

GARBAGE, RUBBISH AND REFUSE

Chapter 103

GARBAGE, RUBBISH AND REFUSE

ARTICLE I

Preparation for Collection

- § 103-1. Definitions.
- § 103-2. Precollection practices.
- § 103-3. Refuse containers.
- § 103-4. Storage of refuse.
- § 103-5. Violations and penalties.

ARTICLE II

Collection Regulations

- § 103-6. Definitions.
- § 103-7. Use of borough service required.
- § 103-8. Unauthorized placement of refuse.
- § 103-9. Fees.
- § 103-10. Collection of charges.
- § 103-11. Exoneration from charges.
- § 103-12. Enforcement.
- § 103-13. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Saint Clair: Art. I, 4-1-68 as Ord. No. 229, approved 4-1-68; Art. II, 2-2-81 as Ord. No. 276, approved 2-2-81. Sections 103-5 and 103-13 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Outdoor fires — See Ch. 94.

ARTICLE I

Preparation for Collection

[Adopted 4-1-68 as Ord. No. 229, approved 4-1-68]

§ 103-1. Definitions.

The following words and terms, as used in this Article shall have the meanings hereby ascribed thereto, unless the context clearly indicates a different meaning:

ASHES — The residue from the burning of wood, coal, coke and other combustible materials for the purposes of heating and cooking.

GARBAGE — All table refuse, animal and vegetable matter, offal from meat, fish and fowl, vegetables and fruits and parts thereof and other articles and materials ordinarily used for food and which have become unfit for such use or which are for any reason discarded.

PERSON — A natural person, firm, copartnership, association or corporation.

REFUSE — Garbage, ashes and rubbish as herein defined.

RUBBISH — All waste materials not included in the definitions of "garbage" and "ashes."

§ 103-2. Pre-collection practices.

- A. Garbage, ashes and rubbish shall each be placed and maintained in separate containers.
- B. All garbage, before being placed in garbage cans for collection, shall have drained from it all free liquids and may be wrapped in paper.
- C. All rubbish shall be drained of liquid before being deposited for collection.

§ 103-3. Refuse containers.

- A. Garbage receptacles shall be made of metal or plastic and be provided with a tight-fitting cover.
- B. All garbage receptacles shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleansed by the owner after garbage is removed by the collector.
- C. Ash receptacles shall be of metal or plastic which can be handled by one (1) man but need not be provided with a cover.
- D. Rubbish receptacles shall be of a suitable kind which can be handled by one (1) man.

§ 103-4. Storage of refuse.

- A. No person shall place any refuse in any street, alley or other public place or upon any private property, whether owned by such person or not, within the borough, except if it is in proper receptacles for collection or under an express approval granted by the Borough Council. No person shall throw or deposit any refuse in any stream or other body of water.
- B. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within thirty (30) days after the effective date of this Article shall be deemed a violation of this Article.
- C. It shall be unlawful for any person, other than the occupants of the premises on which refuse receptacles are stored or the collector, to remove the covers or any of the contents of refuse receptacles.

§ 103-5. Violations and penalties.¹

Any person, whether as principal, agent or employee, who shall violate any of the provisions of this Article shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred

¹ Editor's Note: Amended at time of adoption of Code; see Ch. I, General Provisions, Art. I.

dollars (\$300.) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days. Each day's violation of any of the provisions of this Article shall constitute a separate offense.

ARTICLE II

Collection Regulations

[Adopted 2-2-81 as Ord. No. 276, approved 2-2-81]

§ 103-6. Definitions.

The following words and terms, as used in this Article shall have the meanings hereby ascribed thereto, unless the context clearly indicates a different meaning:

ASHES — The residue from the burning of wood, coal, coke and other combustible materials for the purposes of heating and cooking.

GARBAGE — All table refuse, animal and vegetable matter, offal from meat, fish and fowl, vegetables and fruits and parts thereof and other articles and materials ordinarily used for food and which have become unfit for such use or which are for any reason discarded.

PERSON — A natural person, firm, copartnership, association or corporation.

REFUSE — Garbage, ashes and rubbish as herein defined.

RUBBISH — All waste materials not included in the definitions of "garbage" and "ashes."

§ 103-7. Use of borough service required.

Garbage collection service is provided by the Borough of Saint Clair, and it shall be mandatory for all occupants or persons in possession, charge or control of places and premises in the borough in or from which refuse is created, accumulated or produced to use the borough's collection service.

§ 103-8. Unauthorized placement of refuse.

It shall be unlawful for any person to place or deposit for collection any refuse not produced at the address from which collection is made or to bring any refuse into the borough or to transfer any refuse from one address to another in the borough for the purpose of taking advantage of the borough's collection service. It shall also be unlawful for any resident to place or deposit refuse for residential collection service which refuse was produced by any professional or business enterprise engaged in by the resident.

§ 103-9. Fees. [Amended 1-10-83 by Ord. No. 287, approved 1-30-83; 2-4-85 by Ord. No. 299, approved 2-6-85]

Fees for the collection and disposal of refuse shall be paid by the actual occupant of the premises as follows:

- A. The charge for residential properties is hereby established at thirty dollars (\$30.) per year and shall be billed by the borough at the rate of two dollars and fifty cents (\$2.50) per month.
- B. The charges for commercial properties shall be fixed by the Borough Council and shall be subject to change as the volume of refuse collected or collection costs vary. In no case shall they be less than the fees for residential properties.

§ 103-10. Collection of charges.

- A. All accounts shall be considered delinquent if not paid within thirty (30) days from the date when the bill for service is rendered. All delinquent accounts are subject to discontinuance of service without notice. Service shall be resumed thereafter only on payment of the accumulated fees for the period of collection plus a penalty of ten percent (10%). The stoppage of service hereinbefore authorized for nonpayment of collection fees shall be in addition to the right of the borough to provide for the collection of such unpaid fees in the manner provided by law either by an action in assumpsit or the filing of a municipal claim.

- B. The Borough Council shall from time to time adopt and promulgate rules and regulations setting forth the terms, conditions and administrative procedures for the levying and collecting of the charges established herein.

§ 103-11. Exoneration from charges.

Any residential property or commercial place of business which is totally unoccupied and which generates no refuse for an entire quarter shall be exonerated from the charges or fees herein levied.

§ 103-12. Enforcement.

The Borough Council shall have the right to appoint the individuals responsible for the fulfillment of this Article and the right to promulgate such rules and regulations for the necessary and proper execution of this Article.

§ 103-13. Violations and penalties.²

Any person who shall violate any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.) and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days. Each day's violation of any of the provisions of this Article shall be considered a separate offense.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.