

ORDINANCE NO. 45

AN ORDINANCE REGULATING AND LICENSING THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE; DEFINING THE SAME; PROHIBITING THE ACCUMULATION OF GARBAGE ON PRIVATE PROPERTY, SUBJECT TO CERTAIN EXCEPTIONS; PROVIDING FOR A CONTRACT FOR THE COLLECTION AND DISPOSAL OF GARBAGE; PROHIBITING THE COLLECTION AND DISPOSAL OF GARBAGE BY PERSONS OTHER THAN THE COLLECTOR; REQUIRING COLLECTOR'S COMPLIANCE WITH THE GARBAGE REGULATION ACT OF 1933 P.L. 1041 AND THE RULES AND REGULATIONS OF ALLEGHENY COUNTY FOR THE TRANSPORTATION AND DISPOSAL OF GARBAGE; PRESCRIBING FINES AND PENALTIES FOR VIOLATION THEREOF.

The Council of the Borough of Monroeville does hereby ordain and enact the following Ordinance:

SECTION 1. DEFINITIONS. The word "garbage" as used in this Ordinance shall be interpreted and mean as follows:

"Garbage" shall consist of all animal and vegetable waste, including offal, carcasses, fat, bone, swill and vegetables and animal refuse, or any other organic substance subject to decay, resulting from the storage, handling, preparation and consumption of foodstuffs.

The word "person" as used herein, shall be interpreted to mean, masculine or feminine, or an individual or individuals, company, partnership, firm, institution or corporation, or the agents of any of them.

SECTION 2. From and after the passage of this Ordinance, all garbage accumulated or stored upon any property within this Borough, shall be collected and removed by a responsible person or collector who shall be under contract and bond, with the Borough and shall be disposed of by such collector through State or County licensed incinerating works or garbage plants and no garbage shall be collected or conveyed over the streets, alleys or thoroughfares of this Borough by any person or persons other than by such authorized collector or his or its duly authorized agents and employees. Excepting, however, from the provisions and regulation hereof, shall be those residents or occupants, residing on or operating farms or in rural areas where the residences are widely separated or isolated, who have been and shall dispose of their garbage by burying or composting the same, so long as such burying or composting shall not become a public nuisance or be in violation of the State health laws.

SECTION 3. A collector shall be required to collect and remove garbage from the Borough in motor driven vehicles, which vehicles shall be equipped with water-tight beds constructed of an impervious material, and to so conduct the the collection, removal and transportation of the garbage, under such contract so as to assure general cleanliness and sanitation throughout the entire process and operation thereof. A collector shall be required to comply with all provisions of the Garbage Regulation Act of 1933 P.L. 1041 and the Rules and Regulations of the County of Allegheny, governing the transportation and disposal of garbage.

The collector shall also be required, at his or its own cost, to dispose of, via licensed incinerator works or garbage plants, of the maximum daily quantity of garbage collected by him or it, and to furnish at his or its own cost, all vehicles, machinery and equipment necessary for the proper performance of such contract, except, that he shall not be required to furnish the garbage receptacles or containers, contemplated to be provided by householders, residents or occupants of the premises from which garbage shall be collected and removed.

SECTION 4. The Collector and the Borough, by agreement, shall establish maximum rates to be charged to each householder or occupant of premises, from which garbage shall be collected, and said collector shall, by individual and separate contract agreement with said householder or occupant of premises, collect such charges, as have been agreed upon between the Collector and the Borough, directly from said householder or occupants of the premises, without liability to or upon the Borough.

SECTION 5. Contracts for the collection of garbage, under this Ordinance, shall be granted by Council to a responsible collector, and shall be executed by the President of Council and the Borough Secretary on behalf of the Borough and shall contain a provision requiring the contractor to give a surety bond, to be approved by the Borough Solicitor, in the sum of One Thousand (\$1,000.00)

Dollars, conditioned for the faithful performance of his contract. The first contract to be granted under this ordinance shall be for a period of five (5) years and thereafter to be renewed for such period or periods as the Borough Council may deem proper.

SECTION 6. Every person, firm or corporation from whose premises garbage is collected or removed, shall provide and keep at all times a portable metal can or receptacle, water tight and with handles on the outside and with a tightly fitting cover, to hold said garbage, and all kitchen and table waste of vegetable and animal matter shall be wrapped in dry paper before being deposited in said cans or receptacles. All garbage cans and receptacles shall be kept in a clean, sanitary condition in places accessible to the collector and sufficiently sheltered to prevent their freezing to the ground.

SECTION 7. The Collector shall be permitted to collect, remove and transport garbage on all days except Sunday. All garbage from cans and receptacles of householders and occupants of premises, shall be collected, removed and emptied by the Collector at least once each week.

SECTION 8. No garbage shall be allowed to accumulate on the ground, nor be deposited on highways, vacant lots or other property within the Borough, nor be thrown into any stream or other body of water. Provided, however, and excepting herefrom, those persons excepted in Section 2 hereof.

SECTION 9. Any person violating any of the provisions of this Ordinance shall upon conviction in summary proceedings before the Burgess or a Justice of the Peace of the Borough be subject to a fine not exceeding the sum of Twenty-five (\$25.00) Dollars, together with costs of prosecution, and upon default of the payment of said fine and costs shall be committed to the Allegheny County Jail for a period not exceeding thirty (30) days. Each day that such a violation shall be committed or persisted in, shall be considered a separate and distinct offense, subject to the provisions hereof and the penalties herein provided, cumulatively.

SECTION 10. Should any section or provision of this Ordinance be declared by any Court of competent jurisdiction as invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid, and such other Sections shall be and remain in full force and effect.

ORDAINED AND ENACTED by Council this 18th day of July, 1955.

ATTEST:

BOROUGH OF MONROEVILLE

(Signed) Edyth J. Amalong
Borough Secretary

By (Signed) Wm. J. Caughey
President of Council

EXAMINED and approved by me this 23rd day of September, 1955

(Signed) Samuel Jenkins
Burgess