

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE REGULATING LANDFILLS IN EXISTENCE WITHIN THE MUNICIPALITY BY CONFINING LANDFILLS TO THEIR PRESENTLY APPROVED PHYSICAL LIMITS, REQUIRING LICENSING OF LANDFILLS BY THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, COMMONWEALTH OF PENNSYLVANIA AND IMPOSING ADDITIONAL REQUIREMENTS INCLUDING PROVISION FOR THE INSPECTION OF LANDFILLS BY MUNICIPAL EMPLOYEES IN CONJUNCTION WITH THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES AND ALLEGHENY COUNTY HEALTH DEPARTMENT, PROVIDING REQUIREMENTS FOR VEHICLES HAULING TRASH AND GARBAGE THROUGH THE MUNICIPALITY: PROVIDING FOR THE INSPECTION OF VEHICLES; AND PROVIDING FOR PENALTIES AND REMEDIES UPON VIOLATION

WHEREAS, it has come to the attention of the Council of the Municipality of Monroeville that the presence of landfill operations within the Municipality and the traffic it tends thereto have created health and safety hazards in the Municipality as well as having created circumstances necessitating surveillance and attention by various departments of the Municipality; and

WHEREAS, the Council of the Municipality of Monroeville wishes to supplement regulations relating to landfill operation and wishes to prevent expansion of landfills presently in existence; and

WHEREAS, the Council of the Municipality of Monroeville is of the opinion that in the interest of the health, safety and welfare of the community, any transportation and disposal of garbage and trash within the Municipality of Monroeville should be regulated and licensed to minimize the effect of such activities upon health, safety and welfare of the residents of the Municipality of Monroeville and those present within the Municipality.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Municipal Council of the Municipality of Monroeville, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of same as follows:

Section 1. Where appearing in this ordinance the following words shall have the following definitions:

A. Persons - Any individuals, company, partnership, firm, limited partnership, association or corporation.

B. Garbage - Waste from the preparation, cooking and consumption of food, market re-use, waste from handling, storage and sale of produce, contaminated or soiled foods, offal from hotels, institutions, stores and markets, and any other animal or vegetable waste to or remnants. Garbage shall also include any paper or similar waste material mixed with garbage as herein defined in the normal course of households, institutional or commercial operation.

C. Trash - All paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard and grounds trimmings, bedding, cans, metal, glass, crockery, mineral refuse, building material and substance, ashes, and any other similar substances.

D. Landfill or Disposal Site - Any place where garbage and trash is dumped, spread, mixed, stored, reduced, treated, burned or otherwise disposed of.

E. Vehicle - Any mechanical contrivance other than an automobile or station wagon as hereinafter defined capable of transporting garbage or trash as herein defined regardless of whether such mechanical contrivance was constructed or manufactured primarily for the purpose of hauling such material.

F. Automobile or Station Wagon - Any mechanical contrivance which was constructed or manufactured primarily for the purpose of transportation of persons and in the case of station wagons, which was intended to be convertible to use to the use of hauling material of any kind within the same area as the operator of such would be stationed during the operation of such vehicle.

Section 2. All landfills or disposal sites in existence at the effective date of this ordinance, be in the same are hereby confined in their physical limits in the areas now actually used and directly employed in the disposal of garbage and trash may not be enlarged or expanded beyond the present physical limits of such areas which shall be marked with permanent markers as determined by the Municipal Engineer.

Section 3. All landfills or disposal sites within the Municipality shall be subject to the regulatory and licensing provisions of this ordinance as to landfills or disposal sites.

Section 4. All landfills or disposal sites must conform with the requirements and regulations as imposed by the Department of Environmental Resources and/or Allegheny County Health Department and be properly licensed by the Department of Environmental Resources, Commonwealth of Pennsylvania for operation of a landfill or disposal site, and, in addition, must maintain a valid DER permit as a condition of continued operation. In addition, the Municipality imposes the following regulations.

1. All streets and surrounding public roads used in the transportation of trash and refuse to and from landfills or disposal sites must be maintained free and clear of mud and debris, specifically attributable to vehicles utilizing the landfill or disposal site. The operator of the landfill or disposal site is responsible for the maintenance of the roads in the area to insure that debris attributable to trucks utilizing the landfill are moved on a timely basis and that measures are taken to remove mud and debris prior to vehicles entering public streets.

2. In the event that papers or other garbage or trash is spread by unusual wind or weather conditions to areas beyond the landfill or disposal site area, then within 24 hours such paper, garbage, trash shall be collected and returned to the landfill or disposal site area for proper disposition.
3. No noxious odors shall be allowed.
4. On a regular basis, a duly authorized agent of the Municipality of Monroeville shall accompany or inspect separately the Department of Environmental Resources and Allegheny County Health Department inspectors on a regularly scheduled and non-scheduled inspections for the purpose of verifying the standards established by the regulatory agencies are being adhered to, and ascertaining that the additional regulations imposed by the Municipality are likewise being adhered to.

Inspection reports by the duly authorized agent of the Municipality of Monroeville shall be available for public view at reasonable times and shall be transmitted to Municipal Council and the Municipal Manager upon completion.

Section 5. Any vehicle hauling garbage or trash through the Municipality to any landfill or disposal site in the Municipality shall conform to the following:

- A. It shall have a metal body.
- B. The body shall be water tight and hold twelve inches of water, if it hauls liquids, without overflow.
- C. The body must not be of open design and, if of non-packer variety, it must have metal covers so arranged that a minimum portion of the body is open during loading and hauling.
- D. The exterior of the vehicle shall be kept painted.
- E. The interior and exterior of the vehicle shall be kept clean so as not to make an unsightly appearance and/or emit odors.
- F. Each vehicle shall be kept in good mechanical condition.

Section 6. Before any vehicle is used for the transportation of garbage or trash through any part of the Municipality of Monroeville while in route to any landfill or disposal site within the Municipality of Monroeville, said vehicle shall be licensed by the Municipality of Monroeville as herein provided.

Section 7. The following shall be the procedure and requirements for the licensing of vehicles pursuant to Section 11 hereof:

- A. Application - The owner and/or operator of said vehicle regarding licensing pursuant to Section 11 hereof shall make application to the Municipality for a license, said application to be made upon forms provided by the Municipality which shall contain requests and provisions for the following information as well as any further information deemed relevant by the Municipality:
1. The name of the owner.
  2. The name of the lessee, if any.
  3. The make, year and model of the vehicle.
  4. The manufacturer's number of the vehicle.
  5. The load capacity of the vehicle.
  6. The body type of the vehicle.
  7. The Pennsylvania registration number and the Pennsylvania license number.
  8. The Allegheny County registration number.
  9. The appropriate number of trips to be made into the Municipality per day.
  10. The locality or localities from which the garbage or trash is to be collected.
  11. The name of the person or persons with whom the applicant has contracts for the hauling or disposal of garbage.
- B. Annual License - Any vehicle may be licensed annually and a license fee of \$150.00 per year or part thereof. Such license shall entitle said vehicle to be operated within the Municipality during the term of said license and so long as the vehicle bears a license sticker issued by the Municipality. All annual licenses shall expire on the 31st day of December following the effective date of said license.
- C. Monthly License - Any vehicle may be licensed on a monthly basis at a license fee of \$15.00 per month. Such license shall entitle said vehicle to be operated within the Municipality during the month or months specified in the license issued by the Municipality if carried in said vehicle and so long as the vehicle bears license sticker issued by the Municipality.

- D. Daily License - Any vehicle may be operated on a daily basis at a license fee of \$5.00 per day. Such license shall entitle said vehicle to be operated within the Municipality on the day specified in the license and so long as a copy of the license by the Municipality is carried in said vehicle.
- E. Automobiles and Station Wagons - Any automobile or station wagon may be licensed on a daily basis at a license fee of \$1.00 per day. Such license shall entitle said automobile or station wagon to be operated within the Municipality during the day or days specified in the license and so long as a copy of the license issued by the Municipality is carried in said automobile or station wagon.
- F. Payment of Fees - All license fees shall be payable at the time of submission of the application to the Municipality.
- G. Inspection of Vehicles - Before licensing, the Municipality of Monroeville or its duly authorized agent may require inspection of vehicle to be licensed in order to determine whether said vehicle conforms to the requirements of this ordinance.
- H. Issuance of License - After application and inspection, if inspection is required, the Municipality of Monroeville or its duly authorized constituted agent finds the application is in order, the license fee paid, and the vehicle conforms to requirements of this ordinance, the Municipal Manager or his duly authorized agent shall be authorized to issue a license for said vehicle along with a license sticker if applicable.
- I. The license issued for any vehicle whether annual, monthly, or a daily license shall not be transferable to any other vehicle, except upon due application to the Municipality for transfer of said license to another vehicle and upon surrender of any license sticker which was previously issued in connection with said license.
- J. The licensing provisions herein as to vehicles do not apply to vehicles owned by a municipal corporation or body politic hauling trash solely within the Municipality of Monroeville.

Section 8. Any person violating the provisions of this ordinance relating to landfills shall upon conviction before any District Justice within Allegheny County be subject to the payment of a fine of not more than \$300.00 or confinement in the Allegheny County Jail for a period of not less than thirty (30) days or both for each violation.

Section 9. The owner of any vehicle or operator of any vehicle or any person in charge of any landfill or disposal site permitting any vehicle to dump or deposit garbage or trash at any dump, where said vehicle has not been licensed pursuant to this ordinance shall upon conviction before any District Justice in Allegheny County be subject to the payment of a fine of not more than \$300.00 or thirty (30) days confinement or both for each violation.

Section 10. The Municipality shall have the power through appropriate proceedings in any court of competent jurisdiction to enjoining any violation of the provisions of this ordinance.

Section 11. If any section, clause, sentence or part of this ordinance is for any reason found to be unconstitutional, illegal and invalid by any court of competent jurisdiction, such constitutionality, illegality and invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or part of this ordinance.

Section 12. Any ordinance or part thereof which conflicts with the provisions of this ordinance are hereby repealed.

ORDAINED and ENACTED this 9th day of December, 1980.

(SEAL)

ATTEST:

MUNICIPALITY OF MONROEVILLE

S/ Marshall W. Bond  
Municipal Manager

S/ Michael P. Lynch  
Mayor