

**ORDINANCE NO. \_\_\_ - 2026**

**BOROUGH OF WEST CHESTER**

**CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOROUGH OF WEST CHESTER,  
CHESTER COUNTY, PENNSYLVANIA, AMENDING THE  
CODE OF THE BOROUGH OF WEST CHESTER, CHAPTER  
62, TITLED "GARBAGE, RUBBISH AND REFUSE," TO  
AMEND SECTION 62-8 TO LIMIT THE MAXIMUM NUMBER  
OF TOTES THAT MAY BE USED FOR RECYCLING.**

BE IT ENACTED AND ORDAINED, and it is hereby enacted by the authority of the Council of the Borough of West Chester that Chapter 62 of the Code of the Borough of West Chester, titled, "Garbage, Rubbish and Refuse," shall be amended as follows:

**SECTION 1.** Section 62-8, titled "Private collection regulations," shall be amended to read as follows:

**"§62-8.Private collection regulations.**

- A. Persons required to avail themselves of the use of private collectors shall have at least one collection per week or more often as necessary to protect the public health and safety, with more frequent collection if, in the opinion of the Borough Code Enforcement Officer, the public health and safety so require. The Borough will not collect any garbage, rubbish or refuse from properties which are required to employ a private collector.
- B. Any property which generates more than the equivalent of four ninety-six-gallon totes or trash cans per week for the disposal of garbage, rubbish and refuse shall be required to use a dumpster with a minimum capacity of 2 cubic yards provided by the owner of the property.
- C. The maximum number of totes that may be used for the collection of recyclable materials shall be one ninety-six gallon tote or trash can for every two totes used for trash. In the case where the owner is required to use a dumpster with a minimum capacity of two cubic yards, the maximum number of totes that may be used for the collection of recyclable materials shall be two ninety-six gallon totes or trash cans.
- D. All totes, trash cans and dumpsters utilized by private collectors for the collection of garbage, rubbish and refuse and recyclable materials as required by this Chapter shall comply with the regulations set forth in this Chapter and shall be located on private property. Dumpsters shall be in an area enclosed by fencing and screening to a height at least one foot higher than the dumpster. The screening shall be constructed of metal, wood or such other material as to completely hide the dumpster(s) from view and shall be further constructed to prevent access to the

dumpster(s) by animals. The fencing and screening shall at all times be maintained in good repair.

- E. The fencing and screening of dumpsters as required by Subsection D hereof shall be completed within 90 days of the effective date hereof. Persons who are unable to comply with the screening and fencing requirements may file a written request for an exception thereto with the Borough's Director of Public Works. The Director of Public Works shall meet with the property owner and attempt to find a suitable alternative to screen the dumpster(s). If the Director of Public Works and the property owner cannot agree upon a reasonable alternative to screen the dumpster(s), the property owner may seek approval of an exception to the screening requirements by the Public Works Committee of the Borough. The person seeking the requested exception shall bear the burden of demonstrating inability to comply with the requirements of this chapter.
- F. Private collectors shall be permitted to collect, remove and transport garbage, rubbish and refuse within the Borough of West Chester on all days of the week, except Sunday and the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- G. Where the properties abut an alley, garbage, rubbish and refuse shall be collected from the alley. Totes and trash cans shall not be set out earlier than 6:00 p.m. of the day preceding collection. Empty totes and trash cans must be stored on the property in the locations specified below not later than 12:00 midnight of collection day. Empty totes and trash cans shall be removed from the collection site and stored on the property as follows:
  - (1) If trash is collected from a street in front of the property. In a location which is not visible from the public street(s) in front of the property. If there is no location available which is not visible from the public street in front of the property, an alternative location may be approved by the Borough's Director of Public Works.
  - (2) If trash is collected from the rear of the property. In a location which is: (i) a minimum of five feet from the edge of the asphalt with screening on at least two sides; (ii) 20 feet from the edge of the asphalt if no screening is provided; or (iii) inside any garage or other enclosed building. If there is no location available which complies with this requirement, an alternative location may be approved by the Borough's Director of Public Works. Unless otherwise authorized by the Director of Public Works, the collection of garbage, rubbish and refuse shall not commence before 6:00 a.m. and may not continue after 6:00 p.m.
- H. Private collectors shall operate their vehicles within the Borough of West Chester so as to cause the least possible disruption to traffic flow on Borough streets.
- I. Private collectors who operate within the Borough must offer to all residential, commercial, institutional, municipal establishment and community activity customers

the pickup of high-grade office paper, corrugated cardboard, newspaper, plastic containers Nos. 1 through 7, aluminum cans, green glass, brown glass, clear glass and bimetallic/steel cans.

- J. All persons who collect municipal waste or recyclables in the Borough shall submit an annual report to the Borough on forms provided by the Borough stating the following:
- (1) The report shall contain a list of all establishments in the Borough, including street addresses for which the waste hauler collected municipal waste and/or recyclables.
  - (2) The report shall give the total weight of municipal waste and the total weight of each recyclable material collected by the waste hauler in the Borough.
  - (3) The report shall be submitted to the Borough each year no later than February 1 and shall include the information required in Subsection J(1) and (2) for the immediately preceding calendar year.
  - (4) Failure to file the required report in a timely manner shall subject the waste hauler to the penalties as provided in this chapter.”

**SECTION 2. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

**SECTION 3. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

ATTEST:

**COUNCIL FOR THE BOROUGH  
OF WEST CHESTER**

\_\_\_\_\_  
Sean Metrick, Secretary

By: \_\_\_\_\_  
Nicole Scimone, President

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

\_\_\_\_\_  
Lillian L. DeBaptiste, Mayor