

GREENE TOWNSHIP  
ORDINANCE NO. 76  
SOLID WASTE MANAGEMENT ORDINANCE  
AN ORDINANCE OF THE TOWNSHIP OF GREENE,  
PIKE COUNTY, PENNSYLVANIA

PROHIBITING THE DUMPING AND ACCUMULATING OF GARBAGE, RUBBISH AND OTHER REFUSE MATERIALS, UPON PRIVATE OR PUBLIC PROPERTY IN GREENE TOWNSHIP, REGULATING THE CARE AND REMOVAL OF GARBAGE, RUBBISH, AND OTHER REFUSE MATERIALS ONLY BY LICENSED COLLECTORS IN SAID TOWNSHIP, PROVIDING FOR THE LICENSING OF AUTHORIZED COLLECTORS THEREOF, REGULATING THE DISPOSAL OF GARBAGE, TRASH, RUBBISH AND OTHER REFUSE MATERIALS, AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE PROVIDING FOR THE HEALTH, SAFETY AND WELFARE OF THE SAID TOWNSHIP AND ITS RESIDENTS BY REGULATING THE ACCUMULATION, COLLECTION AND DISPOSAL OF SAID MATERIALS.

WHEREAS, Greene Township, a second-class township organized and existing under the laws of the Commonwealth of Pennsylvania including but not limited to the Second-Class Township Code (53 P.S. 65708, as amended), has the power to regulate the collection and disposal of solid waste (garbage, trash, refuse and other debris); and

WHEREAS, Section 304 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (the "Act") provides that all municipalities are responsible for the recycling, collection, transportation, processing, and the disposal of municipal solid waste; and

WHEREAS, the collection and disposal of garbage, rubbish and other waste, materials in the Township has created a problem relating to the health, safety and welfare of the citizens of said Township; and

WHEREAS, it is the desire of the Township to regulate the collection, transportation, and disposal of solid waste of residential, commercial and institutional properties:

NOW, THEREFORE, be it ORDAINED AND ENACTED by the Township of Greene, of Pike County, Pennsylvania, as follows:

SECTION 1. SHORT TITLE:

This ordinance shall be known and may be cited as the Solid Waste Management Ordinance.

SECTION 2. DECLARATION OF POLICY:

It is hereby declared to be the purpose of this ordinance to coordinate and to regulate the storage, collection, transportation, processing, and disposal of all solid waste materials as herein defined in order to protect the public safety, health and welfare of the people of Greene Township, hereinafter referred to as the Township.

SECTION 3. DEFINITIONS:

For the purposes of this Ordinance, the following words and phrases shall have the meaning given herein:

Approved container shall mean a rigid plastic, or metallic container with a secure and tight-fitting cover or lid. It shall be impermeable to insects and water.

Authorized collector shall mean a person, individual, partnership, corporation, employer, or agent thereof authorized by contract with the Township to collect solid waste from residential, commercial and institutional properties as herein defined. In the event of municipal collection, this definition shall include the governing body and employees thereof.

Board shall mean the Greene Township Board of Supervisors.

Bulky waste shall mean large items of refuse including, but not limited to, appliances, large auto parts, furniture, and large trees and branches which require collection in other than conventional compactor refuse collection vehicles.

Commercial properties shall mean all properties other than single-family dwellings.



Composting shall mean a controlled, microbial degradation of organic waste to produce a relatively nuisance-free product of potential value as a soil conditioner.

Dead animals shall mean those animals that die naturally from disease or are accidentally killed. Condemned animals or parts of animals from slaughterhouses or similar places are not included in this term but are regarded as industrial refuse.

Detachable container or mechanical bin shall mean any metal container which may be mechanically lifted and emptied into the collection vehicle.

Dump shall mean an area where compost, garbage, hazardous waste, refuse and rubbish are accumulated.

Farm property shall mean a parcel or parcels of land devoted to agriculture; either to raising crops, livestock, poultry, or pasture.

Garbage shall mean any worthless, unnecessary, or offensive matter, including table refuse, animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods and which have become unfit for such use for which the reason they are discarded. It does not include wastes from industrial processing or manufacturing of food products, bodies of dead animals, or human or animal excrement.

Hazardous waste shall mean solid waste that is especially harmful or potentially harmful to public health. This shall include, but not be limited to, explosives, toxic materials, and medical waste. For purposes of this ordinance, hazardous waste does not include small quantities of such waste available on a retail basis to the homeowner (e.g., aerosol cans, pesticides, fertilizers, etc.).

Licensed collector shall mean any person, firm, agency who has obtained a license from the Municipality or the Solid Waste Coordinator authorizing said collector services to collect, transport, and/or dispose of municipal solid waste, recyclable materials and bulk waste from residential, commercial, or institutional properties on a private contract basis.

Person shall mean an individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, or any other legal entity whatsoever which the law as the subject of rights and duties recognizes.

Recyclable materials shall mean those materials specified by the Municipality for separate collection in accordance with recycling regulations. Such materials may include, but not be limited to, aluminum products, ferrous containers, bi-metal containers, glass containers, newspapers, magazine and periodicals, plastic containers, and yard wastes.

Recycling shall mean the separation, collection, processing, recovery, and sale or reuse of metals, glass, paper, plastic and other materials, which would otherwise be disposed of as solid waste.

Refuse shall mean all solid wastes, except body wastes and shall include, but not be limited to, garbage, ashes, bulk waste, and rubbish; except that refuse shall specifically exclude hazardous waste.

Residential property means properties used as single-family dwellings. Multiple dwelling residential units containing more than one dwelling units, for purposes of this Ordinance, shall be treated as commercial properties.

Rubbish shall mean all miscellaneous waste materials not otherwise included herein, exclusive of garbage such as aluminum cans, tin cans, steel cans, recyclable glass, pottery, paper, or plastic and non-compostable plant material, structural wood, or non-putrescible solid waste and junk of all kinds resulting from the ordinary conduct of business or housekeeping.

Salvage operation shall mean any business, trade or industry engaged in whole or in part in salvaging or reclaiming any product or material, including, but not limited to, automobiles, metals, chemicals, shipping containers, or drums.

Sanitary Condition shall mean a clean and healthy condition, void of garbage, refuse, rubbish, solid waste, dirt or agents of infections or disease.

Scavenging shall mean uncontrolled or unauthorized removal of solid waste materials.



Solid waste shall mean garbage, refuse, and other discarded solid materials, including but not limited to, solid waste materials resulting from industrial, commercial and agricultural operations, and from community activities. Liquids, semi-solids, and controlled gaseous materials are hereby defined as solid waste. It shall include sewage and septage not meeting the definition of residential or hazardous waste in the Solid Waste Management Act. Other significant pollutants in water resources, such as silt, dissolved or suspended solids; industrial wastewater dissolved or suspended solids in industrial wastewater effluents dissolved materials in irrigation return flows, or other common water pollutants. In addition, it shall not include hazardous waste.

Yard waste shall mean prunings, grass clippings, weeds, leaves, and general yard and garden wastes.

#### SECTION 4. RESPONSIBILITY:

The Solid Waste Coordinator shall be responsible for all aspects of solid waste management within the Municipality.

#### SECTION 5. FUNCTIONS AND POWERS OF SOLID WASTE COORDINATOR:

The Township may appoint a Solid Waste Coordinator who shall be responsible for the preparation of all necessary plans for solid waste management and shall coordinate these plans with other local, county, state and federal agencies. These plans shall control the collection, storage, transportation, processing, and disposal of all solid waste materials except that this shall not be interpreted to include septage. In accordance with all the pertinent statutes, rules, and regulations of the Commonwealth of Pennsylvania, the coordinator shall:

- A. Oversee municipal solid waste collection, storage, transportation, and disposal services and/or approve and regulate the establishment, maintenance and operation of private solid waste collection, storage, transportation, and disposal facilities.
- B. Aid and assist the Commonwealth in the application and enforcement of rules and regulations pertaining to solid waste management.
- C. Assist in the review of permits required by the Commonwealth for citing and operation of transfer, processing, and disposal facilities.
- D. Enforce this ordinance by issuing warning notices and initiating proceedings against violators of this ordinance and its appurtenant rules and regulations.

#### SECTION 6. DUTY OF OWNERS AND OCCUPIERS OF PROPERTY NOT TO ACCUMULATE SOLID WASTE:

- A. No person shall permit any solid waste to accumulate for a period of longer than 7 days upon property owned or occupied by said person in the Municipality.
- B. Owners and occupiers of property are hereby required to make accumulated solid waste available for collection as scheduled under the terms hereof.
- C. All solid waste accumulated on any property in the Municipality shall be collected, conveyed, and disposed of by the Municipality or by an authorized collector.
- D. It shall be unlawful for any person to collect and dispose of any solid waste within the Municipality except as provided in this Ordinance.

#### SECTION 7. UNLAWFUL SOLID WASTE

- A. It shall be unlawful to keep or allow in or about any dwelling or upon any land or other premises within the Municipality solid waste of any kind which is obnoxious or offensive by reason of dust or odor, or which attracts insects and vermin, except in covered receptacles. The cover shall be tight and insect-proof. It shall be unlawful to retain accumulation of any said solid waste so as to constitute a menace to the health and safety, it being a presumption that such a menace exists when more than 7 days have elapsed after such solid waste is originally retained, accumulated, or permitted to accumulate; and nothing herein contained shall be construed to permit the retention of any solid waste which is or becomes obnoxious or offensive by reason of dust or odor.
- B. No volatile liquids, explosives, radioactive material or containers, which would explode upon contact with heat or fire, shall be placed for collection, except small (retail-sold) spray cans.

**SECTION 8. STANDARDS AND REGULATIONS FOR STORAGE PRIOR TO COLLECTION:**

- A. Every person shall provide sufficient approved containers for receiving and holding solid waste. Containers shall be kept in a sanitary condition at all times.
- B. Garbage and rubbish shall be stored in a container, which shall have a tight-fitting cover, have suitable handles, be watertight and insect-proof, and be able to be carried easily by the collector.
- C. Garbage shall be drained of all liquids.
- D. Containers shall be kept tightly covered at all times.
- E. Roll offs or detachable containers shall not be used for composting, dead animals or garbage as defined in the definition section.
- F. When mechanical bins or dumpsters are in use, they shall be easily accessible to the collection vehicle. They shall be water tight, insect-proof and have a tight-fitting cover. They shall be kept in sanitary conditions at all times and at no time shall they be overflowing.
- G. All solid waste shall be stored in containers, except yard waste, newspapers, magazines or books.
- H. Yard waste may be placed next to containers if it is tightly secured, not more than 4 feet in length, nor more than 20 inches in diameter, and not more than 45 pounds in weight.
- I. Newspapers and magazines must be tied securely and placed in a suitable container, that will secure the paper from the weather, with a maximum weight of 50 pounds including container.
- J. The Municipality specifically reserves the right to modify and to specifically provide for some other receptacle for the handling of solid waste which the governing body may at some future time deem to be acceptable, appropriate, and beneficial for handling of said solid waste material.

**SECTION 9. STANDARDS AND REGULATIONS FOR COLLECTION:**

- A. The Municipality shall license authorized collectors to contract with property owners, residents, tenants and others for the collection of solid waste acceptable for collection, reserving the right to the Township to provide the service should it ever decide by resolution to do so.
- B. The collector shall provide service to all who desire service and have paid the required fees.
- C. Collection Requirements:
  - 1. All household solid waste shall be collected at least once each week, with the exception of bulky waste and dead animals for which arrangements shall be made in advance with the collector. All institutional, commercial, and industrial solid waste shall be collected as often as required by generated volumes and environmental problems.
  - 2. All recyclable materials shall be collected at least once each month if the Supervisors resolve to initiate such a program.
- D. The collector shall establish and record a regular collection schedule. If a collection day falls on a holiday, the collector shall notify all customers of when collection will be made.
- E. All vehicles shall be cleaned at sufficient frequency to prevent nuisance or insect breeding.
- F. Place of Collection:
  - 1. Refuse containers shall, for the purpose of collection, be placed at the curb or street line on one's own property, or on another's property with written permission filed with the Solid Waste Coordinator, and said containers shall be made readily accessible to the collector.



2. Notwithstanding provisions of this Ordinance, residential property owners, commercial establishments or other persons may, by mutual agreement with the collectors, be permitted to place containers at a location on their property other than as specifically set forth in Section F (1).

3. Collections shall be made from all properties throughout the Municipality. This shall include all street dedicated or otherwise, and shall include those streets that are temporarily closed for repairs or construction. In the latter case, the governing body shall designate special collection points if the condition of the street would prevent access thereto by the collector's truck.

G. Frequency of Collections:

1. Collection Schedule and Routes. The collector shall collect solid waste as defined herein, through the Municipality on routes and schedules developed and mutually agreed upon by the governing body and the collector and may be modified from time to time as necessary and as agreed upon by the governing body and the collector.

2. Holidays. Solid waste collection is not required to be made on the following holidays: January 1-New Year's Day, last Monday of May-Memorial Day; July 4-Independence Day; First Monday of September-Lab Day; Fourth Thursday of Nov - Thanksgiving Day; and December 25 - Christmas Day. If collection is not made on the holiday, it shall be made on the following weekday.

3. Hours. Collections shall be made at those hours mutually agreed upon between the collector and the governing body. Hours agreed upon shall be so indicated within the collection contracts or licenses.

SECTION 10. REGULATION OF LICENSED COLLECTORS:

A. No person shall collect, remove, haul or convey any solid waste through or upon any of the streets or alleys of the Municipality, or dispose of the same in any manner OR place without obtaining a license from the governing body. Such a license shall not be required of private owners collecting and removing their own privately generated refuse by approved containers and/or vehicles to a DEP approved disposal site or to an authorized recycling center.

B. All collectors shall be licensed by the Municipality and designated "Licensed Collector - Residential" and/or "Licensed Collectors - Commercial" and only upon resolution of the governing body.

C. A fee for such license shall be set by the Board on an annual basis, and all licenses shall be issued for the calendar year, or such portion thereof. There shall be no reduction in the fee for a license issued after the beginning of any calendar year.

D. Every person who applies for a license under this section shall state the manner of collection and the place and method of disposal.

E. No license shall be granted if the method of disposal does not conform to the requirements of this Ordinance or to the Ordinance of any municipal or quasi-municipal corporation, wherein disposal of refuse is to be made. Such requirements may include, but not be limited to, a provision requiring the collection and transport of recyclable materials in accordance with a municipal recycling ordinance, if one is in effect at the time.

F. No licensed collector shall make any change in the arrangements for disposal of solid waste collected by him without first receiving the approval of the governing body.

G. It shall be unlawful for an unlicensed collector to collect or remove solid waste from a household, institution, or commercial enterprise, providing the collector is not collecting and/or removing such solid waste from his privately owned property, and providing such collector complies with all other provisions of this Ordinance applicable thereto.

H. Collectors shall be required to have liability, automobile and workmen's compensation insurance in amount of Five Hundred Thousand (\$500,000.00) Dollars; and the collectors shall provide appropriate certificates thereof, as the Township may by resolution establish.

I. The collector must establish that he has a proper disposal location.



## SECTION 11. COLLECTION VEHICLES, EQUIPMENT, AND PERSONNEL

- A. All vehicles used for collection of solid waste shall be equipped with compacting devices or equivalent types of closed bodies and shall have enclosed cargo space, unless such collection is done by private individuals from solid waste generated on private property; at which time, appropriate containers shall be utilized; and all other provisions of this Ordinance affecting such collection shall be adhered to; and state regulations shall be complied with. For purpose of this section, a flexible cover will be permitted on satellite trucks if in the opinion of the Township governing board the covers will secure the cargo and are acceptable to the Commonwealth.
- B. It shall be unlawful to collect, haul, transport, or convey solid waste in open, unenclosed vehicles, unless such refuse is hauled from private property by the owner; except that type vehicles may be used only for the collection of large items of debris which cannot because of size, be collected by ordinary in accordance with the provisions of Section 12A.
- C. Trucks shall at all times be in good and proper mechanical condition and in compliance with the minimum safety and sanitary regulations of the laws of the Commonwealth of Pennsylvania, the County of Pike, and the Municipality.
- D. The collector shall furnish proof that he is the owner of the vehicle(s) to be used, or he must produce in writing lease or rental agreement between the title owner of the vehicle(s) and the collector.
- E. Vehicles and equipment shall not be overloaded so that garbage or trash may spill or drop on the highways or streets, nor shall the equipment be so designed or maintained so as to permit the leakage of fluids. All trucks shall be regularly cleaned and kept in proper condition and shall bear the name and address of the contractor plainly visible on both sides of the vehicle.
- F. Each truck shall have at least one broom and shovel to clean up refuse that may be spilled or otherwise scattered during the process of collection.
- G. The collector shall file with the Solid Waste Coordinator a list of all vehicles and equipment including the year, manufacturer, type, capacity, vehicle identification, and plate number thereon. Change in equipment shall be promptly reported to the governing body so that at all times their records will be correct and accurate.
- H. The collector, at his expense, shall store and park the equipment at a convenient and lawful place. No trucks or equipment may be parked or stored on any street within the Municipality, except during actual collection periods, or emergency situations. In such emergencies, the person designated by the Township shall be notified and the vehicle or equipment shall be removed within 24 hours unless granted an extension.

## SECTION 12. LICENSES AND COMPLIANCE WITH ORDINANCE, LAWS, REGULATIONS, STATUTES:

- A. No person, entity, body, corporation, company, or otherwise shall collect, remove, haul or convey any solid waste through or upon any of the streets or alleys of the Township or dispose of the same in any manner or place without obtaining a license from the governing body.
- B. All persons, entities, bodies, corporations, companies and otherwise shall comply with other applicable provision of this Ordinance and with applicable state and federal laws, statutes and regulations.
- C. Before any license will be issued for the collection of solid waste, the person to whom such contract is awarded may be required to furnish a bond with one or more sufficient sureties, to be approved by the governing body. The collector shall, during the continuance of the contract, truly abide by, comply with, and perform all the terms and provisions of the contract and of this Ordinance and such other rules and regulations as may be adopted from time to time. No person, whether collector or user, shall handle or deposit solid waste except in an approved container or as otherwise provided in this Ordinance.
- D. The authorized collector shall assume full responsibility for the removal and ultimate disposition, subject to the applicable provisions of the Ordinance, of all residential solid waste from the Municipality when such solid waste is placed in proper containers and in the proper locations as specified in Sections 8 and 9 and elsewhere in this Ordinance.



**SECTION 13. STANDARDS AND REGULATIONS FOR STORAGE AFTER COLLECTION:**

- A. All storage of solid waste after collection and before disposal shall only be in transfer stations, which conform to the regulations of the Commonwealth of Pennsylvania, the County of Pike, and the Township. The only exception shall be full or partially full collection vehicles, which have made a final pick-up for the day. In no case shall such collection vehicles be permitted to hold solid waste longer than 24 hours, or after 8 a.m. of the first business day after being deposited, whichever comes first.
- B. All plans and specifications for transfer stations shall be submitted for approval and permit issuance to the Township, the County of Pike, and to the Commonwealth of Pennsylvania. A permit must be received from the Commonwealth before operation commences.
- C. All storage of solid waste in transfer stations shall be limited to no more than 48 hours, excluding those days declared to be legal holidays by the Commonwealth of Pennsylvania.
- D. Operators of transfer stations shall submit to the Township a contingency plan for the disposition of solid waste, which cannot be removed from the site within 48 hours because of an emergency situation.

**SECTION 14. STANDARDS AND REGULATIONS FOR DISPOSAL:**

- A. It shall be unlawful for any collector to dump, process, destroy, bury or otherwise dispose of solid waste within the jurisdictional limits of the Township except at facilities approved and permitted by the Township, the County of Pike, the Pennsylvania Department of Environmental Protection and the United States Environmental Protection Agency.
- B. All collectors shall dispose of the solid waste from the Township at a sanitary landfill, incinerator, waste-to-energy plant, or other facility approved and permitted by the Pennsylvania Department of Environmental Protection, and (in the case of out-of-state landfills), by the state and Township where the landfill is located; and all shall be approved by the United States Environmental Protection Agency as well.
- C. The specific disposal site shall be designated by the Board, unless designated by the County or Commonwealth in its contracts and/or licenses with collectors.
- D. All disposal regulations at the designated disposal site shall be adhered to by the collector(s).
- E. All vehicles used for collection shall use, in so far as practical, state highways when proceeding to and from the designated disposal site, except when using roads and streets in those townships or boroughs where licensed to collect.

**SECTION 15. STANDARDS AND REGULATIONS FOR PROCESSING METHODS:**

- A. All solid waste processing shall be accomplished by approved methods in properly permitted facilities, including but not limited to incinerators, compost plants, and salvage operations, conforming to all the applicable laws, ordinances and zoning requirements.
- B. All plans and specifications shall be approved by the Commonwealth of Pennsylvania and its applicable agencies and by the United States Environmental Protection Agency prior to the construction and the operation of such processing facilities.
- C. All incinerators shall be operated so that pollution of the air will not violate the air quality standards established by the Department of Environmental Protection of the Commonwealth of Pennsylvania and the United States Environmental Protection Agency.
- D. Residues or discards from the processing facility shall be disposed of at a Pennsylvania Department of Environmental Protection permitted facility.

**SECTION 16. PROHIBITED ACTIVITIES:**

- A. It shall be unlawful for any person, organization or entity to scavenge any materials delivered and deposited for disposal except as may be provided for in the Township's solid waste rules and regulations promulgated under this Ordinance.

- B. It shall be unlawful for any person to salvage or reclaim any solid wastes except at a properly permitted facility in which salvage is an integral plan of operation.
- C. It shall be unlawful to make garbage available for animal consumption unless such refuse has been heat-treated to kill any disease agent therein; with the exception of small amounts of vegetable matter used to feed domestic or wild animals on a non-commercial basis.
- D. It shall be unlawful for any person to use, maintain, or operate an open dump.
- E. It shall be unlawful for any person to burn any solid waste except in a manner and under conditions prescribed by the Department of Environmental Protection, the appropriate official under this Ordinance, the applicable rules of regulations of the Commonwealth and the regulations, resolutions and ordinances of this Township.
- F. It shall be unlawful for any person to throw, place, or deposit, or cause to permit to be thrown, placed or deposited, any solid waste in or upon any public or private street, right of way, easement, alley, sidewalk, body of water, or public or private property except as provided in this Ordinance.
- G. It shall be unlawful for any person to transport any municipal solid waste into Greene Township from outside of the Township for the purpose of taking advantage of the collection service to avoid the cost of collection.

#### SECTION 17. REGULATIONS:

The collection of solid waste in the Township and the disposal thereof shall be subject to such further reasonable rules and regulations as may from time to time be promulgated by the governing body; provided, however, that no such rules and regulations shall be contrary to the provisions of this ordinance or applicable law.

#### SECTION 18. INSPECTION PROCEDURES:

- A. All containers, vehicles, equipment, transfer stations, disposal sites, books and records of authorized, unauthorized or prospective collectors, storers, processors, and disposers are subject to the inspection thereof at any reasonable hour without prior notice.
- B. Vehicles and equipment of collectors shall be inspected before being put into operation and during operation in the Township.
- C. All solid waste storage, transfer, processing, or disposal facilities within the Township shall also be inspected immediately prior to commencement of operation to the site and at least once per year thereafter in concert with representatives of the Commonwealth.

#### SECTION 19. INSURANCE:

Prior to the operation of any solid waste storage, transfer, processing, or disposal facility within the Township, the applicant shall be required to present evidence of liability insurance for damage to property and death or injury to persons and workers compensation insurance coverage.

#### SECTION 20. VARIANCE.

In the event that a severe and debilitating physical disability proven to the Board to be severe enough that it prevents strict compliance with this Ordinance, the Board may at their discretion upon application in writing, vary the requirements for collection for a limited period, provided that suitable alternative methods are arranged in advance and, PROVIDED, that the situation has not been created by the applicant.

#### SECTION 21. PENALTIES:

- A. Any person who violates any provision of this ordinance is guilty of a summary offense, which is punishable, upon conviction, by a fine not exceeding One Thousand (\$1,000.00) Dollars, or by imprisonment for a period not exceeding thirty- (30) days, or both. Each day of violation is a separate and distinct offense; PROVIDED, further, that if that penalty is in excess or contrary to that permitted by law, the lower penalty shall apply.



B. The governing body shall have the right, at any time, and without refund revoke the license of any authorized or licensed collector for any of the following causes:

1. False or misleading statements in the application for a license;
2. Lapse or cancellation of insurance coverage;
3. Collecting or transporting refuse in a careless or negligent manner resulting in dirt, odor, or any unsanitary condition;
4. Failure to deposit solid waste at a Department of Environmental Protection approved disposal site in compliance with all disposal regulations in force at the approved site; or
5. A violation of any part of this Ordinance or any of the Ordinances the Township, or any applicable state or county laws.

#### SECTION 22. EQUITABLE REMEDIES AND INJUNCTIVE PROCEDURES:

If any person fails to comply with any provisions of this Ordinance, the Board may petition the Court of Common Pleas or any other court with competent jurisdiction for an injunction, either mandatory or prohibitive, to enforce any of its decisions. FURTHER: the Board shall be empowered to take appropriate action under the Pennsylvania Municipal Lien Law and provided the recovery of such cost and expense together with the penalty, may be an addition to the penalty imposed in section 21A.

#### SECTION 23. SEVERABILITY CLAUSE:

The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such illegality, invalidity, or unconstitutionality shall not affect or impair any of the remaining sections, clauses, or sentences of this Ordinance.

#### SECTION 24. REPEALER CLAUSE:

This Ordinance is intended to repeal such prior ordinances, resolutions, and regulations of the Township, which are specifically inconsistent herewith.

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SECTION 25. ENACTMENT.

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this *2<sup>nd</sup>* day of *April*, 2003

MARY ANN HUBBARD, Chairperson

*Mary Ann Hubbard*

THOMAS HETTES, Supervisor

*Thomas Hettes*

EDWARD SIMON, Supervisor

*Edward Simon*

Attest:

*Linda J. Kramer*

Secretary

(SEAL)