

WARRIOR RUN BOROUGH ORDINANCE 2021 - 2

AN ORDINANCE OF THE BOROUGH OF WARRIOR RUN, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, FOR THE PROVISION OF GARBAGE AND REFUSE 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 GARBAGE SERVICE PROVIDER as set forth from time to time in the attached schedule. has agreed to provide garbage and refuse collection services for the four (4) year period commencing January 1, 2020 and ending December 31, 2023.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that there shall be a Two Hundred Fifty Dollar (\$250.00) garbage and refuse collection permit fee for the year 2020 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 Services, and that said permit fee (\$250.00) must be paid no later than July 31, of each calendar year. Said fee is subject to change annually by vote of Council.

As resolved by Borough Council payment may be made as follows:

Two Payment options:

Full Payment	\$250.00
½ installments	\$125.00 each

Due January 31

½ payment of \$125.00

Due July 31

Council reserves the right to modify this payment option from year to year by Resolution.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that there shall be a Three Hundred Dollar (\$300.00) fine assessed per occurrence on any household or business for failing to purchase a garbage permit as required herein and paying in full by July 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 garbage and refuse 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 any 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 garbage and refuse collection permit fee per apartment unit. Refuse stickers are not transferable from one unit to another.

BE IT FURTHER ORDAINED by the Borough Council of the Borough of Warrior Run that in the event full payment of \$250.00 is not received by July 31 of each respective 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 Three Hundred Dollar (\$300.00) garbage and refuse collection permit fee for any payment made after July 31st. of each respective year. Penalties of \$25.00 after January 31 and penalty of \$25.00 after July 31.

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 garbage and refuse permit by January 31st. of each respective calendar year, they will be in violation of this Ordinance and, upon conviction thereof by summary proceedings, be sentenced to pay the garbage and refuse permit fee allocated for payment subsequent to July 31st. of each respective year, in addition to a fine of not less than One Hundred Dollars (\$100.00) and not more than Three Hundred Dollars (\$300.00), 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 obtaining a garbage collection permit and properly displaying it, shall be subject to the provisions of Warrior Run Ordinance 1988-1 pertaining to the regulation of, collection and removal of garbage, refuse and ashes by the Borough. There shall be no refund of garbage and refuse collection permit fees paid by any household or business.

BE IT FURTHER ORDAINED that each and every household and/or business shall properly display said garbage and refuse permit in a visible area in front of said dwelling or business front or in front of pickup area.

BE IT FURTHER ORDAINED that garbage and refuse shall be interpreted to mean and include all waste, animal and vegetable matter, rubbish, trash, debris, tin cans and other waste material generally including ashes 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 the 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 said Ordinance and advised the public of the intent of Borough Council to act upon the same.

WARRIOR RUN BOROUGH


LARRY CARBOHN, President

ATTEST:


THOMAS KNEIDINGER

Passed and adopted this 8TH day of FEBRUARY 2021,


TOM SHYPULEFSKI, Mayor