

**CITY OF JOHNSTOWN, PENNSYLVANIA**

**ORDINANCE NO. 5381**

**Bill No. 4 of 2026**

**Introduced to Council  
May 13, 2026**

**AN ORDINANCE AMENDING ORDINANCE NO. 4535 ADOPTED JULY 11, 1990  
AMENDING 1068.01 DEFINITIONS TO INCLUDE THE ESTABLISHMENT OF COMMUNITY EVENTS**

**WHEREAS**, the city has established a recycling program to protect public health, safety, and welfare and;

**WHEREAS**, large gatherings and events generate significant quantities of recyclable materials and;

**WHEREAS**, it is necessary to clearly define such events to ensure proper compliance with recycling requirements and;

**WHEREAS**, the City of Johnstown desires to amend Chapter 1068 to include a definition of such activities;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the City Council of the City of Johnstown, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

**FIRST READ: MOTION:** Amuse **SECONDED:** Clark

**Roll Call:**

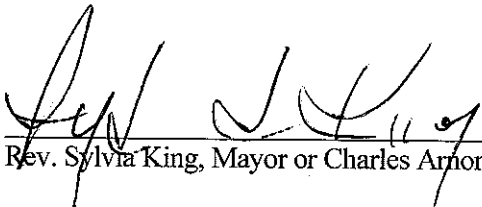
Barber			Clark			Hamacek			Spinelli			Brandon-Taylor			King			Arnone		
Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A
✓			✓			✓			✓			✓			✓			✓		

**SECOND READ: MOTION:** Amuse **SECONDED:** Clark

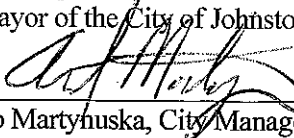
**Roll Call:**

Spinelli			Brandon-Taylor			King			Arnone			Barber			Clark			Hamacek		
Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A	Y	N	A
✓			✓			✓			✓			✓			✓			✓		

**PASSED ON: JUNE 10, 2026**

  
 Rev. Sylvia King, Mayor or Charles Arnone, Deputy Mayor

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5381 as the same was passed finally by City Council and signed by the mayor and/or the Deputy Mayor of the City of Johnstown, Pennsylvania.

  
 Arturo Martynuska, City Manager or Jennifer Burkhart City Clerk

## CHAPTER 1068

### Recycling

- 1068.01 Definitions.
- 1068.02 Establishment of program.
- 1068.03 Separation and collection.
- 1068.04 Ownership of recyclable materials.
- 1068.05 Collection by unauthorized persons.
- 1068.06 Sale or donation of materials.
- 1068.07 Franchise or license to collect.
- 1068.08 Enforcement.

- 1068.99 Penalty.

#### CROSS REFERENCES

Garbage and rubbish collection and disposal - see S.U. & P.S. Ch. 1060

Garbage and rubbish disposal plants - see P. & Z. Ch. 1260

Unlawful deposits on public and private property - see H. & S. 1810.04

#### 1068.01 DEFINITIONS.

As used in this chapter:

(a) "Aluminum beverage can" means a soda, beer or other lightweight aluminum beverage container.

(b) "Commingled" means the mixed state in which all designated recyclable materials are stored until collected.

(c) "Curb-sort" means a collection technique used by a contractor, whereby "commingled" materials are separated by the operator at the curbside, separating each material into its designated bin on the recycling vehicle.

(d) "Curbside container" means a container having an eighteen-gallon capacity, made from recycled plastic and used for residents to store materials.

(e) "Glass" means clear glass only. It does not include colored glass, pottery, window or plate glass, ceramics or light bulbs, because these items can damage a glass manufacturer's furnace.

(f) "Newsprint" means the "black and white" editorial pages of a daily newspaper only. It does not include "glossy" inserts, office paper or cardboard.

(g) "Plastic milk jugs" means a milk or water jug made of high density polyethylene or HDPE. These containers are coded with the number "2" and the letters "HDPE."

(h) "Plastic soda bottle" means a bottle made of polyethylene terephthalate or PET. These bottles are coded with the number "1" and the letters "PETE."

(i) "Recycling vehicle" means a compartmented, self-contained unit which provides separate storage bins for placement of recyclable materials.

(j) "Steel or tin cans" means a soup, tuna fish or other steel or tin food or beverage can. It does not include gasoline cans, oil cans or aerosol cans of any type.

**(k) "Community activities"- Events sponsored in whole or in part by a municipality or held within a municipality and sponsored privately, which include, but are not limited to, events include fairs, bazaars, picnics, or sporting events that will be attended by more than 200 people each day of the event**

#### 1068.02 ESTABLISHMENT OF PROGRAM.

The City hereby establishes a program for the mandatory separation and collection of recyclable materials, leaves, clear glass, plastic bottles, aluminum cans and steel or tin cans from all residences and commercial, municipal and institutional establishments within the corporate limits of the City.

(Ord. 4535. Passed 7-11-90.)

#### 1068.03 SEPARATION AND COLLECTION.

(a) All persons who are residents of the City shall separate those recyclable materials designated herein, as well as those that are from time to time added to the list of said recyclable materials, from all other waste produced at their homes, apartments and other residential establishments; store such materials in the recycling containers provided by the City; and shall place the same for collection in accordance with the guidelines established hereunder.

(1) Persons in residences must separate recyclable materials from other refuse. Recyclable materials shall be placed at the curbside in containers provided by the City for collection. Any containers provided to residences for collection of recyclable materials shall be the property of the City and shall be used only for the collection of recyclable materials. Any resident who moves within or from the City shall be responsible for returning the allocated container(s) to the City or shall pay the replacement cost of said container(s). Use of recycling containers for any purpose other than that of the designated recycling

program, or use of the recycling containers by any person other than the person allocated such container(s), shall be a violation of this chapter.

(2) An owner, landlord, or agent of an owner or landlord, of a multifamily rental housing property with more than four units shall comply with his or her recycling responsibilities by establishing a collection system at each property. The collection system must include use of the City-provided containers for collecting and sorting the recyclable materials, easily accessible locations for the containers, and written instructions to the occupants concerning the use of the collection system. Owners, landlords and agents of owners or landlords who comply with this chapter shall be liable for noncompliance of occupants of their buildings.

If recyclable materials are collected by a collector other than the City or its authorized agent, owners, landlords and agents of owners or landlords hiring such other collector shall submit an annual report to the City reporting the tonnage of materials recycled during the previous year.

(b) All persons must separate leaf waste from other municipal waste generated at their houses, apartments and other residential establishments for collection unless those persons have otherwise provided for composting of leaf waste.

(c) Persons must separate high grade office paper, aluminum, corrugated paper, leaf waste and such other materials as may be designated by the City, which materials are generated at commercial, municipal and institutional establishments and from community activities, and shall store the recyclable materials until collection.

If recyclable materials are collected by a collector other than the City or its authorized agent, occupants of said establishments shall submit an annual report to the City reporting the tonnage of materials recycled during the previous year.

(Ord. 4535. Passed 7-11-90.)

#### 1068.04 OWNERSHIP OF RECYCLABLE MATERIALS.

From the time of placement of all recyclable materials at the curb, all such materials shall become the property of the City.

(Ord. 4535. Passed 7-11-90.)

#### 1068.05 COLLECTION BY UNAUTHORIZED PERSONS.

It shall be a violation of the terms of this chapter for any person, firm or corporation, other than the City or its authorized collector or agents, to collect, pick up or cause to be collected or picked up, any recyclable materials. Each collection or pick-up shall constitute a separate and distinct offense.

(Ord. 4535. Passed 7-11-90.)

#### 1068.06 SALE OR DONATION OF MATERIALS.

Notwithstanding any provision of this chapter, any person having ownership of recyclable materials may sell or donate the same to any person, firm or corporation, whether operating for profit or not. However, such materials may not be placed for collection at, nor collected from, the curbside, and any such collection must be granted written permission from the City.

(Ord. 4535. Passed 7-11-90.)

#### 1068.07 FRANCHISE OR LICENSE TO COLLECT.

The City may enter into an agreement with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from curbsides.

(Ord. 4535. Passed 7-11-90.)

#### 1068.08 ENFORCEMENT.

The Director of Public Works is hereby authorized and directed, in cooperation with the collector, to make such reasonable rules and regulations for the operation and enforcement of this chapter as are deemed necessary, including, but not limited to:

- (a) Establishing recyclable materials to be separated for collection and recycling by residences, and additional recyclable materials to be separated by commercial, municipal and institutional establishments;
- (b) Establishing collection procedures for recyclable materials;
- (c) Establishing reporting procedures for amounts of materials recycled;
- (d) Establishing procedures for the distribution, monitoring and collection of recyclable containers; and
- (e) Establishing procedures and rules for the collection of leaf waste.

(Ord. 4535. Passed 7-11-90.)

#### 1068.09 CITY'S RIGHTS RESERVED.

The City reserves the right not to collect Municipal waste containing recycled materials in combination with nonrecyclable materials.

(Ord. 4535. Passed 7-11-90.)

1068.99 PENALTY.

(a) Any person, firm or corporation who or which violates the provisions of this chapter shall receive an official written warning of noncompliance for the first and second offenses. Thereafter, all such violations shall be subject to the penalties hereinafter provided.

(b) Except as otherwise provided in subsection (a) hereof, any person, firm or corporation who or which violates any of the provisions of this chapter shall be fined not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00) and costs of prosecution, for each and every offense.

(Ord. 4535. Passed 7-11-90.)