

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1533 Session of 2015

INTRODUCED BY RADER, MCGINNIS, B. MILLER, ZIMMERMAN, GROVE, FEE AND JOZWIAK, SEPTEMBER 8, 2015

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 18, 2015

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," in recycling and waste reduction,
16 further providing for municipal implementation of recycling
17 programs.

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

20 Section 1. ~~Section 1501(a) of the act of July 28, 1988~~ <--
21 ~~(P.L.556, No.101), known as the Municipal Waste Planning,~~
22 ~~Recycling and Waste Reduction Act, is amended to read:~~

23 SECTION 1. SECTION 1501(A) AND (B) OF THE ACT OF JULY 28, <--
24 1988 (P.L.556, NO.101), KNOWN AS THE MUNICIPAL WASTE PLANNING,
25 RECYCLING AND WASTE REDUCTION ACT, ARE AMENDED AND THE SECTION

1 IS AMENDED BY ADDING A SUBSECTION TO READ:

2 Section 1501. Municipal implementation of recycling programs.

3 (a) Large population.--[Within two years after the effective <--  
4 date of this act, each] EXCEPT AS PROVIDED IN SUBSECTION (B.2), <--  
5 A municipality other than a county that has a population of  
6 10,000 or more people, and which has a population density of <--  
7 more than 500 people per square mile, shall establish and  
8 implement a source-separation and collection program for  
9 recyclable materials in accordance with this section. Population  
10 shall be determined by the most recent decennial census by the  
11 UNITED STATES Bureau of the Census [of the United States <--  
12 Department of Commerce]. <--

13 (B) SMALL POPULATION.--[WITHIN THREE YEARS AFTER THE <--  
14 EFFECTIVE DATE OF THIS ACT, EACH] EXCEPT AS PROVIDED IN  
15 SUBSECTION (B.2), A MUNICIPALITY OTHER THAN A COUNTY THAT HAS A  
16 POPULATION OF MORE THAN 5,000 PEOPLE BUT LESS THAN 10,000  
17 PEOPLE[, AND WHICH] AND THAT HAS A POPULATION DENSITY OF MORE  
18 THAN 300 PEOPLE PER SQUARE MILE[, ] SHALL ESTABLISH AND IMPLEMENT  
19 A SOURCE-SEPARATION AND COLLECTION PROGRAM FOR RECYCLABLE  
20 MATERIALS IN ACCORDANCE WITH THIS SECTION. POPULATION SHALL BE  
21 DETERMINED BASED ON THE MOST RECENT DECENNIAL CENSUS BY THE  
22 UNITED STATES BUREAU OF THE CENSUS [OF THE UNITED STATES  
23 DEPARTMENT OF COMMERCE].

24 \* \* \*

25 (B.2) LEAF WASTE.--A MUNICIPALITY OTHER THAN A COUNTY THAT <--  
26 HAS A POPULATION OF MORE THAN 5,000 PEOPLE AND THAT HAS A  
27 POPULATION DENSITY OF 500 OR FEWER PEOPLE PER SQUARE MILE SHALL  
28 BE EXEMPT FROM ESTABLISHING A LEAF WASTE COLLECTION PROGRAM  
29 PROVIDED THAT THE MUNICIPALITY HAS ENACTED AN ORDINANCE  
30 PROHIBITING THE BURNING OF LEAF WASTE. IF A MUNICIPALITY HAS NOT

1 ENACTED AN ORDINANCE PROHIBITING THE BURNING OF LEAF WASTE, THE  
2 MUNICIPALITY SHALL BE SUBJECT TO THE REQUIREMENTS OF:

3 (1) SUBSECTION (A) IF IT HAS A POPULATION OF 10,000 OR  
4 MORE PEOPLE; OR

5 (2) SUBSECTION (B) IF IS HAS A POPULATION OF MORE THAN  
6 5,000 PEOPLE BUT LESS THAN 10,000 PEOPLE AND HAS A POPULATION  
7 DENSITY OF MORE THAN 300 PEOPLE PER SQUARE MILE.

8 \* \* \*

9 Section 2. This act shall take effect in 60 days.