

TOWNSHIP OF LIBERTY

SUSQUEHANNA COUNTY, PENNSYLVANIA

ORDINANCE No. 9

AN ORDINANCE PROHIBITING THE ACCUMULATION ~~AND BURNING~~ BURYING OF GARBAGE AND OTHER REFUSE MATERIAL UPON PROPERTY IN THE TOWNSHIP OF LIBERTY, EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE REGARDING THE CARE OF ASHES, GARBAGE, RUBBISH AND OTHER REFUSE MATERIALS AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

WHEREAS, it is the purpose and intention of this Ordinance enacted under the power of the Township of Liberty Supervisors, Susquehanna County, Pennsylvania, to regulate and control the collection, removal and disposal of garbage, ashes, rubbish and other refuse materials in a compulsory and uniform manner in order to maintain, provide for and protect the health, safety and sanitation of the inhabitants of this township.

NOW, THEREFORE, be it enacted and ordained by the Board of Supervisors, of the Township of Liberty, Susquehanna County, Pennsylvania, as follows:

Section 1 - Definitions. The following words, terms and phrases when used in this Ordinance shall have the meaning hereinafter ascribed to them, except when the context clearly indicates a different meaning:

"Refuse" - is a general term and shall mean all matter and materials which are discarded or rejected by the owners or producers thereof as offensive or useless, or which by their presence or accumulation may injuriously affect the health, comfort and safety of the community; it shall include ashes, garbage, rubbish and other refuse materials, but exclude human waste and hazardous waste.

"Ashes" - Shall mean the residue from the burning of wood, coal, coke, or other combustible materials.

"Garbage" - Shall mean all table refuse, animal and vegetable matters, offal from meat, fish and fowl, fruits, vegetables and parts thereof, and other articles and materials ordinarily used for food which have become unfit for such use or which are for any reason discarded.

"Rubbish" - Shall mean leaves, branches, trees, sawdust, chips, shavings, wood, woodenware, paper, printed matters, boxes, leather, rages, grass, straw, manure, and all solid combustible matter not included in this section under the term "garbage."

"Residual Waste" - any garbage, refuse, other other discarded material or other waste including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, mining and agricultural operations.

"Hazardous Waste" - Shall mean all flammables, toxics, poisons, reactives, corrosives, and nuclear waste materials, which because of its quantity, concentration or physical, chemical or infectious characteristics may:

(1) Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population or;

(2) Pose a substantial present or potential hazard to human or animal health or the environment when improperly treated, stored, transported, dispose of or otherwise managed.

"Hauler" - any person, firm, partnership, association or corporation who transports refuse for a fee herein prescribed.

"Person" - Shall mean every natural person, firm, corporation, partnership, association or institution.

SECTION 2 - General - It shall be unlawful for any person to accumulate, deposit, dump, spill, throw, place or bury or permit another to accumulate, deposit, dump, spill, throw, place, or bury in or upon any parcel of land, lot, street, highway, gutter, or in any alley or in any water or stream, or in any quarry or ditch within the limits of the Township of Liberty, any ashes, garbage, hazardous waste, rubbish, and other refuse materials; provided, however that this prohibition shall not apply in the following situations:

(a) Refuse disposed of on premises owned or leased by the producer of the refuse, provided it is done in a safe, sanitary and nuisance-free manner and in compliance with applicable ordinances, state and federal laws and regulations thereunder,

(b) Manure, fertilizer and refuse used as fertilizer in farming or gardening,

(c) Dead household pets, domestic farm animals or parts thereof interred on the owner's premises,

(d) Soil, earth, sand, clay, gravel, loam, ashes, slate, stones, bricks, plaster, cement, leaves, branches, trees, sawdust, chips, shavings, wood, grass, straw, and corn fodder when used as fill provided it is done in a safe, sanitary and nuisance-free manner.

SECTION 3 - Prohibited Substances - The following shall not be disposed of within the confines of Liberty Township:

(a) "Hazardous wastes" as defined herein;

(b) "Residual wastes" as defined herein;

(c) Clothing, wearing apparel, bedding, or other refuse from homes or other places where highly infectious or contagious

diseases have prevailed.

SECTION 4 - Agreements - All agreements for the removal and collection of rubbish, garbage, or refuse, shall be by private contract between resident or commercial establishment for the purpose of collecting, removing, hauling, and disposing of such rubbish, garbage, refuse material.

SECTION 5 - Requirements of Haulers - Trucks or other vehicles used for the transportation of garbage, rubbish, and refuse material, shall be of the type that will not permit refuse to be scattered, watertight with enclosed cargo space.

SECTION 6 - Penalty - Any person or any officer of any firm or corporation violating any of the provisions of this ordinance, shall upon conviction thereof before a District Magistrate or Justice of the Peace of Susquehanna County, be sentenced to pay a fine of not less than \$100.00 and not more than \$300.00 per violation together with costs of prosecution or imprisonment in the Susquehanna County Jail for a period of not more than 30 days. Any person or any officer of any firm or corporation shall upon conviction be liable for all cost associated with the restoration of the area to the same environmental state that prevailed prior to the violation.

SECTION 7 - All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 8 - Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

ORDAINED AND ENACTED THIS 1st day of December,

1982.

TOWNSHIP OF LIBERTY

By Carl Reese
Supervisor

By William J. Bayne Jr
Supervisor

By _____
Supervisor

ATTEST:

Margie Hils
Secretary