

**TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 215

AN ORDINANCE

**OF THE BOARD OF SUPERVISORS OF WASHINGTON
TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA,
ESTABLISHING AN ORDINANCE RELATING TO SANITATION
AND PROMOTION OF PUBLIC HEALTH AND SAFETY BY
PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL
WASTE COLLECTION ORDINANCE.**

WHEREAS, the Pennsylvania Department of Environmental Protection is requiring the Township to adopt a municipal waste collection ordinance to provide for the health safety and welfare of the Township residents; and

WHEREAS, on June 1, 1992, Washington Township adopted Ordinance 125, which required Township residents and businesses to recycle certain municipal wastes; and

WHEREAS, on August 15, 2005, Washington Township adopted Ordinance 187, which established a curbside leaf and brush recycling program; and

WHEREAS, in order for Washington Township to be in compliance with DEP policies and grant requirements, the Township agrees to adopt the following municipal waste collection ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of this Township as follows:

SECTION 1. DEFINITIONS

Definitions as used herein shall have the meanings as set forth below:

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

LICENSED HAULER – Any owner of a waste transportation vehicle licensed under Pennsylvania Act 90, or by Washington Township.

MUNICIPAL WASTE – Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid, or contained gaseous material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities; and sludge not meeting the definition of residual or hazardous waste under this section from a municipal, commercial

or institutional water supply treatment plant, waste water treatment plant or air pollution control facility.

ORDINANCE 125 - Washington Township Municipal Recycling Ordinance.

ORDINANCE 187 - Washington Township Curbside Leaf and Brush Recycling Ordinance.

OWNER – Any person, agent, operator, firm or corporation having a legal or equitable interest in real estate in Washington Township 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.

PERSON – An individual, corporation, partnership or other group acting as a unit.

PREMISES – A lot, plot or parcel of land, including any structures thereon.

RECYCLING CENTER – The Washington Township Recycling Center located at 12725 Buchanan Trail East, Waynesboro, PA 17268.

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

TRANSFER STATION – The Washington Township Transfer Station located at 12721 Buchanan Trail East, Waynesboro, PA 17268.

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

SECTION 2. PROHIBITION OF THE ACCUMULATION OF MUNICIPAL WASTE

All exterior property and premises and the interior of every structure shall be free from any accumulation of municipal waste.

SECTION 3. METHOD OF DISPOSAL OF MUNICIPAL WASTE

The occupants of a structure shall dispose of all municipal waste in a clean and sanitary manner by placing such municipal waste in approved containers provided by the haulers or disposing of the municipal waste at the Transfer Station or Recycling Center.

SECTION 4. CONTAINERS REQUIRED FOR MUNICIPAL WASTE

The owner of every dwelling shall supply approved leak proof, covered, outside garbage containers for multi-family buildings of sufficient number so that all garbage and refuse of all of the occupants of the premises can dispose of their municipal waste in a

garbage container and so that no municipal waste is stored by any occupant of the premises outside of a garbage container at any time, or utilize the container provided by the hauler. Nothing in this section shall prohibit individual property owners or renters from using plastic garbage bags to dispose of the municipal waste at the Transfer Station and/or Recycling Center.

SECTION 5. STORAGE OF MUNICIPAL WASTE

The owner of any premises with outside storage of municipal waste shall provide at all times approved leak proof containers with close-fitting covers for the storage of municipal waste until such time as the municipal waste is removed from the premises for disposal.

SECTION 6. REMOVAL BY LICENSED HAULERS OR DISPOSAL OF WASTE DIRECTLY AT THE TRANSFER STATION

Every owner in Washington Township shall contract with an individual, entity or firm which is a licensed hauler by the Commonwealth of Pennsylvania or Washington Township 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, or dispose of their municipal waste at the Transfer Station and/or Recycling Center.

SECTION 7. PROOF CONTRACT REQUIRED

Whenever requested by Washington Township, the owner of any real estate within Washington Township shall present proof adequate in the judgment of the Washington Township designee that the owner of said real estate has a current contract with a licensed hauler to dispose of municipal waste generated on the premises on a weekly basis or more often or a receipt from the Transfer Station. The owner of the premises shall have 72 hours to provide proof to the Washington Township designee that he has a current contract with a licensed hauler to provide sufficient service to satisfy the terms and conditions of this article or provide a receipt from the Transfer Station.

SECTION 8. DUTIES OF HAULERS

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

SECTION 9. COMPOST PILES

Notwithstanding the terms of this article, compost piles kept by occupants or tenants of a structure for the purpose of composting material generated on that property only, shall not violate the terms and conditions of this article, provided that the materials in the compost piles do not generate any offensive odors and provided further that said

compost piles are secure so that animals do not spread the materials from the compost piles around the premises.

SECTION 10. ESTABLISHMENT OF RULES AND REGULATIONS

The Board of Supervisors is hereby authorized to adopt by resolution, rules and regulations from time to time to administer this ordinance as they deem necessary.

SECTION 11. VIOLATIONS AND PENALTIES

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

SECTION 12. CONFLICTS OF ORDINANCE 125 AND ORDINANCE 187

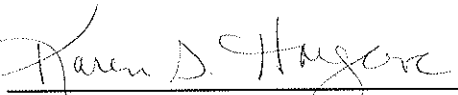
Where this ordinance conflicts with Ordinance 125 or Ordinance 187, Ordinance 125 and Ordinance 187 shall take precedence over this ordinance.

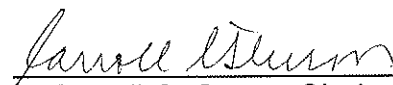
SECTION 13. This ordinance shall take effect five (5) days after its enactment.

DULY ENACTED AND ORDAINED this 21st day of July 2008, by the Board of Supervisors of Washington Township, Franklin County, Pennsylvania, in lawful session duly assembled.

**WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

BY 
Karen S. Hargrave, Secretary

BY 
Carroll C. Sturm, Chairman

I, Karen S. Hargrave, Secretary of the Board of Supervisors, Washington Township, Franklin County, Pennsylvania, do certify that the foregoing is a true and correct copy of an ordinance adopted at a regular meeting of the Washington Township Supervisors held July 21, 2008, in a regular session duly assembled.

