

CITY OF JEANNETTE

WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 90-4

ORDINANCE NO. 90-4

AN ORDINANCE PROHIBITING MIXING OF RE-CYCLABLE NEWSPRINT AND RECYCLABLE BEVERAGE CANS, CARDBOARD AND CLEAR GLASS WITH REGULAR REFUSE: TO ESTABLISH A PROGRAM FOR THE SEPARATE COLLECTION THEREOF: TO PROVIDE FOR THE VESTING OF OWNERSHIP IN RECYCLABLE NEWSPRINT, BEVERAGE CANS, CARDBOARD AND CLEAR GLASS, PLACED FOR COLLECTION, AND FIXING PENALTIES THEREFORE.

BE IT ORDAINED AND ENACTED, and it is hereby Ordained and Enacted by the Council of the City of Jeannette at a regular meeting thereof, held on the 5<sup>TH</sup> day of SEPTEMBER, 1990, that:

**WHEREAS:** reduction of the amount of solid waste and conservation of recyclable materials is an important concern by reason of the growing problem of solid waste disposal and its impact on our environment; and

**WHEREAS:** recycling conserves valuable material resource and energy, promotes greater efficiency in the regional economy, and provides for local employment; and

**WHEREAS:** recycling will reduce the overall amount of solid waste presently generated and thus reduce storage, collection, transportation and disposal costs:

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED,** by the Council of the City of Jeannette, and it is hereby ordained by the authority of the same that:

**SECTION 1. ESTABLISHMENT** There is hereby established a program for the separate collection of recyclable newsprint and recyclable cans, and clear glass, as those terms are hereinafter defined, from residential premises within the City of Jeannette.

**SECTION 11. DEFINITIONS** For purposes of this Ordinance the term "recyclable newsprint" shall mean solid waste consisting of newspapers, which shall not have been exposed to foreign substances, or conditions rendering them unusable for recycling.

**SECTION 11. DEFINITIONS. (Continued)** Anything herein to the contrary notwithstanding; however, any person may wrap solid waste in used newspapers and discard the same with regular solid waste even if such wrapping does not render the newspaper unusable for recycling. For purposes of this Ordinance, clear glass shall include bottles holding juice, pop, liquor, beer or wine, jars or food containers. For the purpose of this Ordinance, the term "recyclable cans shall mean cans constructed of aluminum, tin, metal or steel.

**SECTION 111. DISPOSAL.**

a) Recyclable newsprint and recyclable cans and clear glass shall be kept separate from each other and from other refuse and shall be separately collected as hereinafter provided. Each residential customer within the City of Jeannette shall separate recyclable newsprint from recyclable cans, and clear glass and other refuse and shall prepare the same for collection either by tying them, both across and lengthwise, in easy-to-manage bundles or by placing them in paper bags. Each residential customer within the City of Jeannette shall separate recyclable cans from recyclable newsprint and clear glass and other refuse and shall prepare the same for collection by placing them in designated containers supplied by the City as so prepared, these materials shall be placed at the curbside to be collected at times as herein designated. Clear glass shall be placed in a separate container, provided by the City and placed at the curb for pick-up.

b) The appropriate City Authorities are hereby authorized to designate, by regulation, the days and times for the collection of recyclable newsprint and recyclable cans, and clear glass.

**SECTION 1V. VESTING OF OWNERSHIP, UNAUTHORIZED COLLECTION PROHIBITED.**

From the time of placement at the curb of any recyclable newsprint and/or recyclable cans, and clear glass, pursuant to the provisions of this Ordinance and the regulations issued hereunder, such recyclable newsprint and/or recyclable cans and clear glass shall become the property of the City of Jeannette.

**SECTION IV. VESTING OF OWNERSHIP, UNAUTHORIZED COLLECTION  
PROHIBITED. (Continued)**

It shall be a violation of the terms of this Ordinance for any person, other than authorized personnel of the City, to collect, pick-up, or cause to be collected or picked up, any such materials. Each such collection or "pick-up" in violation hereof shall constitute a separate and distinct offense.

**SECTION V. SALE OR DONATION** Notwithstanding any provision of this Ordinance, any person having ownership of the same, may sell or donate recyclable newsprint and/or recyclable cans to any person, partnership or corporation, whether operating for profit or not for profit; provided, however, that such materials may not be placed for collection at, nor collected from the curbside.

**SECTION VI.** The City adopts herein the provisions of Act 101 and directs that no person, firm or agency shall include leaves and yard waste with refuse. Further, City Council shall determine by regulations, the method and manner to undertake the removal of leaves and yard waste from the waste stream.

**SECTION VII.** The City of Jeannette directs that all commercial, municipal and institutional customers shall separate high-grade office papers, aluminum, corrugated paper and leaf waste and store there materials until collection. From and after the passage of this Ordinance, it shall be unlawful for any commercial, municipal or institutional customer to place any of the items listed above for collection by the refuse department. The City shall adopt such regulations.

**SECTION VIII.** Any commercial, institutional or municipal establishment may apply for an exemption from the provisions of this Ordinance provided they meet the following requirements:

- a) The establishment has provided for recycling of the required materials and
- b) Documentation of the weight of the recycled materials is provided to the municipality. Specifically, no establishment herein shall be exempt from recycling.

**SECTION 1X PENALTIES.** Any person, partnership or corporation who violated or fails to comply with any provision of this Ordinance or any regulation promulgated pursuant thereto with the exception of those persons violating Section 1V of this Ordinance, shall, upon conviction thereof in a court of summary jurisdiction, be punished by fines of not more than \$10.00 for the first offense, not more than \$25.00 for the second offense, and not more than \$50.00 for the third offense. Any person who violates Section 1V of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100.00 and not more than \$300.00.

**SECTION X.** The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining shall be unaffected thereby. It is the intention of the Council of the City of Jeannette that this Ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

**SECTION XI. REPEALER.** All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

**IN WITNESS WHEREOF,** I have hereunto set my hand and seal, this 5<sup>TH</sup> day of SEPTEMBER, 1990.

  
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GLENN D. HOAK, MAYOR

**ATTEST:**

  
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RICHARD S. LASKEY, CITY CLERK