

**PALMER TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA
ORDINANCE 2020- 465**

**AN ORDINANCE OF THE TOWNSHIP OF PALMER, COUNTY OF NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING REGULATIONS FOR
WASTE COLLECTION**

WHEREAS, the Township of Palmer is a township of the second class of the Commonwealth of Pennsylvania, duly organized and operating in accordance with the laws of the Commonwealth; and

WHEREAS, pursuant to the Second Class Township Code of the Commonwealth of Pennsylvania, the Township of Palmer, in the exercise of its corporate powers, is empowered to enact and adopt ordinances for the health, protection, safety, welfare and benefit of its citizens and the public at large; and

WHEREAS, the Board of Supervisors of the Township of Palmer (“Board of Supervisors”) has determined that it is in the best interests of the health, protection, safety, welfare and benefit of its citizens and the public at large at this time to establish regulations for waste collection within the Township of Palmer, together with penalties for violations of such regulations; and

WHEREAS, the Board of Supervisors has further determined that such regulations should be codified as “Chapter 156 – Palmer Township Waste Collection Program Ordinance” of the Code of Ordinances of the Township of Palmer.

NOW, THEREFORE, the Board of Supervisors of the Township of Palmer does hereby **ENACT** and **ORDAIN** as follows:

Chapter 156, Article IV.

§ 156-34 Short Title

This ordinance shall be known as the “Palmer Township Waste Collection Program Ordinance.”

§ 156-35 Definitions

COLLECTIBLE WASTE

The collective term applying to Municipal Waste and Source-Separated Recyclables.

LEAF WASTE

Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings.

MCTLA

The Municipal Claims and Tax Liens Act, 53 P.S. § 7101 et seq.

MULTIFAMILY HOUSING

Any properties having more than one dwelling unit per structure.

MUNICIPAL WASTE

Any garbage, refuse, food waste, and/or other material, including solid, liquid, semi-solid or contained gaseous material, resulting from operation of residential, municipal, or institutional establishments and from community activities and any sludge not meeting the definition of residual or designated hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. As it relates to disposal, volume pickups and bulk items shall be included within the definition of Solid Waste. As it relates to all other issues within these documents, Volume Pickups and Bulk Items shall not be included within the definition of Solid Waste.

PROGRAM

The “Palmer Township Waste Collection Program” provided for by this ordinance.

QUALIFYING PROPERTY

Residential Unit - Any premises utilized primarily as a residential dwelling unit, but excluding apartment buildings containing four (4) or more units and any other residence which is not located on a public street, including but not limited to condominium developments.

RECYCLING

The collection, separation, recovery and sale or reuse of cardboard, metals, glass, paper, plastics, leaf waste, yard waste, and other materials in accordance with Articles II and III of this Chapter. Materials subject to Recycling are “Recyclables.” Includes office and mixed paper, cardboard and flatboard, newspapers including colored inserts, manila and brown folders, glossy paper, magazines, empty aerosol cans, telephone books, bi-metal, tin and aluminum cans, clear, green, and brown glass bottles and jars, and plastics (numbers 1, 2, 3, 4, 5, 6, and 7). Excludes hazardous waste, medical waste, syringes, food waste, toner cartridges, glass panes, Pyrex, food containers, and all Styrofoam products.

REFUSE

The collective term applying to all garbage, rubbish, ashes, and grass trimmings from residential, municipal, commercial or institutional premises.

SOURCE SEPARATION

To separate Recyclables from the Municipal Waste stream at the point of waste generation.

TOWNSHIP

Palmer Township, Northampton County, Pennsylvania.

TOWNSHIP COLLECTOR or Township Collectors

The person, persons, entity, or entities contracted and authorized by the Township to collect, transport, and dispose of Collectible Waste generated by Qualifying Properties in accordance with this ordinance.

YARD WASTE

Includes Leaf Waste, plant materials (leaves, branches, brush, flowers, roots, etc.), debris commonly thrown away in the course of maintaining yards and gardens. Yard Waste shall not include loose soils, sod, food waste, including food waste from gardens or orchards; food compost; plastics and synthetic fibers; lumber; tree stumps, any wood or tree limbs over four (4) inches in diameter; human or animal excrement; noxious weeds and soil contaminated with hazardous substances.

§ 156-36 Collection Program

- A. The Township shall contract with a Township Collector or Township Collectors for the collection of all Collectible Waste from all Qualifying Properties. This collection program shall be known as the “Palmer Township Waste Collection Program” (i.e. the Program).
- B. A fee of \$70.00 per quarter is hereby assessed on all Qualifying Properties, and this fee will be due on or before [QUARTERLY_DUE_DATE].
- C. Participation in the Program and payment of all fees and other charges assessed pursuant thereto is mandatory for all Qualifying Properties, and shall not depend on whether a Qualifying Property actually generates Collectible Waste, or whether Collectible Waste is actually collected from a Qualifying Property by the Township Collector or Township Collectors.
- D. If payment is not received by the Township by the applicable due date, a penalty of X% will be assessed and added to the balance due.
- E. Bills will be mailed to the owner(s) of each Qualifying Property on or before [DAY_OF_THE_QUARTER] at the address on file with the Township for the owner(s). Neither the failure of the Township to send a bill, nor a property owner’s failure to receive a bill, shall relieve a property owner of the obligation to pay the fee by its due date, or prevent the assessment of the penalty or any other charges on any amounts that are not timely paid. Property owners shall keep the Township informed of their current mailing address, and shall timely contact the Township to determine the amount outstanding in the event that a bill is not received.
- F. All fees and other charges assessed pursuant to this ordinance may be collected by enforcing in rem claims against the Qualifying Properties against which they are assessed pursuant to the MCTLA or other applicable law. Such fees and other charges may also be collected in assumpsit or other appropriate remedy against the owners of the respective Qualifying Properties pursuant to all applicable laws.

§ 156-37 Repealer

All ordinances or parts of ordinances, insofar as they are inconsistent herewith, are hereby repealed absolutely.

§ 156-38 Effective Date

A. This ordinance shall be effective retroactive to September 25, 2012.

B. All fees and other charges assessed in accordance with this ordinance on or after September 25, 2012, the date on which the Township Board of Supervisors approved the current contract between the Township and the current Township Collector and the rates to be charged to Qualifying Properties, are hereby ratified.

ORDAINED and **ENACTED** by the Board of Supervisors of Palmer Township this 8th day of September, 2020.

ATTEST:



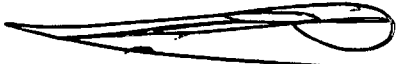
Robert A. Williams,
Secretary

PALMER TOWNSHIP BOARD
OF SUPERVISORS



David Colver,
Chairman

ATTEST:



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