

**BOROUGH OF SOUTH NEW CASTLE
LAWRENCE COUNTY, PENNSYLVANIA
ORDINANCE NO. 206**

An Ordinance of the borough of South New Castle, Lawrence County, Pennsylvania, amending Ordinance No. 128, Section 2(E), which was added to Ordinance No. 128 by Ordinance No. 182, and adding Section 3(C)5 to Ordinance No. 128, holding landlords and tenants as jointly and severally liable for collection and disposal fees, and adding requirements for refuse storage containers.

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Council of the Borough of South New Castle, Lawrence County, Pennsylvania, as follows:

Section 1.

Section 2(E) of Ordinance No. 128, which was added to Ordinance No. 128 by Ordinance No. 182, is amended to read as follows:

Section 2(E) Fees for Collection and Disposal

Every person, firm, association or corporation producing garbage, rubbish or ashes, or being responsible for the disposal or existence of such garbage, rubbish or ashes, or for whom such garbage, rubbish or ashes are removed, or being the owner and/or landlord of any premises on which garbage, rubbish or ashes is in existence or is produced, shall pay and be subject to the following fees for such services:

1. For single houses, modular homes, mobile homes, duplexes, and apartments of three(3) or more units, the fee shall be the sum of One Hundred Dollars(\$100.00), payable quarterly at the rate of Twenty Five Dollars(\$25.00) per quarter per family or per unit for collection of waste materials. On properties owned by one party and where the garbage, rubbish or ashes is produced by another party, such as in a landlord/tenant situation, the tenant/producer of the garbage, rubbish or ashes/tenant, shall primarily liable for the collection and disposal fees. However, if such fees are more than thirty(30) days late, then the owner and/or landlord shall become liable for those fees.

Section 2.

Section 3(C)5 is hereby added to Ordinance No. 128, and reads as follows:

5. All receptacles shall meet the following standards:
 - a) The receptacle shall be constructed to be easily handled for collection.

- b) The receptacle shall be constructed of rust resistant and corrosion resistant materials.
- c) The receptacle shall be equipped with a tight fitting lid or cover, or otherwise sealed.
- d) The receptacle shall be watertight, leak proof, insect proof and rodent proof.
- e) The receptacle shall be clearly labeled as "municipal waste" or a specific type of municipal waste.
- f) Solid waste shall not be put out more than 24 hours prior to collection.

Section 3.

The following sentence shall be added to the end of Ordinance No. 127, Section 7, as amended:

"On properties owned by one party and where the garbage, rubbish or ashes is produced by another party, such as in a landlord/tenant situation, the 1) owner/landlord and the 2) producer of the garbage, rubbish or ashes/tenant, shall be jointly and several liable for the above penalties."

Section 4

Any ordinance or part of any ordinance in conflict with or contrary to the provisions of this ordinance is hereby repealed.

ENACTED AND ORDAINED this 5th day of June, 2008.

Attest:

Deborah A. Kline
Borough Secretary

Council of South New Castle Borough

[Signature]

Examined and approved this 5th day of June, 2008.

By [Signature]
Mayor, South New Castle Borough