

ORDINANCE NO. 1-73

AN ORDINANCE OF THE TOWNSHIPS
OF GLADE AND PLEASANT.

AN ORDINANCE REGULATING THE STORAGE, COLLECTION
AND DISPOSAL OF GARBAGE, RUBBISH AND REFUSE;
PROVIDING FOR THE ESTABLISHMENT OF CHARGES FOR
THE COLLECTION OF THE SAID REFUSE; AUTHORIZING
THE TOWNSHIP TO CONTRACT FOR THE REMOVAL AND
COLLECTION OF THE SAME; PRESCRIBING CERTAIN
PENALTIES FOR VIOLATION.

IT IS HEREBY enacted and ordained by the Township as follows:

Section 1. SHORT TITLE

This Ordinance shall be known and may be cited as the "PLEASANT
Township Solid Waste Ordinance".

Section 2. DEFINITIONS

For purposes of this Ordinance the following terms, phrases, and
words shall have the meaning herein given.

A. "Township" is the Township of Warren County, Pennsylvania, enacting
this Ordinance.

B. "Collector" is such contractor or such governmental agency including
the Township, as the Township shall designate to collect all garbage,
rubbish and refuse within the Township.

C. "Dwelling Unit" is any room or group of rooms located within a
dwelling or building and forming a single habitable unit with facilities
which are used or intended to be used for living, sleeping, cooking and
eating.

D. "Garbage" is all animal and vegetable wastes attending or resulting
from the handling, dealing, storing, preparation, cooking and consumption of
foods and all refuse of animal or vegetable matter which has been used
for or was intended to be used for food of human consumption.

E. "Rubbish" is and includes all rags, paper, glass, bottles, cans,
crocery, plastic containers, and all other small household refuse as
may result from the use of property. "Rubbish" shall not include clean-up
materials and the exceptions listed under clean-up materials.

F. "Clean-Up Material" includes but is not limited to items such as used furniture, springs, mattresses, stoves, refrigerators, carpeting, newspaper and magazines tied in bundles, rags, clothing, broken glass, bottles, plastics, leather, miscellaneous waste material resulting from remodeling, and other such material which can be placed in a disposable container. The term also includes small household appliances, toys, cooking utensils and other such household scrap or items which have been used by the occupants of residential property. The term shall not include garbage and any item or material which cannot be handled by two men.

G. "Occupant" shall mean the person generally in possession and control of any dwelling or premises.

H. "Other Premises" shall mean all other improved premises within the Township which produce or in ordinary use do produce garbage, rubbish, clean-up material or refuse and shall include commercial, institutional, industrial and Township premises.

I. "Person" shall mean and include every natural person, firm, co-partnership, association, corporation or organization of any kind.

J. "Premises" - any improved real property subject to the terms of this Ordinance.

K. "Public Road" - a highway, street or road accepted and maintained as a public road by the Township or the Commonwealth of Pennsylvania.

L. "Refuse" is the collective term applying to all garbage, rubbish, lawn refuse, clean-up material and all other waste materials from residential, commercial, industrial, institutional, and other premises within the Township.

M. "Residential Property" shall mean any property or parcel of land on which there is a place of residence for one or more persons including dwellings, apartment buildings and all other places occupied and used by persons as a dwelling unit.

N. "Seasonal Premises" - premises used as a dwelling and occasionally but not continuously occupied.

Section 3. STORAGE OF GARBAGE, RUBBISH AND OTHER REFUSE AND PREPARATION FOR COLLECTION

It shall be the duty of every owner or person in possession, charge or control of any dwelling or other premises where garbage, rubbish and other refuse are produced and accumulated and of every resident, householder, tenant, occupant and person occupying a dwelling, apartment, or other premises within the Township:

A. To provide and at all times to keep on the premises a sufficient number of metal or plastic garbage containers to hold all garbage, rubbish and other refuse which may be produced or accumulated on the premises during the intervals between collection.

B. To drain garbage of all liquids and wrap all garbage in paper or

similar material before depositing the same in plastic bags for collection.

C. To keep all receptacles for the storing of garbage and rubbish securely covered to prevent any of the contents from being scattered about and to prevent the propagation of rats, flies, and other vermin or insects.

D. On or prior to the appointed collection day, to place all garbage and rubbish:

(1). In plastic garbage bags of a type meeting the approval of the Township and properly tie the same. All sharp objects and other refuse not suitable for plastic bags shall be placed in suitable disposable boxes or containers; or

(2). In bulk containers if the premises are served in this method.

(3). No containers shall be set out on the front boundary line prior to 7:30 p.m. on the day before the appointed collection day.

E. On each collection day:

(1). To place all plastic bags and containers on private property at the front boundary line of the public road on which the premises front or at such other place on the premises as:

(a). Shall be convenient and agreeable to the collector; or

(b). Shall be mandated by resolution of the Board of Supervisors.

(2). If the premises do not front on a public road on which collections are being made, to place the same at a collection point designated by the Township at the nearest suitable place on a public road where collections are being made.

F. When clean-up material and other refuse has been accumulated to a point where collection is desired, to notify the collector, making arrangements for collection, and to prepare and place the same for collection in a manner meeting the reasonable requirements of the collector.

Section 4. COLLECTION AND REMOVAL OF GARBAGE, RUBBISH AND OTHER REFUSE

The Township or the collector authorized by the Township and all persons required to comply with this Ordinance shall accomplish the collection and removal of garbage, rubbish and other refuse upon the following conditions:

A. In General

(1). Collection shall be made from all premises in the Township and shall where practical be made on the public road on which the premises front. If the premises do not front on a public road, collec-

tion shall be made at a convenient place designated by the Supervisors on the public road to which the premises have access.

(2). Where premises are located in a sparsely populated area or upon roads which will not accommodate or are likely to be damaged by collection equipment, the Supervisors may designate a point upon another public road at which the owner and occupant shall place refuse for collection. If in the opinion of the Supervisors, weather and road conditions are such that collection upon established routes may damage the roads, they may temporarily suspend collection upon such roads and designate alternate collection points until such time as the conditions improve.

B. Residential Collections

(1). Collection of garbage and rubbish shall be made from residential properties by the Township or collector authorized by the Township not less than one time each calendar week. The Township or the collector with the approval of the Township shall prepare a schedule of collections to be made showing the areas in which collections will be made and on which day of the week collections will be made from Monday through Friday. The schedule shall also show the day on which collections shall be made when holidays occur during regularly scheduled days.

(2). Clean-up materials and other refuse shall be collected by the Township or the collector within a reasonable time after any person shall notify the Township or collector to collect the same.

C. Other Premises

(1). Collection of garbage and rubbish shall be made at least once each week from all other premises and more often as may be necessary to prevent accumulation beyond the limits of the containers provided.

D. Seasonal Premises

(1). Collection from seasonal premises shall be made in the same manner as for residential premises for a period not exceeding twenty (20) weeks per year. At any time collections exceed twenty per year, seasonal premises shall be considered as full-time residential premises.

Section 5. PROHIBITIONS

A. No person shall place, dispose of, or accumulate any garbage, rubbish, lawn refuse, clean-up materials, waste material or refuse in or about any street, sidewalk, roadway, highway or other public areas or in or upon any private property, whether owned by such person or not, within the Township except in proper containers for collection as prescribed for in this Ordinance. No person shall throw or deposit any refuse in any river stream, or other body of water in the Township; however, nothing in this paragraph shall prohibit the maintaining of what is known as a "compost pile" provided said "compost pile" does not constitute a health hazard.

B. Any unauthorized accumulation of garbage, rubbish or refuse on any premises is hereby declared to be a nuisance and is prohibited.

C. No person shall cast, place, sweep or deposit any refuse or debris anywhere within the Township.

D. No person shall load, transport or convey refuse or refuse in open unenclosed vehicles or clean-up materials in an open truck unless such precautions as are needed are taken to prevent blowing and scattering of the same.

E. No person other than the collector shall collect or contract to collect and remove garbage, rubbish or refuse within the limit of the Township, provided however that this Ordinance shall not prevent a person from transporting the person's own rubbish or clean-up material to an authorized site for disposal.

Section 6. COLLECTION AND DISPOSAL

A. By Township: The Township may provide vehicles, equipment, and personnel necessary to accomplish collection and disposal according to the terms of this Ordinance; OR

B. By Contract: The Board of Supervisors of the Township may seek proposals and award a contract or contracts for the collection and disposal of garbage, rubbish and refuse according to the terms of this Ordinance; OR

C. By License: The Board of Supervisors of the Township may seek proposals and issue licenses for the collection and disposal of garbage, rubbish and refuse according to the terms of this Ordinance; and in either A, B, or C.:

(1). The Board of Supervisors may join with one or more other Townships to establish a district of this and one or more, or parts of one or more, other Townships for collection and disposal pursuant to the terms of this Ordinance.

(2). The Board of Supervisors may divide the Township into districts or may in the alternative treat the Township as a single unit.

(3). The authorized collector shall comply with all present and future laws of the Commonwealth of Pennsylvania and the rules, regulations and standards of any of its departments and agencies having jurisdiction of solid waste storage, removal, collection of disposal.

(4). The collector shall furnish sufficient personnel, trucks, and equipment or comply with the terms of his contract or license and of this Ordinance and shall, if requested by the Board of Supervisors in accord with the terms of his contract or license, furnish bond or cash deposit for complete and adequate performance of his obligations under his contract or license.

(5). The collector shall, if requested and authorized by the Board of Supervisors, do the billing and made collection of the charges levied under this Ordinance and make such periodic report thereof to the Board of Supervisors as it shall require.

(6). Collection and transportation equipment shall be designed,

constructed and maintained so as to be leak-proof, easily loaded, readily emptied and easily cleaned. All garbage and rubbish shall be carried in enclosed vehicles which shall be kept in a clean and sanitary condition.

(7). All garbage, rubbish and refuse shall be disposed of at the site maintained by the Warren County Solid Waste Authority. If there be no such site, then disposal may be made at such other site meeting the approval of the Commonwealth of Pennsylvania and the Board of Supervisors.

Section 7. FEES AND CHARGES

A. Every owner and occupant of residential property and every owner and occupant of other premises used for commercial, business, industrial, institutional, public or other purpose and which generates, or in normal use does generate garbage, rubbish or refuse shall be responsible to the Township for such charges for collection and removal of the same as the Township does hereby and may hereafter from time to time ordain and establish.

B. The Township does hereby levy a charge for the collection and removal of refuse upon every owner and occupant of residential property and other premises, in the amounts that from time to time shall be determined by the Board of Supervisors.

C. Both the owner and the occupant shall be liable for the charges and the Township may collect from either. All such charges shall be billed:

(1). To the record owner or the occupant of the premises; or

(2). If one or more owners shall be shown of record, to one of such owners or occupants as shall be determined by the Township.

The charges may, at the request of the owner of the premises be billed to the occupant; but in case the same are not paid they shall remain the obligation of the owner.

D. The Township may provide for such discounts for prompt payment and such penalties for late payment as are provided from time to time by resolution and may further assess all costs of collection including attorney fees upon the owner in case the same shall be delinquent or collected by legal process.

E. Unpaid charges may be collected by:

(1). Suit brought by the Township.

(2). In the manner in which municipal claims are collected, or

(3). In such other manner including distraint or attachment of wages as may now and hereafter be authorized by the laws of the Commonwealth of Pennsylvania and the Ordinance of the Township.

All unpaid charges shall be considered to be a lien upon the premises until the same shall be paid.

F. The Township may by resolution authorize the collection of such charges on behalf of the Township by the collector appointed under the terms

of this Ordinance.

Section 8. RULES AND REGULATIONS

The Board of Supervisors is hereby empowered to adopt by Resolution such rules and regulations as it shall hereafter deem necessary and convenient for the administration of this Ordinance and which may concern and amplify all provisions of this Ordinance. A violation of such rules and regulations shall be subject to the same penalties as a violation of this Ordinance.

Section 9. VIOLATIONS AND PENALTIES

A. Any person violating any of the provisions of this Ordinance shall upon conviction in a summary proceeding be subject to a fine of not less than \$10.00 nor more than the maximum permitted by law for each offense together with costs of prosecution and in default of payment thereof to undergo imprisonment in the Warren County Jail for a term not to exceed thirty (30) days.

B. Each day of violation shall constitute a separate offense.

Section 10. SAVING CLAUSE

The invalidity of any section or provision of this Ordinance shall not invalidate any other section, provision, or part of it.

Section II. EFFECTIVE DATE

This Ordinance shall become effective upon such date hereafter as the Supervisors may establish by resolution.

Adopted this 12th day of June, 1973.

PLEASANT TOWNSHIP SUPERVISORS

Robert E. Wilcox
Robert M. Brown
Ray E. Meeley