

CHAPTER 20

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PART 1

GARBAGE AND REFUSE

§20-101. Collection by Authorized Contractors.

Except as hereinafter provided all garbage, ashes, and rubbish, within the Borough of Hulmeville, shall be gathered, collected and hauled away by a contractor or contractors authorized by the Borough as hereinafter provided.

(*Ord. 71, 4/5/1954, §1*)

§20-102. Notice to Bidders.

The Borough Council, in its discretion, shall determine whether the collection of garbage within the said Borough shall be let under a contract separate from that under which the collection of ashes and rubbish shall be let, or whether the collection of both garbage and ashes and rubbish shall be let under one contract. The decision of the Borough Council shall be included in the Notice to Bidders.

(*Ord. 71, 4/5/1954, §2*)

§20-103. Contract Defined.

As used in this Part "contract" shall mean either that contract which is let to a single contractor for the collection of both garbage and ashes and rubbish, or the contract for the collection of garbage, or the contract for the collection of ashes and rubbish, where said contracts are let to separate contractors, as the specific terms of this Part shall apply to each.

(*Ord. 71, 4/5/1954, §3*)

§20-104. Collection Contract.

Contracts for the collection of garbage and/or ashes and rubbish shall be awarded from time to time, by the Borough Council, for such periods of time as shall be determined by the Council. The person or persons to whom the contract or contracts shall be awarded are hereinafter referred to as the successful bidder or bidders, whether or not the contract or contracts are awarded to such person or persons under the procedure prescribed by the Borough Code for contracts in excess of \$750.

(*Ord. 71, 4/5/1954, §4; as amended by Ord. 83, 4/7/1958*)

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§20-105. Contracts and Bonds.

The successful bidder, or bidders, where separate contracts are let, shall furnish to the Borough a bond with one or more sufficient sureties to be approved by the Borough Council, in the amount of 50% of the bid price for which the contract is awarded and let; conditioned that the said collector shall and will during the continuance of the said contract will and truly abide by, comply with and perform all of the terms and conditions of this Part and such other rules and regulations as may be adopted from time to time by the Borough Council, and for the true and faithful performance of his duties as such collector, and said bond, fully executed, shall be delivered by the successful bidder to the said Borough within 20 days after the contract has been awarded, unless the Borough Council shall prescribe a shorter period of not less than 10 days after the contract has been awarded, unless the Borough Council shall prescribe a shorter period of not less than 10 days; and upon failure of the successful bidder to furnish and deliver such bond within such time, the previous award of the contract shall be void.

(Ord. 71, 4/5/1954)

§20-106. Collection Regulations.

On and after the effective date of this Part, the said garbage shall be collected under the following regulations, terms and conditions:

- A. The collector shall assume full responsibility for the removal and disposition of all garbage collected in the Borough of Hulmeville when placed in proper containers as hereinafter provided on that portion of the sidewalk immediately adjoining the curbs, and where there is no curb, just off the improved portion of the street, as least once each week, on such day or days as the Borough Council shall designate.
- B. Due notice of the time and days set for collection shall be given the public. No collections shall be made on a Saturday or a Sunday. All collections shall be made between the hours of 6:00 a.m. and 6:00 p.m., and no collections shall be made on holidays. Where collections are omitted by reason of a holiday, they shall be made on the following working day unless such day shall be a Saturday, in which event collection shall be made on the next succeeding Monday. [Ord. 223]
- C. Definitions.

ASHES - ashes from coal or other fuel and will include such floor sweepings as may accumulate in connection with the ordinary conduct of private dwellings, but not such as may accumulate as the result of building operations.

CONTAINERS FOR ASHES AND RUBBISH - the ashes or rubbish shall be placed in containers, preferably of metal, holding not more than 50 pounds.

Papers are to be tied in separate bundles and laid alongside of the containers. This also applies to trimmings from small bushes and gardens.

CONTAINERS FOR GARBAGE - the garbage shall be placed in metal containers holding not more than 50 pounds. No ashes or rubbish shall be mixed with the garbage in such containers. The containers shall be securely covered by a tight fitting lid.

GARBAGE - the animal or vegetable refuse from the storage, vending, sale, preparation, or use of foodstuffs such as meats, fish, fowl, fruits or vegetables and shall include waste vegetables from gardens. It shall not include the bodies of dead animals nor the excreta from human or animal bodies, solid or liquid.

LIMITATION OF NUMBER OF CONTAINERS - in any one collection there shall be a limit of five 50 pound-containers, whether containers for garbage or for ashes and rubbish, for each home, residence, apartment dwelling, educational and religious buildings. An apartment dwelling shall be construed to mean a set of rooms occupied by no more than one family as an integrated home. Where a single building shall contain more than one such unit, the limit of containers for the building shall be the number of apartments in that building multiplied by five.

LOADING OF VEHICLES - all vehicles for removing garbage shall be so constructed that the said garbage or any liquids therein will not leak or spill therefrom. The construction of such vehicles shall meet the requirements of the Borough Council which have been determined prior to the letting of the contract and the decision whether they so meet the said requirements shall be made by the Borough Council. While loading, the greatest caution must be used to prevent the contents from being dropped or scattered therefrom. When fully loaded, or when leaving the point of last loading, a tarpaulin or similar tight-fitting cover shall be placed over the load and made fast.

All vehicles for removing rubbish or ashes shall be of a construction which shall be approved by the Borough Council before the letting of the contract. While loading the vehicles, the greatest precaution must be used to prevent the contents from being blown or scattered over the roads, streets, and highways. When fully loaded, a cover shall be placed over the load and made fast.

RUBBISH - all rubbish from places of residence and an amount not exceeding 250 pounds from retail store buildings, commercial or industrial enterprises and will be held to include bottles, old clothes, old shoes, leather, broken glass, crockery, tin cans, metals, rubber, and gutter sweepings; and when tied in separate bundles, papers, rags, small branches from shrubs and vines, cut grass and leaves. It shall not, however, include any material whatever, in the nature of earth, sand, lumber, brick, stone, plaster or other substances that

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may accumulate as a result of building operations, nor will it include garbage or dead animals.

(*Ord. 71, 4/5/1954, §6; as amended by Ord. 124, §§1, 2; and by Ord. 223, 1/7/2002*)

§20-107. Disposal of Garbage, Refuse and Ashes.

The site of disposal and manner of disposal by the collector shall be according to the provisions of State law.

(*Ord. 71, 4/5/1954, §§7, 8; as amended by Ord. 223, 1/7/2002*)

§20-108. Compensation of Collector.

The compensation of the said, collector, or the amount bid by him for which he will remove the above garbage, ashes and rubbish, shall be paid by the Borough in equal monthly installments out of the Borough Treasury by orders therefor passed and approved by the Borough Council and drawn upon and presented to the Treasurer of the Borough.

(*Ord. 71, 4/5/1954, §9*)

§20-109. Compliance With Borough Regulations.

The collection of garbage, ashes and rubbish shall be made under the supervision and to the satisfaction of the Borough Council, and they are hereby authorized, from time to time, to enact rules and regulations not conflicting herewith for the collection of such garbage, ashes and rubbish; and upon the default of the said collector in complying with the terms and provisions of this Part, or any rules or regulations enacted by the Borough Council, or any of the terms and provisions of any contract entered into under said Part, rules or regulations, the Borough Council shall have the right to forthwith cancel the contract with the said collector and immediately after such cancellation, all of the rights of the said collector under said contract shall cease, end and determine, and the Borough may either proceed to the collection of such garbage, ashes and rubbish itself, or relet and award a new contract for the collection of the same for the remainder of the then existing term and the said collector so making such default, shall be liable and responsible to the Borough for any and all amounts which shall be obliged to pay for the collection of such garbage, ashes and rubbish in excess of the amount provided for in the contract cancelled, and such default or penalties may be recovered by suit in any court of record of the Commonwealth of Pennsylvania, or elsewhere, or before any District Justice, as debts of like amount are now by law recoverable. The provisions of this §109, however, shall in no way prejudice the right of the Borough to forfeit the aforesaid bond given by the collector, or to pursue its remedies as provided by law.

(*Ord. 71, 4/5/1954, §10*)

§20-110. Remedies of Borough, Fines and Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$1,000 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. The proceedings for the collection of said fine or penalty may be commenced by warrant or by summons at the discretion of the District Justice before whom the proceedings are commenced, but no warrant shall be issued except on oath or affirmation specifying this Part for the violation of which the same is issued, and all process may be directed to and be served by any policeman of the Borough who may execute the same anywhere within the Commonwealth; and all and every such fine or penalty so recovered shall be paid to the Treasurer of the said Borough for the use of the Borough, and upon judgment being rendered against any person or persons, firm or corporation, or officers of any firm or corporation by conviction, or by proceedings by summons, on default of the payment of the fine or penalty imposed and the costs, the Borough may elect to collect the judgment and costs by execution or other process if the defendant has goods or property of any kind whatsoever out of which the judgment and costs can be so collected, or the person or persons, officer or officers failing to pay the same may be sentenced and committed to the Bucks County Jail for a period not exceeding 30 days.

The remedies of the Borough shall be cumulative and as against the collector it shall have the right to pursue not only the remedies of the aforesaid bond, but also the remedies provided for in §20-109 hereof, and may further proceed against the said collector for the recovery of the fees and penalties imposed by §20-110.

(Ord. 71, 4/5/1954, §11; as amended by Ord. 223, 1/7/2002)

PART 2
RECYCLING

§20-201. Title.

The short title of this Part shall be the "Borough of Hulmeville Recycling Ordinance," and the same may be cited in that manner.

(*Ord. 185, 3/4/1991, §1*)

§20-202. Definitions.

As used in this Part:

ALUMINUM PRODUCTS - Products comprised solely of aluminum. This would include among other items, empty all-aluminum beverage and food containers.

BIMETAL CONTAINERS - Empty containers typically, but not exclusively, used for food and beverages and consisting of both ferrous material and aluminum.

COMMERCIAL ESTABLISHMENT - Those properties used primarily for commercial and industrial purposes and those multiple-dwelling residential buildings containing more than four dwelling units. This will not include institutional establishments.

CURBSIDE RECYCLING COLLECTION - The schedule collection and transport of recyclable material placed at the curblines by residents.

FERROUS CONTAINERS - Empty steel or tin containers typically, but not exclusively, used for food and beverages.

GLASS - All commercial products made from silica or sand, soda ash and limestone. The product may be transparent, translucent or colored and all other material commonly known as "glass" and may be used as a container for packaging or bottling of various matter. Expressly excluded are plate glass, blue glass and porcelain or ceramic products.

INSTITUTIONAL ESTABLISHMENT - Those facilities that house or serve groups of people, e.g., hospitals, schools and nursing homes.

MAGAZINES and PERIODICALS - Printed matter other than newspaper, as defined hereinbelow, containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded are all other paper products of any nature.

NEWSPAPER - Paper of the type commonly referred to as "newsprint" and distributed at fixed intervals, having printed hereon news and opinions and/or

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containing advertisements and other matter of public interest. Expressly excluded are newspapers which have been contaminated, i.e., used in litter boxes, bird cages, food wrap, etc., rendering it unfit for recycling purposes.

PERSON(S) - Owners, lessees or occupants of residences or commercial or institutional establishments.

PLASTIC CONTAINERS - Empty plastic containers typically, but not exclusively, used for food and beverages.

RECYCLABLE MATERIAL - Those materials specified by the Borough to be recycled in the Borough's agreement with its collector of solid waste and recyclable materials.

RESIDENCE - Any occupied single or multi-family dwelling having not more than 4 dwelling units per structure for which the borough provides municipal waste collection services.

SOLID WASTE - All refuse (garbage and rubbish) and other discarded solid material normally collected by municipal or private hauler.

(Ord. 185, 3/4/1991, §2)

§20-203. Establishment of Program.

There is hereby established a program for the separation of recyclable materials from solid waste by all person within the Borough of Hulmeville hereinafter referred to as the Borough.

(Ord. 185, 3/4/1991, §3; as amended by Ord. 223, 1/7/2002)

§20-204. Separation of Recyclables and Placement for Disposal.

Recyclable materials shall be placed at the curb separate from solid waste for collection at such approximate times and dates as other solid waste is collected.

(Ord. 185, 3/4/1991, §4)

§20-205. Collection by Unauthorized Person(s).

It shall be a violation of this ordinance for any person(s), unauthorized by the municipality, to collect or pick up or cause to be collected or picked up any such recyclable material. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

(Ord. 185, 3/4/1991, §5)

§20-206. Enforcement and Administration.

The Borough Council is authorized and directed to enforce this Part.

(Ord. 185, 3/4/1991, §6)

§20-207. Violation and Penalty.

Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this Part shall be punishable by a fine not to exceed \$10 upon a first conviction; \$25 upon a second conviction; and \$50 upon a third conviction or subsequent conviction. The above fines shall not be applicable to a conviction for §20-105 hereof which shall be punishable by a fine not to exceed \$1,000.

(Ord. 185, 3/4/1991, §7)

§20-208. Franchise or License.

The Borough may enter into agreement(s) with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from curbside. Until or unless the entry into such an agreement this ordinance shall not be in effect.

(Ord. 185, 3/4/1991, §8)

§20-209. Alternative Collection of Recyclable Material.

Any person may donate or sell recyclable materials to individuals or organizations authorized by the borough. These materials must either be delivered to the individual's or organization's site or they may be placed at the curb for collection by said individual or organization on days not indicated as recyclable material collection days by the municipality. Said individuals or organizations may not collect recyclable materials on or immediately preceding (within 24 hours) a regularly schedule curbside collection day.

(Ord. 185, 3/4/1991, §9)

PART 3

WASTE FLOW CONTROL AND LICENSING

§20-301. Title.

This Part shall be known and referred to as the "Waste Flow Control and Licensing Ordinance of Hulmeville Borough."

(Ord. 193, 9/13/1993, §1)

§20-302. Definitions.

The following words and phrases as used in this Part shall have the meaning ascribed to them herein, unless the context clearly indicates a different meaning:

ACT 97 - the Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980).

COLLECTOR OR WASTE HAULER - any person, firm, partnership, corporation or public agency who is engaged in the collection and/or transportation of municipal waste and/or source-separated recyclable materials.

COMMERCIAL ESTABLISHMENT - any establishment engaged in nonmanufacturing or nonprocessing business including, but not limited to, stores, markets, offices, restaurants, shopping centers and theaters.

COUNTY - the County of Bucks, Pennsylvania..

DISPOSAL - the deposition, injection, dumping, spilling, leaking or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters the environment, is emitted into the air or is discharged to the waters of this Commonwealth. Disposal facilities include, but are not limited to, municipal waste landfills and construction/demolition waste landfills as defined by Act 101, Act 97, and/or DEP rules and regulations (e.g., 25 Pa. Code, Chapters 75 and 271).

DEPARTMENT or DEP - the Pennsylvania Department of Environmental Protection.

INDUSTRIAL ESTABLISHMENT - any establishment engaged in manufacturing or production activities, including, but not limited to, factories, foundries, mills, processing plants, refineries, mines, and slaughterhouses.

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INSTITUTIONAL ESTABLISHMENT - any establishment or facility engaged in services, including, but not limited to, hospitals, nursing homes, schools and universities.

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

LICENSED COLLECTOR OR LICENSED WASTE HAULER - any collector or hauler of municipal waste and/or source-separated recyclables possessing a current license issued by the municipality pursuant to this Part.

MUNICIPALITY - Hulmeville Borough, Bucks County, Pennsylvania.

MUNICIPAL 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 under Act 97 from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include any source-separated recyclable materials.

PERSON - any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal government or agency, State institution or agency, or any other legal entity recognized by law as the subject of rights and duties. In any provisions of this Part prescribing a fine, imprisonment or penalty, or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or other legal entity having officers and directors.

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

RECYCLING - the collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other 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 reusable materials other than a fuel for the operation of energy.

SCAVENGING - the unauthorized and uncontrolled removal of any material stored or placed at a point for subsequent collection or from a processing or disposal facility.

SOURCE-SEPARATED RECYCLABLE MATERIALS - materials, including leaf waste, that are separated from municipal waste at the point of origin or generation for the purpose of recycling.

TRANSPORTATION - the off-site removal of any municipal waste at any time after generation.

For the purposes of this Part, the singular shall include the plural and the masculine shall include the feminine and neuter.

(*Ord. 193, 9/13/1993, §2*)

§20-303. Designation of Process and/or Disposal Facilities.

1. The Borough of Hulmeville shall designate by separate resolution one or more specific processing and/or disposal facilities where all licensed collectors must, as a condition of licensing, transport and dispose all Borough waste and/or source separated recyclable materials collected within Hulmeville Borough. Processing and/or disposal facilities designated by the Borough must be on the list of County-designated facilities in the Bucks County Municipal Waste Management Plan.
2. The Borough of Hulmeville shall have the right by separate resolution to require any licensed collector to obtain a contract with any or all processing and/or disposal facilities accepting municipal waste or source-separated recyclable material generated within the municipality, Said contract(s) must provide for a minimum of one year of guaranteed capacity with a contract renewal option of at least one year. Said contracts) must be accompanied by a notarized statement of the projected annual weight and/or volume of waste or recyclable material to be disposed at the facility.

(*Ord. 193, 9/13/1993, §3*)

§20-304. Prohibited Activities.

1. It shall be unlawful for any person to collect Borough waste or source-separated recyclable materials from any residential, public, commercial, industrial or institutional establishment within Hulmeville Borough without first securing a license to do so from the municipality in accordance with the provisions of this Part.
2. It shall be unlawful for any person to collect and/or transport municipal waste or source-separated recyclable materials from any sources within Hulmeville Borough in a manner not in accordance with the provisions of this Part, any applicable municipal ordinance, the Bucks County Municipal Waste Management Plan, Act 101, the minimum standards and requirements established in Chapter 285 of the DEP's Municipal Waste Management Regulations (25 Pa. Code, Chapter 285)
3. It shall be unlawful for any person to transport any municipal waste or source-separated recyclable materials collected from within Hulmeville Borough to

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any processing and/or disposal facility other than those facilities designated in the Bucks County Municipal Waste Management Plan.

4. It shall be unlawful for any person to scavenge any material from any municipal waste or source-separated recyclable materials that are stored or placed for subsequent collection within Hulmeville Borough without prior approval from the municipality.

(Ord. 193, 9/13/1993, §4)

§20-305. Standards for Collection and Transportation.

1. All collectors or waste haulers operating within the Borough of Hulmeville must comply with the following minimum standards and regulations:
 - A. All trucks or other vehicles used for collection and transportation of municipal waste and/or source-separated recyclable materials must comply with the requirements of Act 97 and Act 101 and Department regulations adopted pursuant to Act 97 and Act 101, including the 25 Pa.Code Chapter 285, Subchapter B, regulations for the collection and transportation of municipal waste.
 - B. All collection vehicles conveying municipal waste and/or source-separated recyclable materials shall be operated and maintained in a manner that will prevent creation of a nuisance or a hazard to public health, safety and welfare.
 - C. All collection vehicles conveying putrescible municipal waste shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors and the creation of odors and other nuisances.
 - D. All collection vehicles conveying nonputrescible municipal waste and/or source-separated recyclable materials shall be capable of being enclosed or covered to prevent litter and other nuisances.
 - E. All collection vehicles conveying municipal waste and/or source-separated recyclable materials shall bear signs identifying the name and business address of the person or municipality which owns the vehicle and the specific type of material transported by the vehicle. All such signs shall have lettering which is at least 6 inches in height as required by Act 101.
2. All collection vehicles and equipment used by licensed collectors or licensed waste haulers shall be subject to inspection by Hulmeville Borough or its authorized agents at any reasonable hour without prior notification.

(Ord. 193, 9/13/1993, §5)

§20-306. Licensing Requirements.

1. No person shall collect or remove and then subsequently haul or transport any municipal waste or source-separated recyclable material through or upon the streets of Hulmeville Borough without first obtaining a Waste Flow Control License in accordance with the provisions of this Part., This section shall not apply to private individuals (e.g., homeowners) who wish to transport their own household waste or recyclables to county designated facilities, nor to farmers, landscapers, or nurserymen who collect, remove, haul, or otherwise transport agricultural or other organic waste associated with their respective business activities.
2. All collectors and waste haulers shall be licensed by the Borough of Hulmeville and designated as a "licensed waste hauler" or a "licensed collector."
3. As a condition of acquiring and maintaining a license to operate within the Borough of Hulmeville, each licensed waste hauler or collector shall dispose of all Borough waste and source separated recyclables at a facility or facilities designated by the Borough from the list of designated facilities in the Bucks County Municipal Waste Management Plan. Non-compliance with this subsection shall be grounds for revocation of a waste hauling company's license to collect waste in the Municipality.
4. Any person who desires to collect and subsequently haul or transport the Borough's waste within Hulmeville Borough shall submit a waste flow control license application and any application fee to the municipality or its designated licensing representative. Any collector or waste hauler operating within Hulmeville as of the effective date of this Part must apply for and be issued a waste flow control license in order to continue to operate within the municipality. Subsequent to initial licensing, any licensed collector or waste hauler possessing an existing license shall submit a license renewal application and fee to the Borough of Hulmeville at least 45 days prior to the expiration date of the existing license, if renewal of the license is desired. New license applicants must submit a license application and fee at least 45 days before beginning collecting and transporting Borough waste and/or source-separated recyclables in the Borough. The Borough shall have 45 calendar days to review any application and take approval or denial action. If the municipality fails to take action within 45 days, the application will be deemed to be approved
5. The license fee, not to exceed \$100 per waste hauling company, shall be set by the Hulmeville Borough on an annual basis All licenses are non-transferable and shall be issued for a period of 1 calendar year. There shall be no reduction or prorated fee for any license issued during a calendar year.
6. The waste flow control license application form, which will be supplied by the Borough of Hulmeville, shall set forth minimum information required to establish the applicants qualifications for a license to collect and transport the Borough waste and/or source-separated recyclables, including, but not limited to:
 - A. Name and mailing address of the applicant.

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- B. Name and telephone number of contact person.
 - C. List of all collection vehicles to be covered under the license including, as a minimum the following information for each vehicle: identification information for each vehicle (such as vehicle license number, vehicle registration number, and company identification number); date and location of most recent vehicle inspection; and hauling capacity of the vehicle.
 - D. Type of municipal waste or source-separated recyclable material to be collected and transported
 - E. Certificate(s) of insurance must accompany the application form as evidence that the applicant has valid liability, automobile and workmen's compensation insurance in the minimum amounts established and required by separate resolution of the governing body of the Borough.
7. No new license or license renewal shall be approved and issued to any person who fails to satisfy the minimum standards and requirements of this Part or is in violation of the provisions of this Part.
8. All licensed collectors or licensed waste haulers are also subject to, as a condition of licensing, the provisions of subsections (3) and (8) of this Part.
9. All licensed collectors or waste haulers shall meet the requirements of Act 97, Act 101, the Bucks County Municipal Waste Management Plan, all DER rules and regulations (25 Pa.Code, Chapter 285) and any applicable Bucks County Department of Health regulations regarding storage, collection and transportation of municipal waste and source-separated recyclable materials including provisions for proper labeling of collection and transfer vehicles.

(Ord. 193, 9/13/1993, §6)

§20-307. Exemptions.

Sections 20-303 through 20-306, inclusive, above do not apply to collectors currently under contract with Hulmeville Borough for the duration, until the expiration of the contract.

(Ord. 193, 9/13/1993, §7)

§20-308. Reporting Requirement.

1. All licensed collectors and licensed waste haulers shall promptly report any significant changes in the collection vehicles or equipment covered under the license and any changes in insurance coverage to the Borough.

2. All Licensed Collectors and Licensed Waste Haulers shall maintain current, up-to-date records of the collected municipal waste and/or source-separated recyclable material within Hulmeville Borough. Such records and collected volume reports shall be subject to review by and made available to the Borough or its authorized agents upon written request.
3. All licensed collectors and licensed waste haulers operating within Hulmeville Borough shall participate in the Bucks County Municipal Waste Documentation Program. Said program shall be developed and put into operation by the County for the purpose of documenting the origin of Borough waste source separated recyclable material and the ultimate disposal point of said waste and recyclables. As part of the program, each licensed collector and licensed waste hauler shall prepare and submit a semi-annual report to the Borough of Hulmeville. The report for the first half of the year (January through June) shall be submitted on or before July 31 and the report for the second half of each year (July through December) shall be submitted by January 31 of the following year. At a minimum, the following information shall be included in each report:
 - A. Total weight of Borough waste and source-separated recyclable materials collected from all sources within the Borough during each month of reporting period.
 - B. Name of each processing and/or disposal facility used during the reporting period and total weight of Borough waste and/or source-separated recyclable materials delivered to each facility during each month of the reporting period.
 - C. Any other information determined to be necessary during the development and implementation of the Bucks County Municipal Waste Documentation Program.
4. All semi-annual reports submitted to the Borough from licensed collectors and licensed waste haulers shall be submitted by the Borough to the County by August 31 (covering January through June) and by February 28 of the following year (covering July through December).

(Ord. 193, 9/13/1993, §8)

§20-309. Penalties.

1. Any person who violates any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day of violation shall be considered as a separate offense.[Ord. 223]
2. The Borough of Hulmeville shall have the right at any time, and without refund of any license fee, to suspend or revoke the license of any licensed collector or waste hauler for any of the following causes:

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- A. Falsification or misrepresentation of any statements in any license application.
- B. Lapse or cancellation of any required insurance coverages.
- C. Collection and/or transportation of any Borough waste or source-separated recyclable material in a careless or negligent manner or any other manner that is not in compliance with the requirements of this Part, Bucks County Department of Health regulations, and/or any applicable federal, state or local regulations.
- D. Transportation and disposal of any Borough waste or source separated recyclable material collected within the Borough to any site that is not a designated facility in the Bucks County Municipal Waste Management Plan or that is not properly permitted by the Pennsylvania DEP.
- E. Failure to dispose of Borough waste or source-separated recyclables at the facility(ies) stated in the license application.
- F. Violation of any part of this Part, any other applicable County or Municipal ordinances, the Bucks County Municipal Waste Management Plan, or any applicable Pennsylvania Laws or regulations.

(Ord. 193, 9/13/1993, §9; as amended by Ord. 223, 1/7/2002)

§20-310. Injunctive Powers.

The Borough of Hulmeville may petition the Bucks County Court of Common Pleas for an injunction, either mandatory or prohibitive, in order to enforce any of the provisions of this Part.

(Ord. 193, 9/13/1993, §10)