

ORDINANCE NO.

CHAPTER 20 — Solid Waste

Part 2 — Recycling

Adopted by the Borough Council of Modena, on December 9, 2019 by Ordinance No. # 155 - 2019
This Recycling Ordinance is to replace the entirety of Section 20-201 of the local Ordinances.

Section 20-201. Legislative Intent

The Borough Council of the Borough of Modena hereby proclaims that is in the public interest of the residents of the Borough of Modena to establish standards for a Single Stream source of newspaper, cardboard, aluminum, and glass beverage bottles, and recyclable plastics, through the refuse stream and for the subsequent disposition of said materials through a recycling program. By doing such, the Borough of Modena contributes to extending the life of Chester County landfill and the conservation of natural resources, and reducing the amount of dumping fees charged to the Borough of Modena. **This Ordinance is to replace Chapter 20, Part 2, Sections 20-201 through 20-210.**

Section 20-202. Definitions.

As used in this Part, the following terms shall have the meanings indicated.

Aluminum — all products made of aluminum, including aluminum cans, foil, wrappers, containers for prepared or other foods, screen frames and lawn chairs.

Authority — Central Chester County Recycling Authority.

Debris — brush, branches, small trees, and bushes.

Garbage — putrescible animal, fish, fowl, fruit, or vegetable waste incidental to and resulting from the use, preparation, cooking and consumption of food.

Glass bottles — all products made from silica or sand, soda ash and limestone, the end product being transparent or translucent and being used for packaging or bottling of various matter, excluding however, blue and flat glass and glass commonly known as "window glass."

Metal — all products made of metal, exclusive of aluminum, including washers, dryers, refrigerators, stoves, hot water heaters, bimetal cans (tin cans), or scrap metal.

Plastic — those plastics numbered 1-7 that are eligible to be recycled and are labeled as such.

Newspapers — all uncontaminated paper material such as newspaper, newsprint, cardboard, wrapping paper, bags, and office paper.

Recyclable materials — those materials designated by the Borough of Modena to be eliminated from depositing into the landfill waste stream.

Solid waste — ashes, non-recyclable plastic materials, ceramics, blue and flat glass, imputrescible solid waste, grass clippings, leaves, contaminated paper, and other similar materials normally collected in the regular municipal solid waste collection from the residents of the Borough of Modena.

Section 20-203. **Purpose.**

The purpose of this Part is to provide for the orderly, systematic, and regularly scheduled collection of newspapers, glass bottles, plastics, and aluminum products that can be readily separated by third parties and recycled from the solid waste normally produced by residents of the Borough of Modena.

Section 20-204. **Single Stream of Recyclables.**

The owner or occupant of any building within the Borough of Modena shall place for disposal, removal, or collection the following items in a single container for recycling (Single Stream) to include newspapers, glass bottles, recyclable plastics marked with the recycling label #1 through #7, and aluminum products. These items shall be placed inside reusable plastic or metal containers, and placed at curbside on the day designated for collection.

Section 20-205. **Collection Procedure.**

1. Collection, removal, and disposal of all recyclable materials shall be supervised by the Borough of Modena or its designated representative, who shall have the power to establish the time, method and routes of service and color coding of receptacles to be used by residents of the Borough of Modena, if any.
2. All recyclable materials must be placed at curbside for collection.
3. No recyclable materials shall be placed at the curbside prior to 7 p.m. on the night preceding collection. After collection, all containers shall be removed from the curbside promptly, but no later than 7 p.m. on the day of collection.

Section 20-206. **Property of Authority and/or Borough of Modena.**

From the time of placement at the curbside of any of the recyclables described herein for collection in accordance with the terms hereof, such items shall become the property of the Borough of Modena or the Authority.

Section 20-207. **Unauthorized Removal.**

It shall be a violation of this Part for any unauthorized person, firm, or corporation to collect, remove or cause to be collected, any recyclables. Any and each such unauthorized collection in violation hereof from one or more residences or businesses shall constitute a separate and distinct offense punishable as hereinafter provided.

Section 20-208. **Exemptions.**

This Part is in no way intended to prohibit separate newspaper or other recyclables drives by outside charitable organizations on days other than those designated for collection by the Borough of Modena or the Authority.

Section 20-209. Violations and Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not less than \$250 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

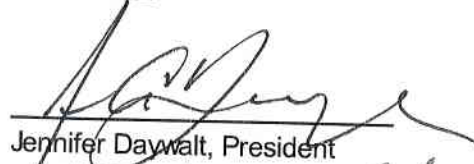
Section 20-210. Enforcement.

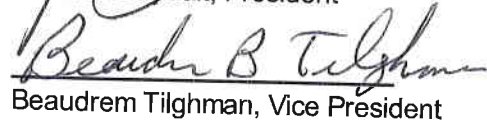
It shall be the duty of the police department serving the Borough of Modena or any duly designated agent of the Borough of Modena to see to the enforcement of this Part and to prosecute all violations thereof.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Modena that this ordinance shall take effect FIVE (5) days hereafter, and remain in effect until changed thereafter.

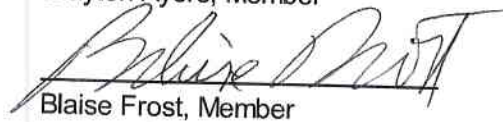
ENACTED and ORDAINED this 9th day of December 2019

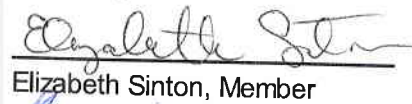
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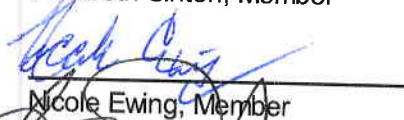

Jennifer Daywalt, President

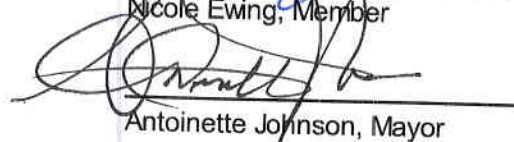

Beaudrem Tilghman, Vice President

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Elizabeth Sinton, Member


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ATTEST

Victoria Cloud

Victoria Cloud
Secretary