

ORDINANCE NO. 2234

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN WHICH AMENDS CHAPTER 20, SOLID WASTE, PART 2, RECYCLING AND MUNICIPAL WASTE COLLECTION AND DISPOSAL, ARTICLE C, MUNICIPAL WASTE COLLECTION AND DISPOSAL, § 213, ACCUMULATION AND DISPOSAL OF WASTE, TO CREATE A NEW SUBSECTION 4 THEREIN WHICH WILL REQUIRE NEIGHBORHOOD CONVENIENCE STORES TO INSTALL TRASH RECEPTACLES OUTSIDE OF THEIR STOREFRONTS AND ALSO ESTABLISH REGULATIONS THEREFOR WHICH SET MINIMUM SPECIFICATIONS FOR THE RECEPTACLES, GUIDANCE ON THE PLACEMENT THEREOF, STANDARDS FOR MOUNTING THE RECEPTACLES ON THE SIDEWALK, AND REQUIRE ROUTINE COLLECTION OF REFUSE BY THE BUSINESS OWNER.

NOW, THEREFORE, by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, it is hereby **ENACTED** and **ORDAINED** as follows:

SECTION 1. Chapter 20, Solid Waste, Part 2, Recycling and Municipal Waste Collection and Disposal, Article C, Municipal Waste Collection and Disposal, § 213, Accumulation and Disposal of Waste, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to create a new subsection 4 which shall provide as follows:

§ 213 **Accumulation and Disposal of Waste.**

4. The owner of any Neighborhood Convenience Stores, as defined within § 1400, Definitions, of Part 14, Definitions, of Chapter 27, Zoning, as amended, shall install, and maintain in good order and repair, a trash receptacle outside of its storefront for use by its customers and the general public consistent herewith:
 - A. The receptacle shall be made of durable exterior-grade metal with a black powder-coated or painted finish.
 - B. The receptacle's capacity may range from between 20 to 32 gallons.

- C. The receptacle shall be lined with appropriately sized heavy or multiple-ply polyethylene or ethylene copolymer resin refuse bags which are designed for outdoor storage of refuse.
- D. The receptacle shall be securely mounted on the public sidewalk provided a minimum 3' pedestrian route is not obstructed. If the property is without any viable public sidewalk location for the location of the receptacle based on this restriction, however, then it may be placed at alternate location on the property satisfactory to the Director of Licensing and Inspections.
- E. It shall be the duty of every owner of the property in which a neighborhood convenience store operates and the owner of the business, if different, to empty the receptacle whenever it is full but, at minimum, the contents of the receptacle must be emptied on a daily basis.

SECTION 2. Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any part of the remaining ordinance provisions, sentences, clauses, sections. It is the intent of the Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, had not been included herein.

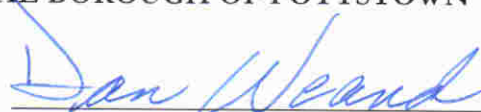
SECTION 3. Reenactment. All other parts of Chapter 20, Solid Waste, of the Pottstown Borough Code of Ordinances, as amended, are hereby re-enacted and reordained and shall remain in effect as previously adopted.

SECTION 4. Effective Date. This ordinance is effective immediately upon enactment.

ENACTED and ORDAINED this 10th day of JUNE, 2024.

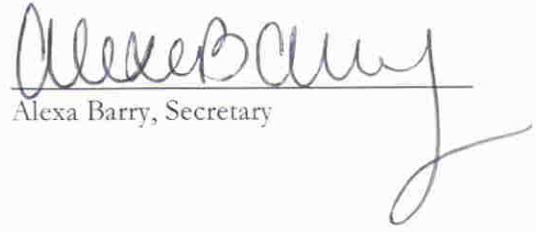
THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN

BY:



Dan Weand, President

ATTEST:


Alexa Barry, Secretary

Approved this 10th day of
June, A.D., 2024.


Stephanie Henrick, Mayor