waste, to be delivered to a state-approved composting facility.
- All residents and businesses are **prohibited from burning** recyclables and leaf waste, or including these items with their other solid waste (trash).

RESIDENTS: Residents in single-family homes or apartments with three units or fewer will be served by the Borough's weekly curbside recycling and semi-annual leaf collection programs. Bagged leaves will now be collected in the spring and fall, see MortonPA.org for more information!

BUSINESSES AND LANDLORDS: Businesses and apartments with four or more units are required to contract with a hauler for the collection of the listed recyclable materials and leaves. Morton is committed to aiding businesses and landlords with this transition! The Borough has posted a TOOLKIT at MortonPA.org/Business-Landlord-Recycling.

We realize these new rules represent a change for many of our residents and businesses. We are committed to supporting you through this transition, as we all make an effort to comply with the new Ordinance. We appreciate your cooperation.

Please contact the Borough with recycling questions, problems, or to report illegal dumping or littering. For a copy of the new Ordinance, and more recycling information, please visit our website MortonPA.org/Trash-and-Recycling. We are all responsible for making Morton cleaner and greener!

Sincerely,

Morton Borough Administration
MPreston@MortonPA.org
(610) 543-4565
MortonPA.org
Like us on Facebook: Morton Borough PA

Appendix H

Draft Landlord/Tenant/Business Recycling Webpage Text

Landlord/Tenant/Business Recycling Webpage Text

RECYCLING IS REQUIRED BY ORDINANCE IN MORTON THANK YOU FOR YOUR PARTICIPATION!

Morton Borough is committed to helping landlords, businesses, and tenants in Morton recycle. ALL residents, renters, businesses, and institutions must have a recycling program.

FOR LANDLORDS AND BUSINESSES:

By Borough ordinance you must provide a recycling program for your tenants/employees. The Borough's curbside recycling service is available for single-family homes and apartments with 3 or fewer units. By request, others with limited recycling needs may pay for recycling service from the Borough at the Borough's discretion. For businesses and owners of multifamily housing properties containing 4 or more units, here are some ways to start a recycling program:

- 1) Contact your trash hauler and request recycling pickup
OR contact multiple haulers to get quotes on trash and recycling pickup services, see a list of haulers below
- 2) Place recycling receptacle(s) next to your trash receptacle(s)
- 3) Place recycling receptacle(s) near resident/employee mailboxes and printers for easy recycling of junk mail, telephone books, and other paper
- 4) Clearly identify or label which receptacles are for recycling and which are for trash
- 5) Inform your residents/employees about the recycling program. Provide them with a Recycling Information Sheet; see Toolkit below
- 6) Place a Recycling Reminder Poster in common areas; see Toolkit below
- 7) Place an Acceptable Materials Poster at recycling receptacles at your facility; see Toolkit below
- 8) Include a recycling requirement in your lease agreement, and provide each new renter with a Recycling Information Sheet during lease agreement signing; see Toolkit below
- 9) Continue recycling education efforts.

LANDLORD/BUSINESS RECYCLING TOOLKIT

Recycling Information Sheet ([link](#))
Recycling Reminder Poster ([link](#))
Acceptable Materials Poster ([link](#))
Recycling Haulers List (see below)

FOR RENTERS:

By Morton Ordinance you are required to recycle. Your landlord should provide a recycling opportunity for you, unless you are responsible for contracting a recycling hauler, per your lease. If you do not have a recycling program:

- 1) Contact your landlord to request recycling service
- 2) Direct them to this website for help
- 3) If you still do not have recycling service, contact the Borough 610-543-4565 and we will attempt to work with the landlord to implement a recycling program.

RECYCLING HAULERS OPERATING IN THE BOROUGH

(this list may be incomplete and does not constitute an endorsement or recommendation of the following haulers)

Accurate Trash Removal	610-284-6600
Borough of Morton	610-543-4565
J&K Trash Removal	610-497-3800
Rapid Recycling	610-650-0737
Republic Services	610-265-6337
Suburban Waste Services	610-497-5763
Waste Management	877-394-4814

Appendix I

Recycling Information Sheet, Recycling Reminder Poster, and Acceptable Materials Poster



Dear Tenant,

Welcome! I'm glad you've chosen to live here. As part of our good neighbor policy we strive to recycle as much as we can. **Recycling is Easy.** Below is reference information you may want to cut out and keep handy, by posting on your refrigerator or someplace it will be seen.

Please remember that recycling diverts trash from the landfill, reduces the amount Morton pays the landfill, keeps taxes low, and therefore helps to keep rental rates low. Our Borough has to *pay* for each ton of material that is sent to the landfill, and our Borough *receives* money for each ton of material that is recycled. The savings really add up! When taxes stay low, rental rates can, too.

Recycling is good for the environment. Also, **Recycling is Required by Law** for anyone living or working in Morton.

If you have any questions about recycling, please don't hesitate to contact me. I hope you will be happy living here for many years to come.

Single Stream Recycling is Easy! All materials can be mixed in the same container.

Garbage and Recycling Containers are located at _____

Garbage is collected on _____

Recycling is collected on _____

RECYCLE

Paper & Cardboard – Newspapers, inserts, magazines, catalogues, junk mail, envelopes, office paper, file folders, paper bags, telephone books, cereal, cracker, food boxes, cardboard , soda, beer cartons, and books. <i>No waxed paper or waxed cardboard, dirty paper products, or frozen juice containers.</i>
Glass – All colors – green, clear, & brown glass. All bottles and jars that contained liquids and food.
Metal – Aluminum, steel, tin, beverage cans. Cans that contained food, etc. No scrap metal.
Plastics Labeled 1 through 7, Examples Below
PETE Plastic #1 – Water jugs & bottles, soda & juice bottles, milk jugs (remove caps)
HDPE Plastic #2 – Orange juice jugs, milk jugs, water bottles, antifreeze
PVC Plastic #3 – Juice bottles
LDPE Plastic #4 – Squeezable bottles, NO PLASTIC BAGS
PP Plastic #5 – Yogurt containers, disposable cups & plates
PS Plastic #6 – To-go containers, other containers, disposable cups
Other Plastic #7 – Tupperware, beverage bottles, baby milk bottles

It's the LAW

Remember All bottles, cans, jugs, and containers should be empty and rinsed out and placed in your recycling bin. Remove lids. Do not break glass bottles or jars before placing in bin. Thank you for your cooperation!



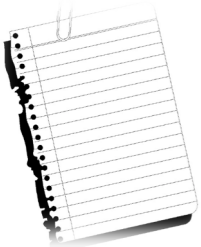
Recycle - It's the Law!

- Glass
- Plastics #1 - #7
- Steel and Aluminum Cans
- Paper
- Cardboard
- All in One Can!

By Ordinance, all residents, businesses, tenants,
and institutions in Morton must recycle.

mortonpa.org/trash-and-recycling

Recycle.



**PAPER
& JUNK MAIL**



STEEL CANS



**PLASTICS
#1,2,3,4,5,6,7**



**ALUMINUM
CANS**



**NEWSPAPER
& MAGAZINES**



CARDBOARD



GLASS



**PAPER
BAGS**



*Courtesy of
Morton Borough*

*Recycling helps to keep taxes and
rental rates down - Recycle Today!*

Appendix J

Act 101 Section 902 Recycling Grant Application Guidelines
Regarding Proper Management of Recyclables, Including Leaf Waste

Act 101 Section 902 Recycling Grant Application Guidelines Regarding Proper Management of Recyclables, Including Leaf Waste

Assuring compliance with the terms and conditions of Act 101, the rules and regulations promulgated thereunder, other pertinent statutes and the Department's policies and grant guidance are key components of the Department's grant review process. The Act requires certain municipalities ("mandated municipalities") to recycle certain items and provide for the collection and composting of leaf waste. As such, any mandated municipality that allows the materials that are part of its municipal recycling program, including leaf waste, to be managed in a manner other than recycling or composting is in violation of Act 101. The Act also establishes the grant requirements for those communities not mandated to recycle. However, Act 175 states that the Department "shall not prohibit the award of any grant to a county or municipality that has adopted an ordinance allowing the limited burning of yard waste." Since grant funding is awarded on a competitive basis, the following guidelines have been developed to assure that a common understanding exists between the Department and municipalities regarding section 902 grant program requirements.

Mandated municipality requesting a section 902 grant:

1. DEP Regional Planning and Recycling Coordinators will review recycling ordinances and regulations submitted with the grant application to ensure compliance with Act 101, especially section 1501(c) (1)-(5), including commercial, municipal and institutional facilities and community events.
2. It will be assumed that a municipality that does not have an ordinance or regulation that addresses burning is not authorizing the burning of the materials that are part of its recycling program - unless the Department has evidence to the contrary. This evidence could include complaints or other information gathered by the Department.
3. The grant application should confirm that the municipality does not have an ordinance, regulation or other mechanism authorizing the burning of the materials listed in section 1501(c)(1)(i) and (iii) (except for leaf waste) that are part of its recycling program and that the municipality will enforce its recycling ordinances and regulations. Applications from municipalities that have adopted an ordinance allowing for the limited burning of yard waste will be evaluated on a case-by-case basis to ensure that, to the greatest extent practicable, sufficient effort has been made to comply with sections 1501(c)(1)(ii) and (iii) regarding the separation and composting of leaf waste.
4. The regional office should not recommend a grant until the municipality has adopted any necessary modifications to its ordinances or regulations in relation to these guidelines.

Non-mandated municipality requesting a section 902 grant:

Programs required by the municipality:

1. DEP Regional Planning and Recycling Coordinators will review recycling ordinances and other mechanisms submitted with the grant application to ensure compliance with Act 101, especially section 902(b)(3).
2. The recycling ordinance or other mechanism need only be applicable to that part(s) of the municipality that is being served by the recycling program.
3. It will be assumed that a municipality that does not have an ordinance or other mechanism that addresses burning is not authorizing the burning of the materials that are part of its recycling program - unless the Department has evidence to the contrary. This evidence could include complaints or other information gathered by the Department.
4. The grant application should confirm that the municipality does not have an ordinance, regulation or other mechanism authorizing the burning of the materials listed in section 1501(c)(1)(i) and (iii) (except for leaf waste) that are part of its recycling program and that the municipality will enforce its recycling ordinances and regulations. Applications from municipalities that have adopted an ordinance allowing for the limited burning of

yard waste will be evaluated on a case-by-case basis to ensure that, to the greatest extent practicable, sufficient effort has been made to operate the program according to the intent of sections 1501(c)(1)(ii) and (iii) regarding the separation and composting of leaf waste.

5. The regional office should not recommend a grant until the municipality has adopted any necessary modifications to its ordinances or regulations in relation to these guidelines.

Voluntary Participation Programs:

1. DEP will accept applications from municipalities that have voluntary programs, but funding for a program that allows any material that is part of its recycling program to be burned is unlikely except where the limited burning of yard waste is authorized by an ordinance. Applications from municipalities that have adopted an ordinance allowing for the limited burning of yard waste will be evaluated on a case-by-case basis to ensure that, to the greatest extent practicable, sufficient effort has been made to operate the program according to the intent of sections 1501(c)(1)(ii) and (iii) regarding the separation and composting of leaf waste.

2. It will be assumed that a municipality that does not have an ordinance or other mechanism that addresses burning is not authorizing the burning of the materials that are part of its recycling program - unless the Department has evidence to the contrary. This evidence could include complaints or other information gathered by the Department.

3. The regional office should not recommend a grant until the municipality has adopted any necessary modifications to its ordinances or regulations in relation to these guidelines.

County requesting a section 902 grant:

1. The above guidelines apply if a county requests a section 902 grant on behalf of one or more municipalities within its jurisdiction. The county must include appropriate documentation from each municipality to satisfy the above provisions as they relate to mandated and non-mandated municipalities. It is not necessary that the county adopt its own ordinance to enforce any program for which the municipalities are seeking funding assistance.

2. Counties requesting funds for recycling education only do not need to comply with the requirements of section 1501(c).

3. The Department does not consider counties to be responsible for enforcing municipal recycling ordinances.

4. A county that requests section 902 funding for a material recovery facility (MRF) should ensure that the host municipality does not allow the burning of the materials that are part of the county's recycling program.

5. The regional office should not recommend a grant until the relevant municipalities have adopted any necessary modifications to their ordinances or regulations in relation to these guidelines.

[Recycling Homepage](#)

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