

OFFICIAL
GORDON BOROUGH
SCHUYLKILL COUNTY, PENNSYLVANIA
ORDINANCE NO. 1, 1990

An ordinance of the Borough of Gordon, Schuylkill County, Pennsylvania providing for the removal and disposition of refuse, ashes, garbage and rubbish within the Borough of Gordon limits and providing for penalties for the violation to the same. This Ordinance hereby terminates Ordinance No. 171 which was enacted and ordained the 5th day of June, 1972, and amended pursuant to Ordinance No. 1 of 1988 which was enacted and ordained January 4, 1988.

BE IT ORDAINED AND ENACTED BY THE AUTHORITY OF GORDON BOROUGH
AS FOLLOWS:

Section One

The authorities of the Borough of Gordon are authorized and empowered hereby to establish a refuse, garbage, ash and rubbish removal and disposal system for the inhabitants of the Borough of Gordon, and that all refuse, ashes, rubbish and garbage accumulated after the passage of this ordinance be removed from the property owners in the Borough and disposed of in a manner prescribed by the Council.

Section Two

The Borough may remove and dispose of said materials either by contract or by its own officers, agents, servants and employees, as determined by the Council of the Borough of Gordon. The Borough of Gordon Council hereby acknowledges that it has contracted for the removal and disposal of refuse, ashes, garbage and other rubbish within the Borough limits effective June 18, 1990 through June 18, 1992 with Mr. Emerson Wolfgang, t/d/b/a Wolfgang Hauling and with any other corporation or independent contractor at various times thereafter as the Borough Council of Gordon deem feasible.

Section Three

The word "REFUSE" wherever used in this Ordinance shall refer to solid waste and its component materials ... namely: ashes, garbage and certain rubbish from dwellings of property owners.

Section Four

All refuse accumulated in the Borough of Gordon shall be collected, conveyed and disposed of by the Borough as aforementioned. It shall be unlawful for any person to collect, to convey over any of the streets or roadways of the Borough, or to dispose of any refuse accumulated in the Borough. Provided, however, that this Ordinance shall not prohibit the owner or owners of commercial premises upon which refuse has accumulated, or their agents, from personally collecting, conveying and disposing of such refuse.

All business may make separate arrangements with their agents if so desired. Written notice must be given to Borough Council of these arrangements by said business entities, and proof of said private contract must be provided to Borough Council on the information form which is attached hereto and incorporated herein as part of this Ordinance as follows: "Information Form For Borough of Gordon Refuse Collection Ordinance". (Attachment "A")

Section Five

All individuals, persons and/or corporations within the borough limits of the Borough of Gordon shall pay a fee to the Borough of Gordon for the collection of the aforementioned refuse, garbage, ash and rubbish removal and disposal as inhabitants of the Borough of Gordon according to a payment schedule and regulations as adopted by Borough Council from time to time as the costs of collecting the same warrant. Provided, that if the collection of materials as set forth herein is contracted out by Borough Council, the payment schedule and regulations shall be as set forth in the bid specifications in accordance with the award with said bid specifications to be incorporated herein by reference hereto. All landlords shall pay the collection fee in an amount equal to the sum total of all the apartments in the landlord's building with each apartment in said building counting as one individual residence. In the event a person, partnership, business or corporation fails to comply with this payment schedule then an interest charge of 2% per month as a late charge shall be applied thereto, and a municipal lien shall be filed against said individual or entity as aforementioned at the Schuylkill County Prothonotary's Office for which the delinquent payer shall be responsible to reimburse Borough Council.

Section Six

The Borough Council in addition to making regulations concerning the amount to be paid for the aforementioned collection and disposal shall also, by appropriate resolution, make regulations concerning the collection of refuse, the type and location of waste containers, the manner in which the refuse is to be packaged and such other items pertaining to the collection and disposal of refuse as it may deem advisable. It is further enacted and decreed that no cardboard boxes are to be included as they deteriorate and the contents are no longer contained in the boxes, but rather plastic bags shall be used. It is also enacted that there shall be a five bag or container limit per household with a regular size trash container. Provided, that if Borough Council contracts out for the collection of material as set forth herein, the number of bags or containers shall change and shall be in accordance with the bid specifications of said contract, which bid specifications are incorporated herein by reference.

Section Seven

No deposit of any refuse shall be made in any street or roadway or upon any other space or open ground or in any creek within the limits of the Borough of Gordon, and in any other place within the Borough of Gordon limits and jurisdiction including any private property of citizens of the Borough of Gordon.

Section Eight

In addition to the amounts for the disposal and collection of refuse as aforementioned, any person violating any of the provisions of this Ordinance or the regulations adopted by the Council of Gordon Borough, upon the conviction thereof, shall pay a fine of not less than Three Hundred (\$300.00) Dollars nor more than Five Hundred (\$500.00) Dollars for the use of the Borough together with the costs of prosecution, which fine may be collected under this Ordinance as like fines and penalties are now collected by law. Each day's neglect to comply with this Ordinance or any resolution thereunder shall be deemed as a separate offense and be subject in all respects to the same penalty as the first offense, and separate proceedings shall be instituted and separate penalties imposed for each day's offense.

Section Nine

It is the intention of Council that each separate provision of this Ordinance shall be independent of all provisions, and it is the intention of Council if any of the provisions of this Ordinance be declared invalid, all the other provisions shall remain valid and in force.

Section Ten

All other Ordinances or parts of Ordinances inconsistent herewith be and the same are repealed hereby.

ENACTED AND ORDAINED THIS 16th day of August, 1990.

Signed:

Ellen R. Snyder
Ellen Snyder, Borough President

Witnessed:

Paul L. Snyder
Paul L. Snyder, Borough Secretary
Barbara A. Leim
Barbara A. Leim, Mayor