

ORDINANCE NO. 339

AN ORDINANCE OF THE BOROUGH OF SPRING CITY DEFINING GARBAGE AND REFUSE, ESTABLISHING A CHARGE FOR AND PROVIDING FOR ITS COLLECTION AND DISPOSAL WITH REFERENCE TO RESIDENTIAL PROPERTIES AND COMMERCIAL PROPERTIES, AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATION THEREOF.

BE IT ENACTED by the Borough Council of the Borough of Spring City, County of Chester, State of Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

ARTICLE I

DEFINITIONS

SECTION 1. The word "GARBAGE" shall be considered to mean animal or vegetable refuse from the storage, vending, sale, preparation or use of food stuffs such as meats, fish, fruits or vegetables.

SECTION 2. The word "REFUSE" shall be considered to mean all miscellaneous trash, solid wastes, and waste material and shall include, but is not limited to ashes, tin cans, glass, pottery, papers, boxes, discarded clothing and furnishings, pruning from vines and junk of all kinds resulting from the ordinary conduct of business or house-keeping.

SECTION 3. Residential unit shall mean each dwelling unit in a single-family, twin-family, multi-family dwelling or apartment, providing independent living facilities for one or more persons located in the Borough of Spring City.

SECTION 4. Commercial properties shall include all stores, offices and institutions located in the Borough of Spring City.

## ARTICLE II

### REFUSE AND GARBAGE COLLECTION AND ESTABLISHMENT-OF RATES FOR COLLECTION

#### SECTION 1. Residential Units

Not more than three (3) containers, not exceeding 32 gallons capacity each, or plastic bags shall be provided by the occupant of each residential unit in the Borough of Spring City for collection by the Borough at the rate of Fifteen (\$15.00) Dollars per quarter per residential unit, billable and payable semi-annually. Refuse which is placed in plastic bags shall be securely tied and shall be of sufficient strength to retain the items placed therein. Garbage and refuse shall be placed in containers which shall be made of plastic or metal, shall be water tight and fly tight and shall be provided with handles and closely fitting covers. Covers shall be so constructed that they shall not be blown off by the wind and so that dogs and other animals may not remove them. Garbage or refuse placed in papers bags or cardboard containers are not allowed and shall be collected by Borough authorities, except such paper bags and cardboard containers which are heavy duty and weather resistant and are specifically authorized by the Borough Code Enforcement Officer.

#### SECTION 2. Commercial Properties

Garbage and refuse from commercial properties shall be placed in a weekly maximum of four containers not exceeding 32 gallon capacity each of a quality described in SECTION 1 of ARTICLE III for collection by the Borough at the rate of Twenty (\$20.00) Dollars per



quarter, billable and payable semi-annually. No refuse that is not totally within the container shall be collected, except that paper, boxes, or corrugated paper may be placed in either disposable, non-returnable containers not to exceed 3 feet by 3 feet by 3 feet, or may be folded flat and tied, in any event, not exceeding 50 pounds in weight or 48 inches in any dimension, provided that such refuse shall not be exposed to adverse weather conditions. Garbage and refuse in excess of four 30 gallon containers per week shall be subject to an additional charge based upon cubic feet and garbage and trash involved. The Borough Secretary shall promulgate and publish forms and rules for the charges for and collection fees for garbage and refuse collection in excess of those set forth in this Ordinance, in accordance with the provisions of SECTION 10 hereof.

SECTION 3. Senior citizens occupying residential units shall be exempt from the charge established hereunder upon presentation to the Borough Secretary of proof of their eligibility for the Pennsylvania Property Tax Rebate.

SECTION 4. Churches and fire companies within the Borough of Spring City shall be exempt from the charge established hereunder.

SECTION 5. The only garbage and refuse that may be placed for collection is garbage and refuse generated by residents within the Borough or by commercial properties located within the Borough.

SECTION 6. Garbage and refuse placed for collection shall be placed at the curb or sidewalk not before 4:00 P.M. on the day preceding collection nor after 7:00 A.M. on the collection day. All receptacles for the collection of garbage and refuse shall be removed

the curb of the various streets or alleys adjacent to the property where the refuse is accumulated, unless it shall clearly appear that some other point is more convenient both to the party accumulating the refuse and the collector.

SECTION 7. No garbage or refuse shall be allowed to accumulate outside a container as above set forth, nor be deposited on any street, alley or highway or on any property within the Borough of Spring City, nor shall any garbage or refuse be placed in any storm sewer, inlet or deposited in any man-hole. No garbage or refuse shall be placed in or as part of any compost box or pile.

SECTION 8. All refuse, except clippings from bushes, shrubbery, leaves and grass and tree trimmings, newspapers and wallpaper, shall be placed in closed containers as set forth above.

SECTION 9. Containers for ashes shall be metal with handles, and shall not exceed one bushel capacity. No ashes shall be placed for collection unless they have been out of the heating apparatus for a period in excess of 24 hours. Clippings from thorned bushes shall be tied in bundles or placed in containers. If placed in containers, such containers shall not be returned. Shrubby and tree trimmings shall be tied in bundles and shall not exceed a length of 4 feet. Lawn clippings, fallen fruit and leaves shall be placed in plastic bags and securely tied. Wallpaper shall be placed in containers. These containers will not be returned. All containers with contents or bundles shall weigh less than 75 pounds. Building offal such as brick, slate, stone, and constructions waste matter will not be collected.



SECTION 10. Collection charge for commercial properties, in excess of a weekly maximum of four 30 gallon containers shall be as follows:

1 cubic yard or less	\$10.00 per quarter
2 cubic yards	\$20.00 per quarter
3 cubic yards	\$30.00 per quarter.

SECTION 11. Residential and commercial property owners in the Borough of Spring City may request special refuse or garbage collection at specific rates to be set based upon the volume of the collection and the time involved. There shall be a minimum charge of Five (\$5.00) Dollars for each special pick up.

SECTION 12. All containers used for garbage and refuse collection shall be maintained in good condition and order by the owners thereof. Containers for refuse and garbage containing rusted bottoms or sharp edges will not be picked up for collection.

### ARTICLE III

#### PENALTIES

SECTION 1. Any individual, person, firm, partnership or corporation violating any provisions of this Ordinance shall, upon conviction thereof, before any court of competent jurisdiction, be subject to a fine of not less than Ten (\$10.00) Dollars and not more than Twenty-five (\$25.00) Dollars for each offense, and in default of payment of said fine and costs of prosecution shall be committed to jail for a period not to exceed five (5) days.

SECTION 2. Any bill dated January 1 and not paid by April 1 will have added thereto a penalty of Ten Percent (10%) and any bill dated July 1 and not paid by October 1 will have added thereto a penalty of Ten Percent (10%).

SECTION 3. All delinquent garbage and refuse collection fees with all penalties thereon shall be a lien on the property served and shall be entered as a lien against such property in the proper office of Chester County, Pennsylvania and collected in the manner provided by law for the filing and collection of municipal claims.

ARTICLE IV

EFFECTIVE DATE

SECTION 1. The effective date of this Ordinance shall be April 1, 1987.

ENACTED AND ORDAINED this 2nd day of March, 1987.

Attest:

BOROUGH COUNCIL OF THE  
BOROUGH OF SPRING CITY

Dennis Littleson  
Secretary

Carl S. J. [unclear]  
President

EXAMINED AND APPROVED THIS 2ND DAY OF MARCH, 1987.

Jean B. [unclear]  
Mayor