

BOROUGH OF EAST WASHINGTON

ORDINANCE NO. 496 OF 2007

AN ORDINANCE OF EAST WASHINGTON BOROUGH, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, (ASOLID WASTE@) TO PROVIDE FOR COLLECTION OF SOLID WASTE BY THE BOROUGH AND COLLECTION OF FEES BY THE BOROUGH FOR CONTRACTING THIS SERVICE AND ENFORCEMENT THEREOF.

BE IT ENACTED AND ORDAINED and it hereby is enacted and ordained by Council of the Borough of East Washington, under authority of Section 1201(11) of the Borough Code, 53 P.S. '46201(11), as follows:

I. Chapter 20 of the Code of Ordinances of the Borough of East Washington, entitled ASolid Waste@, Part 2 (ASolid Waste Management@), Section 202 (ADefinitions@) is amended to provide as follows:

A. The definition of ASOLID WASTE@ is amended to read as follows:

SOLID WASTE B waste items as defined by Act 97 or Act 101 and regulations promulgated thereunder.

B. A new definition, AWASTE@ is added to read as follows:

WASTE B material as defined by 25 Pa. Code '271.1.

C. The definition, ADOMESTIC WASTE or HOUSEHOLD WASTE@ is deleted and in its place is substituted a new definition, ARESIDENTIAL SOLID WASTE@ to read as follows:

RESIDENTIAL SOLID WASTE B solid waste originating in the residential private household or apartment or dwelling unit.

II. Chapter 20 of the Code of Ordinances of the Borough of East Washington, entitled ASolid Waste@, Part 2 (ASolid Waste Management@), Section 205 (AStandards and Regulations For Collection@) is deleted and amended to provide as follows:

A. Residential Solid Waste to be Removed by Borough. All residential solid waste, excluding all toxic and hazardous waste, construction and demolition debris, and large animal carcasses, shall be collected and removed by the Borough weekly on a day designated by Borough Council, and the cost and expense of the collection and removal of the residential solid waste shall be paid by those from whose premises said solid waste is removed or by the person responsible for the existence of such residential solid waste.

Owners of buildings with five or more rental dwelling units may apply to the Borough to remove such residential solid waste by private means without the payment of the fees prescribed in subsection (B) for such removal. Any private removal permitted shall at all times be performed by a licensed hauler in a healthful manner and in full compliance with all sanitary and health regulations of the Borough and the Commonwealth of Pennsylvania. Otherwise, owners of such buildings of five or more rental units will be required to pay a Solid Waste & Recyclables (SW&R) Collection Fee for each rental unit, and the Borough shall arrange for pickup with its contractor.

- B. Fees for Collection and Disposal. Every person, firm, association or corporation producing residential solid waste, or being responsible for the disposal or existence of such solid waste, or for whom such solid waste is removed, or being the owner of any premises on which solid waste is in existence or is produced, and which such solid waste requires removal, shall pay and be subject to a Solid Waste & Recyclables (SW&R) Collection Fee for such services:

For each and every single residential or dwelling unit, an annual Fee in the amount of One Hundred Eighty-Five Dollars (\$185.00) for collection of residential solid waste and recyclable materials in 2008 and adjusted annually by Borough Council, due and payable by March 31 of each year. A penalty of \$15.00 will be added if paid between April 1 and June 30, with an additional \$15.00 penalty being added if paid between July 1 and September 30.

If no payment is received by October 1, the balance of the Fee shall be due in full and the Borough shall file a citation with the magistrate for collection of the unpaid portion of the Fee, plus a penalty of \$25.00 and reasonable collection costs, including court costs.

- C. Enforcement. The Borough shall enforce the maintenance of proper receptacles placed at suitable places on the premises and shall institute the prosecution of all persons, firms, associations or corporations or groups of persons violating any of the provisions of this ordinance to the end that the terms of this ordinance shall be strictly enforced. In addition the Borough may enforce all charges lawfully imposed under this ordinance for the collection, removal and disposal of all residential solid waste by the filing of a municipal claim.
- D. Additional Rules and Regulations Authorized. Borough Council is hereby authorized to make and promulgate any additional rules and regulations for the collection, removal and disposal

of residential solid waste not in conflict with this ordinance, and violations of the same shall be subject to the same penalties as provided in this ordinance.

- E. Prohibited Acts. No person shall obstruct, delay or interfere with the residential solid waste collectors while in the performance of their duties, or enter into any controversies with the collectors, nor shall any person violate any of the provisions of this ordinance with regard to the disposal of residential solid waste, or the containers for the same, or violate any of the provisions with respect to the collection and removal of residential solid waste.

III. This Ordinance shall take effect immediately upon adoption and approval by the Mayor.

ORDAINED AND ENACTED into law, this 17th day of December, 2007.

ATTEST:

BOROUGH OF EAST WASHINGTON

Heather Walsh

Blake E. McCandless

Secretary

President of Council

Approved this 17th day of December, 2007.

Mark A. Pacilla

Mayor