

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2959 Session of  
1990

INTRODUCED BY DEMPSEY, FARGO, NAILOR, FAIRCHILD, MELIO, BUSH,  
BATTISTO, CARLSON, ALLEN, D. F. CLARK, PESCI, McCALL,  
MOEHLMANN, HECKLER, HERMAN, STABACK, BURD, E. Z. TAYLOR,  
ARGALL, PITTS, NOYE, HAGARTY, GEIST, CORRIGAN, TRELLO,  
ADOLPH, GIGLIOTTI, LEE AND ITKIN, NOVEMBER 12, 1990

REFERRED TO COMMITTEE ON CONSERVATION, NOVEMBER 12, 1990

AN ACT

1 Amending the act of July 28, 1988 (P.L.556, No.101), entitled  
2 "An act providing for planning for the processing and  
3 disposal of municipal waste; requiring counties to submit  
4 plans for municipal waste management systems within their  
5 boundaries; authorizing grants to counties and municipalities  
6 for planning, resource recovery and recycling; imposing and  
7 collecting fees; establishing certain rights for host  
8 municipalities; requiring municipalities to implement  
9 recycling programs; requiring Commonwealth agencies to  
10 procure recycled materials; imposing duties; granting powers  
11 to counties and municipalities; authorizing the Environmental  
12 Quality Board to adopt regulations; authorizing the  
13 Department of Environmental Resources to implement this act;  
14 providing remedies; prescribing penalties; establishing a  
15 fund; and making repeals," prohibiting the unauthorized  
16 collection of recyclables; and providing a penalty.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. The act of July 28, 1988 (P.L.556, No.101), known  
20 as the Municipal Waste Planning, Recycling and Waste Reduction  
21 Act, is amended by adding a section to read:

22 Section 1716. Unauthorized collection of recyclables.

23 (a) Ownership.--Ownership of any recyclable materials is

1 retained by the owners, lessees or occupants of residences,  
2 commercial or institutional establishments until the materials  
3 are placed at the curbside or similar location for collection.  
4 Thereafter, once the materials are placed at the curbside or the  
5 collection site, they become the property of the respective  
6 municipality or its contract collector.

7 (b) Penalty.--It shall be a summary offense for any person,  
8 firm, corporation or other entity not authorized by the  
9 respective municipality to collect or pick up or cause to be  
10 picked up any such recyclable materials. Each such collection in  
11 violation hereof shall constitute a separate and distinct  
12 offense.

13 (c) Definition.--As used in this section, the term  
14 "recyclable material" means any item placed at curbside pursuant  
15 to section 1501.

16 Section 2. This act shall take effect immediately.