

GARBAGE AND RUBBISH ORDINANCE

RULES AND REGULATIONS

All persons engaged in the business of gathering, transporting and disposing of garbage or rubbish within the Township of Upper Augusta shall adhere to the following rules and regulations, adopted in accordance with Section 7, Ordinance No. 68 - 1.

LICENSE REQUIREMENTS

1. Applicants for a license shall present a certificate of public liability insurance which evidences property damage liability coverage in the amount of \$10,000, and bodily injury liability coverage in the amounts of \$20/60,000. The Township shall thereafter be notified within thirty (30) days prior to the termination of the coverage afforded under such certificate of insurance.
2. Applicants for a license shall present a certificate, duly executed by an authorized municipal official, stating that the disposal site to be utilized by the applicant is in accord with local ordinances.
3. Applicants for a license shall present each vehicle to be used in such business to the designated inspector of the Township for inspection and approval. Each vehicle must meet the following minimum requirements:
 - A. The vehicle body must be in good condition and repair.
 - B. Vehicles must be equipped with an attached cover.
 - C. The tailgate of the vehicle must be so constructed so that the contents of the body will not spill or blow from the vehicle while in motion.

GENERAL REQUIREMENTS

1. It shall be unlawful to collect, haul, transport or convey garbage or rubbish in open, unenclosed vehicles.
2. It shall be unlawful for a vehicle to be operated at a speed in excess of fifteen (15) miles per hour without first closing and securely fastening the tailgate.
3. The operator of a vehicle shall be required to produce the license issued by the Township of Upper Augusta at the request of the authorities.
4. Applicants not granted a license to operate within the Township of Upper Augusta shall be promptly notified by mail. The notice shall clearly indicate the reason(s) for denial.

No. 68-1

ORDINANCE OF UPPER AUGUSTA TOWNSHIP, NORTHUMBERLAND COUNTY, PENNSYLVANIA, REGULATING THE DISPOSAL AND COLLECTION OF GARBAGE, RUBBAGE AND REFUSE; PROVIDING FOR THE LICENSING OF COLLECTORS AND LICENSE FEES; PROVIDING FOR THE REGULATION OF DUMPS OR DUMPING PLACES AND THE LICENSING OF SAME; AND PRESCRIBING PENALTIES FOR THE VIOLATIONS THEREOF.

The Board of Supervisors of Upper Augusta Township, Northumberland County, Pennsylvania, in accordance with the authority contained in the Second Class Township Code, as amended, does hereby ordain:

SHORT TITLE - This ordinance shall be known and may be cited as "Upper Augusta Township GARBAGE AND REFUSE ORDINANCE."

Section 1. DEFINITIONS: The following words and phrases when used in this ordinance, shall have the meaning ascribed to them in this Section, except when the context clearly indicates or requires a different meaning.

"GARBAGE" - shall include all table refuse, animal and vegetable matter, offal from meat, fish and fowl, fruits, vegetables and parts thereof and other articles and materials ordinarily used for food including, but not limited to, offal, swill, housesweepings and other worthless fruit, vegetable or animal matter or putrescible matter of any kind which have become unfit for use or which are for any reason discarded.

"REFUSE" - A general term meaning all matter and material which is discarded, including but not limited to garbage and noncombustible waste, such as cans, bottles, wire, metal parts, glass, dishes, plaster, etcetera; as well as combustible trash such as paper, cardboard, rags, boxes, crates, cartons, wood, tires, rubber, leather, garden trash, etcetera.

"DUMP" - shall include any accumulation of garbage from things not grown or consumed upon the premises or of rubbish or waste matter arising from things not used or consumed upon the premises.

"PERSON" - any natural person, association, partnership, firm or corporation.

"TOWNSHIP" - Township of Upper Augusta, County of Northumberland and Commonwealth of Pennsylvania.

In this ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

Section 2. The owner or occupant of any premises within the Township shall be responsible for the sanitary condition of the premises occupied by him and no garbage or rubbish shall be allowed to accumulate on the grounds or to be deposited on any highway, vacant lot or on any public or private land, or thrown into any stream or body of water.

Section 3. Nothing in this Ordinance shall be construed to prevent or prohibit any person engaged in the business of farming from maintaining a manure pile upon which may be thrown garbage, or from disposing of any rubbish on land occupied by him, so long as a nuisance shall not result therefrom and such disposal shall be either by burial in accordance with the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania, or by removal to private or public dumping grounds properly licensed. Nothing in this ordinance shall prevent any person from building or maintaining a compost pile so long as a nuisance does not result therefrom. Nothing in this ordinance shall prevent any person from removing or transporting garbage or rubbish from premises owned or occupied by him, so long as a nuisance does not result therefrom.

Section 4. No person shall engage in the business of gathering, transporting and disposing of garbage or rubbish in the Township unless he shall have a license so to do from the Township.

Section 5. Any person desiring such a license shall first present a written application to the Township on the form prescribed therefor, stating the type of refuse to be collected, the manner of collection and the place and method of disposal, and no license shall be granted if the place and method of disposal does not conform to the requirements of this ordinance, or to the laws of any other governmental body wherein disposal is to be made. No person shall be licensed unless he shall have adequate equipment

and personnel in accordance with the regulations in effect to perform the intended services, so as to assure cleanliness and sanitation during the entire process of collection, transportation and removal. No licensee shall make any change in the arrangements for disposal without first receiving the approval of the Township.

Section 6. The fee for such license shall be \$7.50 per year for each vehicle operated and all licenses shall expire on the 31st day of December; the license fee herein provided shall not be prorated for any portion of the calendar year except for the first year ending December 31, 1968. Persons holding a license from any adjoining municipality shall be exempt from obtaining a license from the Township but shall be subject to the same regulations as Township licensees.

Section 7. The Supervisors shall have the power to revoke any license upon violation by the licensee of any provision of this ordinance, or of any regulation as to storage, collection, transportation and disposal of garbage and refuse within the Township necessary for such purposes and for the purpose of carrying out the provisions of this Ordinance established hereunder.

Section 8. It shall hereafter be unlawful for any property owner to use any private property in the Township for purposes of a dump, or a public dump, or to permit the same to be used by others for dumping purposes, unless and until such property owner shall have obtained a permit from the Board of Supervisors of the Township to maintain a dump. The application for the permit shall state fully and accurately the applicant's title to said property, the exact size and location of the proposed dump, and shall stipulate that no portion of it is within an area or distance of one hundred feet from any public road. Upon such approval of such application by the Board, a permit shall be issued without any license fee being paid therefor, which permit shall be limited to one year and shall be subject to revocation at any time in the event of any dumping upon the premises outside

the permitted area, or if, in the opinion of the Township Board of Supervisors, a nuisance results therefrom.

Section 9. Any person, firm, association, or corporation violating any provision of this ordinance shall be subject to a fine or penalty of five dollars (\$5.00) for the first offense; ten dollars (\$10.00) for the second offense; one hundred dollars (\$100.00) for each and every subsequent offense, which fine or penalty may be collected by suit or summary proceedings brought in the name of the Township before any Justice of the Peace, provided, that each day's violation of any of the provisions of this ordinance shall constitute a separate offense. Upon default in the payment of any fine and costs upon any judgment so entered, the defendant, or officers of a defendant, may be sentenced and committed to the Northumberland County prison for a period not exceeding five (5) days.

Section 10. Anyone knowingly depositing or accumulating garbage, rubbish or waste matter or permitting the same to be deposited or accumulated contrary to any provision of this ordinance shall within five (5) days written notice from the Township Supervisors so to do, forthwith remove such garbage, rubbish or waste matter, and upon failure so to do the Township Supervisors may at their discretion remove or cause the same to be removed and collect the cost thereof in addition to the fines and penalties hereinbefore mentioned and provided for.

Section 11. The provisions of this ordinance are separable. If any provisions of this ordinance are held to be void, the remaining provisions shall remain valid.

This ordinance shall become effective May 3, 1968.

Ordained and enacted this 28th day of April, 1968.

ATTEST:

Erwin J. Steinert
Secretary

THE BOARD OF SUPERVISORS OF
UPPER AUGUSTA TOWNSHIP

by Clifford D. Bassett President

Charles Heck

Fred W. Steinert
Township Supervisors