

ORDINANCE # 355

**BOROUGH OF MINERSVILLE
SCHUYLKILL COUNTY, PENNSYLVANIA**

**REPEALING ORDINANCES 313 AND ESTABLISHING AN ORDINANCE REGULATING
THE COLLECTION OF CURBSIDE SERVICES FOR THE BOROUGH OF MINERSVILLE**

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Minersville and it is hereby enacted and ordained under the authority of the same:

SECTION 1: Definitions

The following word, when used in these regulations, shall have the meanings respectively ascribed to them:

- A. GARBAGE – includes all accumulations of fruit or vegetable matter that attend the preparation, use cooking, dealing in or storage of meat, fish, fowl, fruit or vegetables, container originally used for foodstuff, and other household garbage items.
- B. RUBBISH – includes all accumulations including rocks, concrete, brick, plaster, lumber and other construction debris
- C. COMPOST – includes all accumulations of leaved, grass clippings, garden debris and small tree limbs
- D. ASHES – includes the accumulation and residue which remains after the burning of pea coal, rice coal, or buckwheat coal
- E. RECYCLING MATERIALS – Source separated recyclable materials, including materials listed in the §1501 of Act 101, and materials identified by the municipality to be recycled.
- F. RECYCLING – the collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would be otherwise be disposed of or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.
- G. OFFICIAL – any Officer of the Borough of Minersville including but not limited to the Health Officer, Code Enforcement Officer and Police Officer
- A. BOROUGH COLLECTION SERVICE – includes all Borough work forces and any outside contractor with a collection agreement with the Borough of Minersville
- B. PRIVATE GARBAGE COLLECTOR – includes any outside contractor with a collection agreement with commercial consumers
- C. RESIDENTIAL CONSUMER – owners or persons occupying in possession, control or charge of any residential premises in or form which garbage is created, accumulated or produced. This residential consumer may fall within two separate categories as described as follows:
 - a. SINGLE RESIDENTIAL CONSUMER – one single owner or person occupying, in possession, control or charge of any residential premises
 - b. FAMILY RESIDENTAIL CONSUMER – two or more owners or persons occupying, in possession, control or charge of any residential premises
- D. COMMERCIAL CONSUMER – any commercial business occupying, in possession, control, or charge of any premises occupied by any type of business. This commercial consumer may fall within three separate categories: small volume, medium volume, and large volume. Category determination will be evaluated on a case by case basis by the Borough of Minersville and the Borough Collection Service.

SECTION 2: GARBAGE AND RECYCLING TO BE DEPOSITED IN CONTAINERS

All garbage created, accumulated or produced shall be secured in a bag and deposited in containers. All recycling created, accumulated or produced shall be secured in a separate container from garbage. The garbage and recycling shall be secured in a manner so the garbage and recycling cannot scatter. Any garbage or recycling not kept in a neat and confined manner shall be subject to prosecution by an Official of the Borough of Minersville.

SECTION 3: ASH CONTAINERS

All ashes created, accumulated or produced shall be deposited in one bushel (15 gallon) steel tubs. Any steel tubs in excess of one bushel (15 gallons) must only have one bushel full of ashes in each container. All ash containers must be free off holes or rust. Any steel tubs in poor condition will not be collected.

SECTION 4: LOCATION OF GARBAGE AND RECYCLING CONTAINERS

No garbage or recycling containers shall be placed, kept, stored or located within the right-of-way of a street, alley, or sidewalk, providing however, that the Borough may authorize the location of such containers within the public right-of-way at specified places and times when such location is necessary for the collection and disposition of garbage and recycling by the Borough Collection Service.

Garbage and Recycling to be picked up must be placed at the curb, in those locations without a curb; garbage must be placed at least three feet away from any building. It shall be unlawful for any person to place any garbage container or other container for garbage upon the curb in the Borough prior to six (6) o'clock P.M. of the evening before such garbage is to be picked up by the Borough Collection Service. Persons or property owners who are required to be absent from the premises to return until after the normal garbage pick-up shall be exempt from this requirement. In such cases, the person or property owners shall provide notice to the Borough of Minersville on a case by case basis.

All garbage and recycling containers or other container for garbage and recycling must be removed from the curb within twenty-four (24) hours of the Borough's Collection Service collecting the garbage or recycling.

SECTION 5: OWNER TO PAY COLLECTION FEES – USE OF BOROUGH COLLECTION SERVICE REQUIREMENT

It is hereby found and determined that the periodic collection of garbage and recycling from all places in the Borough of Minersville benefits all owners of occupied places and premises in the Borough, and such owners or persons in possession, control or charge, of any place in or from which garbage is created, accumulated or produced, are liable for and shall pay the curbside collection fees established by the Borough of Minersville. In the event that an owner of a place in or from which garbage and recycling is created, accumulated, or produced, shall lease or rent the said premises to another, or otherwise give permission to another to occupy any such premises, it shall remain the duty of the owner to pay the curbside collection fee thus established. Garbage and recycling collection service is provided by the Borough of Minersville, and it shall be mandatory for all owners or persons in possession, charge or control of places and premises in the Borough of Minersville in or from which garbage and recycling is created, accumulated or produced to use the Borough's collection service.

SECTION 6: PRIVATE GARBAGE COLLECTION

Any Commercial Consumer who desires to utilize a Private Garbage Collector for dumpster service and does not desire to utilize the Borough Collection Service shall be compelled to follow this procedure:

The Borough of Minersville has established quarterly fees for the collection curbside recycling services. The fees shall be as follows:

- A. RESIDENTIAL CONSUMER - \$10.00
- B. SMALL/MEDIUM VOLUME COMMERCIAL - \$10.00
- C. LARGE VOLUME COMMERCIAL - \$25.00

Fees for the collection of curbside services may be increased from time to time by resolution adopted and approved by the Council of the Borough of Minersville.

SECTION 10: PAYMENT OF FEES

All fees for the collection of curbside services will be billed on quarterly basis. Payment of the fees must be made within (30) days of billing. Fees paid after the thirty (30) days are subject to penalty cost of ten (10) percent.

SECTION 11: VIOLATION OF ORDINANCE

Violation of any Section of this Ordinance shall be considered a Summary Offense and subject to a fine up to Three Hundred (\$300.00) Dollars upon Offense and conviction. Each additional violation of this Ordinance shall be considered a separate offense and the violator may be charged separately.

SECTION 12: SEVEREABILITY

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court or competent jurisdiction, such decision shall not affect another section, clause, provision or portion of the Ordinance so long as it remains legally enforceable without the invalid portion. This Borough reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the nest interest of the promotion of the purposes and intent of the Ordinance, and the effective administration thereof.

SECTION 13: EFFECTIVE DATE

This Ordinance shall take effect immediately upon its final adoption by the Council of the Borough of Minersville.

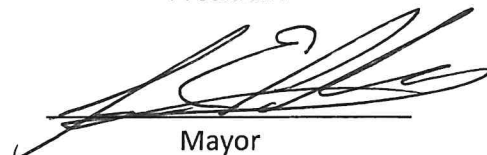
ORDAINED AND ENACTED by the Borough of Minersville this 14 day of January 2025.

Attest:

Borough of Minersville



President



Mayor