

CITY OF SHAMOKIN
BILL 08-04
AMENDING ORDINANCE NO. 288 (1983)
Under Codification Chapter 76A Municipal Waste Management

ORDINANCE 288 (1983) IS HEREWITH AMENDED TO READ AS FOLLOWS:

BE IT ORDAINED AND IT IS HEREBY ORDAINED THAT CHAPTER 76A, SECTION 76A-2 AND ARTICLE II are hereby amended by the following and that all other provisions remain the same:

§76A-2. Definition. [Amended 3-12-1990]

The following words and phrases when used in this ordinance shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

All definitions under §76A-2 remain with the addition or correction of:

COLLECTOR/HAULER – A person licensed by the municipality to collect, transport and dispose of municipal waste.

SELF-HAULER – A person who collects, transports and disposes of their own municipal waste on their own premises.

EXTERIOR PROPERTY – The open space on the premises and on adjoining property under the control of owners or operators of such premises.

OWNER – Any person, agent, operator, firm or corporation having a legal or equitable interest in real estate in the City of Shamokin or otherwise having control of the property including the guardian of an estate of such person and the executor or administrator of the estate of such person.

RECYCLABLES – Material having an economic value in the secondary materials market. The following materials have such economic value: aluminum cans and articles, bimetals cans, steel cans, glass container (clear, green, and brown), corrugated paper (cardboard and paper bags), magazines, computer printout paper, office paper, newspaper, paper not chemically coated, leaf waste, and plastics.

TENANT – A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

YARD – An open space on the same lot with a structure.

§ 76A-6 Preparation and storage.

- C. Municipal waste to be collected on a door-to-door basis shall be prepared for such collection in the following manner:
 - (2) Repealed
 - (3) Repealed

ARTICLE II. COLLECTION OF MUNICIPAL SOLID WASTE

§76A-15. Accumulation of Municipal Waste

- A. Prohibited – All exterior property and premises and the interior of every structure shall be free from any accumulation of Municipal Waste.

§76A-16. Storage of Municipal Waste

The owner of any premises shall provide at all times approved leakproof containers with close-fitting covers for the storage of municipal waste when being stored on exterior property until such time as the municipal waste is removed from the premises for disposal.

§76A-17. Removal by Licensed Haulers & Self-Haulers

- A. Every owner in the City of Shamokin shall contract with an individual, entity or firm which is a licensed hauler by the Commonwealth of Pennsylvania to have all the municipal waste generated on the premises by any of the occupants of the premises removed and deposited in a permitted landfill on a weekly basis or more often.
- B. Self-Hauler – All individuals wishing to self-haul or transport their municipal waste on the premises of said individual shall be removed and deposited in a permitted landfill on a weekly basis or more often.

§76A-18. Proof of Contract Required & Self-Haulers Proof

- A. Whenever requested by the City of Shamokin, the owner of any real estate within the City of Shamokin shall present proof adequate in the judgment of the City of Shamokin designee that the owner of said real estate has a current contract with a licensed collector/hauler to dispose of municipal waste generated on the premises on a weekly basis or more often. The owner of the premises shall have 72 hours to provide proof to the City of Shamokin designee that he/she has a current

contract with a licensed collector/hauler to provide sufficient service to satisfy the terms and conditions of this article.

- B. All self-haulers shall present proof of municipal waste disposal, in the form of weigh slips or receipts indicating the times and dates in which municipal waste generated on the premises has been disposed from the premises on a weekly basis or more often at a permitted landfill, adequate in the judgment of the City of Shamokin designee to satisfy the terms and conditions of this article.

§76A-19. Duties of Collectors/Haulers

Any collector/hauler picking up municipal waste in the City of Shamokin, shall be required to advise the City of Shamokin in writing within 72 hours after request from the City of Shamokin as to whether an owner has a current contract for municipal waste disposal from his/her premises within the City of Shamokin. Furthermore, all licensed collectors/haulers shall cooperate with the City of Shamokin designee in providing information in the event that an action is instituted to enforce the terms and conditions of this article.

§76A-20. Violations and Penalties under Article II

Any person who shall violate the terms and conditions of Article II shall, upon conviction thereof, be subject to a fine of not more than three hundred dollars (\$300.) and/or imprisonment for a term not to exceed ninety (90) days, or both. Each day that the violation continues after notice of the violation has been served shall be deemed to be a separate offense.

PASSED this 14th day of July 2008.

BY: _____
Ronald Bradley, Mayor

ATTEST:

David Bohanick, City Clerk