

ORDINANCE NUMBER 120197

AN ORDINANCE OF THE BOROUGH OF WEST MAYFIELD, BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING A LICENSED SOLID WASTE COLLECTOR WITHIN THE BOROUGH OF WEST MAYFIELD; ESTABLISHING DUTIES UPON SUCH COLLECTOR AND UPON RECIPIENTS OF HIS SERVICES.

The Borough of West Mayfield, by and through the Council of said Borough of West Mayfield, Beaver County, Pennsylvania, does hereby enact and establish the following Ordinance:

1) DEFINITIONS: The following words and terms, as used in this Ordinance, shall have the meanings ascribed to them in this section except in those instances where there context clearly indicates a different meaning.

CONTAINER - a receptacle designed and intended for the storage of refuse made of metal or plastic or equivalent material, of substantial construction and having a tight-fitting cover sufficient to keep out water and to prevent disturbance of the contents by animals and entrance by insects.

GARBAGE - animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods, and not including more than a minimum amount of free liquid.

RUBBISH - all waste materials not included in the definition of "garbage" and not including human waste that is commonly disposed of by sanitary sewers.

REFUSE - "garbage" and "rubbish" as defined in this section.

SOLID WASTE - a synonym for "refuse".

2) SOLID WASTE COLLECTED BY LICENSED COLLECTOR; AGREEMENT: Except as otherwise permitted by Section Four (4), all solid waste originating within the Borough of West Mayfield shall be collected, removed and disposed of by the person designated by Council as the licensed Borough Collector. He shall serve under an agreement with the Borough, valid for a period of at least one (1) year or for any period of time determined from time to time by the Council. The agreement may contain, in addition to the provisions of this section, any other provisions not in conflict with this Ordinance that may be considered appropriate. It shall contain a requirement that the licensed Borough Collector give bond, in the amount required by Council, with approved surety for their faithful performance of the contract and also it shall contain a requirement that the licensed Borough Collector shall

provide the Borough with certificates of insurance for public liability for personal injury and property damage in an amount to be determined by Council.

3) DUTIES OF COLLECTOR: The Collector shall use only vehicles meeting with approval of Council, and conforming to the provisions of the contract relating to construction and sanitary maintenance. He shall not permit any solid waste to spill or leak from his vehicle upon any street or alley in the Borough or to be blown about at the time of collection or while being transported by him.

The Collector shall collect solid waste following regular and fixed routes and schedules and on days and hours set out or provided for in the contract. Refuse shall be collected from residences once each week.

4) UNLAWFUL MEANS OF COLLECTION; SPECIAL ARRANGEMENTS: It shall be unlawful for any person other than the licensed Borough Collector to collect solid waste from any premises, or for any person occupying any premises in the Borough or producing solid waste in the Borough, to permit solid waste to be taken from his premises by anyone other than the licensed Borough Collector, except that Council may authorize other arrangements to be made for collection and removal of garbage from restaurants, hotels and establishments engaged in selling food or in manufacturing or processing activities where large quantities of garbage are produced.

5) DUTIES OF PERSONS WITH SOLID WASTE FOR COLLECTION: Every person whose premises solid waste is collected shall:

a) Be required to provide and keep at all times one or more containers for solid waste;

b) Store all solid waste produced by him in a container between collections by the Collector;

c) Be responsible for keeping the solid waste container in a sheltered location so it is prevented from being frozen to the ground;

d) Be responsible for placing the solid waste, in the prescribed container, in a location accessible to the Collector, as stipulated in the contract with the Collector, no earlier than the day before the scheduled time for collection;

e) Be responsible for keeping the container in good repair and sanitary condition;

f) Not allow waste to accumulate or remain in any container on his premises for longer than a period of one (1) week.

Any failure on the part of any such person to conform to all requirements in this section shall constitute a violation of this part.

6) PENALTY FOR VIOLATION: Any person, firm, entity or corporation who shall violate any provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300.00 and/or imprisonment for a term not to exceed ninety (90) days.

ENACTED AND ORDAINED this 15th day of December, 1997.

Borough of West Mayfield

Patricia J. Lansberry  
Patricia Lansberry, Secretary

by: Edward J. Sebastian  
President

APPROVED:

Thomas B. Boyer  
Mayor