

ORDINANCE NO. 65-2

An ordinance regulating the dumping or accumulation of refuse, prohibiting the establishment or maintenance of dumps, providing for the licensing and regulating of sanitary landfill operations, and providing penalties for violation.

The Board of Supervisors of Hilltown Township, Bucks County, Pennsylvania, hereby ordains as follows:

Section 1. Definitions. The following terms when used herein shall have the meanings hereinafter ascribed:

- (a) A person shall mean person, firm, partnership, corporation or association.
- (b) Sanitary Landfill. A method of disposal in which refuse is so handled at the disposal site by depositing, compacting and covering as to avoid occurrence or creation of fire, smoke, odor, rodent or arthropod harborage and breeding, or other public health hazard.
- (c) Dump. Any real property within the Township on which refuse is deposited, but not including Sanitary Landfill.
- (d) Refuse. All discardable waste materials, including garbage, rubbish, ashes, street cleanings, dead animals and solid market and industrial wastes, excepting water-carried wastes and cover materials.
- (e) Garbage. All putrescible animal and vegetable wastes resulting from the handling, preparation and consumption of food, and waste food and food products including unclean food containers.

- (f) Rubbish. Non-putrescible solid wastes including paper, cardboard, tin cans, wood, glass, crockery and similar materials.
- (g) Ashes. The residue from the burning of wood, coal, coke or other combustible materials.
- (h) Cover Material. Material of an inert nature such as earth, loam, clay, sand, gravel, ashes or similar substance or combinations of such material which, with proper depth and compaction, will not be disbursed by the wind, will confine odors, will prevent ready access to deposited refuse by rodents or insects, will prevent migration of fly larva, will not crack excessively on drying and will prevent public health nuisance and fire hazards.
- (i) Dangerous Materials. Refuse which presents an inherent or imminent safety or health hazard to humans, including, but not limited to, materials which are explosive, radioactive or toxic.
- (j) In this ordinance, the singular includes the plural and the masculine shall include the feminine and neuter.

Section 2. (a) Except as hereinafter provided, no person shall:

1. Cast any refuse upon his lands or upon the lands of another or upon any road or highway or into any stream or other body of water.
2. Keep or permit to accumulate any refuse upon his property.

(b) The prohibitions contained in this section shall not apply to:

1. Sanitary landfill operations carried on and conducted in accordance with the regulations herein set forth.
2. Domestic and agricultural wastes actually produced on the property in question.

Section 3. Sanitary landfills may be conducted only upon issuance of a permit by the Township Supervisors in accordance with the following regulations:

- (a) Applications for such permit shall be in the form prescribed by the Hilltown Township Supervisors from time to time and shall include a description of the property to be used for disposal purposes, together with a surveyor's plan of the same, a general description of the disposal operations to be established for the site, including the area and the depth of expected and maximum fill, the name and address of the owner of the property on which the disposal operations are to be conducted, the name and address of the person to be in general charge of the disposal operations on the premises, the type or types of refuse to be collected and the manner of disposal.
- (b) Prior to the issuance of any permit, the person conducting the disposal operations shall furnish to the Hilltown Township Supervisors a bond in the sum of \$2,500.00 with good and sufficient surety or security, conditioned upon the operation of the said premises and disposal operation in accordance with the provisions of this ordinance, for the use and benefit of all parties interested.

- (c) Sanitary landfill permits shall be valid from the date of issuance until December 31 of the same year. There shall be no reduction in the fee for a license issued after the beginning of any calendar year.
- (d) The fee for each disposal permit shall be \$300.00.
- (e) A separate permit shall be required for each property on which a disposal operation is conducted.

Section 4. All sanitary landfills shall be conducted in accordance with the following regulations:

- (a) Refuse material shall not be deposited on the site between the hours of 7:00 P. M. to 7:00 A.M. No refuse may be deposited on the site on Sundays.
- (b) No refuse shall be burned at any time. Open fires of any type are prohibited.
- (c) Sanitary landfills shall not be located on a site where the deposited refuse will intercept ground water or surface water or where any drainage therefrom is likely to pollute any waters including underground waters.
- (d) Water-carried wastes such as sewage, septic tank or cesspool pumpage, industrial wastes and dangerous materials may be deposited at a sanitary landfill site only if special facilities, previously approved by the Bucks County Department of Health, are provided for such wastes.
- (e) Under no circumstances may radioactive materials be deposited in sanitary landfills.
- (f) Access roads shall be provided and maintained so

that traffic will flow smoothly and operations will not be interrupted by ordinary inclement weather. Access roads will be so constructed so that mud, sludge, dirt or any other material will not be carried onto any off premises highway, road or roadway.

- (g) All materials which may become airborne, such as paper, cardboard, plywood, and other matter shall be carefully controlled at or near the working area to confine the same at or near the working area and prevent them from becoming windborne.
- (h) Every precaution shall be taken to keep the premises in a presentable and workmanlike condition.
- (i) No part of the disposal operation proper shall be conducted or carried on at any point on the premises which may be closer to any public highway than one hundred feet.
- (j) Dust raised by the disposal operations shall be kept at a minimum by the spreading of oil, calcium chloride or water.
- (k) No refuse shall be deposited within one hundred feet of any creek or stream or under any condition that would permit the contamination of any stream by the deposit of refuse.
- (l) All refuse shall be covered at the close of each day by compacting and compressing as hereinafter provided with a layer of dirt or soil at least six inches in thickness. At least eighteen inches of compressed cover material of dirt or soil shall be placed on the final top and the final sides or toes

in good operating condition at all times.

- (p) The licensed premises shall be open for inspection during all operating hours and at other reasonable times by the representatives of the Pennsylvania Department of Health, the Bucks County Department of Health and officials of the Hilltown Township.
- (q) Should the Bucks County Department of Health approve special facilities for water-carried wastes, then the premises on which the water-carried wastes are deposited shall be enclosed by an industrial chain link fence at least eight feet in height, and the entrance thereto shall be kept locked at all times except when duly authorized personnel are present at the water-carried waste site.
- (r) Any violation of the ordinance may result in the immediate temporary suspension of the permit by the Township for a limited period of time, and such suspension will be lifted only after correction of the violation. Repeated suspensions or violations may result in revocation of the permit after the person holding the permit has been afforded an opportunity for a hearing by the Hilltown Township Supervisors.

Section 5. Any person who shall violate any of the provisions of this ordinance shall, upon summary conviction, be sentenced to pay a fine not exceeding Three Hundred Dollars (\$300.00), or in default thereof, be sentenced to imprisonment in the County jail for a period not exceeding thirty days.

Section 6. Any person who has filed a bond hereinbefore required, shall, upon conviction of any violation of this ordinance, forfeit the said bond.

Section 7. Each day's violation of any of the provisions of this ordinance shall constitute a separate offense.

Section 8. The office of sanitary landfill inspector is hereby created. The sanitary landfill inspector shall be appointed by, and shall serve at the pleasure of the township supervisors and shall be compensated in such manner as they shall from time to time determine. It shall be the duty of the sanitary landfill inspector to make weekly inspections of all sanitary landfills in the township, to keep records of such inspections, and to enforce the provisions of this ordinance generally.

Section 9. The aforesaid Sections and Sub-Sections of this ordinance are hereby declared to be severable, and the invalidity of any Section or Sub-Section shall not invalidate the remaining portions of this ordinance. It is hereby declared to be the intentions that this ordinance would have been enacted had such invalid Sections or Sub-Sections not have been included herein.

Section 10. This ordinance shall become effective ninety (90) days after final enactment.

ENACTED AND ORDAINED this 23RD day of January, A.D., 1965.

HILLTOWN TOWNSHIP BOARD OF
SUPERVISORS

+ Elmer S. Hochman
Sam W. Frankfield
Arthur T. Legi