

ORDINANCE NO. 847- 2023

AN ORDINANCE OF THE TOWNSHIP OF EAST PENNSBORO, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING AND REVISING ORDINANCE NO. 737-2007, CHAPTER 20, EAST PENNSBORO TOWNSHIP MUNICIPAL REFUSE COLLECTION SERVICE ORDINANCE PART 1, AND PROVIDING FOR DEFINITION OF "YARD WASTE" AND VACATING, RESCINDING, AND REMOVING "RUBBISH" AS A TERM DEFINED AND USED THROUGHOUT ORDINANCE, ADDING CLARIFICATION OF ENFORCEMENT BY TOWNSHIP PERSONNEL; PRE-COLLECTION PRACTICES SPECIFYING YARD WASTE COLLECTED CURBSIDE FOR ALL RESIDENTIAL, COMMERCIAL, MUNICIPAL, AND INSTITUTIONAL ESTABLISHMENTS; MANNER OF TRANSPORTING GARBAGE AND REFUSE IN THE TOWNSHIP; FEES AND PENALTIES IMPOSED, AND REPEALING ALL INCONSISTENT ORDINANCES.

BE IT HEREBY ENACTED AND ORDAINED by the Board of Township Commissioners in and for the Township of East Pennsboro, Cumberland County, Pennsylvania, as follows:

SECTION 1. Section 102 [Definitions] Part 1 [Refuse Collection Service] of Chapter 20 [Solid Waste] is hereby amended to include the following definitions in alphabetical order:

REFUSE – All putrescible and non-putrescible solid wastes (except body wastes), including garbage, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

YARD WASTE - Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings.

SECTION 2. Section 102 [Definitions], Part 1 [Refuse Collection Service] of Chapter 20 [Solid Waste] is hereby amended to vacate, rescind, and remove the term "Rubbish" from the definitions under Section 102.

SECTION 3. Paragraphs 2 and 4, Section 105 [Pre-Collection Practices], Part 1 [Refuse Collection Service] of Chapter 20 [Solid Waste] are hereby amended to provide as follows:

§ 20-105 Pre-collection Practices

2. Garbage. Garbage containers shall be equipped with suitable handles and tight fitting covers and shall be watertight and shall have a capacity of not more than 96 gallons Garbage containers and not more than 72 gallons recycling container shall be of a type approved by the Codes Enforcement Officer or his/her designee of the Township and shall be kept in a clean, neat, and sanitary condition at all times.

4. Roadside Collection. Any solid waste materials and/or any recyclable, and Yard Waste materials may not be placed at roadside collection point for all Residential, Commercial, Municipal, and Institutional establishments prior to 7:00 p.m. of the day

preceding a scheduled collection day. Materials must be placed at the roadside collection point no later than 6:00 a.m. on the scheduled collection day.

SECTION 4: Paragraph 1, Section 107 [Fees], Part 1 [Refuse Collection Service] of Chapter 20 [Solid Waste] is hereby amended to provide as follows:

§ 20-107 Fees

1. The fees for collection and disposal of refuse placed for collection at ground level and at the edge of the property line of the street from which collection is made shall be as follows:

- A. For a single-family dwelling, an amount as established from time to time by resolution of the Board of Commissioners for garbage, refuse, and ashes.
- B. For dwellings containing two or more dwelling units, an amount as established from time to time by resolution of the Board of Commissioners for garbage, refuse and ashes, or, if the owner so elects, subject to the approval of the Township, the owner may pay the fees set forth in Subsection 1C.
- C. The fees for depositing household items, appliances and tires at the former sanitary landfill are in an amount as established from time to time, by resolution of the Board of Commissioners.

The fees shall be paid at the Sanitation Department, East Pennsboro Township Community and Municipal Center, 98 South Enola Drive, Enola, Pennsylvania 17052.

- D. For commercial establishments, an amount as established from time to time by resolution of the Board of Commissioners for garbage, refuse, and ashes.
- E. For a trailer in a trailer park, or for a trailer on a separate lot, an amount as established from time to time by resolution of the Board of Commissioners for garbage, refuse, and ashes.
- F. The Township shall have the authority to charge a commercial establishment at the fee provided in Subsection 1B, or a dwelling containing two or more dwelling units or a trailer at the fee provided in Subsection 1C, when, in the judgment of the Board of Commissioners, such treatment is necessary in order to impose a fair charge for the service rendered.

SECTION 5. Section 109 [Manner of Transporting Garbage and Refuse], Part 1 [Refuse Collection Service] of Chapter 20 [Solid Waste] are hereby amended to provide as follows:

§ 20-109 Manner of Transporting Garbage and Refuse.

Any vehicle transporting or carrying trash, ashes, refuse, or garbage over the streets, alleys, and thoroughfares of the Township of East Pennsboro shall be provided with a cover and so operated as to prevent dirt, debris or refuse from being scattered, spilled, dropped or blown therefrom. It shall be unlawful to scatter, spill, dump or drop, or permit to be

scattered, spilled, dumped, or dropped, any dirt, debris, or trash, ashes, or garbage from any vehicle upon the streets, alleys, and thoroughfares in the Township of East Pennsboro.

SECTION 6. Paragraph 1, Section 110 [Penalties, Severability], Part 1 [Refuse Collection Service] of Chapter 20 [Solid Waste] is hereby amended to provide as follows:

§ 20-110 Penalties; Severability.

1. Any person who shall violate any provision of this Part, by citation or complaint issued by Police Officer, Community Service Officer, Code Enforcement, or Health Officer and upon conviction thereof, shall be sentenced to pay 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 shall constitute a separate offense.

SECTION 7. Severability. If any section or provision of this Ordinance is declared by any Court of competent jurisdiction to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect the constitutionality, legality, or validity of this Ordinance as a whole, nor the constitutionality, legality or validity of any other section or provision of this Ordinance other than the ones declared to be unconstitutional, illegal, or invalid.

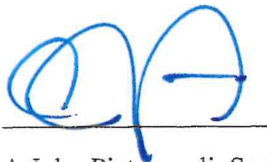
SECTION 8. Repealer. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 9. In all other respects, Chapter 20 [Solid Waste], of the Code of Ordinances of the Township of East Pennsboro shall remain as heretofore enacted, ordained, and amended, which said Chapter, as amended, is hereby re-enacted in its entirety herein.

SECTION 10. This Ordinance shall take effect immediately upon its enactment.


ENACTED AND ORDAINED this 4th day of October, 2023

ATTEST:



A John Pietropaoli, Secretary

TOWNSHIP OF EAST PENNSBORO

By: 
George A. Tyson, President,

Board of Commissioners