

ORDINANCE NO. 2022 - 663

**AN ORDINANCE OF THE BOROUGH OF LEHIGHTON
AMENDING CHAPTER 13 REGARDING VEHICLES AND
TRAFFIC AND ADDING REGULATIONS REGARDING
DUMPSTERS.**

WHEREAS the Borough has a codified Borough Code; and,

WHEREAS Chapter 213 regulates vehicles and traffic within the Borough; and,

WHEREAS Borough Council wishes to amend said Chapter by adding regulations regarding dumpsters.

NOW THEREFORE, be it ordained by the Borough Council of the Borough of Leighton as follows:

Article 10 of Chapter 213 shall be entitled **DUMPSTERS** and the following provisions shall be included:

SECTION 213-81 TEMPORARY OBSTRUCTIONS:

No person shall place or cause to be placed any dumpster or other type of trash receptacle in the right-of-way area of any Borough street, except upon having obtained a dumpster permit to be issued by the Police Department upon the following conditions:

A. Dumpsters may not be placed on a sidewalk unless express permission of the Police Department is given and has been noted on the dumpster permit.

B. Dumpsters shall not extend into the travel portion of any roadway and shall not be placed within 20 feet of an intersection.

C. All dumpsters within the cartway shall be clearly marked with reflectors or reflective tape on all four sides of the dumpster.

D. All dumpsters shall be covered when not in use.

E. At no time will any materials be thrown from any structure to a dumpster unless there is a chute or other device to ensure the safety of pedestrians.

F. At no time will any materials extend above the solid sides of the dumpster.

G. Dumpster permits must be obtained no less than five days before delivery of the dumpster.

H. Dumpster permits must be displayed on the roadway side of the dumpster.

I. A copy of the dumpster permit shall be retained by the property owner or construction company using the dumpster and by the owner of the dumpster during the time the dumpster is within the right-of-way.

J. Permits will be valid for the time period specified on the permit, and in no event shall the timeframe be longer than thirty (30) days.

K. The owner of any dumpster shall not place a dumpster within any right-of-way without having a valid dumpster permit in their possession and affixed to the dumpster.

L. The fee for a dumpster permit shall be \$40.00. The fee may be amended from time to time by Resolution of Borough Council.

M. All applications for a dumpster permit will be accompanied by a sketch showing the location of the dumpster.

N. If immediate removal of a dumpster is required due to an emergency condition (including but not limited to street repairs, water and sewer line breaks, fires, snow emergencies, etc.) removal of the dumpster will be at the expense of the lessee of the dumpster.

SECTION 213-82 SNOW EMERGENCY ROUTES.

A. During a snow emergency the Borough, through the Mayor, Chief of Police, or Code Enforcement Officer, may order the immediate removal of any dumpster within the cartway of any snow emergency route.

B. Costs for removal of the dumpster during a snow emergency will be the responsibility of the lessee of the dumpster.

C. If any additional costs are incurred during a dumpster's removal due to snow being plowed or otherwise placed in close proximity to the dumpsters, these additional costs will be the responsibility of the lessee of the dumpster.

SECTION 213-83 VIOLATIONS AND PENALTIES.

Any person who violates any provision of this chapter shall, upon conviction, be sentenced to pay a fine of \$300.00 and costs.

In all other respects Chapter 213 shall remain in full force and effect.

This Ordinance shall take effect five days after enactment.

DULY ENACTED and ordained this 6th day of June 2022 by Lehighton Borough Council in lawful session duly assembled.


BOROUGH OF LEHIGHTON


GRANT HUNSICKER, President

ATTEST:


BRENDA KREITZ, Secretary

Examined and approved this day of

2022.

CLARK RITTER, Mayor