

ORDINANCE NO. 303-2025

**BOROUGH OF PORT CARBON**

**AN ORDINANCE AMENDING CHAPTER 203 ENTITLED "SOLID WASTE" CHAPTER 203, ARTICLE I ENTITLED "COLLECTION AND DISPOSAL FOR PURPOSES OF CHANGING AND AMENDING COLLECTION OF FEES, PENALTIES, EXONERATIONS AND PROHIBITING IMPORTATION OF SOLID WASTE WITHIN THE BOROUGH LIMITS, OF THE BOROUGH OF PORT CARBON, COUNTY OF SCHUYLKILL, COMMONWEALTH OF PENNSYLVANIA.**

**WHEREAS**, Chapter 25B, Section 2 of the Pennsylvania Borough Code gives Council the authority to prohibit accumulations of municipal waste upon public and private property, including the imposition and collection of reasonable fees and charges for the collection, removal and disposal of municipal waste; and,

**WHEREAS**, Chapter 25B, Section 6-1 titled "Rates and charges." of the Pennsylvania Borough Code gives Council the authority to establish, alter, charge and collect rates and other charges for the collection, removal and disposal of municipal waste and recyclable materials; and,

**WHEREAS**, the 14th Amendment to the U.S. Constitution, Section 1 states that no State shall Make or enforce any law which shall deny to any person within its jurisdiction the equal protection of the laws.

**WHEREAS**, Port Carbon Borough Council by and through recodification enacted Chapter 203 entitled Solid Waste and further enacted Article I entitled Collection and Disposal governing the collection, disposal, fees, and penalties governing sanitation collection within the Borough of Port Carbon; and,

**NOW THEREFORE BE IT ORDAINED AND ENACTED**, that Chapter 203, Article I of the Port Carbon Borough Code shall be amended as follows:

1. Chapter 203-7 A and B Entitled Fees and Penalties shall be amended to read as follows:

**§203-7. Fees and Penalties.**

A. Dwellings and dwelling units. The fees for collection and disposal of garbage, refuse and ashes from dwellings or dwelling units shall be as set from time to time by resolution of the Borough Council. The Borough may designate an agent to act on its behalf in the collection and accounting of fees. All accounts shall be paid quarterly and shall be considered delinquent if not paid for the periods as follows:

1. January through March - March 31st
2. April through June - June 30th
3. July through September - September 30th
4. October through December - December 31st

All such delinquent accounts may be subject to stoppage of service without notice. Upon stoppage, service will be resumed thereafter only on payment of accumulated fees for the period of collection and non collection plus a penalty as set from time to time by resolution by Borough Council together with the interest as provided by law, filing fees of lawsuit, and any other charge or penalty allowed by the Borough Code. The stoppage of service herein provided shall be in addition to the right of the Borough to proceed for collection of such unpaid fees by action in assumpsit, by municipal lien or, at the election of the Borough, in any other manner provided by law for the collection of municipal claim. The payment of fees as herein provided shall be the responsibility of the owner of the dwelling or dwelling unit and, in the event of a transfer of ownership or unsettled charges, shall become the responsibility of the new owner.

B. Exonerations.

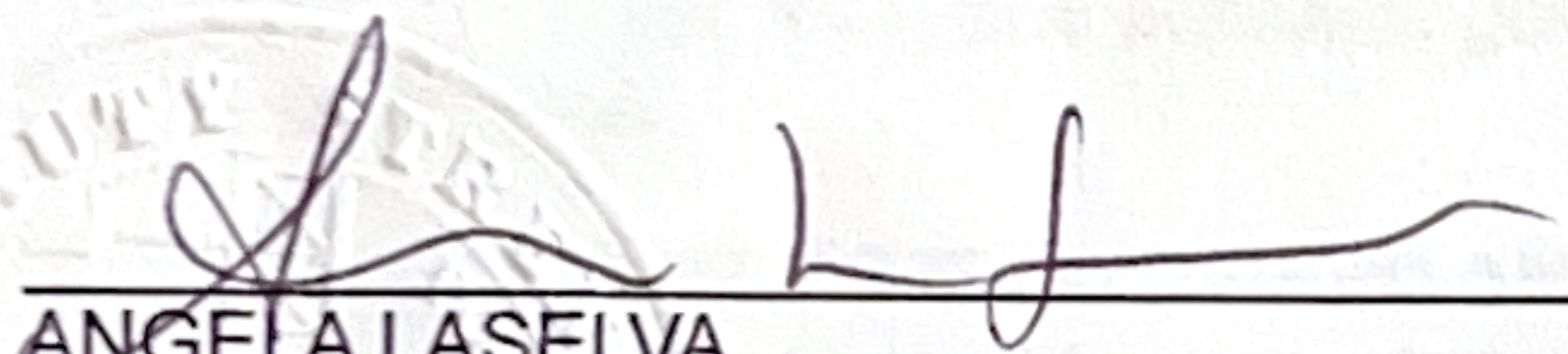
Ordinance No. 1-2011, section 203-7(B) of the Port Carbon Borough Code titled "Exonerations" is hereby repealed and revoked.

ADOPTED this 16 day of December, 2025.

PORT CARBON BOROUGH

ATTEST:



  
ANGELA LASELVA  
Borough Secretary  
(Seal)

BY:   
SCOTT KRATER, Council President

APPROVED on the date above written.

  
HAROLD HERNDON, Mayor