

ORDINANCE NO. 99- 1

AN ORDINANCE OF THE BOROUGH OF COALDALE AMENDING AND CHANGING CHAPTER 62 GARBAGE, RUBBISH AND REFUSE OF THE CODE OF ORDINANCES OF THE BOROUGH OF COALDALE.

BE IT ORDAINED, by the Council of the Borough of Coaldale, and it is hereby ordained by the authority of same as follows:

Section 62-2 DEFINITIONS amended by the addition of the following:

DELINQUENT - All accounts shall be considered delinquent if not paid within sixty (60) days after the date of bill and accounts not paid within sixty (60) days after the date of bill shall be subject to a penalty of twenty (20%) of the amount of the bill.

DWELLING - Is a building used for residential purposes including hotels, boarding and lodging houses, tourist cabins, motels, trailers, single family dwelling units, and multi-family dwelling units.

DWELLING UNIT - Is one or more rooms in a dwelling which rooms are arranged for occupancy by one (1) person, two or more persons living together, or one family.

QUARTER - Any one of the following three (3) month periods: January, February, March, April, May, June, July, August, September, October, November, December.

RESPONSIBLE AUTHORITY - Shall mean the sanitation committee of the Borough Council of the Borough of Coaldale as named by the Borough Council and shall be authorized and directed to implement and enforce the provisions of this ordinance either by committee or police department action or through their authorized agent or representative.

Section 62-3 STORAGE PRACTICES amended to read as follows:

- (4) Garbage shall be placed in approved containers or cut and baled, tied, bundled, stacked and packaged so as not to exceed sixty (60) inches in length and fifty (50) pounds in weight or thirty-two (32) gallons in volume.

Section 62-4 COLLECTION PRACTICES amended to read as follows:

B. Frequency of collection. Refuse shall be collected once weekly throughout the year. Hotels, restaurants, institutions and other commercial or industrial establishments may be required to have more frequent collection, if it is determined by the governing body to be

essential to protect the public health. Commercial or industrial establishments may hire independent contractors for removal of rubbish or refuse. These establishments must provide the Borough Secretary with proof of Agreement with independent contractors.

C. Limits of collection. There shall be a weekly limit of one (1) larger household item and five (5) containers or their equivalent of rubbish and/or refuse per dwelling unit except for the week following Christmas, where there shall be a limit of ten (10) containers or their equivalent.

Section 62-5 GARBAGE, RUBBISH AND REFUSE amended to read as follows:

A. There shall be a sanitation fee charged, established and imposed on each property owner for each domestic, commercial or industrial consumer served or to be served under the collection of garbage and refuse. An annual fee payable quarterly for services rendered by the Borough shall be established by resolution adopted from time to time by the Borough of Coaldale.

B. The cost of the service for collection of refuse under this ordinance as fixed from time to time by Borough Council of the Borough of Coaldale shall be borne and paid by the owner of premises from which refuse accumulated and disposed of, and the person producing the refuse, or responsible for the existence or disposal thereof, or for whom such refuse is removed, if such person shall not be the owner, shall be jointly and severally liable with the owner for the payment of said cost.

C. Borough Council is hereby authorized to contract for the performance of the services provided by this Ordinance and to award a contract therefor from time to time for such period of time as shall be determined by Borough Council, which contract shall require the contractor to assume all responsibility for the collection of refuse in the Borough of Coaldale in accordance with the provisions of this ordinance and regulations, orders, and specifications provided under the Authority thereof, and to convey dump, and dispose of all such refuse at a place as shall be determined and designated by Borough Council and to fix and regulate in a manner not inconsistent with the terms of this Ordinance, and the manner, method, and time of collecting and conveying refuse, the type of equipment required for the purpose and the price to be paid for the performance of said contract and the time or times for the payment thereof.

D. The collection and disposal of refuse in the Borough of Coaldale shall be under the supervision of the Responsible Authority. It shall have authority to make regulations concerning the day of collection, type and location of waste containers and such other matters pertaining to the collection and disposal as it may deem advisable, and to change and modify the same after notice as required by law, provided that such regulations are not contrary to the provisions hereof. An aggrieved person shall have the right to appeal against any regulations or order made by the Responsible Authority to the Borough Council which may confirm, modify, or revoke any such regulations or order, provided however, that no such appeal to Borough Council shall be permitted as to any regulation covered by this ordinance, or any regulations or order of the Responsible Authority which shall have been approved by the Borough Council.

E. All persons within the Borough of Coaldale shall dispose of refuse by municipal collection service only and no person shall transport or dispose of refuse by any means not approved by this ordinance or by the Responsible Authority.

F. Any "Dwelling Unit" which is totally unoccupied and which generates no refuse for an entire quarter, shall be exonerated from the charges as herein provided for. Such exoneration shall be granted only after the owner has filed an Affidavit with the Borough certifying to such vacancy.

ENACTED AND ORDAINED this 9th day of March, 1999.

BOROUGH OF COALDALE

BY: Clarence Keich
Clarence Keich, President

ATTEST:

Renee M Holmes
Renee M. Holmes, Secretary

John Radocha
John Radocha, Mayor