

Warrior Run Borough Refuse and Recyclable Collection Services Ordinance 2023-02

An ordinance of the Borough of Warrior Run, County of Luzerne, Commonwealth of Pennsylvania, for the provision of Refuse and Recyclable Collection Services and the establishment of a permit fee for borough residents and businesses; prescribing the amount, due date, and providing for penalty.

NOW, it is hereby ORDAINED and ENACTED by the Borough Council of the Borough of Warrior Run, County of Luzerne, Commonwealth of Pennsylvania, after vote by Council authorizing the same, that in accordance with an Agreement between the BOROUGH OF WARRIOR RUN and ITS REFUSE AND RECYCLABLE SERVICE PROVIDER as set forth from time to time in the attached schedule, has agreed to provide refuse and recycling collection services for the three (3) year period commencing January 1, 2024 and ending December 31, 2026.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that there shall be a Three Hundred Ten Dollars (\$310.00) refuse and recycling collection permit fee for the year 2024 and each year thereafter as determined by the Borough Council during the term of this service contract required of each and every household/business in the Borough of Warrior Run for the services of the Borough and Disposal Service, and that said permit fee (\$310.00) and must be paid no later than in 2024 (April 6), and in 2025/2026 (March 31), of each calendar year. Said fee is subject to change annually by vote of Council. Council reserves the right to modify this payment option from year to year by a Resolution.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that there shall be a Five Hundred Dollar (\$500.00) fine assessed per occurrence on any household or business for failing to purchase a refuse permit as required herein and paying full by 2024 (April 6), and in 2025/2026 (March 31), of each calendar year. This fine shall be in addition to the cost of the required permit.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that the aforementioned refuse and recycling collection permit fee shall be applicable per dwelling, dwelling unit, including in its definition the term apartment unit. The said fee as ordained herein shall be applicable per apartment unit.

In the situation of the per apartment unit fee, said fee shall be due whether the apartment unit is occupied for all or part of the year. Furthermore, it shall be the obligation and responsibility of the landlord or property owner for any such apartment units to pay the Borough this refuse and recycling collection permit fee per apartment unit.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that in the event full payment of \$310.00 is not received by 2024 (April 6), and in 2025/2026 (March 31), of each calendar year from any household or business in the Borough of Warrior Run for these services, then and in that event, there shall be a Five Hundred Dollar (\$500.00) fine assessed. This fine shall be in addition to the cost of the required permit.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that in the event any person or business within the Borough of Warrior Run fails to purchase a refuse and recycling collection permit by 2024 (April 6), and in 2025/2026 (March 31), of each calendar year, they will be in violation of this Ordinance, and, upon conviction thereof by summary of proceedings, be sentenced to pay the refuse and recycling collection permit fee allocated for payment subsequent to 2024 (April 6), and in 2025/2026 (March 31), of each calendar year, in addition to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00), and costs of prosecution, and in default of said fines and costs, to undergo imprisonment in the Luzerne County Correctional Facility for a period not in excess of thirty (30) days.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that any household or business which attempts to use the services provided herein by the Borough and the Disposal Service, without first paying the refuse and recycling collection permit fee, shall be subject to the provisions of Warrior Run Ordinance 1988-1 pertaining to the regulation of, collection and removal of refuse and recyclables by the Borough. There shall be no refund of refuse and recycling collection permit fees paid by any household or business.

BE IT FURTHER ORDAINED that refuse and recycling should be interpreted to mean and include all household waste, animal and vegetable matter, rubbish, trash, debris, cans and bottles, and other waste material and articles ordinarily and customarily hauled away and disposed of.

BE IT FURTHER ORDAINED that enforcement hereof shall be vested in the Borough Code Enforcement Officer and/or the Borough Secretary in the event Code Enforcement is not available or able to perform such duties.

BE IT FURTHER ORDAINED that if any fine and/or fee is not promptly paid, a municipal lien shall be filed therefore or such fine or fee shall be collected as authorized by law, summarized said Ordinance and advised the public of the intent of Borough Council to act upon same.

BE IT FURTHER ORDAINED that any Ordinance, or part of an Ordinance conflicting with this Ordinance be and the same are hereby repealed insofar as the same affect this Ordinance.

BE IT FURTHER ORDAINED that Notice of the within action of the Borough was published in a newspaper of general circulation within the Borough which summarized and Ordinance and advised the public of the intent of Borough Council to act upon the same.

WARRIOR RUN BOROUGH



LARRY CARBOHN, President

ATTEST:



DONNA TUDGAY, Secretary

Passed and adopted this 11th day of December, 2023.



TOM SHYPULEFSKI, Mayor