

CHAPTER 20

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CHAPTER 20

SOLID WASTE

Part 1

Storage and Disposal of Municipal Solid Waste

§101. Title. This Part 1 shall be known as the East Buffalo Township, Union County, Pennsylvania, Municipal Solid Waste Ordinance. (Ordinance 92, March 23, 1987)

§102. Definitions. The following words and phrases, when used in this Part 1, shall have, unless the context clearly indicates otherwise, the following meanings:

COLLECTOR - A person or legal entity that has been licensed by the appropriate government agency to collect, transport and dispose of Municipal Solid Wastes.

DISPOSAL OR DISPOSE - The incineration, depositing, injection, dumping, spilling, leaking, or placing of municipal waste into or on the land or water in a manner that the waste or a constituent of the waste enters the environment, is emitted into the air, or is discharged to the waters of the Commonwealth of Pennsylvania.

DISPOSAL SITE - Any site, facility, location, area or premises to be used for the disposal of municipal wastes.

GARBAGE - All animal and vegetable wastes attending or resulting from the handling, dealing, storing, preparation, cooking and consumption of foods.

GLASS CONTAINERS - All containers made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass excluding, however, blue glass, flat glass, plate glass and glass commonly known as window glass.

MUNICIPAL SOLID WASTE - Any garbage, refuse, industrial lunchroom or office waste and other material including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant, or air pollution control facility. (Pennsylvania Solid Waste Management Act 97, Section 103)

NEWSPAPER - Shall be deemed to include paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly having printed thereon news and opinions and containing advertisements and other matters of public interest. Magazines and periodicals as well as all other paper products of any nature are not considered newspaper.

PERSON - Any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and agency, or any other legal entity whatsoever, which is recognized by law as being subject to such rights and duties.

PROCESSING - Any technology used for the purpose of reducing the volume or bulk of Municipal Solid Waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities, incinerators, recycling facilities, and resource recovery facilities.

RECYCLABLES - Material having an economic value in the secondary materials market and designated as such from time to time by the Board of Supervisors of East Buffalo Township, Union County, Pennsylvania.

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

SOLID WASTE - Any waste, including but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials. (Pennsylvania Solid Waste Management Act 97, Section 103)

STORAGE - The containment of any municipal waste on a temporary basis in such a manner as not to constitute disposal of such waste, and it shall be presumed that the containment of any municipal waste in excess of one (1) year constitutes disposal.

TOWNSHIP - East Buffalo Township, Union County, Pennsylvania.

TRANSPORTATION - The off-site removal of any municipal waste generated in or present in the Township at any time.

(Ordinance 92, March 23, 1987; as amended by Ordinance 116, May 9, 1988; by Ordinance 142, July 10, 1989; and by Ordinance 430, January 5, 2026)

§103. Rubbish and Garbage. Chapter 3, Section 308 of the Central Keystone Council of Governments Maintenance Code (hereafter, "CKCOG Code") is hereby adopted as Section 103 of this Part 1, with the following additions:

- Section 308
- 308.4.** All stored rubbish, garbage or junk shall be removed from its place of storage and properly disposed of with such frequency as is necessary to prevent a threat to the health and safety of persons and the environment, but in no event less frequently than every two (2) weeks.
- 308.5.** Proper disposal of rubbish, garbage or junk shall consist of delivery to a licensed disposal site, removal by a person or company disposing of the same at a licensed disposal site, burning where permitted, recycling or delivery to a licensed scrap processor or dealer.
- 308.6.** The transportation of rubbish, garbage or junk within the Township, regardless of where it

originated, shall be in closed or covered containers or motor vehicles. Any spilling or littering occurring while said rubbish, garbage or junk is being transported shall be cleaned up immediately after such spillage or littering occurs.

308.7. Nothing herein shall prohibit any person actively engaged in the farming of land or raising of livestock within the Township from carrying out normal farming activities, including composting and spreading manure or other farm produced agricultural wastes, provided said activities are conducted in accordance with all applicable laws, Municipal Ordinances and regulations and not within 100 feet of a non-farm residence.

(As amended by Ordinance 430, January 5, 2026)

(Ordinance 312, January 14, 2008)

CHAPTER 20

SOLID WASTE

Part 2

Recycling of Solid Waste

§201. Title. This Part 2 shall be known as the East Buffalo Township, Union County, Pennsylvania, Solid Waste Recycling Ordinance.

§202. Definitions. The following words and phrases, when used in this Part 2, shall have, unless the context clearly indicates otherwise, the following meaning:

GLASS CONTAINERS - All containers made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass excluding, however, blue glass, flat glass, plate glass and glass commonly known as window glass.

NEWSPAPER - Shall be deemed to include paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly having printed thereon news and opinions and containing advertisements and other matters of public interest. Magazines and periodicals as well as all other paper products of any nature are not considered newspaper.

RECYCLABLES - Material having an economic value in the secondary materials market and designated as such from time to time by the Board of Supervisors of East Buffalo Township, Union County, Pennsylvania.

SOLID WASTE - Any waste, including but not limited to municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials. (Pennsylvania Solid Waste Management Act 97, Section 103)

TOWNSHIP - East Buffalo Township, Union County, Pennsylvania.

§203. Separation & Disposal of Recyclables.

(1) All occupants of residential dwellings within the Township shall separate such Recyclables as the Township shall from time to time designate from the Solid Waste generated by the occupants of the said dwelling and shall separately store the said Recyclables until disposed of in accordance with applicable ordinances, regulations or laws.

(2) All occupants of or possessors of real estate situate within the Township shall separate leaf, grass, tree and shrub waste from all other Solid Waste and shall dispose of the same by composting or some other means authorized by appropriate ordinance, regulation or law.

(3) All occupants of commercial, municipal or institutional establishments within the Township and those persons conducting community activities within the Township shall separate such recyclables as the Township shall from time to time designate from the Solid Waste generated by the said establishment or activities and shall separately store the same until disposed of in accordance with appropriate ordinance, regulation or law.

(4) The Township Board of Supervisors shall, from time to time, by resolution, adopt such regulations as it finds necessary and appropriate to implement the provisions of this Ordinance and appropriate state and federal laws governing the recycling of Solid Waste. Upon adoption of said regulations, the same shall be advertised in two newspapers of general circulation in East Buffalo Township once a week for two consecutive weeks. Said advertisement shall direct East Buffalo Township residents to consult the East Buffalo Township website for a complete list of regulations. Said regulations may also be provided to residents via a direct mail newsletter.

(Amended by Ordinance 398, adopted April 12, 2021)

§204. Recycling of Alternative Energy Components. As provided in the decommissioning plan for an alternative energy facility, the following shall apply:

(1) The decommissioning plan shall include an estimate of the materials to be removed that will be salvaged, recycled, refurbished or disposed of in a landfill.

(2) No more than twenty (20%) percent of the total combined mass of an alternative energy facility may enter into a landfill as part of the decommissioning plan.

(3) For the purpose of determining the total combined mass under this Section, the total combined mass shall include wind turbines, solar photovoltaic modules, wind turbine blades, meteorological towers, guy wires, auxiliary equipment and steel support structures.

(a) Cement support structures shall not be considered when determining the total combined mass under this Section.

(4) Should any federal or state regulations provide for more restrictive regulations related to the recycling of alternative energy components, the more restrictive regulations shall apply.

(As added by Ordinance 406, adopted June 13, 2022)

§205. Penalties. Violations of this Part shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rule of Criminal Procedure No. 83 (c). The fine for a violation of this Part shall not exceed \$1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses.

(As amended by Ordinance 406, adopted June 13, 2022)

§206. Severability and Amendment.

(1) Should any section, paragraph, sentence, clause or phrase of this Part 2 be declared unconstitutional or invalid for any reason, the remaining of this Part 2 shall not be affected thereby.

(2) This Part 2 shall be subject to all applicable federal, state and local laws, ordinances, rules and regulations including the rules and regulations as set forth by the Department of Environmental Resources, Commonwealth of Pennsylvania.

(3) This Part 2, or any part thereof, may be amended from time to time in accordance with the procedures established by law

(As amended by Ordinance 406, adopted June 13, 2022)

(Ordinance 159, November 11, 1991)

CHAPTER 20

SOLID WASTE

Part 3

Penalties

§301. Penalties and Remedies.

(1) Violations of this Chapter shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rules of Criminal Procedure No. 83(c). The fine for a violation of this Chapter shall not exceed \$1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses.

(2) In addition to the foregoing penalty, the Township may require the owner or occupant of a property to remove any accumulation of Municipal Solid Waste and, should said person fail to remove such Municipal Solid Waste within ten (10) days following written notice of the same, the Township may cause the Municipal Solid Waste to be collected and disposed of with the costs for such actions to be charged to the owner or occupant of the property in a manner provided by law. Said notice to be delivered either personally or by certified mail, return receipt requested, addressee only.

(Ordinance 430, January 5, 2026)