

## Standard Operating Procedure

### Removal of Refuse, including bulky items, in Right of Way

Approved by the Borough Manager on January 23, 2023

The Sanitation Department is responsible to remove refuse, that is located partially or fully in the Right of Way, in accordance with Borough Code.

#### **Authority**

§ 248-2 of the Borough's local laws states: All refuse accumulated in the Borough of Chambersburg shall be collected, transported and disposed of by the Borough, either by its own employees or by a contractor or contractors approved by the Borough, and it shall be unlawful for any other person to collect, transport over any of the streets or alleys of the Borough of Chambersburg or dispose of any refuse accumulated in the Borough of Chambersburg.

§ 248-3, C.4 states: No refuse shall be placed at curbside or designate area (alley) earlier than 24 hours prior to the day of collection.

§ 248-4, C states: The number of refuse receptacles, either emptied or collected from any one household unit per week, shall be limited to three unless the refuse is accompanied by a tag purchased from the Borough Office (or designee) for each receptacle over three.

§ 248-6, C states: The owner of the real estate served or to which the service is available shall be responsible to the Borough for payment of the sanitation service fees or assessments herein provided, regardless of to whom the bill is rendered.

#### **Terms**

*Ashes* - The residue from the burning of wood, coal, coke and other combustible materials for the purpose of heating and cooking. It shall not include the cinders produced in steam generating plants.

*Garbage* - The animal and vegetable waste resulting from the handling, preparation, cooking or consumption of foods. It shall include waste from animals. It shall not include more than a minimum amount of free liquids. It shall not include food processing waste from canneries, packing plants or similar industries nor large quantities of condemned food products.

*Rubbish* - All waste materials not included in "garbage" and "ashes," except building rubbish and building construction or reconstruction rubbish, stones, street refuse, industrial refuse, dead animals, abandoned large machinery, vehicles, equipment or furnishings or such other waste materials as are not commonly produced in homes, stores and institutions or which cannot be enclosed within an approved refuse

receptacle. "Rubbish" shall not include materials that are recyclable and have been separated and disposed of for recycling purposes.

*Refuse* - Garbage, rubbish and/or ashes.

*Refuse Receptacle* - the equipment used by the owner or occupant to place solid waste in for collection. Containers made of rust and corrosion resistant material having a capacity of no more than 32 gallons, or; plastic bags not less than 1.5 millimeters in thickness and not exceeding a 30-gallon capacity.

*Right of Way* – area between the backside of sidewalk to pavement edge, including medians and traffic islands.

*Unauthorized Bulky items* – items of a size and/or shape that prohibits them to be placed in an approved refuse receptacle.

*Vector* – animals or insects that transmit disease agents to humans.

## **Procedures**

In an effort to develop a routine process to address refuse located in the Right of Way, outside of the normal collection schedule, the following procedures are effective immediately.

Refuse, including unauthorized bulky items, which is found (partially or fully) within the Right of Way and outside of the 24-hour collection timeframe, will be reported to the Sanitation department in writing.

The notification should include the street address, quantity of refuse, and the date/time of the observation.

The Sanitation Department will investigate the complaint and attempt to contact the property owner and/or tenant to inform them of the violation of the Solid Waste Ordinance and request they remove the refuse from the Right of Way before the close of business on the day following the day of notification.

If the property owner and/or tenant is non-responsive (the refuse is not removed by the next business day following the day of notification), the Sanitation Department will remove the refuse, in conjunction with the Highway Department if necessary, and bill the property owner in accordance with the current Borough of Chambersburg Master Fee Schedule for unauthorized bulky item(s).

In the event the refuse is deemed to be a vector concern, the Sanitation Department will remove the refuse before the close of business on the day of notification, and bill the property owner in accordance with the current Borough of Chambersburg Master Fee Schedule.

Refuse located outside of the Right of Way will be addressed through the Borough of Chambersburg Rubbish and Garbage Abatement Policy which is enforced by the Land Use and Community Development's Property Maintenance Code Officers.