

FREEPORT BOROUGH ORDINANCE NO. 233

AN ORDINANCE PROVIDING FOR COLLECTION OF GARBAGE, TRASH AND REFUSE, REQUIRING OCCUPANTS OF ALL RESIDENTIAL DWELLING UNITS IN FREEPORT BOROUGH TO USE BOROUGH SERVICE FOR WEEKLY COLLECTION OF GARBAGE, TRASH AND REFUSE, IMPOSING A FEE FOR SUCH SERVICE, PROHIBITING ANY UNAUTHORIZED GARBAGE COLLECTOR, PROVIDING FOR THE IMPOSITION OF REAL ESTATE LIENS FOR NON-PAYMENT OF COLLECTION FEE AND PROVIDING PENALTIES FOR VIOLATIONS

BE IT ORDAINED AND ENACTED by the Borough of Freeport and it is hereby ordained and enacted by authority of the same.

SECTION I - DEFINITIONS:

For the purpose of this Ordinance, the following words, terms and phrases are hereby defined:

Garbage: All residential trash and refuse which may be easily inserted into a garbage can and be covered in said garbage can, as defined herein, except liquids and sewage, human or animal waste, soil, earth, sand, gravel, stone or any other similar bulk matter, explosives or hazardous material.

Garbage Can: A metallic container for the storage of garbage, as defined above, with a capacity of not less than ten gallons nor more than thirty gallons, provided with two handles on the side of the can and opposite of each other and further provided with a tightly fitting lid with the same metallic material. Said garbage can will be watertight, airtight and will be kept in such repair at all times.

Apartment: Each division of any building house or building that is occupied by different families or family units or tenants as a separate dwelling unit.

Dwelling Unit: Any building or division of such building or apartment in such building which is used for human habitation.

SECTION II:

The Borough will cause to be collected at least once a week from each dwelling unit garbage, as defined herein, to be disposed of at a reasonable and sanitary site. No commercial garbage collectors may collect garbage in the Borough unless authorized and directed by Council.

SECTION III:

Occupants of each dwelling unit will use the Borough garbage collection service and will place their garbage in a garbage can, as defined herein, which has been kept clean and sanitary. All organic material and any other material which may be subject to fast decay will be carefully wrapped in paper. No materials excluded in the definition of garbage in Section I of this Ordinance will be included as garbage. Each dwelling unit will have a sufficient number of garbage cans for all garbage. On the day appointed for the collection, the occupants of each dwelling unit will cause their garbage cans be placed at the location designated by the Borough officials, which location will be as close as practicable to the dwelling unit on the public thoroughfare. Where the property serviced by the Borough abuts both on a street and on an alley, the alley will be the preferred thoroughfare for the collection route.

SECTION IV:

Occupants of all dwelling units in the Borough will pay for the collection of garbage, at the rate of \$1.50 per month, payable quarterly. All bills not paid on the 15th day or earlier of the months of April, July, October and January, will be subject to a penalty of 10%. Bills will be paid to such official, employee or agent of the Borough as may be designated by Council from time to time. All bills which remain unpaid may be collected by the Borough as a debt in an action of assumpsit. In addition, the Borough may impose a Municipal Lien upon the real estate upon which the dwelling unit is located for the unpaid garbage bill, plus penalty, interest and costs.

SECTION V:

All restaurants, boarding houses, hotels, stores, beach houses or other commercial establishments, shall have their garbage collected as authorized

by the Borough at rates which will be imposed by Council in an equitable manner.

SECTION VI:

No occupant, tenant, user or owner of any premises, shall cause or permit the accumulation of any garbage, trash or refuse on the premises, whether inside or outside, and any such accumulation is hereby declared to be a nuisance, which nuisance may be abated by the Borough officials according to law. Any garbage, trash or refuse not enclosed in a garbage can, as defined herein, shall be deemed to be an accumulation in violation of this section.

SECTION VII:

No person will place, scatter, drop or throw any garbage, trash or refuse on any of the public streets, ways, alleys, walks or other public property except which is contained in the garbage can, as defined in this Ordinance, at the designated collection location.

SECTION VIII:

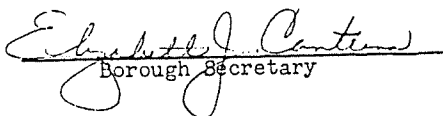
Any person who violates any of the provisions of this Ordinance, shall, upon conviction, be guilty of a summary offense and be subject to a penalty of a fine not to exceed \$300.00 and confinement in the County Jail, not to exceed thirty (30) days.

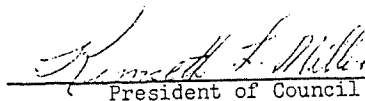
SECTION IX:

Ordinance No. 98, enacted the 3rd day of June, 1946; Ordinance No. 109, enacted the 2nd day of February, 1948; Ordinance No. 183, enacted the 13th day of May, 1964, are hereby repealed. All other ordinances or parts of ordinances, inconsistent herewith, are hereby repealed.

DONE, ORDAINED AND ENACTED, at a meeting of the Town Council of the Borough of Freeport, this 12th day of January, 1972.

Attest:

  
Borough Secretary

  
President of Council