

CHAPTER 20
SOLID WASTE

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PART 1

RECYCLING REGULATIONS

§101. SHORT TITLE.

The short title of this Part shall be the "Valley Township Recycling Ordinance" and the same may be cited in that manner.

(Ord. 92-6, -/-/1992, §1)

§102. DEFINITIONS.

As used in this Part:

ALUMINUM CANS - empty all-aluminum beverage and food containers.

BI-METAL CONTAINERS - empty food or beverage containers consisting of ferrous sides and bottom and an aluminum top.

FERROUS CONTAINERS - empty steel or tin food or beverage containers.

GLASS CONTAINERS - bottles and jars made of clear, green or brown glass. Expressly excluded are noncontainer glass, plate glass, blue glass and porcelain and ceramic products.

MAGAZINES and PERIODICALS - printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded, however, are all other paper products of any nature whatsoever.

NEWSPAPERS - paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded, however, are newspapers which have been soiled.

PERSON(S) - owners, lessees and occupants of residences.

PLASTIC CONTAINERS - empty plastic food and beverage containers. Due to the large variety of types of plastic, the recycling regulations may stipulate specific types of plastic which may be recycled.

RECYCLABLE MATERIALS - those materials specified by the Township to be recycled. This list of materials is specified in the recycling regulations resulting from this Part and may be revised from time to time as deemed necessary by the Township.

SOLID WASTE

RESIDENCE - any occupied single or multifamily dwelling having up to four (4) dwelling units per structure from which a municipal or private hauler collects solid waste.

SOLID WASTE - all refuse (garbage and rubbish) and other discarded solid material normally collected by municipal or private hauler.

(Ord. 92-6, -/-/1992, §2)

§103. ESTABLISHMENT OF PROGRAM.

There is hereby established a program for the mandatory separation of recyclable materials from solid waste by all persons within the Township of Valley, hereinafter referred to as the "municipality."

(Ord. 92-6, -/-/1992, §3)

§104. SEPARATION OF RECYCLABLES AND PLACEMENT FOR DISPOSAL.

Recyclable materials shall be placed at the curb separate from solid waste for collection at such times and dates as may be hereinafter established by regulation.

(Ord. 92-6, -/-/1992, §4)

§105. COLLECTION BY UNAUTHORIZED PERSON(S).

It shall be a violation of this Part for any person(s), unauthorized by the Township, to collect or pick up or cause to be collected or picked up any such recyclable material. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

(Ord. 92-6, -/-/1992, §5)

§106. ENFORCEMENT AND ADMINISTRATION.

The Township is authorized and directed to enforce this Part. The same is hereby authorized and directed to establish and promulgate reasonable regulations as to the manner, days and times for the collection of recyclable materials in accordance with the terms hereof, and any other matters required to implement this Part. The Township may change, modify, repeal or amend any portion of said rules and regulations at any time.

(Ord. 92-6, -/-/1992, §6)

§107. VIOLATION AND PENALTY .

Any person, firm, corporation or other entity that violates any provision of this Part, or any regulation adopted by the Board of Supervisors pursuant thereto, shall be guilty of a summary offense and subject to a fine not to exceed ten dollars (\$10.00) for a first offense, in an amount not to exceed twenty-five dollars (\$25.00) for a second offense and fifty dollars (\$50.00) for a third or subsequent offense. These penalties shall not be applicable to §105, the violation of which shall render the person, firm, corporation or other entity guilty of a summary offense and subject to a fine not to exceed six hundred dollars (\$600.00). In addition to the fines set forth herein, any person, firm, corporation or other entity found, in a civil enforcement proceeding, to have violated any provision or regulation, shall also be liable to the Township in a civil enforcement proceeding, for its (i.e., the Township's) court costs and attorney's fees.

(Ord. 92-6, -/-/1992, §7; as amended by Ord. 96-4, 5/7/1996, §20; and by Ord. 97-2, 3/18/1997, §20)

§108. FRANCHISE OR LICENSE.

The municipality or its designated agent may enter into (an) agreement(s) with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from curbside.

(Ord. 92-6, -/-/1992, §8)

§109. ALTERNATIVE COLLECTION OF RECYCLABLE MATERIAL.

Any person may donate or sell recyclable materials to individuals or organizations authorized by the Township in its recycling regulations. These materials must either be delivered to the individual's or organization's site or they may be placed at the curb for collection by said individual or organization on days not indicated as recyclable material collection days by the Township. Said individuals or organizations may not collect recyclable materials on or immediately preceding (within twenty-four (24) hours) a regularly scheduled curbside collection day.

(Ord. 92-6, -/-/1992, §9)

PART 2

COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE

§201. GARBAGE AND REFUSE TO BE REMOVED BY TOWNSHIP; REGULATIONS AND SCHEDULE OF FEES ADOPTED.

1. All garbage, rubbish, dead animals and ashes as herein defined shall be gathered and removed by Valley Township under the rules and regulations as provided in this Part or as hereafter established that are not inconsistent herewith and the costs and expenses of the collection and removal of the garbage, rubbish, dead animals and ashes shall be paid by the owners from whose premises the said garbage, rubbish, dead animals and ashes are removed or by the person responsible for the existence of such garbage, rubbish, dead animals or ashes as provided by the schedule of fees hereinafter set forth.
2. In any instance where the quantity of garbage or rubbish produced at any one (1) source shall exceed a daily average of ten (10) cubic yards in volume or two (2) tons in weight the producer of such garbage or rubbish may be permitted by the Board of Supervisors, upon proper application, to remove such garbage and rubbish by private means without the payment of fees prescribed for such removal by the Township. Such permission for private removal may be rescinded or revoked at any time by the Board of Supervisors with or without cause and without any liability for any loss or detriment which may be caused by such revocation. Any private removal permitted shall at all times be performed in a healthful manner and in full compliance with all sanitary and health regulations of Valley Township.

(Ord. 86-10, 12/16/1986, §1)

§202. DEFINITIONS.

ASHES - coal ashes, coke ashes, wood ashes and ashes resulting from other fuels used for heating and cooking purposes.

COMBUSTIBLE RUBBISH - paper, rags, excelsior, straw, boxes, mattresses, old shoes, leather scrap, rubber scrap, carpets, oilcloth, Christmas trees, prunings from vines, trees, shrubbery, etc., and other inflammable waste materials other than those described under the terms "garbage" and "noncombustible rubbish."

DEAD ANIMALS - all dead animals and parts thereof not intended to be used as food for human beings.

GARBAGE - any offal or refuse of fish, fruit, vegetables, animal matter or any other organic substance subject to fermentation or decay including matters liquid or solid and house and store sweepings and tin cans which contain animal or vegetable matter.

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LIVING UNIT - a single unit providing complete, independent living facilities for one (1) or more persons involving permanent provisions for living, sleeping, eating, cooking and sanitation.

NONCOMBUSTIBLE RUBBISH - glass, tinware, wire, crockery, metal, waste materials and other noninflammable refuse.

(Ord. 86-10, 12/16/1986, §2)

§203. CONTAINERS FOR GARBAGE AND RUBBISH; PREPARATION FOR COLLECTION; COMBUSTIBLE AND NONCOMBUSTIBLE MATERIAL TO BE SEPARATED.

Every resident, householder, tenant, hotel keeper, apartment house owner, duplex owner, restaurant keeper, boarding house keeper, wholesale and retail dealer, as well as parties or persons occupying dwellings or units thereof, including all private persons, associations and corporations shall provide or cause to be provided and kept at all times portable vessels or receptacles of a capacity of not more than thirty-two (32) gallons nor less than ten (10) gallons of a recognized type of garbage can to be watertight with lids and handles and to be kept outside of the residence, building, apartment house, hotel, restaurant or store. Each day's accumulation of garbage placed in these cans shall be thorough drained by the person producing or responsible for such garbage and shall be tightly wrapped in sufficient paper to protect it from scattering or from breaking open. The package and contents thereof shall all be placed wholly within the container so that the lid can be tightly fitted. The receptacles shall be kept in the rear of the house, apartment building, store room, restaurant, etc., or shall be placed in the basement or passageway thereto or shall be put in such places for the convenient collection of their contents prior to the time set for collection as shall be provided with the approval of the Board of Supervisors for the collection of the same from the respective premises and at no time shall any vessels, receptacles or containers be placed or kept upon the alley, street, sidewalk or public place or in front of any building, residence or retail or wholesale establishment unless with the approval of the Board of Supervisors and they shall be accessible to the collector when called for and each owner or person responsible for garbage and rubbish shall provide sufficient receptacles to contain the garbage and rubbish.

Ord. 86-10, 12/16/1986, §3; as amended by Ord. 89-7, 12/19/1989)

§204. MANNER AND FREQUENCY OF COLLECTION.

The haulers for Valley Township remove promptly and in as clean a manner as possible the garbage and rubbish from up to four (4) garbage and rubbish receptacles from each premises thereafter returning the said garbage and rubbish receptacles to the premises from which they were removed. The collection of garbage and rubbish shall be made from each premises in Valley Township not less than once per week. The owner or occupant of any premises serviced with Valley Township garbage and rubbish collection who desires the removal of the contents of more than four (4) garbage and rubbish receptacles must first make arrangements therefor with the Board of Supervisors, who shall impose an additional fee for such garbage and

rubbish collection. The fee shall be in a multiple amount as established, from time to time, by resolution of the Board of Supervisors, per month, given the monthly residential garbage and rubbish collection fee in an amount as established, from time to time, by resolution of the Board of Supervisors per month (See §209), depending upon the frequency of service and the quantity of material to be removed.

(Ord. 86-10, 12/16/1986, §4; as amended by Ord. 89-7, 12/19/1989; and by Ord. 99-5, 11/3/1999)

§205. ENFORCEMENT.

1. The Board of Supervisors shall enforce the maintenance of proper receptacles placed at suitable places on the premises and shall prosecute all persons, firms, associations or corporations or groups of persons violating any of the provisions of this Part before a District Justice. In addition to the foregoing provisions, Valley Township may enforce all charges lawfully imposed under this Part, as amended, for the collection, removal and disposal of all garbage, ashes and other waste or refuse material by the filing of a municipal claim in the proper office of the Court of Common Pleas of Chester County, Pennsylvania, in accordance with the provisions of the Act of May 16, 1923, P.L. 207, as amended, 53 P.S. §7101 *et seq.*
2. The charges for trash collection service shall be subject to a ten (10) percent penalty if not paid within thirty (30) days after the date of the bill. If not paid within sixty (60) days after the date of the bill, the bill plus the penalty shall bear interest from the due date at the rate of one and one-half (1 1/2) percent per month or fraction thereof until paid and the Township shall have the right to cut off trash collection service from the delinquent premises and not to restore the same until all delinquent bills against the same and the cost of cutting off and restoring service shall have been paid. [Ord. 88-6]
3. All owners of buildings receiving trash collection service, and if said premises are not owner occupied, all adult occupants thereof, shall give the Township their correct address and shall keep said address current on the Township records. Failure to receive bills will not be considered an excuse for nonpayment nor permit an extension of the period during which bills are payable at face. [Ord. 88-6]
4. Payments made, as evidenced by the United States Post Office mark, on or previous to the end of the period during which the bills are payable at face, will be deemed to be a payment within such period. [Ord. 88-6]
5. All trash collection charges, together with all penalties and interest thereon, not paid on or before the end of six (6) months from the date of each bill, shall be deemed to be delinquent. All delinquent trash collection charges and all penalties and interest thereon, together with the Township's attorney's fees and costs incurred in connection therewith, shall be a lien on the property served and shall be entered as a lien against such property in the office of the Prothonotary of Chester County and shall be collected in the manner provided by law for the filing and collection of such liens. [Ord. 88-6]

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(Ord. 86-10, 12/16/1986, §5; as amended by Ord. 88-6, 11/15/1988)

§206. UNLAWFUL TO INTERFERE WITH OR REMOVE CONTAINERS.

It shall be unlawful for any person, other than the owner or an officer or employee of Valley Township or an employee of a person, firm or corporation holding a contract with Valley Township for the removal of garbage, etc., to interfere in any manner with any vessel, tank or receptacle or the contents thereof or to remove any such vessel, tank or receptacle from the location where the same was placed by the owner thereof or to remove the contents from any such vessel, tank, receptacle or container and any person violating this provision shall be subject to the penalties as hereinafter provided.

(Ord. 86-10, 12/16/1986, §6)

§207. CERTAIN PERSONS ONLY PERMITTED TO TRANSPORT REFUSE; FEE FOR USE OF DISPOSAL FACILITIES BY SUCH PERSONS.

No person, firm, association or corporation, except Valley Township and those holding a contract with Valley Township for the removal of garbage, etc., shall be permitted to carry, convey or transport through the streets, alleys or public places of Valley Township, any such garbage, rubbish, dead animals or ashes except such dealers in vegetables, meat, fish, fruit, oysters and the proprietors of stores and like establishments who convey the same to landfills for destruction in vehicles which shall be so loaded and driven that none of the contents shall fall or spill therefrom and which shall be securely covered on top.

(Ord. 86-10, 12/16/1986, §7)

§208. ACCUMULATION AT HOTELS AND OTHER LARGE PRODUCERS.

Garbage accumulating at hotels and other large producers of same shall be kept in closed cans to be called for by the garbage collector at all times prescribed by the Board of Supervisors; provided, however, that should the accumulation in such cases be larger than the limit of such quantity established by the Board or caused to be established by them or becomes a nuisance it shall be the duty of the keeper of such places or the persons, firms or associations responsible for the disposal of such garbage to deliver the same in closed cans at a landfill or the same may be hauled by the Township at an additional cost.

(Ord. 86-10, 12/16/1986, §8)

§209. FEE FOR DISPOSAL.

Every person, firm, association or corporation producing garbage, rubbish or ashes or being responsible for the disposal or existence of such garbage, rubbish or ashes or for whom such garbage, rubbish or ashes are removed or being the owner of any premises on which garbage,

rubbish or ashes are in existence or produced and which accumulations require removal shall pay and be subject to the following services:

- A. For single houses, duplex and apartments of three (3) or more units the fee shall be in an amount as established, from time to time, by resolution of the Board of Supervisors per month per living unit therein which sum shall be due and payable upon billing therefor from the owner of such building. The fee shall be billed quarterly. Any such bill paid within fifteen (15) days of the billing date shall be entitled to a five (5) percent discount. Any such bill not paid by the thirtieth (30th) day following the billing date shall be subject to a ten (10) percent penalty. [Ord. 99-5]
- B. For all waste materials from hotels, restaurants, clubs, stores, boarding houses, markets and similar commercial establishments, the charge for collection shall not be less than an amount as established, from time to time, by resolution of the Board of Supervisors per month, per establishment nor more than such multiple in an amount as established, from time to time, by resolution of the Board of Supervisors, per month, depending upon the frequency of service and the quantity of waste material to be removed as the Board of Supervisors shall from time to time determine. Where a minimum and maximum rate is made herein, in case of a disagreement as to the rate between the Township and the person, firm association or corporation for whom the service is rendered, a right to review shall be vested in the Board and the said Board shall finally determine any rate contended to be unreasonable. [Ord. 99-5]
- C. All fees for disposal of garbage, rubbish or ashes, not paid on or before the end of six (6) months from the date of each bill shall be deemed delinquent. All delinquent garbage, rubbish or ash bills, and all penalties and interest thereon, together with the Township's attorney's fees and costs incurred in connection therewith, shall be a lien against such property in the Office of the Prothonotary of Chester County where it shall bear interest at the rate of ten (10) percent per annum until paid. [Ord. 96-2]
- D. The Township's attorney's fees reference in subsection (C), above shall be according to a schedule as established from time to time by resolution of the Board of Supervisors, which the Board of Supervisors determines to be fair and reasonable for the services being performed. [Ord. 99-5]

(Ord. 1986-10, 12/16/1986, §10; as amended by Ord. 89-7, 12/19/1989; by Ord. 96-2, 4/16/1996, §1; and by Ord. 99-5, 11/3/1999)

§210. ADDITIONAL RULES AND REGULATIONS AUTHORIZED.

The Board is hereby authorized to make and promulgate any additional rules and regulations for the collection, removal and disposal of garbage, rubbish and ashes not in conflict with this Part and violations of the same shall be subject to the same penalties as provided in this Part after the same shall be approved by the Board.

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(Ord. 1986-10, 12/16/1986, §11)

§211. PRINTING OF RULES, REGULATIONS AND FEE SCHEDULES.

The Board is authorized to print any rules and regulations not inconsistent with this Part to advise the occupants of the premises which shall be served under the terms of this Part and such regulations.

(Ord. 1986-10, 12/16/1986, §12)

§212. PROHIBITED ACTS; PENALTIES.

No person shall obstruct, delay or interfere with the haulers while in the performance of their duties or enter into any controversies with the haulers nor shall any person violate any of the provisions of this Part with regard to the disposal of garbage, rubbish and ashes or the containers for the same or violate any of the provisions with respect to the collection and removal of the said garbage, rubbish and ashes.

(Ord. 1986-10, 12/16/1986, §13; as amended by Ord. 96-4, 5/7/1996, §20; by Ord. 97-2, 3/18/1997, §20; and by Ord. 99-7, 11/3/1999, §15)

§213. UNLAWFUL DEPOSIT OF REFUSE.

It shall be unlawful for any person or persons, firm or corporation to deposit, spill, sweep, dump, throw, place or scatter or to permit or allow the same to be done by any agent or employee, any sweepings, dirt, debris, ashes, rubbish, refuse, trash, paper, glass, litter, garbage, dirty water, liquid, oil, grease, ground, rock or other waste material upon any vacant lot or within the lines of any highway, street, alley, sidewalk, drain or catch basin in Valley Township, whether or not upon private property owned or occupied by such person, firm or corporation.

(Ord. 1986-10, 12/16/1986, §14)

§214. PENALTY FOR UNLAWFUL DEPOSIT OF REFUSE.

Any person who shall violate any provision of this Part shall be guilty of a summary offense punishable by a fine not to exceed one thousand dollars (\$1,000.00), together with all court costs and reasonable attorney's fees incurred in any such enforcement proceeding, and may further be punished by imprisonment to the extent permitted by law for summary offenses. Each day that a violation continues may be considered a separate offense.

(Ord. 1986-10, 12/16/1986, §15; as amended by Ord. 96-4, 5/7/1996, §20; by Ord. 97-2, 3/18/1997, §20; and by Ord. 99-7, 11/3/1999, §16)

ORDINANCE NO. 2008 - 10

AN ORDINANCE AMENDING CHAPTER 20, PART 1,
OF THE VALLEY TOWNSHIP CODE OF ORDINANCES
BY ADDING REQUIREMENTS FOR (1) RECYCLING BY COMMERCIAL,
INSTITUTIONAL AND MUNICIPAL PROPERTY OWNERS, AND (2) THE
SEPARATION OF YARD WASTE BY RESIDENTIAL, COMMERCIAL,
INSTITUTIONAL AND MUNICIPAL PROPERTY OWNERS, AND BY ADDING
DEFINITIONS FOR "LEAF WASTE," "PUBLIC WORKS DEPARTMENT," "REFUSE,"
"SOLID WASTE COLLECTION," "TOWNSHIP," AND "YARD WASTE," AND BY
AMENDING THE DEFINITIONS OF "PERSON," "RECYCLABLE MATERIALS,"
"RESIDENCE," AND "SOLID WASTE."

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Valley Township,
Chester County, Pennsylvania, that Chapter 20, Part 1, of the Valley Township Code of
Ordinances, Ordinance No. 92-6, be amended as follows:

Section 1. Section 102 is amended by the addition of the following between "Glass
Containers" and "Magazines and Periodicals":

LEAF WASTE – Leaf and foliage of trees and shrubs and foliar garden residues, but not
including grass clippings or tree or shrubbery branches.

Section 2. The definition of "PERSON(S)" in Section 102 is amended by the addition of
the following after the word "recycle" in the current definition: "that are serviced by regular
solid waste collection by the Township."

Section 3. Section 102 is amended by the addition of the following between "PLASTIC
CONTAINERS" and "RECYCLABLE MATERIALS":

PUBLIC WORKS DEPARTMENT – the Township of Valley Public Works Department.

Section 4. Section 102 is amended by deleting the current definition for
"RECYCLABLE MATERIALS," and substituting in place thereof the following:

RECYCLABLE MATERIALS – All source-separated materials, specifically including
aluminum cans, newspapers, high-grade office paper and corrugated paper.

Section 5. Section 102 is amended by the addition of the following between “RECYCLABLE MATERIALS” and “RESIDENCE”:

REFUSE – All solid wastes, including garbage, rubbish and solid market wastes, but not including body wastes.

Section 6. Section 102 is amended by the deletion of “a municipal or private hauler collects solid waste” from the current definition of RESIDENCE, and the substitution in place thereof the following: “the Township collects solid waste.”

Section 7. Section 102 is amended by deleting the current definition for “SOLID WASTE,” and the substitution in place thereof the following:

SOLID WASTE – All garbage and refuse, specifically excluding recyclable materials, yard waste and leaf waste, normally placed by a resident for regular collection by the Township.

Section 8. Section 102 is amended by the addition of the following after “SOLID WASTE”:

SOLID WASTE COLLECTION – The collection of solid waste by the Township.

Section 9. Section 102 is amended by the addition of the following after “SOLID WASTE COLLECTION”:

TOWNSHIP – The Township of Valley, Chester County, Pennsylvania.

Section 10. Section 102 is amended by the addition of the following after “TOWNSHIP”:

YARD WASTE – Grass clippings, brush, garden residues, and tree and shrubbery branches, not including leaf waste.

Section 11. Section 103 is amended by the deletion of “, hereinafter referred to as the ‘municipality’ ”, and the addition of the following at the conclusion of the current section:

The Township further establishes a mandatory program for the separate collection of yard waste from all residences within the Township for which solid waste collection is provided by the Township.

Section 12. Section 104 is amended by the addition of the words “YARD WASTE AND LEAF WASTE FROM SOLID WASTE” in the caption between the word “RECYCLABLES” and the word “AND”.

Section 13. Section 104 is amended by deleting the words “be hereinafter established by regulation,” and substituting in place thereof the following: “, from time to time, be determined by the Board of Supervisors.”

Section 14. Section 104 is further amended by the addition of a second sentence, providing,

The Township further requires and mandates that all yard waste be separated from other wastes for separate collection in designated leaf bags and/or bundled and placed at the curb line or edge of the property for collection by the Township.

Section 15. The current Sections 105, 106, 107, 108 and 109, are renumbered, respectively, as Sections 111, 112, 113, 114, and 115.

Section 16. A new Section 105 shall provide the following:

Section 105. Adoption of Regulations.

The Board of Supervisors may, from time to time, adopt by resolution regulations governing compliance with this Part, which may, without limitation, make provision for the following:

- (a) The manner and method of collection, including the days and times of collection, the appropriate method for the bundling and handling of yard waste and the location for, and time and placement of, materials for collection.

- (b) The manner of conducting any public information or education program.
- (c) The manner of enforcement of this Part, reserving to the said Board of Supervisors the ability to change, modify, repeal or amend any part of said rules and regulations by resolution at any time.

Section 17. A new Section 106 shall provide the following:

Section 106. Requirement of Residential Solid Waste Separation.

- A. All persons for whom the Township provides solid waste collection shall separate yard waste from other solid waste, recyclable materials and leaf waste produced at their residences and shall place the same for collection by the Township in accordance with regulations adopted hereunder.
- B. The Township shall collect yard waste from all properties in the Township from which the Township collects solid waste. The owners and occupants of such properties are required to separate yard waste from other waste generated at such properties, including solid waste, leaf waste and recyclable materials, for collection by the Township.
- C. All separated residential yard waste subject to curbside collection shall be placed for such collection as follows:
 - 1. Tree trimmings, hedge clippings, brush and similar material shall be cut not to exceed three feet (3') and must be tied with biodegradable twine (e.g. cotton or hemp) in bundles that can easily be handled by one person, and not weighing more than forty pounds (40 lbs.) per bundle.
 - 2. Grass clippings must be placed in biodegradable bags to a maximum of forty pounds (40 lbs.) per bag. Bags may not contain twigs, branches or other trash.

3. Branches thicker than three inches (3") shall not be collected.

4. The burning of residential yard waste is prohibited.

D. Separate curbside collection(s) for the collection of natural Christmas trees shall be as scheduled by the Board of Supervisors.

Section 18. A new Section 107 shall provide the following:

Section 107. Requirement of Commercial, Institutional and Municipal Recycling.

A. All owners or occupants of commercial, institutional and municipal establishments within Valley Township shall separate, or cause to be separated, high grade office paper, aluminum, corrugated paper, leaf waste, and such other recyclable materials as may be determined, from time to time, by resolution of the Valley Township Board of Supervisors, generated at such establishments and/or from community activities, store the materials until collection by the Township or a licensed municipal waster collector, and, if collection is made by a licensed municipal waste collector, annually provide written documentation and certification to Valley Township on or before January 31, of the total number of tons of materials, and the types of materials recycled during the previous year, ending December 31. Such persons may comply with these reporting requirements by having their licensed municipal waste collector provide this information directly to the Township.

B. All owners or occupants of commercial, industrial or institutional establishments who gather yard waste shall separate it, or cause it to be separated, from solid waste and recyclables and place it for collection.

C. The burning of commercial, institutional or municipal yard waste is prohibited.

Section 19. A new Section 108 shall provide the following:

Section 108. FALL LEAF WASTE COLLECTION.

- A. The Township shall collect leaf waste weekly during the month of November and during the first two (2) weeks of December on a regular schedule as determined by the Board of Supervisors.
- B. During the leaf collection period, all persons for whom the Township provides solid waste collection shall place their leaf waste directly behind the curb line or on the edge of the property where the property meets the street or highway, in biodegradable bags available for purchase at the Valley Township Municipal Building.
- C. Persons are responsible for ensuring that hired or contracted gardeners, landscapers, and other lawn maintenance workers comply with this section.
- D. Leaves may be composted on site as permitted by the Pennsylvania Department of Environmental Protection.

Section 20. A new Section 109 shall provide the following:

Section 109. Exceptions.

- A. Nothing in this Part shall be interpreted as preventing any person from using yard waste for compost, mulch or agricultural, horticultural, silvicultural, gardening and/or landscaping purposes.
- B. Nothing in this part shall be interpreted as preventing a commercial landscaping business from removing yard waste from properties that it services, for the purpose of composting.

Section 21. A new Section 110 shall provide the following:

Section 110. Obstructions in Streets and Highways Prohibited.

It shall be unlawful for any person to place yard waste or leaf waste upon any public street or highway in the Township

Section 22. This Ordinance shall take effect five (5) days after enactment

ENACTED AND ORDAINED this 16th day of SEPTEMBER, 2008.

VALLEY TOWNSHIP

By: Patrice Proctor
Patrice Proctor, Chairman

Walter P. Johnson
Walter P. Johnson, Supervisor

Edward Hammond
Edward Hammond, Supervisor

Christopher Lehenky, Supervisor

Yolanda Beattie, Supervisor

Attest:

Karen E. Chandler
Karen E. Chandler, Secretary

ORDINANCE NO. 2009 - 01

AN ORDINANCE AMENDING CHAPTER 20, PART 1,
OF THE VALLEY TOWNSHIP CODE OF ORDINANCES
BY AMENDING THE CURRENT DEFINITIONS FOR "PLASTIC CONTAINERS,"
"FERROUS CONTAINERS", AND "RECYCLABLE MATERIALS," AND BY ADDING
A DEFINITIONS FOR "PAPER PRODUCTS."

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Valley Township, Chester County, Pennsylvania, that Chapter 20, Part 1, of the Valley Township Code of Ordinances, Ordinance No. 92-6, as previously amended by Ordinance No. 2008-10, be further amended as follows:

Section 1. The definition of "Plastic Containers" in Section 102 is amended by deleting the current definition and substituting in place thereof the following:

PLASTIC CONTAINERS – empty plastic containers, including HDPE (High Density Polyethylene) plastics, PET (Polyethylene terephthalate) Plastics, and plastics numbered 3 and 5-7, provided that any such container to be recycled shall be clean and with lid(s) removed.

Section 2. The definition of "FERROUS CONTAINER" in Section 102 is amended by the addition of the following after the word "containers" in the current definition: "as well as empty aerosol cans."

Section 3. Section 102 is amended by the addition of the following between "NEWSPAPERS" and "PERSONS":

PAPER PRODUCTS – books, magazines, periodicals, newspapers, junk mail and shredded paper."

Section 4. Section 102 is amended by deleting the current definition for "RECYCLABLE MATERIALS," and substituting in place thereof the following:

RECYCLABLE MATERIALS – includes aluminum cans, bi-metal containers, ferrous containers, glass containers, paper products, and plastic containers, provided that no

materials submitted for recycling shall be contaminated with hazardous materials, body fluids, solid waste(s) and/or trash.

Section 5. This Ordinance shall take effect five (5) days after enactment

ENACTED AND ORDAINED this _____ day of _____, 2009.

VALLEY TOWNSHIP

By: _____
Patrice Proctor, Chairman

Edward Hammond, Supervisor

Walter P. Johnson, Supervisor

Christopher Lehenky, Supervisor

Yolanda R. Beattie, Supervisor

Attest:

Karen E. Chandler, Secretary

NOTICE – The Board of Supervisors of Valley Township, Chester County, Pennsylvania will, at its next regularly scheduled monthly meeting, scheduled for 7:30 P.M., Tuesday, February 3, 2009, at the Valley Township Municipal Building, 890 West Lincoln Highway, Coatesville, Pennsylvania, consider the enactment of the following:

ORDINANCE NO. 2009 - 01

**AN ORDINANCE AMENDING CHAPTER 20, PART 1,
OF THE VALLEY TOWNSHIP CODE OF ORDINANCES
BY AMENDING THE CURRENT DEFINITIONS FOR “PLASTIC CONTAINERS,”
“FERROUS CONTAINERS”, AND “RECYCLABLE MATERIALS,” AND BY ADDING
A DEFINITIONS FOR “PAPER PRODUCTS.”**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Valley Township, Chester County, Pennsylvania, that Chapter 20, Part 1, of the Valley Township Code of Ordinances, Ordinance No. 92-6, as previously amended by Ordinance No. 2008-10, be further amended as follows:

Section 1. Amends the definition of “PLASTIC CONTAINERS” in Section 102.

Section 2. Amends the definition of “FERROUS CONTAINER” in Section 102.

Section 3. Amends Section 102 by adding a definition for “PAPER PRODUCTS.”

Section 4. Amends the definition of “RECYCLABLE MATERIALS” in Section 102.

Section 5. This Ordinance shall take effect five (5) days after enactment

A complete copy of the proposed Ordinance is available for inspection at the office of the Daily Local News, 250 North Bradford Avenue, West Chester, Pennsylvania 19382, and at the Valley Township Municipal Building, 890 West Lincoln Highway, Coatesville, Pennsylvania 19320.

**Karen E. Chandler, Secretary
Valley Township Municipal Building
890 West Lincoln Highway
Coatesville, PA 19320
610-384-1151**