

## **Chapter 203**

### **SOLID WASTE**

**[HISTORY: Adopted by the Borough Council of the Borough of Port Carbon as indicated in article histories. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Vector control — See Ch. 219.



ARTICLE I  
**Collection and Disposal**  
**[Adopted 12-30-1980 by Ord. No. 298-1980]**

**§ 203-1. Definitions.**

As used in this article, the following terms, phrases or words shall have the following meanings:

ASHES — Residue from fires used for cooking and for heating buildings.

BOROUGH COLLECTOR — That individual, partnership, firm, corporation or business entity designated by the Borough Council by means of an independent contract as the person having the exclusive right to collect refuse within the Borough, but shall not be construed as meaning that said person is an employee, official or representative of the Borough of Port Carbon.

DWELLING — A building used for residential purposes.

DWELLING UNIT — One or more rooms in a dwelling, which room or rooms have fixed cooking facilities, arranged for occupancy by one person, two or more persons living together, or one family.

GARBAGE — Wastes resulting from the handling, preparation, cooking and consumption of food.

REFUSE — Combustible trash, including, but not limited to, paper, cartons, boxes, wood, yard trimmings, noncombustible trash, including, but not limited to, metals, tin cans, small quantities of glass, crockery, other mineral waste, and street rubbish, including, but not limited to, street sweepings, dirt, leaves, catch-basin dirt, contents of litter receptacles. The term "refuse" shall not include building materials, plaster, brick, rock, stones, concrete, furniture or waste of a manufactured product.

**§ 203-2. Uncovered garbage.**

It shall be unlawful to place or permit to remain anywhere in the Borough any garbage or other material subject to decay other than leaves or grass, excepting in a tightly covered container.

**§ 203-3. Wind-blown refuse.**

It shall be unlawful to cause or permit to accumulate any dust, ashes or trash of such a material that it can be blown away by the wind anywhere in the Borough, unless such material is covered.

**§ 203-4. Deposits on streets.**

It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public street or alley in the Borough, provided that this section shall not be construed to prohibit placing garbage, refuse or ashes in a container complying with the provisions of this article preparatory to having such material collected and disposed of in the manner provided herein.

**§ 203-5. Authorization of collectors.**

- A. It shall be unlawful for any person other than such persons as are duly authorized by the Borough to collect and haul garbage, refuse and ashes within or from the Borough. Collection shall be made at least once each week.
- B. The Borough Council shall, by its own resolution, designate one person as the Borough Collector for the ensuing fiscal year. Said Borough Collector shall have the exclusive right and obligation to collect and haul refuse within the Borough.

**§ 203-6. Containers.**

All garbage, refuse and ashes for collection by the Borough shall be placed in metal or plastic containers equipped with a cover and equipped with handles so that they may be lifted and carried by one man. No such containers shall have a capacity so as to weigh more than 60 pounds. Residents shall supply said metal or plastic containers and shall place same at curbside on collection days.

**§ 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 semiannually and shall be considered delinquent if the first half is not paid by the 30th day of June and the second half is not paid by the 31st day of December of each year, and all such delinquent accounts shall be subject to stoppage of service without notice. Upon stoppage, service will be resumed thereafter only on payment of the accumulated fees for the period of collection and the period of noncollection plus a penalty per dwelling unit as set from time to time by resolution of Borough Council, together with maximum interest thereon 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 a 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. **[Amended 4-8-2008 by Ord. No. 1-2008]**
- B. Exonerations. Any dwelling or dwelling unit which is totally unoccupied or which generates no refuse for an entire semiannual or six-month billing period shall be exonerated from the fees herein provided. Such exoneration shall be made only after the owner has filed an affidavit certifying such vacancy. No such exoneration shall be made on the basis of vacancies of less than an entire six months' billing period. **[Amended 12-27-1988 by Ord. No. 6-1988]**
- C. Nondwellings and nondwelling units. Fees for collection from other than dwelling and dwelling units shall be fixed by mutual agreement of the owners of said nondwellings and nondwelling units and may be paid to the person making such collection.

**§ 203-8. Violations and penalties. [Amended 4-8-2008 by Ord. No. 1-2008]**

Any person violating any of the provisions of this article shall, upon conviction, be punishable as set forth in Chapter 1, General Provisions, Article I, General Penalty, of this Code.

