

ORDINANCE NO. 1083

AN ORDINANCE OF THE BOROUGH OF LEWISBURG, UNION COUNTY, PENNSYLVANIA, AMENDING SECTIONS 280-5(B)(2)(b), 280-5(B)(2)(c), 280-5(C), 280-5(E), 280-6(B)(1), 280-7(B), 280-7(C) AND 280-8 OF ARTICLE I OF CHAPTER 280 OF THE CODE OF THE BOROUGH OF LEWISBURG, BEING PART OF ORDINANCE NO. 82-8, ENACTED DECEMBER 21, 1982, AS AMENDED, KNOWN AS THE MUNICIPAL REFUSE COLLECTION SERVICE ORDINANCE OF THE BOROUGH, BY CHANGING THE ITEMS NOT COLLECTIBLE OR ONLY COLLECTIBLE BY SPECIAL ARRANGEMENT, REFUSE CONTAINER REGULATIONS, THE LIMITS OF THE QUANTITY OF RESIDENTIAL REFUSE, AND CERTAIN RULES AND REGULATIONS; IMPOSING AN ADMINISTRATIVE FEE FOR PAD CONSTRUCTIONS; AND ESTABLISHING THAT FEES ARE TO BE PAID TO THE BOROUGH AND ARE ASSESSED WHENEVER A DWELLING UNIT IS OCCUPIED.

Be it enacted and ordained by the Borough Council of the Borough of Lewisburg, Union County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, as follows:

Section 1. Chapter 280, Article I, Section 280-5, Subsection B, Paragraph 2, Subparagraph b of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 972, enacted January 17, 2006, is hereby amended to read in its entirety as follows:

“(b) Uncollectible Items. The following items will not be collected by the Borough:

- (1) Tree stumps;
- (2) Vehicle motors and parts;
- (3) Explosives, flammable liquids, and other hazardous materials;
- (4) Bricks and concrete blocks;
- (5) Dead animals, i.e., cats, dogs, etc.;
- (6) Construction materials

(a) The Borough may authorize a contractor or property owner working on a Borough property to contract with a private hauler for the placement of a dumpster for the removal of construction materials from that property. The dumpster must be clearly labeled with the name, address and phone number of the dumpster owner. The dumpster must be placed on private property and not be located in whole or in part on or within a street, alley or other public right-of-way in the Borough of Lewisburg.

(b) If the construction material dumpster cannot be placed in whole on private property, the Borough Manager may authorize in writing the placement of the dumpster on a street, alley or public right-of-way. However, permission for such placement will only be granted in rare occasions and if permission is granted, it will only be granted for six (6) consecutive calendar days beginning at 7:00 A.M. local time on the day after the Borough's normal street sweeping and ending at 5:00 P.M. local time the date before the Borough's normal street sweeping. If the dumpster is placed on a street, alley or right-of-way outside the approved days/times or remains on a street, alley or public right-of-way for longer than six (6) consecutive calendar days, the owner of the property for which the dumpster was requested will be billed by the Borough One Hundred (\$100.00) Dollars per week or any portion of a week that the dumpster remains on a street, alley or public right-of-way outside the approved days/times or for longer than six (6) consecutive calendar days.

Any dumpsters placed on a street, alley or public right-of-way without written permission of the Borough Manager or any dumpsters on a street, alley or public right-of-way without the dumpster owner name, address and phone number clearly labeled thereon will be removed and disposed of by the Borough after a storage period of thirty (30) calendar days. The documented owner of a dumpster removed by the Borough can retrieve the dumpster within the said thirty (30) day period by providing proof of ownership to the Borough Office and paying the Borough a retrieval fee of One Hundred (\$100.00) Dollars, plus the costs incurred by the Borough for the disposal of any materials contained within the dumpster at the time it was removed by the Borough.

Permission will not be granted for a construction material dumpster within the public right-of-way of Market Street/PA Route 45, Buffalo Road/PA Route 192, or Derr Drive/U.S. Route 15.

- (7) Soil;
- (8) Furnaces;
- (9) Metal pipes;
- (10) Grass clippings, weeds and yard waste;

(11) Wood ash, except in containers provided or approved by the Borough, provided that only cold ash may be placed inside the container; and

(12) Electronics, televisions, computers, computer monitors, radio equipment, etc.”

Section 2. Chapter 280, Article I, Section 280-5, Subsection B, Paragraph 2, Subparagraph c of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 1005, enacted November 15, 2011, is hereby amended to read in its entirety as follows:

“(c) Special Arrangements. The following items will be picked up at the curb or in the alley as the Borough Manager shall direct only upon application to the Borough Manager and the advance payment of a service charge therefor, the amount of which shall be established from time to time by resolution of Borough Council:

(1) Ranges, stoves, water heaters, washing machines, dryers and dishwashers;

(2) Appliances with compression containing refrigerants, including, but not limited to, refrigerators, freezers, air conditioners, humidifiers and dehumidifiers;

(3) Bathtubs, radiators, couches, recliners/chairs, kitchen chairs, wood and metal furniture, sofa beds, mattresses, box springs, commodes, and sinks;

(4) Bicycles and large metal toys;

(5) Rubber tires;

(6) Carpets, rugs and pads;

(7) Pickup truck loads (garbage only); and

(8) Wood ash (if unable to deliver ash to the designated ash dumpster, the Borough will collect if the cool ash is in a 5-gallon disposal container).”

Section 3. Chapter 280, Article I, Section 280-5, Subsection C of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 972, enacted January 17, 2006, is hereby amended to read in its entirety as follows:

“(C) Refuse Containers.

(1) Duty to provide and maintain in sanitary condition. Refuse containers shall be provided by the owner, tenant, lessee, or occupant of the premises. Refuse containers shall be maintained in good condition and must have a well sealing lid to prevent water from entering the container. Any container that does not conform to the provisions of this Article, that is missing a well sealing lid, or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. The Borough Manager shall have the authority to refuse collection services for failure to comply herewith.

(2) Garbage and Rubbish Containers. Garbage and rubbish containers shall be made of durable rust-resistant material or plastic, equipped with suitable handles and tight-fitting covers, and shall be watertight. All bagged garbage and rubbish must be placed inside containers. Garbage bags must have a minimum mill of three mills or greater in bag strength.

(a) Capacity. Garbage and rubbish containers shall be of a kind suitable for collection purposes. Suitable containers without a metal tipping bar shall have a capacity of not more than thirty-three (33) gallons or a weight of more than fifty (50) pounds for dwelling units. Tipper cans, either 32-gallon, 64-gallon, or 96-gallon with a metal tipping bar in the front, are permitted. The capacity of bulk containers furnished by the Borough for commercial entities shall be determined at the discretion of the Borough Manager. In cases where the location of a commercial entity prohibits the use of a bulk container, such entity shall be required to use Tipper cans with a metal bar in the front and be billed at the appropriate bulk container rate (two 96-gallon tipper cans equate to a 2 cubic yard container).

(b) Sanitation. Garbage and rubbish containers shall be of a type approved by the Borough Manager and shall be kept in a clean, neat and sanitary condition at all times.”

Section 4. Chapter 280, Article I, Section 280-5, Subsection E of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 972, enacted January 17, 2006, is hereby amended to read in its entirety as follows:

"E. Points of Collection. Refuse containers shall be made readily accessible and shall be placed for collection at ground level on the property as the Borough Manager shall direct, but not within the right-of-way of a street or alley, on the side of the street or alley from which collection shall be made. Bulk containers must be placed on pads meeting the Borough's specifications. If the property owner fails to provide said pad within thirty (30) days of receipt of written notification to do so, the Borough will construct or have a pad constructed and bill the property owner the charge therefor, together with a ten (10%) percent administrative fee."

Section 5. Chapter 280, Article I, Section 280-6, Subsection B, Paragraph 1 of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 972, enacted January 17, 2006, is hereby amended to read in its entirety as follows:

"(1) Residential. Each residential unit will be limited to no more than one hundred ninety-two (192) gallons of garbage and rubbish during a collection period, except with respect to those items requiring special arrangement as provided in §280-5(B)(2)(c) of this Article. This limit is the equivalent of two (2) 96-gallon tipper cans per collection period. Owners of properties that exceed the said one hundred ninety-two (192) gallon garbage and rubbish limit per residential unit per collection period will be billed by the Borough Two (\$2.00) Dollars per extra bag or Five (\$5.00) Dollars per extra container."

Section 6. Chapter 280, Article I, Section 280-7, Subsection B of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 1028, enacted June 17, 2014, is hereby amended to read in its entirety as follows:

"B. Payment of Fees. All fees for the collection and disposal of refuse shall be payable to the Borough of Lewisburg by the owner(s) of the premises from which collection shall be made, notwithstanding the use of such premises. The payment of

such fees shall be mandatory. No occupiers or lessees of such premises shall be directly responsible for the payment of such fees. All fees and charges shall be billed to the owner(s) on a quarterly basis."

Section 7. Chapter 280, Article I, Section 280-7, Subsection C of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, is hereby amended to read in its entirety as follows:

"C. Vacant Dwelling Units. Upon the filing by the owner of a dwelling unit or his/her designated representative of an application with the Borough Manager attesting to the vacancy of such dwelling unit, refuse collection service for that dwelling unit shall be discontinued effective the Monday of the next following week, at which time any applicable fees then due will be billed to the owner. Refuse collection service will thereafter be reinstated for the said dwelling unit upon receipt of notification from the owner of the dwelling unit or his/her designated representative that such dwelling unit is again occupied and upon payment of a start-up fee of Fifty (\$50.00) Dollars for each dwelling unit. All applicable fees for refuse collection services shall be prorated based upon the date such service is reinstated. If during any period of time when refuse collection service is discontinued for a dwelling unit the Borough determines that such dwelling unit is not vacant, then refuse collection service shall be immediately reinstated and the owner shall be billed for the aforesaid start-up fee, fees for any service collection during the period of time which the dwelling unit was occupied, and all applicable service fees thereafter."

Section 8. Chapter 280, Article I, Section 280-8 of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, as amended by Ordinance No. 84-4, enacted July 17, 1984 and Ordinance No. 833, enacted October 20, 1987, is hereby amended to read in its entirety as follows:

"Rules and Regulations.

A. Districts of collection; notice as to time of collection. The Borough Manager shall divide the Borough into collection districts. The residents of each district shall be notified on which day of the week the refuse in their district will be collected. The districts of collection and the time for collection of refuse in each district may be changed at the discretion of the Borough Manager.



B. Hours of collection. All collections shall be made on Monday through Friday between the hours of 6:30 A.M and 3:00 P.M.; provided, however, that summer hours, holiday hours, special event hours, and emergency situation hours may be set at the discretion of the Borough Manager.

C. Interfering with, damaging or removing containers or receptacles. No unauthorized person shall in any manner interfere with, damage, remove, or destroy any refuse vessels, containers or receptacles referred to in this Article, or the contents thereof.

D. Interference with collectors. No person shall obstruct, delay or interfere with the refuse collectors while in the performance of their lawful duties.

E. Illegal depositing of refuse. No unauthorized person shall deposit any refuse in containers paid for by another person or deposit any refuse on public and/or private property.

F. Report and prosecution of violations. All violations of this Article shall be reported to the Borough Manager, who, together with the Borough's Codes department and/or the Buffalo Valley Regional Police Department, shall investigate or cause to be investigated all such complaints and prosecute all violators of this Article.

G. Designation of solid waste disposal facility. The Lycoming County Landfill is hereby designated the official solid waste disposal facility of the Borough. All refuse accumulated in the Borough shall henceforth be disposed of by the Borough, or by private collectors under §280-3A of this Article, by delivering such refuse to the said facility."

Section 9. Except as amended by this Ordinance and Ordinance No. 972, enacted January 17, 2006, all of the provisions of Sections 280-5(B), 280-6(B) and 280-7 of Article I of Chapter 280 of the Code of the Borough of Lewisburg, being part of Ordinance No. 82-8, enacted December 21, 1982, shall remain in full force and effect.

Section 10. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

Section 11. This Ordinance shall become effective January 1, 2025.

ENACTED AND ORDAINED as an Ordinance of the Borough of Lewisburg, Union County,  
Pennsylvania, this 19<sup>th</sup> day of November, 2024.

ATTEST:

Kathy D. Wendt  
Kathy D. Wendt, Secretary

BOROUGH OF LEWISBURG:

By: David A. Heayn  
David A. Heayn, President

Approved as an Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Kendy Alvarez, Mayor