

Chapter 20

Solid Waste

Part 1

Solid Waste Collection Ordinance

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Part 1**Solid Waste Collection Ordinance****§20-101. Garbage Collection Schedule.**

Garbage shall be collected in accordance with the agreement of Borough Council and the garbage collector and at such other times as Borough Council may provide.

(*Ord. 74-2, 1/8/1974, §1*)

§20-102. Garbage Collection by Contractor, Disposal Outside of Borough.

1. All garbage of this Borough shall be collected and removed by a responsible person under contract with the Borough and shall be disposed of by such person by feeding outside the limits of the Borough or as provided in such contract.

2. Garbage collections may be made by other persons other than the Borough's contractor or collector for all garbage in excess of the amount required to be collected by the Borough Collector.

(*Ord. 74-2, 1/8/1974, §2*)

§20-103. Garbage Collection Vehicles; Conduct of Collections by Contractor.

The contractor shall be required to collect and remove garbage from within the Borough in vehicles which shall be equipped with watertight beds constructed of an impervious material, and to so conduct the collection, removal and transportation of the garbage under such contract as to insure general sanitation throughout the entire process and operation thereof.

(*Ord. 74-2, 1/8/1974, §3*)

§20-104. Preparation of Garbage for Collection; Placement of Containers.

All residents of the Borough shall place the garbage accumulated upon the premises occupied by them in sound and tight-covered containers, and shall place the same so that they may be conveniently picked up by the collector.

(*Ord. 74-2, 1/8/1974, §4*)

§20-105. Fees.

Fees for the collection of trash and garbage shall be assessed against each residential unit at the rate as established, from time to time, by resolution of the Borough Council. All accounts will be billed to the owner at the place of collection.

(*Ord. 74-2, 1/8/1974, §5; as amended by Ord. 79-4, 5/8/1979; by Ord. 81-4, 10/6/1981; by Ord. 87-4, 12/8/1987, §1; by Ord. 88-5, 12/6/1988, §1; by Ord. 89-2, 11/6/1989, §1; by Ord. 05-02, 3/8/2005, §1; by Ord. 07-04, 6/5/2007, §2; and by Ord. 2012-03, 12/4/2012*)

§20-106. Delinquent Accounts.

1. The refuse collection fee will be billed monthly, and shall be due and payable upon the user's receipt of the statement. Receipt shall be presumed on the third day

after the Borough's day of issuance.

2. In the event that payment is not received by the Borough prior to the end of the calendar month in which the statement is issued, a penalty of 10 percent shall be added to the user's account. This penalty shall be calculated as follows:

A. The user's balance at month's end multiplied by .10 equals the penalty. For example, \$10.20 (balance at the end of the first month) times .10 equals \$1.02. This amount is added to the \$10.20 for a new balance of \$11.22. The new balance due shall be the sum of the prior balance plus the penalty. The new balance due will be carried over to the following month on the user's account and shall be due immediately.

3. The 10 percent cumulative penalty will be assessed each month, as described above, on amounts remaining unpaid (including any penalty amounts) until the account is fully paid; provided, however, that the total accrued penalty hereunder, together with the total accrued penalty under the Borough's General Sewer Ordinance (the "Sewer Ordinance") [Chapter 18], shall not exceed (A) \$500 per dwelling unit with respect to residential accounts, and (B) \$3,000 per account with respect to commercial, industrial and school accounts.

4. Every claim of the Borough for refuse collection fees, together with all charges, penalties, expenses and fees added thereto for failure to pay promptly, shall, in the manner required by law, become a lien upon the properties served, and may be collected by the Borough by an action in assumpsit against the owner of the property or enforced against the property by filing a municipal claim.

5. All delinquent accounts are subject to stoppage of service without notice. If service is terminated, service shall be restored only after the user shall have paid all amounts then due and owing under this Part, including without limitation any amounts which are not yet delinquent. In addition, any user determined by Borough Council to be an habitual offender, as defined in subsection .1 of §18-138 of the Sewer Ordinance [Chapter 18], shall be required to deposit with the Borough, prior to the restoration of service, the Security Deposit required under subsection .1 of §18-138 of the Sewer Ordinance [Chapter 18]. Said security deposit shall be governed by, and returned in accordance with, subsection .1 of §18-138 of the Sewer Ordinance [Chapter 18].

6. The stoppage of service and penalties hereinbefore authorized for nonpayment or late payment of the refuse collection fee shall be in addition to the right of the Borough to proceed under §20-107 of this Part.

(*Ord. 74-2, 1/8/1974, §6; as amended by Ord. 86-3, 12/2/1986, §1; and by Ord. 92-3, 10/6/1992, §1*)

§20-107. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 74-2, 1/8/1974, §7; as amended by Ord. 92-1, 1/1/1992; and by Ord. 2012-03, 12/4/2012*)

§20-108. Requirements for Multi-family Residential Dwellings.

The requirement of this Part is that multi-family residential dwelling structures within the Borough having six or more units use the municipal trash collection services may be waived by action of the Borough Council, provided that evidence is produced that satisfactory trash collection services have been obtained by the property owners using commercial trash collection services. Such evidence shall include the stipulation for the use of commercial grade sanitary dumpsters, complete with covering and for the use of such other protections to avoid the scattering of trash or the attraction of vermin or the creation of other nuisances.

(*Ord. 74-2, 1/8/1974; as added by Ord. 88-4, 10/4/1988, §1*)

