

ORDINANCE No.28

AN ORDINANCE REGULATING AND UNDER CERTAIN CIRCUMSTANCES PROHIBITING THE DUMPING, DEPOSITING OR OTHER PLACING OF GARBAGE, RUBBISH AND WASTE MATTER IN, OR UPON OR ALONG THE PUBLIC ROADS IN SOUTH HUNTINGDON TOWNSHIP, WESTMORELAND COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGULATION OF DUMPS OR DUMPING PLACES AND THE LICENSING OF THE SAME: PROVIDING PENALTIES FOR THE BREACH OF THIS ORDINANCE.

The Board of Supervisors of South Huntingdon Township, Westmoreland County, Pennsylvania, does ordain:

SECTION 1. Definitions (a). The word "Garbage" as used in the Ordinance shall include any decayed or partly rotten fruit, vegetable or animal matter, or other articles of food and all offal, swill, housesweepings and other worthless fruit, vegetable or animal matter, or putrescible matter of any kind (b). The word "Rubbish" as used in this Ordinance shall include all combustible trash, such as paper, cardboard, rages, boxes, crates, cartons, wood, tires, rubber, leather, garden trash, etc. and all non combustible trash such as cans, bottles, wire, metal parts, glass, dishes, plaster, etc. (c) The word "Dump" as used in this Ordinance shall include any accumulation of garbage from things not grown or consumed upon the premises, or of rubbish or waste matter arising from things not used or consumed upon the premises.

SECTION 2. It is hereby declared unlawful for any person, firm, association or Corporation or lessee to dump or place of deposit any garbage or waste matter, in or upon, or along any public road in South Huntingdon Township, Westmoreland County, Pennsylvania.

SECTION 3. No person, firm, association or Corporation or lessee shall accumulate or knowingly permit the accumulation of garbage, rubbish or waste material or matter upon lands in South Huntingdon Township, Westmoreland County, Pennsylvania, belonging to or leased by such person, firm, association or corporation so that the same becomes a public nuisance, or unsightly, or obnoxious to the public generally, or so that the same may be or become injurious or detrimental to the health, safety or welfare of any resident of said Township.

SECTION 4. It shall hereafter be unlawful for any property owner or lessee to use any private property in South Huntingdon Township, Westmoreland County, Pennsylvania, for purposes of a dump, or a public dump, or to permit the same to be used by others for dumping purposes, unless and until such property owner or lessee shall have obtained a permit from the Board of Supervisors of South Huntingdon Township, to maintain a dump. The application for the permit shall state fully and accurately the applicant's title to said property, the exact size and location of the proposed dump, and shall stipulate that no portion of it is to be without an area or distance of two hundred (200) feet from any public road, stream, and adjoining property. In addition, it shall stipulate that said dump shall be screened from view by a tight board fence, eight (8) feet high. Upon approval by the Board a permit shall be issued upon payment of a license fee of two hundred (\$200.00) Dollars, which permit shall be limited to one year and renewable year to year upon payment of said license fee, and shall be subject to revocation at any time in the event of any dumping upon the premises outside of the permitted area.

SECTION 5. Any person, firm, association or Corporation or lessee violating any provision of this Ordinance, shall be subject to a fine or penalty of Two Hundred (\$200.00) Dollars, which fine and penalty may be collected by suit or summary proceeding brought in the name of said Township before any Justice of the Peace. Upon judgment against any person, firm, association or Corporation or lessee by summary conviction, or by proceedings by summons on default of the payment of the payment of the fine or penalty imposed and the costs, the Defendant may be sentenced and committed to the County Jail for a period not exceeding thirty (30) days.

SECTION 6. Should any section or provision of this Ordinance be declared by a Court of Competent Jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any other part thereof.

ENACTED AND ORDAINED into an Ordinance this 8th day of April, 1967.

Attest:  
S/Frank Kostello, Secretary.

South Huntingdon Township.  
S/ Lawrence J. Nemeč,  
President of Board of Supervisors.