

MEMORANDUM

To: Don Delamater, East Norriton Township

From: Walt Davenport
Denny Holt

Date: November 9, 2007

Subject: Final Report – Curbside Yard Debris Collection Implementation Assistance

EXECUTIVE SUMMARY

East Norriton Township recently surpassed a population threshold of 5,000 residents. Pursuant to Pennsylvania Act 101, East Norriton is now mandated to (among other things) provide curbside recycling to its residents. The Township has proactively identified a private contractor to establish a curbside leaf waste collection program to be provided under contract with the Township. MSW Consultants performed a detailed review of the proposed collection program to assure that the program both conformed with Act 101 requirements and also provided Township residents with a convenient recycling program for their brush and other green wastes. This review encompassed the proposed collection contract, development of relevant public and hauler education materials, and updating the Township's ordinance.

MSW Consultants prepared the following public education materials in support of this program:

- Tri-fold brochure, to be mailed as a separate piece to East Norriton households to introduce the new program.
- Three separate inserts to be mailed with the monthly utility bills managed by the Town, including one insert for the mailing right before the program starts to remind people to start using it; one insert to remind people about using the program for Christmas trees; one insert that can serve as an ongoing “reminder” each year in the early springtime when the weather starts to warm up and people begin doing yard work again. Collectively, these inserts will enable the Township to provide the level of outreach required by the Act.
- An article to be placed in the Town newsletter.
- A letter to be mailed to licensed haulers known to be serving residential customers within the Town limits.
- Door hangers for use by private haulers to educate residential customers about the new leaf waste recycling program requirements.

Further, MSW Consultants reviewed the Township's solid waste ordinance to assure compliance with Act 101 and to establish appropriate leaf waste recycling requirements.

Finally, MSW Consultants provided a wide range of recommendations to East Norriton Township regarding the establishment of a contract with a local company to perform the curbside leaf waste collection service. Specifically, the Township should assure that the contract:

- Aligns the definition of the allowable wastes in the proposed brush waste program with the material definition in Act 101.
- Establishes a call-in phone number for residents to notify the contractor of yard waste set-outs each month.
- Allows contained yard waste as well as bundled yard waste to be acceptable set-outs. MSW Consultants recommends the Town specifically exclude plastic bags from the brush waste program.
- Allows the hauler to establish a limit to the quantity of Leaf Wastes that is set out on any given monthly collection day by each household.
- Enables the use of a chipper truck as the preferred collection technology (as identified by the contractor) for leaf wastes generated by Township residents.
- Targets all collection activities for one week of the month, with the potential for an overflow week for the four months of the year when volumes are projected to be high.
- Attempts to calculate the fair, full cost of the contracted service from the outset of the contract and minimizes opportunities for significant annual price escalation so that the Township can adequately plan for the cost of this service in annual budgeting.
- Requires the contractor to prepare and submit reports of the quantity of leaf wastes collected, including the volume, number of households served, and total estimated weight of materials on a monthly and annual basis.
- Provides as a benefit to residents, free compost to those who want to pick up the material from the contractor's compost facility.

Details of the contract review, program recommendations, ordinance review, and public education materials are contained in the full report and appendices.

INTRODUCTION

The Pennsylvania Department of Environmental Protection (DEP), working through the Solid Waste Association of North America (SWANA), has created a technical assistance program to help Pennsylvania municipalities establish, enhance and improve their recycling and composting programs. MidAtlantic Solid Waste Consultants, LLC (MSW Consultants) is an authorized provider of recycling and composting technical assistance as part of this program.

East Norriton Township, located in Montgomery County in the Southeast region of the state, is a bedroom community for the City of Philadelphia with a largely middle class population. The Township's residential communities appear to have mature trees and landscape shrubbery that comes with an established community. East Norriton recently surpassed a population threshold of 5,000 residents. Pursuant to Pennsylvania Act 101, East Norriton is now mandated to (among other things) provide curbside recycling to its residents. Further, 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”¹ 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 (either at the curb or via a local drop-off location provided by the municipality) as set forth in Act 101 Section 1501(c)(2) and (3) and processed at DEP-approved composting facilities.

East Norriton currently provides vacuum collection in the fall for leaves; however, such service does not put the Township in compliance with the Act. At this time, the Township is interested in establishing an Act 101-compliant curbside collection program for Leaf Wastes. MSW Consultants has prepared this report to assist the Township establish such a program in a cost-effective manner that will maximize collection and diversion of Leaf Wastes.

PROPOSED BRUSH WASTE COLLECTION PROGRAM

Currently brush is not being recycled in the Township; rather, it is being collected by private sector refuse collectors and disposed as refuse at local disposal facilities.

At the outset of this project, the Township provided to MSW Consultants a conceptual contractual agreement with Environmental Landscaping Services, Inc. (ELS), a local landscaping company that operates a DEP-approved composting facility, to collect and chip the brush generated by its 3,700 residential properties. MSW Consultants reviewed this agreement, and subsequently met with a representative of both the Township and ELS to discuss the conceptual agreement. Appropriately structuring this agreement is critical to establishing a successful Leaf Waste recycling program, and this section of our report reviews the draft agreement and provides detailed suggestions for revising and improving the terms of the proposal.

Broadly, ELS is proposing to provide the Township with curbside “brush” collection throughout the year and curbside Christmas tree collection for a two week period in January. Township residents requiring set-outs will be required to notify ELS via phone or e-mail, and the specific collection day will be assigned by ELS based on the demand for service. ELS will collect the brush with a chipper truck and will subsequently haul the chipped brush to their DEP-approved compost facility for land application.

In the bullets below, MSW Consultants has systematically reviewed the conceptual proposal from ELS. Notable observations about the agreement are mentioned. Recommendations are also offered about specific details of the program. In crafting these recommendations, the two primary objectives have been (a) to create a program that is easy to communicate to customers and local haulers alike so that participation is high and enforcement needs are minimal, and (b) to enable appropriate program measurements and reporting to DEP on the quantities of materials recycled.

Program Element: Collection Frequency

The ELS proposal, consistent with minimum collection frequency requirements in Act 101, contemplates the provision of monthly collection frequency throughout the year. Lower frequency results in lower cost, and it was beyond the scope of this study to determine how much the Town

¹ Leaf Waste, when capitalized, refers to the definition as contained in Act 101. Other terms that are not capitalized – leaves, brush, limbs, etc., - refer to components of Leaf Waste.

should or should not spend on this program. The monthly frequency was deemed acceptable for purposes of our analysis.

Recommendation

It is reasonable for the Town to implement a solution that places it in compliance with Act 101 requirements for the lowest possible cost. Therefore, the monthly collection frequency appears reasonable.²

Program Element: Targeted Materials

The ELS proposal is specific in that it targets “brush” and “Christmas trees.” “Grass” and “tree stumps” are specifically excluded from the agreement. On these definitions the proposal seems clear. However, the proposal does not reference Leaf Waste or otherwise cite a definition of green waste materials that is consistent with Act 101-targeted materials. The proposal does not clearly make allowances for non-woody types of green waste that may be generated throughout the year (such as leaves, weeds, and garden residues, and hedge trimmings, etc.). We noted on our visit to East Norriton to discuss the program that the Township’s households appear to be on mature lots with significant tree and shrub growth, so the potential for generation of all of the Leaf Wastes as defined in Act 101 appears high.

Recommendation

The Town should seek to align the definition of the allowable wastes in the proposal with the material definition in Act 101. Specifically, the Township should require collection not only of brush and Christmas trees, but also of “shrubby, garden residues, and similar materials but not including grass.” As a side effect of revising the definition, it will be necessary to consider the form and amount of materials that can be set out for collection (addressed below).

Program Element: Set-out Allowances

The proposal currently provides reasonable specifications for the placement (no more than 5 feet from the curb) and preparation (40 pound, two-foot diameter bundles with cut ends towards the street) of brush and Christmas trees. The ELS proposal also specifies what materials will not be collected. However, no maximum set-out is mentioned, and while it mentions that trees over twelve (12) feet may be subject to additional cost, there is no mention as to how this charge will be assessed and from whom (or for how much).

Recommendation

In order to assure that this service is in compliance, it will be necessary to accept the full range of materials that are included in the definition of Leaf Waste. While bundled brush is

² Act 101 also allows for the establishment of a scheduled day, not less than twice per year and preferably in the spring and fall, when leaf waste (as defined in the Act) is collected from residences; so long as there is also a drop-off location (or other collection alternative approved by DEP) that allows persons in the municipality to deposit leaf waste for the purposes of composting or mulching at least once per month. The permanent drop-off option was not evaluated as part of this analysis.

certainly a significant part of Leaf Waste, it is certain that many households will generate shrubby prunings and garden residues (other than grass) that must also be collected. Therefore, the Township should require ELS to accept contained wastes as well as bundled brush. Acceptable containers should include resident-provided trash cans (preferably marked for yard waste collection). However, plastic bags should be prohibited for use in Leaf Waste set-outs, as plastic material will at a minimum diminish the quality of the compost product and may also damage equipment.

Recommendation

The Township should allow ELS to establish a limit to the quantity of Leaf Wastes that is set out on any given monthly collection day by each household. While there is no industry standard for the overall limit for Leaf Waste, the limit should attempt to maximize service to the customer while remaining operationally manageable. In the absence of a set-out limit, residents can – and will – cut down and set out many cubic yards of bundles from an 80-year old oak tree. Even one or two such “unlimited” set-outs will greatly impact collection productivity. We recommend that the service limit collections to a volume of 2 cubic yards of material. This equates to 10 resident-provided containers per month; or roughly a total of 6 bundles of brush. We note that this set-out limit is not intended to be enforced to the letter; rather, it is intended to serve as a guideline and to prevent abusive set-out behavior (e.g., contractors cutting down a tree and leaving the entire brush pile for the Township’s collection program). However, in the event a resident generates an excessive amount of brush, it will be possible to make special arrangements with ELS to collect such oversized set-outs for an additional fee paid directly to ELS.

Program Element: Scheduling

One of the challenges associated with monthly collection frequency is the ability to make this schedule reasonably easy for residential customer to remember and utilize. The ELS proposal introduces the notion of having pre-defined zones in East Norriton that are targeted for collection on a Thursday and Friday of the assigned week of the month on which collection is to occur. The proposal is not clear about the number of zones (and therefore the number of weeks) it will be providing collection service.

The proposal also specifies that a total of 16 collections will be provided annually. This includes 12 monthly collections, as well as four additional collections in the spring and summer months and after the Christmas season when Leaf Waste generation is expected to be high.

Recommendation

For a township the size of East Norriton, there appears to be no compelling reason for collecting different zones over different weeks unless the contractor is able to achieve operational advantages from such a schedule. MSW Consultants believes that having multiple zones, each to be collected a different week of the month will increase the difficulty in preparing and delivering a clear public education message to its residents and complicate the program. It therefore is recommended that all collection activities be targeted for one week of the month, with the potential for an overflow week for the four months of the year when volumes are projected to be high. This will be much easier to disseminate in public education materials (“brush and limbs may be set out the third week of every month

pursuant to the Township's leaf waste collection program policies; a second collection will be offered in May, June, September, and January on the fourth week of the month").

Recommendation

With 3,700 households, it is recommended that four Leaf Waste routes be developed by ELS at the outset of the project. There will be a Monday, Tuesday, Thursday and Friday route, with houses generally assigned to specific days of the week. Wednesdays and Saturdays (or the following Monday) would serve as overflow (make-up) days. Assuming a set out rate of 20 percent during the summer season, this equates to approximately 93 set-outs, or one set-out collected every 4.6 minutes. This collection productivity should be achievable with a chipper truck configuration, although should set-out rates exceed these levels in spring or summer months it could strain the collection system. However, ELS's proposed 16 annual collections should be sufficient to accommodate the heavier volume months.

Program Element: Collection Equipment

ELS proposes to use a dump truck towing a portable chipper to collect brush and limbs. A picture of a chipper (although not of the actual equipment to be used by ELS, which has not been acquired yet) is shown in Figure 1. The primary benefit of this system is that brush is chipped on route so that it is ready for land application and other agricultural and landscaping uses without requiring further processing. However, on-route chipping has not been widely implemented for brush collection programs within the solid waste industry. This is due to chipper/dump truck combinations having low productivity compared to other forms of curbside collection that do not require brush to be fed into a chipper, and also lower capacity compared to compactor-type trucks that hold as much as 30 to 36 compacted yards.

Figure 1 Chipper Truck



Assuming total capital cost of \$65,000 for the truck and \$25,000 for the chipper, and assuming a useful life of five years, this equates to monthly depreciation of \$1,500 for the equipment. Monthly insurance is estimated to be \$500. Vehicle maintenance and fuel costs will be variable and will depend on how much the equipment is used beyond the East Norriton collection contract.

Recommendation

Given the size of the customer base in East Norriton, it would appear that the proposed collection technology would be sufficient to provide the service within the allotted schedule.

Program Element: Emergency Collection Services

ELS's proposal includes a paragraph offering to provide emergency collection of brush in East Norriton after a severe storm. It appears that emergency collection would be offered in place of the

regularly scheduled monthly service, but such deviations are at the discretion of the local recycling coordinator and ELS.

Recommendation

The level of effort for storm debris clean-up is virtually impossible to predict. While the intentions of this clause in the proposed agreement are good, it is recommended that emergency collection services be completely separate from the standard Leaf Waste collection agreement. A typical emergency services contract will specify an hourly rate for on-call usage of collection equipment and associated crew, to be invoked at the discretion of the community, and East Norriton should consider such a clause. Alternatively, it may be possible to build into the agreement a higher payment that is triggered by excessive volumes of leaf waste collected in any given month due to storms. Clearly specifying how emergency collection will be handled will eliminate ambiguity and potential disagreement between East Norriton and ELS.

Program Element: Base Year Collection Rates

ELS quotes three rate schedules:

- \$2,000 per month if only East Norriton contracts for service;
- \$1,700 per municipality if either West Norriton or Norristown also contract for similar services (\$3,400 total revenue per month for ELS); and
- \$1,400 per municipality if both Norristown and West Norriton opt in to the contract (\$4,200 total revenue per month for ELS).

Table 1 estimates the cost per month to provide one full week (40 hours) of collection to East Norriton. This is based on an estimated four collection days per month for eight months of the year, and eight collection days per month for the remaining four months (total of 16 annual collections).

Table 1 Leaf Waste Collection Monthly Cost Estimate

Costs	Line Item	Monthly Cost
Labor	Driver [1]	\$838
	Helper [2]	\$629
	Secretary [3]	\$157
	Subtotal Labor	\$1,624
Equipment Operations	Equip. Maintenance [4]	\$96
	Fuel [5]	\$242
	Subtotal Equipment Ops	\$338
Annualized Equipment Capital Cost [8]	Depreciation [6]	\$346
	Insurance [7]	\$115
	Subtotal Equipment	\$462
Grand Total		\$2,424

- [1] Assumes 40 hours per month, \$16/hour wage and 31% benefits.
- [2] Assumes 40 hours per month, \$12/hour wage and 31% benefits.
- [3] Assumes 10 hours per month to scheduled call-ins, \$12/hour wage and 31% benefits.
- [4] Based on average hourly maintenance cost for fully utilized chipper truck, multiplied by 40/hours per month usage.
- [5] Assumes 2.2 gallons/hour for 40 hours/month at \$2.75/gallon fuel cost.
- [6] Assumes 5 year useful life (no salvage value) and a cost of \$65,000 for the truck and \$25,000 for the chipper.
- [7] Estimated by MSW Consultants.
- [8] Assumes equipment will be utilized over the entire month and that only one week of depreciation and insurance is allocated to East Norriton Township.

As shown in the table, total monthly operating costs to provide collection services to East Norriton are estimated to be \$2,424. This equates to \$29,089 annually.

Table 2 compares the projected revenues to ELS under each of their proposed rates against the projected cost to provide the service.

Table 2 Comparison of Cost to Revenues

Year	Collection Scenario		
	East Norriton only	East Norriton + one muni [1]	East Norriton + two munis [1]
Estimated Monthly Cost[1]	\$2,424	\$4,848	\$7,272
ELS Monthly Revenues	\$2,000	\$3,400	\$4,200
Profit (Loss)	(\$424)	(\$1,448)	(\$3,072)
<i>Break-even Rate per Municipality</i>	<i>\$2,424</i>	<i>\$2,424</i>	<i>\$2,424</i>

[1] Assumes each incremental municipality could be serviced in one week per month.

As shown in Table 2, it appears unlikely that the rates proposed by ELS will be sufficient cover the total cost to provide the service, regardless of the number of municipalities that opt to participate.

Recommendation

Ultimately, for the Leaf Waste recycling program to be effective, the full cost of the service must be adequately covered for the contract collector. MSW Consultants was informed by ELS that the chipper truck equipment had not yet been acquired at the time of the kick-off meeting for this project. As such, it may be necessary to acquire used equipment in an effort to reduce fixed costs, and/or revisit the service rates to be charged to assure that the program begins in a financially sustainable manner. While the proposed \$2,000 fee is attractive to Norriton, we question how long the program will last if the service cannot be provided for this fee. It is recommended that the Township and ELS establish the true costs from the outset and to plan for this ongoing cost in Township annual budgeting.

Program Element: Annual Contract Rate Increases

The proposal from ELS contains an addendum that specifies a cap each year of the proposed five year contract for increasing monthly rates. These annual caps and the projected “worst case” scenario (i.e., the rate increases by the maximum allowable amount) are shown in Table 3.

Table 3 Leaf Waste Collection Monthly Cost Estimate

Year	Annual Escalation	Cost to East Norriton by Rate Option		
		East Norriton only	East Norriton + one	East Norriton + two
Base Year	N/A	\$2,000	\$1,700	\$1,400
Year 2	30%	\$2,600	\$2,210	\$1,820
Year 3	20%	\$3,120	\$2,652	\$2,184
Year 4	25%	\$3,900	\$3,315	\$2,730
Year 5	30%	\$5,070	\$4,310	\$3,549

As shown in the table above, the cost to East Norriton will rise precipitously if the maximum rate increase is advanced each year. The worst case year 5 rate could be as much as 254 percent higher than the base year rate. We further note that a 30 percent escalation would establish a rate that covers the estimated cost to provide the service in year two.

Recommendation

Assuming an appropriate rate is established for the Base Year (see prior discussion), it is highly recommended that the Township take steps to minimize the potential for such significant rate increases each year. At a minimum, large rate increases should be limited to Year 2, but subsequent years should be capped at an index such as Consumer Price Index (CPI). The Township should also consider requiring ELS to document the capital cost and operating cost assumptions used to generate the proposed Base Year price so that future price increased can be justified. Both the Township and ELS will benefit by aligning their expectations prior to finalizing the agreement.

Program Element: Resident Education

The ELS proposal includes free public education to be disseminated to residents by ELS. This is critical to ensure a successful program that is used regularly by the Township residents.

Recommendation

Section 1501(d) of Act 101 requires mandated municipalities to establish a comprehensive and sustained public information and education program concerning recycling program features and requirements. Specifically, mandated municipalities shall, at least 30 days prior to the initiation of the recycling program and at least once every six months thereafter, notify all persons occupying residential (as well as commercial and institutional) premises within its boundaries of the recycling requirements. To meet these requirements, MSW Consultants has developed additional educational materials for use by the Township. Public education considerations are described in the following section. ELS should also provide public education support, although every effort must be made to conform new public education materials to official Township policies and to the terms of the collection contract.

Program Element: Recycled Material Tracking and Reporting

The ELS proposal (addendum) provides for proper reporting of recovered quantities of Leaf Waste to each municipality so that they in turn can report to Montgomery County and to DEP. It was reported to MSW Consultants that ELS will track brush volume by cubic yardage of the chipped Leaf Waste, but will not obtain the weight of recovered material via truck weigh scales.

Recommendation

It will be critical for the Town to establish contractually specified reporting templates for ELS to provide on a regular basis. Based on our review of the proposed program, it is recommended that the Town require the following procedures and reports as part of the terms of its contract with ELS:

- Prior to beginning service, ELS will provide to the Town the tare weight of the truck, chipper trailer, and combined vehicle weight of all collection vehicles/trailers that are intended to be used for the collection program. For each vehicle, ELS will also provide the interior dimensions of the containers that will hold chipped brush during the collection process. To the extent a rental vehicle or trailer is used because the scheduled vehicle is not available, the rental vehicle must be weighed and interior dimensions measured, and the weight/dimensions reported to the Town along with which days of the month the rental equipment was used.
- Monthly summary reports showing the number of households served, the total truckloads of material collected, and the estimated cubic yardage of chipped material. Partially full trucks shall be estimated to the nearest 10 percent fullness.
- At the request of the Town, ELS should be prepared to provide the detailed call-in records and collection/vehicle delivery logs supporting the monthly summary reports.
- ELS should be required to weigh one load per month when the truck is full. This assumes there is a local facility operator who would allow the use of a truck scale to obtain this data. On a monthly basis, ELS will report to the Town the weights of the full truckloads, as well as the number of households that were collected as part of that load.

Over time, this will enable the Town to develop defensible generation rates per participating household and in total.

- Annual summary reports showing the number of households served, the total truckloads of material collected, and the estimated cubic yardage of chipped material.
- After the first year of service, monthly and annual reports should contain the projected weight of brush that is collected as well as the households, truckloads, and cubic yardage.

Program Element: Free Compost for Residents to Pick Up

The ELS proposal does not mention any expectations about the availability of compost for use by East Norriton residents.

Recommendation

Municipally-sponsored yard waste collection programs often generate sufficient yard waste that compost is offered to residents for free, assuming the resident loads and transports the mulch. It is recommended that the Township make arrangements to enable Township residents to pick up compost for free of charge. This benefit also has the side effect of “closing the recycling loop” by allowing residents to understand that their disposed Leaf Waste is turned into a useful byproduct that can enhance their home planting beds and gardens.

LEAF WASTE RECYCLING EDUCATION

Critical to the program’s success will be the push to educate and inform residents and haulers alike about the terms of the program. Public education for residents must include details about the program start date and standardized schedule, call-in procedures, and set-out procedures. Further, program enforcement must be discussed. Private haulers must be educated about the existence of the program, and be enlisted in the effort to prevent brush from being set out in the regular garbage.

Public Education Program

There are many strategies for public education for a new recycling/yard waste program. The bullets below show examples of the many strategies that have been used elsewhere in Pennsylvania to inform residents about recycling:

- Standard news media (newspaper, radio, television);
- Township website (<http://www.eastnorritontwp.org>)
- Mailers;
- Utility bill inserts;
- Newsletter articles;
- Door hangers for passing out during collection;
- Special promotions and municipal events;
- Contests; and
- Numerous other efforts to publicize the importance of recycling.

East Norriton officials note that it is beyond their budget to pursue a broad array of public education strategies. Therefore, as part of this Technical Assistance Project, several public education

pieces have been customized for East Norriton based on existing lines of communication typically used by the Town. Specifically, Appendix A contains the following three public education pieces:

- Tri-fold brochure, to be mailed as a separate piece to East Norriton households.
- Three separate inserts to be mailed with the monthly utility bills managed by the Town, including one insert for the mailing right before the program starts to remind people to start using it; one insert to remind people about using the program for Christmas trees; one insert that can serve as an ongoing “reminder” each year in the early springtime when the weather starts to warm up and people begin doing yard work again. Collectively, these inserts will enable the Township to provide the level of outreach required by the Act.
- An article to be placed in the Town newsletter.

Education Program for Private Haulers

Ultimately, it is beyond the Town’s resources to implement extensive enforcement mechanisms. However, haulers were actively asked to assist the Township in support of the program. All private haulers known to be doing business in East Norriton were contacted and informed about the new Leaf Waste collection program. Appendix B contains a copy of the letter that was sent to haulers, as well as a door hanger to be printed by the Town and distributed to the haulers to assist in their support of the program. The door hangers are intended to communicate to customers who set out brush with their regular garbage collection that the brush is not allowed with the garbage and should make use of the recycling program.

ORDINANCE REVIEW

The Town’s current ordinance is over 20 years old and does not reflect required recycling program elements. As a final task, the Town’s ordinance was reviewed and suggested updates have been provided to the Town. This review was performed using the “track changes” function of Word. Appendix C contains the full detailed ordinance showing the changes, and specific updates to the ordinance are not described here. However, MSW Consultants would like to call the Township’s attention to the impact of the ordinance review on multi-family residential establishments.

The ordinance review and update was limited to compliance with Act 101 requirements for Leaf Waste recycling. However, as part of the overall ordinance review, MSW Consultants noted a number of other revisions that are recommended for future consideration. Although these issues have not been revised in the ordinance (they do not relate to Leaf Waste and are therefore out of scope for this project), we itemize them for future consideration by the Township:

- Review and Revise Ordinance Definitions: MSW Consultants recommends the Township review the ordinance definitions to eliminate unnecessary definitions and align the remainder definitions with those of Act 101.
- Identify 3 Recyclable Materials: Act 101 requires residents to separate at least three recyclable materials, selected by the municipality, from other solid waste. MSW Consultants recommends that the Township select 3 of the following recyclable materials to be part of the mandatory residential recycling program: clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper and plastics.
- Incorporate Mandatory Recycling Requirements Non-Residential Establishments: Act 101 requires commercial, municipal, and institutional establishments to recycle high grade office

paper, aluminum, corrugated paper and leaf waste and other materials deemed appropriate by the municipality. MSW Consultants has incorporated a mandatory leaf waste recycling for the applicable residents. MSW Consultants recommends the Township consider amending the ordinance to be consistent with Act 101 as to the other recyclable materials.

- Addition of Community Activity Recycling: Act 101 requires persons at community activities to separate high grade office paper, aluminum, corrugated paper, leaf waste and other materials deemed appropriate by the municipality. Community activities include events sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, which include, but are not limited to, fairs, bazaars, socials, picnics, and organized sporting events that will be attended by 200 or more individuals per day. MSW Consultants recommends the Township incorporate the community activities recycling into the ordinance. In addition, MSW Consultants further recommends the Township include, at a minimum, PETE and HDPE narrow neck bottles (including jars and jugs) as plastics to be recycled at community activities.

CONCLUSION

The Town of East Norriton has proactively addressed Act 101 mandated requirements to implement brush collection for its residents. This project has established the leaf waste collection program details, contractual service requirements, reporting requirements, and public education strategies needed to assure that the program optimizes diversion and the Town remains in compliance with Act 101. Further, the program defined in this project will optimize diversion with a monthly collection frequency for these materials.

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APPENDIX A

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Free Compost for Residents!

Yard waste not only conserves landfill space, it provides FREE compost for residents of East Norriton Township. The yard waste collected from residents will be recycled into compost. Residents may pick-up FREE compost at the municipal complex. Residents are required to load their own vehicles.



East Norriton Township
2501 Stanbridge Road
East Norriton, PA 19401-1616



New Curbside Yard Waste Collection Program



Collection begins
January 2008



*Let's work together
to increase recycling
in East Norriton
Township!*

East Norriton Township Yard Waste Collection Program

East Norriton Township has contracted with Environmental Landscaping Services to provide single family residents and multi-family properties with 3 or less units with curbside yard waste collection.

The State of Pennsylvania's adopted Act 101 (Municipal Waste Planning, Recycling and Waste Reduction Act) requiring residents to recycle yard waste. To assist residents with recycling yard waste, East Norriton Township has developed and implemented yard waste recycling in compliance with Act 101, the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act. Information as to the yard waste collection call-in program is contained within this tri-fold.

Yard waste can be set-out in 32 Gallon Trash Cans or Bundles.

NO Plastic Bags

Frequently Asked Questions

Is every household required to recycle yard waste?

Yes. All residents of East Norriton Township are required to recycle yard waste.

What is yard waste?

- Shrubbery
- Branches and limbs (bundled)
- Garden residues
- Other Yard Trimmings

Please do not set-out dirt, rocks, stumps, weeds, grass or leaves. Leaves will continue to be collected in the Fall with the regular Leaf Collection Program.

How should yard waste be set-out?

- Bundles
- 32 Gallon Trash Cans marked Yard Waste

Please do **not** set out yard waste in plastic bags. Yard waste set out in plastic bags will not be collected.

How much can I set out?

Each household may set-out up to 2 cubic yards of yard waste. Two cubic yards is equal to ten 32-Gallon Trash Cans; or 6 Bundles; or a combination of cans, bags and bundles.

How often will yard waste be collected?

Yard Waste will be collected during the 3rd week of each month.

Frequently Asked Questions

How do I schedule a pick-up?

This program is a **CALL-IN SERVICE**. If you wish to take advantage of this service, you must contact Environmental Landscaping Services (the Township's contractor) via phone at (610) 278-4904 or email at csmith@elservicesinc.com at least 7 days prior to the scheduled monthly collection day.

Once I have been assigned a collection day, how soon can yard waste be set-out at the curb?

No more than 2 days prior to your scheduled collection day. Further, empty cans must be brought in from the curb by 10 AM the day after collection.

Are there weight and size limits as to the yard waste set-out?

Yes. Branches, limbs, or trunks cannot be more than 5 inches in diameter each. Bundles must weigh less than 40 pounds and be less than 2 feet in diameter. Bundles should be placed at the curb with cut ends towards the street (for bundles). All set-outs must be placed within 5 feet of the curb.

For more information please contact East Norriton Township at (610) 275-2800.

NEW Yard Waste Collection Program provided by East Norriton Township

Starting January 2008, East Norriton Township will **COLLECT** and **RECYCLE** yard waste at the curbside from all single family households. * The Township will provide this service **FREE** of charge!!

Is every household required to recycle yard waste?

Yes. All households are required to recycle yard waste.

What materials are included in yard waste?

- Shrubbery
- Branches and limbs (bundled)
- Garden Residues
- Other Yard Trimmings

Please do not set-out dirt, rocks, stumps, weeds, grass or leaves. Leaves will continue to be collected in the Fall with the regular Leaf Collection Program.

How should yard waste be set-out?

- 32 Gallon Trash Cans marked Yard Waste
- Bundles

Please do not set out yard waste in plastic bags. Yard waste set out in plastic bags will not be collected.

Are there limits to how much can be set-out?

Yes. On your scheduled collection, each household may set-out up to two (2) cubic yards of yard waste. Two cubic yards is equal to ten 32-Gallon Trash Cans; or 6 Bundles; or 10 Kraft Paper Yard Waste Bags; or a combination of cans, bags and bundles.

How often will yard waste be collected?

Yard Waste will be collected during the 3rd week of each month.



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How do I schedule a yard waste pick-up?

This program is a **CALL-IN SERVICE**. Each month you wish to take advantage of this service, you must contact Environmental Landscaping Services (the Township's contractor) via phone at (610) 278-4904 or email at csmith@elservicesinc.com at least 7 days prior to the scheduled monthly collection day.

Once I have been assigned a collection day, how soon can yard waste be set-out a the curb?

•No more than 2 days prior to your scheduled collection day. Further, empty cans must be brought in from the curb by 10 AM the day after collection.

Are there weight and size limits as to the yard waste set-out?

Yes. To ensure safety of the yard waste collectors, branches, limbs, or trunks cannot be more than 5 inches in diameter each. In addition, each can or bundle MUST:

- Weigh less than 40 pounds
- Be less than 2 feet in diameter and 48 inches long (for bundles)
- Be placed at the curb with cut ends towards the street (for bundles)
- All setouts must be placed within 5 feet of the curb.



For more information please contact East Norriton Township at (610) 275-2800

*Single family households includes multifamily properties with 3 or less units.

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Don't Forget to Recycle Your Christmas Tree

As part of the NEW Yard Waste Collection Program, East Norriton Township will provide Christmas Tree Recycling for all single family households.* East Norriton Township will provide this service **FREE** of charge!**

Single family households simply need to do the following to take advantage of this FREE service:

Step 1: Call-in

Contact Environmental Landscaping Services at (610)278-4904 orcsmith@elservicesinc.com by January 1st to set-up the FREE Christmas Tree Recycling .

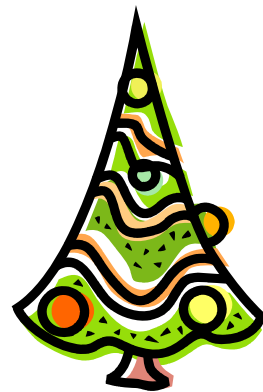
Step 2: Prepare the Christmas Tree

Remove all ornaments, hooks, tinsel, strands, and other decorations from the Christmas Tree.

Step 3: Set-out the Christmas Tree

No more than 2 days prior to your scheduled collection day, place the Christmas Tree at the curb. Please place the Christmas tree within 5 feet of the curb and in such a way not to obstruct the road. Do NOT place the tree in a plastic bag.

Additional details as to the Christmas Tree Recycling Program on reverse.



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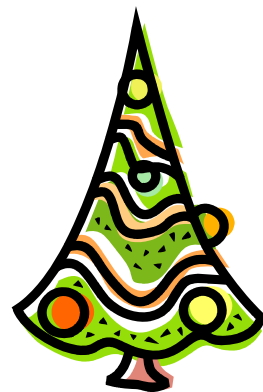
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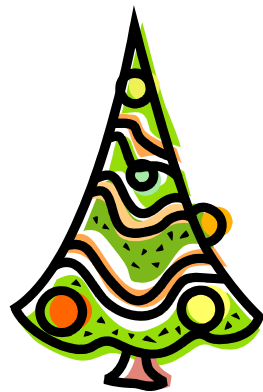
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Additional details as to the Christmas Tree Recycling Program on reverse.



Are there certain types of Christmas Trees excluded from the recycling program?

Since the Christmas Trees will be recycled, the recycling program excludes artificial, fire-proofed, or flocked trees will be collected.



Are there any fees for taller Christmas trees?

Yes. Households with Christmas Tree taller than 12 feet may be subject to a fee due to the additional cost associated with collecting and recycling larger Christmas trees.

Don't Forget to Recycle Your Yard Waste

East Norriton Township is **COLLECTING** and **RECYCLING** yard waste from single family households for **FREE** in the inaugural year. To take advantage of this program, residents need to contact Environmental Landscaping Services (the Township's contractor) via phone at (610) 278-4904 or email at csmith@elservicesinc.com each month you wish to take advantage of this service.

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Is every household **required** to recycle yard waste?

Yes. All households are required to recycle yard waste.

What materials are included in yard waste?

- Shrubbery
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- Garden Residues
- Other Yard Trimmings

Please do not set-out dirt, rocks, stumps, weeds, grass or leaves. Leaves will continue to be collected in the Fall with the regular Leaves Collection Program.

How should yard waste be set-out?

- 32 Gallon Trash Cans marked Yard Waste
- Bundles

Please do not set out yard waste in plastic bags. Yard waste set out in plastic bags will not be collected.

Are there limits to how much yard waste can be set-out?

Yes. On your scheduled collection, each household may set-out up to 2 cubic yards of yard waste. Approximately, 2 cubic yards of yard waste is equal to ten 32-Gallon Trash Cans, 6 Bundles or 10 Kraft Paper Yard Waste Bags.

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When and where should yard waste be set-out?

- No more than 2 days prior to your scheduled collection day and empty cans must be brought in by 10 AM the day after collection.
- No more than 5 feet from the curb.

Are there weight and size limits as to the yard waste set-out?

Yes. To ensure safety of the yard waste collectors, branches, limbs, or trunks cannot be more than 5 inches in diameter each. In addition, each can or bundle MUST:

- Weigh less than 40 pounds per bundle
- Be less than 2 feet in diameter (for bundles)
- Be placed at the curb with cut ends towards the street (for bundles)

When will yard waste be collected?

Yard Waste will be collected the 3rd week of each month.
Call Environmental Landscaping Services to schedule a pick-up.

Call (610) 275-2800
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How do I schedule a yard waste pick-up?

This program is a **CALL-IN SERVICE**. Each month you wish to take advantage of this service, you must contact Environmental Landscaping Services (the Township's contractor) via phone at (610)278-4904 or email at csmith@elservicesinc.com at least 7 days prior to the scheduled monthly collection day.

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Free Yard Waste Recycling Program

In January of 2008, East Norriton Township will kick-off a yard waste recycling program. The new recycling program will provide monthly curbside yard waste collection to single family households and select multifamily properties within the Township. During certain times of the year, the Township will increase the collection frequency to bi-monthly in order to better serve the residents of East Norriton. The new yard waste recycling program will be free to all participants in the inaugural year.

East Norriton Township ordinance requires residents to separate yard waste, such as shrubbery, branches, limbs and other yard trimmings, from other garbage. The new yard waste recycling program will collect and recycle yard waste from single family households and multifamily properties with less than 3 units within the Township. To participate in the program, residents must contact Environmental Landscaping Services, the Township's contractor, each month which they wish to receive yard waste collection services. East Norriton residents can contact Environmental Landscaping Services via phone at (610) 275-2800 or email at csmith@elservicesinc.com to schedule a collection. Residents must contact the Township's contractor at least 7 days prior to their monthly collection day. Yard waste will be collected during the 3rd week of each month.

Up to two days prior to the scheduled collection day, residents may set out yard waste using 32 gallon trash cans or bundles. Since the yard waste will be recycled, residents cannot set out yard waste in plastic bags. Furthermore, residents cannot set-out dirt, rocks, stumps, weeds, grass or leaves. Trash cans used to set out yard waste must be clearly marked as yard waste. For safety of the collectors, each trash can or bundle cannot exceed 40 pounds. Furthermore, each bundle must be less than 2 feet in diameter and placed at the curb with the cut ends of the yard waste towards the street. Branches, limbs, or trunks cannot be more than 5 inches in diameter each. Yard waste properly containerized or bundled should be placed within 5 feet of the curb and in such a manner not to obstruct the road. Yard waste improperly set-out or commingled with unacceptable materials will not be collected. Environmental Landscaping Services will collect up to 2 cubic yards of yard waste, approximately ten 32 gallon trash cans or six bundles, per household on each scheduled collection day. For more information as to the new yard waste recycling program please contact East Norriton Township at (610) 275-2800.

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APPENDIX B

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November 2007

To: Municipal Waste and Recycling Haulers Doing Business in East Norriton Township

From: Hellmuth Baerwald, Manager, East Norriton Township

Subject: New Mandatory Yard Waste Recycling Program Implementation

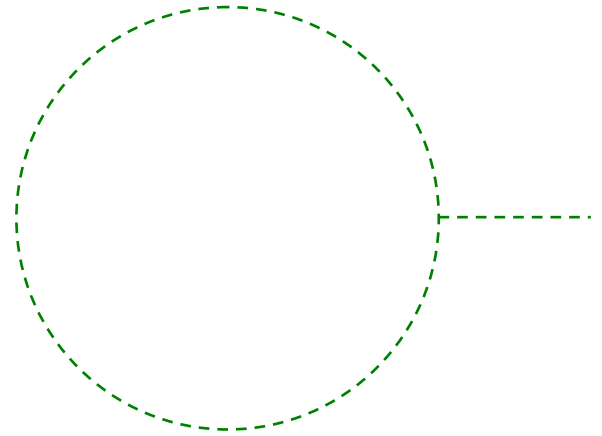
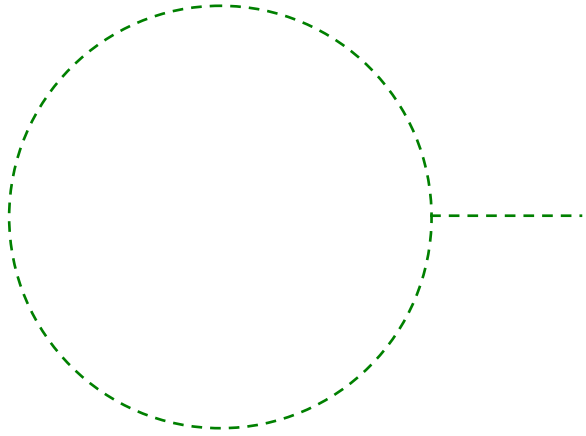
The purpose of this letter is to alert you of a new curbside yard debris collection program soon to be implemented by East Norriton Township. This program will impact the range of materials you will be authorized to collect from your subscriptions customers within Township borders.

As you may know, Pennsylvania's Act 101 (Municipal Waste Planning, Recycling and Waste Reduction Act) requires certain municipalities to adopt regulations prohibiting the commingling of yard waste with other municipal waste, and to provide for separate collection of yard waste. To achieve compliance with the Act, East Norriton Township is enacting an ordinance change, expected to be effective on around _____, requiring residential and commercial establishments within the Township to recycle yard waste generated on their property. The Township ordinance explicitly prohibits municipal waste haulers to mix yard waste with other municipal solid waste.

In support of the ordinance change, commencing in January of 2008 East Norriton will be providing monthly call-in yard waste collection service to single family households and multifamily properties with less than three units. When this service is implemented, these residential customers will be required to separate yard wastes (except for grass) from their regular trash set outs and to have the material collected by the Township-sponsored service. Private haulers will be prohibited from collecting yard waste with regular trash. East Norriton is therefore requesting your assistance to inform the general public of new yard waste recycling requirements so that yard waste is effectively separate from refuse. Other than reducing the volume of materials compared to what you may currently be collecting as refuse, there is no other impact to your business that is expected from this new program.

The Township has planned a public education campaign to alert Township residents of this new service. We are enclosing several of the educational materials (a tri-fold and several utility bill inserts) to further describe the program details.

Upon request, the Township will provide you with door-hangers to be distributed to your customers who continue to set out yard debris with their regular refuse set-outs. The door hangers should be left with customers who continue to mix yard debris with their regular trash. If you would like to request door hangars or have further questions as to the Township ordinance change discussed above, please contact Don Delamater at (610) 275-2800 x 117. On behalf of the Township, thank you for your assistance in this matter.



CURBSIDE YARD WASTE COLLECTION PROGRAM

CURBSIDE YARD WASTE COLLECTION PROGRAM



East Norriton Township Ordinance *prohibits* the commingling of yard waste with other garbage. East Norriton provides single family households and select multi-family households with curbside yard waste collection. For additional details, contact East Norriton Township at (610) 275-2800.

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APPENDIX C

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Chapter 165 SOLID WASTE

ARTICLE I

Solid Waste Management

- § 165-1. Definitions and word usage.
- § 165-2. Operator's license required; compliance.
- § 165-3. Disposal; recycling.
- § 164-4. Additional rules and regulations.
- § 165-5. Annual survey.
- § 165-6. Restrictions.
- § 165-7. Creation of municipal waste authority.
- § 165-8. Prohibited acts; public nuisance.
- § 165-9. Violations and penalties.
- § 165-10. Revocation of license.
- § 165-11. Injunctions; concurrent remedies.
- § 165-12. Intermunicipal agreement.
- § 165-13. Construal.

ARTICLE II

Waste Collectors and Recyclables

- § 165-14. Title.
- § 165-15. Purpose.
- § 165-16. Definitions.
- § 165-17. Municipal waste collectors.
- § 165-18. Residential separation and collection.
- § 165-19. Commercial, institutional and municipal recycling.
- § 165-20. Rules and regulations.
- § 165-21. Violations and penalties.

ARTICLE II
Waste Collectors and Recyclables
[Adopted 12-18-1989 by Ord. No. 282; amended in its entirety 10-2-1990 by Ord. No. 294]

§ 165-14. Title.

This article shall be known and may be cited as the "East Norriton Township Municipal Waste Collection and Recycling Ordinance."

§ 165-15. Purpose.

The reduction of the amount of municipal waste and conservation of recyclable materials is an important public concern by reason of the growing problem of municipal waste disposal and its impact on the environment. The collection of recyclables from residences and from commercial and institutional establishments in East Norriton Township will serve the general public interest by reducing the volume of municipal waste which must be disposed of, thereby reducing storage, collection, transportation and disposal costs of municipal waste and preserving valuable natural resources, and will result in a financial benefit to the residents and taxpayers of East Norriton Township by reason of costs avoided in collecting, transporting and disposing of those materials which are diverted from the municipal waste stream through recycling.

§ 165-16. Definitions. [Amended 7-29-1991 by Ord. No. 301]

As used in this article, the following words shall have the meanings indicated:

ALUMINUM—Empty, all-aluminum beverage containers.

BIMETALLIC CONTAINERS—Empty food or beverage containers consisting of steel and aluminum.

CLEAR GLASS—Bottles and jars made of clear, colorless glass. Expressly excluded are non-container glass, plate glass, colored glass, porcelain and ceramic products.

COMMERCIAL ESTABLISHMENTS—Those properties used primarily for commercial or industrial purposes and multifamily dwelling units.

CORRUGATED PAPER—Structural paper material with an inner core shaped in rigid

parallel furrows and ridges.

FERROUS CONTAINERS—Empty steel or tin-coated steel food or beverage containers.

GLASS CONTAINERS—Bottles and jars made of clear, green or brown glass. Excluded are plate glass, automotive glass, blue glass and porcelain and ceramic products.

HIGH-GRADE OFFICE PAPER—All white paper, bond paper and computer paper used in commercial, institutional and municipal establishments.

INSTITUTIONAL ESTABLISHMENTS— Those establishments or facilities engaged in providing services or housing to groups of people, including but not limited to hospitals, nursing homes, schools and day-care centers.

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

MULTIFAMILY DWELLING UNITS—Properties upon which there is an attached dwelling unit having horizontal and/or vertical party walls in common with other dwelling units.

MULTIFAMILY ESTABLISHMENTS—Includes properties which have four or more dwelling units.

MUNICIPAL ESTABLISHMENTS—Public facilities operated-by a municipality or other governmental or quasi-governmental authority.

MUNICIPAL WASTE—Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous materials resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual waste or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air-pollution control facility. The term “Municipal Waste” shall exclude source-separated recyclables.

MUNICIPAL WASTE COLLECTOR—Any person registered, pursuant to this article and the regulations established by a resolution adopted hereunder and to any intermunicipal agreement subsequently, executed by East Norriton Township with Montgomery County or other municipalities to collect, remove, transport or haul

municipal waste from any property in East Norriton Township.

NEWSPAPERS—Paper of the type commonly referred to as "newsprint" and distributed at fixed intervals, having printed thereon news and opinions, advertisements and other matters of public interest.

PERSON—Any individual, firm, partnership, corporation, association, institution, cooperative enterprise, trust, municipal authority, federal institution or agency, state institution or agency, municipality, other governmental agency or any other legal entity or any group of such persons whatsoever which is recognized by law as a subject of rights and duties. In any provision of this article prescribing a fine, penalty or imprisonment, or any combination of the foregoing, the term "person" shall mean the officers and directors of any corporation or other legal entity having officers and directors.

PLASTIC BOTTLES—Empty consumer product bottles made of polyethylene terephthalate (PET) and high-density polyethylene (HDPE), such as soft drink bottles and milk and bleach bottles. Excluded are plastic wraps and bags.

RECYCLABLE MATERIALS—Includes leaf waste and those materials required to be recycled pursuant to the provisions of this article or other ordinances of East Norriton Township or of regulations established by resolution adopted hereunder as revised from time to time.

RECYCLABLE MATERIALS COLLECTOR—Any person registered, pursuant to this article and the regulations established by a resolution adopted hereunder and to any intermunicipal agreement subsequently, executed by East Norriton Township with Montgomery County or other municipalities to collect, remove, transport or haul recyclable materials from any property in East Norriton Township.

RECYCLING—The collection, separation, recovery and sale or reuse of recyclable materials which would otherwise be disposed or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reuseable materials other than a fuel for the operation of energy.

RESIDENT—Any individual, firm, partnership, corporation, association, institution, cooperative enterprise, trust, municipal authority, federal institution or agency, state institution or agency, municipality, other governmental agency or any other legal entity or any group of such persons whatsoever which is recognized by law as

a subject of rights and duties which owns, leases or occupies a property located in East Norriton Township used as a residence.

RESIDENTIAL ESTABLISHMENTS—Includes homes, properties which have three or less multifamily dwelling units and other residential properties located within the East Norriton Township. The term “Residential Establishments” shall exclude multifamily establishments.

SOURCE-SEPARATED RECYCLABLES—Recyclable materials that are separated from municipal waste at the point of origin for the purpose of recycling.

TOWNSHIP—East Norriton Township, Pennsylvania.

WHITE GOODS—Refrigerators, washing machines, dryers, window air-conditioners, hot-water heaters and other major home appliances.

§ 165-17. Municipal waste collectors and recyclable materials collectors.

- A. Registration. Every person desiring to engage in, continue to engage in or hereafter begin to engage in the business of collecting, removing, transporting or hauling municipal waste and/or recyclable materials from any property in East Norriton Township shall first register with the Township. All such persons shall register by January 31 of each year, except those such persons who begin engaging in business in the Township after January 1, shall be required to register prior to beginning business in the Township. Such registration shall be for a period of one-year beginning January 1 of the year in which the registration occurs.
- B. Collection equipment and transportation vehicles. The collection equipment and transportation vehicles used for the collection of municipal waste shall be of the closed-metal-body type with any automatic compactor unit. These vehicles shall at all times be in good and proper mechanical condition and in compliance with the minimum safety and sanitary regulations of the Commonwealth of Pennsylvania. All such vehicles shall be specifically designed to prevent leakage of any liquid or fluids. Other types of vehicles may be used only for the collection of recyclable materials, white goods and Christmas trees, provided that such items are separately collected in accordance with other regulations established by this article or regulations established by resolution adopted hereunder. The municipal waste and recyclable materials so collected shall be suitably enclosed or covered so as to prevent roadside littering, attraction of vermin or creation of other nuisances. The collection equipment and transportation vehicles shall be kept in a clean and

sanitary condition.

- C. Certificates of insurance. No person shall be entitled to register with the Township under § 165-17 (A) above, unless such person can show certificates of insurance covering public liability for both bodily injury and property damage, owners' and contractors' protective insurance and automobile insurance with respect to personal injuries and property damage. Such insurance shall be in amounts that shall be from time to time set forth by the Board of Supervisors of East Norriton Township by regulations established by resolution adopted hereunder. Each and every policy of insurance herein mentioned which is required pursuant to the terms of this article shall carry with it an endorsement to the effect that the insurance carrier will convey to East Norriton Township, by certified mail, written notice of any modifications, alterations or cancellation of any such policy or policies or the terms thereof. The above-mentioned written notice shall be mailed to the Township at least 10 days prior to the effective date of any such modification, alteration or cancellation.
- D. Collection procedures. Municipal waste collectors shall not be required to collect municipal waste of any resident where it is obvious that recyclable materials have not been separated pursuant to this article. Municipal waste collectors and recyclables materials collectors shall not mix municipal waste and source-separated recyclables.
- E. Rate schedules and route maps. Each municipal waste collector and recyclable materials collector shall annually, at the time of registration, file with the Township a rate schedule showing the rates to be charged to its customers for the collection of municipal waste and recyclable materials. Such rate schedules shall not be changed by the municipal waste collector or recyclable materials collector without first giving notice to the Township at least 30 days prior to the effective date of such change. Each municipal waste collector and recyclable materials collector shall also file with the Township annually, or upon changes of the routes, a map showing the areas of the Township in which it operates and a timetable setting forth the days of collection.
- F. Registration fee. At the time of registration, the municipal waste collector and recyclable materials collector shall pay the Township the sum of \$50.
- G. Frequency of collection for residential establishments. Municipal waste collectors shall collect municipal waste a minimum of one time per week. Recyclable materials collectors shall collect recyclable materials, excluding leaf waste, a minimum of one time per week from residential establishments. Recyclable materials collectors that collect, remove, transport or haul leaf waste shall collect the leaf waste on a

scheduled day at least once per month.

H. Reporting requirements. Unless East Norriton Township contractually agrees otherwise, every person engaged in the business of collecting, removing, transporting or hauling municipal waste and/or recyclable materials from any property in East Norriton Township shall make quarterly reports to the Township of the tonnage of municipal waste and recyclable materials which they have collected from all commercial, institutional, municipal and residential establishments in the Township, on forms prepared by the Township. The report shall be submitted within 15 days of the end of each calendar year quarter and shall set forth the tonnage collected per establishment or facility for all nonresidential establishments. The Township shall make forms available for such reporting. Failure to report the required information to the Township within the time period required will result in immediate revocation of registration of the municipal waste collector or recyclable materials collector and may result in the refusal of the Township to register the person in the future. All reporting information received by the Township will be maintained in confidence, with the exception of any requirements of the federal or state government and as necessary for release for the Township to obtain federal or state grant moneys. [Amended 9-12-1994 by Ord. No. 343]

§ 165-18. Separation and collection of municipal waste and recyclable materials generated at residential establishments.

The following provisions in this section apply to the separation and collection of municipal waste and recyclable materials at residential establishments throughout the Township.

- A. Separation. All residents of residential establishments shall separate recyclable materials from the municipal waste generated at their property.
- B. Collection. All municipal waste shall be collected by a municipal waste collector. All source-separated recyclables shall be collected by a recyclable materials collector. All source-separated recyclables placed by the resident for collection by the recyclable materials collector serving the resident pursuant to this article and Township regulations shall, from the time of being placed at the curb, become the property of the recyclable materials collector.
- C. Prohibition. No person shall place municipal waste in containers used for the separation and collection of recyclable materials; no person shall place recyclable materials in containers used for the separation and collection of municipal waste.

- D. Placement of containers at curbside. The municipal waste containers, recyclable materials containers, newspaper bundles or leaf waste bundles shall not be placed at the curb or street line of any resident's property except during the period from 6:00 p.m. on the night prior to the scheduled collection, and the empty container shall be removed by 12:00 midnight of the scheduled collection day.
- E. Preparation of municipal waste and recyclables for collection. All residents of residential establishments in East Norriton Township shall place municipal waste at the curb or street line for collection in closed, waterproof containers. All residents of the Township shall place recyclable materials, with the exception of newspapers and leaf waste, on the street line or curb for collection in containers provided by the Township or recyclable materials collector for the storage of recyclable materials. Newspapers must be bundled separately in bags or secured by rope or twine. Leaf waste must be contained in kraft paper bags, bundles or trash cans approved by East Norriton Township unless residents have otherwise provided for the composting of leaf waste. No containers for municipal waste or recyclables shall be filled to exceed 50 pounds, and bundles shall not exceed 50 pounds. Residents shall not place neither municipal waste nor recyclables in the public streets.
- F. Notice of violation. Any person who shall violate the provisions of this section shall receive an official written notice of noncompliance from the Township for the first and second offenses. Thereafter, all such violations shall be subject to the penalties hereinafter provided.

§ 165-19. Separation and collection of municipal waste and recyclable materials generated at commercial establishments, institutional establishments, municipal establishments and multifamily establishments.

The following provisions apply to the separation and collection of materials from commercial establishments, institutional establishments, municipal establishments and multifamily establishments throughout the Township:

- A. Separation. All persons generating municipal waste or recyclable materials at commercial establishments, institutional establishments, municipal establishments and multifamily establishments shall separate recyclable materials from the municipal waste generated at their property. Owners of commercial establishments, institutional establishments, municipal establishments and multifamily establishments who comply with this ordinance shall not be liable for the noncompliance of occupants of their buildings.

- B. Collection. All persons owning commercial establishments, institutional establishments, municipal establishments, or multifamily establishments in East Norriton Township shall be responsible for providing a system to for collection of municipal waste and recyclable materials at their property. Such owners shall establish and maintain a collection system that includes suitable containers for collecting and sorting recyclable materials, easily accessible locations for the containers and written instructions to the occupants concerning the use and availability of the recyclable materials collection system. This system should be developed with the assistance of their municipal waste collector or recyclable materials collector.
- C. Prohibition. No person shall mix municipal waste in containers to be used for the separation and collection of recyclable materials. No person shall mix recyclable materials in containers used for the separation and collection of municipal waste.
- D. Exemptions. The Township shall be notified by the owner if commercial establishment, institutional establishment, or municipal establishment reuse recyclable materials as part of their manufacturing or processing operations. If a commercial establishment, institutional establishment, or municipal establishment reuse recyclable materials as part of their manufacturing or processing operations, such establishment shall be exempted from recycling those items being reused.
- E. Storage outside of enclosed buildings.
- (1) Commercial establishments, institutional establishments, municipal establishments and multifamily establishments shall store all municipal waste stored outside an enclosed building in watertight containers.
 - (2) Each commercial establishment, institutional establishment, municipal establishment, and multifamily establishment within the Township shall provide a paved area for the placement of municipal waste and recyclable materials containers. If required by the Township, an enclosure must be constructed around the containers to prevent the spread of litter. This enclosure must meet the required setback from the property line of the zoning district. The height of the enclosure shall stand at least three feet above the top of the container ~ and in no case shall an enclosure higher than 10 feet be required.
 - (3) Any waste other than municipal waste and recyclable materials must be disposed of in accordance with all government regulations applying to that waste.
- F. Preparation for and frequency of collection of recyclable materials. All persons owning

commercial establishments, institutional establishments, municipal establishments or multifamily establishment shall separate recyclable materials from their municipal waste and place them in containers to be collected by the recyclable materials collector. The frequency of collection for recyclable materials shall be a scheduled day, at least once per month.

- G. Reporting requirements. All persons owning commercial establishments, institutional establishments, municipal establishments or multifamily establishments shall be required to periodically report to the Township the municipal waste and recyclable materials that were collected from their respective establishments on a form prepared by the Township.
- H. Notice of violation. Any owner who violates the provisions of this section shall be subject to the penalties hereinafter provided.

§ 165-20. Rules and regulations.

The collection of municipal waste and recyclable materials by municipal waste collectors and recyclable materials collectors and the preparation for collection of municipal waste and recyclable materials by property owners and residents of the Township shall be made in compliance with the regulations to be adopted by the Board of Supervisors of East Norriton Township to carry out the intent and purpose of this article. Such rules and regulations shall be approved by resolution of the Board of Supervisors of East Norriton Township and, when so approved, shall have the same force and effect as the provisions of this article. Said rules and regulations may be amended, modified or replaced by resolution of the Board of Supervisors of East Norriton Township.

§ 165-21. Violations and penalties.

Any person who violates any provision of this article or of the regulations adopted hereunder or any person who knowingly commits, takes part or assists in any violation shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than \$1,000 and not less than \$50. Each day on which a violation of this article continues shall constitute a separate offense punishable by a like fine or penalty. In addition to this penalty, the Township may institute any appropriate action or proceeding, whether by legal process or otherwise, to prevent any illegal act, conduct, business or use on or about such premises subject to this article.