

GARBAGE, RUBBISH AND REFUSE

Chapter 66

GARBAGE, RUBBISH AND REFUSE

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ARTICLE I
Definitions and Limitations

66-1. Definitions.

A. The term "garbage" as herein used shall mean every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use cooking, dealing in, or storing of meat, fish, fruit or vegetables.

B. The term "rubbish" as herein used shall mean waste material and refuse of every character collected or accumulated within the Borough, except garbage, and shall include by way of enumeration but not by way of limitation grass, leaves, sticks, tree branches, stone, concrete, old boards, broken glass, used furniture or household appliances, tin cans, newspapers.

66-2. Disposal.

It shall be unlawful for any person, firm or corporation to

GARBAGE, RUBBISH AND REFUSE

1 dispose of or dump garbage or rubbish upon the streets of the
2 Borough or upon any public or private premises other than those
3 duly designated for such purpose by Borough Council.
4

5 **66-3. Containers.**

6
7 All garbage and rubbish shall be placed in containers of the
8 type and size hereinafter prescribed and said containers shall be
9 placed at convenient outdoor pickup locations on the terrace next
10 to the street in residential areas or in the alley or rear of
11 commercial areas.
12

13 **66-4. Limitations.**

- 14
15
16 A. Borough employees and/or contractors will not go upon
17 private property to collect rubbish or garbage except areas
18 that are open to the public and accessible to the garbage
19 packer.
20
21 B. The following items will not be collected by Borough
22 employees and/or contractors and must be disposed of by the
23 owner thereof:
24
25 (1) Motor vehicles.
26
27 (2) Waste from the demolition, destruction, burning or
28 disposal of buildings.
29
30 (3) Large household appliances, e.g. stoves,
31 refrigerators, washing machines, dryers, freezers.
32
33 (4) Concrete.
34
35 (5) Large limbs, tree trunks, tree roots.
36
37 (6) Items weighing more than forty (40) pounds.
38
39 (7) Tires.
40
41 (8) Poisons.
42
43 (9) Explosives.
44
45 (10) Dangerous or corrosive chemicals.
46
47 (11) Clothing taken from persons with infectious diseases.
48
49 (12) Heavy metals or metal parts.
50

GARBAGE, RUBBISH AND REFUSE

1 (13) Rocks, bricks, concrete blocks.

2
3 (14) Refuse from construction or remodeling.

4
5 C. Newspapers must be tied in bundles.

6
7 D. Cardboard boxes must be broken down and bundled.

8
9 **ARTICLE II**
10 **Receptacles**

11
12 **66-5. Requirements.**

13
14 Any person using or occupying any building, house or structure
15 within the Borough shall provide and maintain in good order and
16 repair garbage or trash receptacles of sufficient number to contain
17 the garbage or trash that will accumulate on the premises.

18
19 **66-6. Specifications.**

20
21 Receptacles used for storage for garbage and rubbish shall be
22 watertight and meet the following specifications:

23
24 A. Garbage containers shall not exceed forty (40) pounds in
25 weight.

26
27 B. All garbage shall be placed for collection in standard size
28 (not to exceed thirty (30) gallons metal or plastic garbage
29 cans with covers and handles, or in plastic or waterproof
30 paper trash bags. The trash bags must be tied and be
31 sturdy enough so that they can be handled without breakage
32 and tearing.

33
34 C. Trash cans shall be of a durable grade of galvanized metal
35 or other suitable material approved by the Borough, from
36 twenty (20) to thirty (30) gallons in capacity and weighing
37 not more than twenty-five (25) pounds empty or forty (40)
38 pounds fully loaded with normal refuse. Trash cans shall
39 have two lifting handles on opposite sides and a tightly-
40 fitting cover with a lifting handle. The cans shall be
41 without inside protrusions, and the refuse shall be loosely
42 packed so that the contents shall discharge freely when the
43 receptacle is inverted.

44
45 D. Refuse bags made of heavy multiple-ply paper or
46 polyethylene or ethylene, copolymer resin and designed for
47 outdoor storage or refuse are required. Bags must be
48 securely tied or sealed to prevent emission of odor and
49 shall be of a material so that liquids and greases will not
50 be able to penetrate through the material and shall be of

GARBAGE, RUBBISH AND REFUSE

66-11. Maximum amount of containers collected.

During each regular collection the Borough will collect a maximum of three (3) containers from each residential or commercial property for which a garbage collection sticker has been purchased.

**ARTICLE IV
Garbage Collection Stickers**

66-12. Garbage collection stickers.

A. Residential.

(1) All persons, residents, corporations, businesses, associations, etc., who own any structure in the Borough of Exeter, including any apartment, mobile home or trailer, which is used in whole or in part for residential purposes must purchase a garbage collection sticker from the Borough of Exeter.

(2) It shall be the obligation of the owner of any such residential structure to purchase a garbage collection sticker.

(3) Each owner of a trailer park or a multi-family dwelling shall be responsible for purchasing a garbage collection sticker for each unit or trailer in the multi-family dwelling or trailer park. It shall be the obligation of the owner of any multi-family dwelling or trailer park to pay to the Borough the garbage collection fee for each dwelling unit or trailer.

B. Commercial: All persons, residents, corporations, businesses, associations, etc., who own any structure in the Borough of Exeter which is used for commercial purposes may at their option purchase a garbage collection sticker from the Borough of Exeter.

C. Purchase of Stickers: Garbage collection stickers can be obtained by making application to the treasurer of the Borough of Exeter or Borough Council's other authorized representatives. Applications may be obtained by calling the Exeter Borough Municipal Building.

66-13. Receipts.

All applicants upon payment of the fee and charges as hereinafter set forth will receive a receipt. The receipt will

GARBAGE, RUBBISH AND REFUSE

1 note the year and expiration date and other relevant wording. The
2 receipt must be prominently displayed on the building from which
3 the rubbish, garbage or refuse is to be removed.
4

5 **ARTICLE V**
6 **Services Fees**

7
8 **66-14. Fees.** *amended 12-27-05*

9
10 The annual fees for regular collection from commercial and
11 residential premises will be as follows:
12

<u>Type of Premises</u>	<u>Fees</u>
One-family Residence (maximum 3 containers)	\$80.00
Multi-family Residence (maximum 3 containers)	\$80.00 per unit
Mobile Homes (trailers) (maximum 3 containers)	\$80.00 per mobile home
Business and Commercial Enterprises (maximum 3 containers)	\$80.00

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29
30 BULK PICKUP - The Borough may from time to time provide a bulk
31 pickup service. In such an event, anyone requesting bulk
32 pickup shall pay a fee of \$40.00 per five ton truck load and a
33 fee of \$20.00 for any bulk pickup amounting to less than a full
34 five ton truck load.
35

36 **66-15. Rules and regulations.**

- 37
38 A. Any residential premises requiring pickup of more than
39 three (3) containers must arrange for private garbage
40 disposal for the excess containers.
41
- 42 B. All collections will be made from a place easily accessible
43 to the garbage packer from the street from which
44 collections are made. Collections will not be made from
45 inside structures or enclosures.
46
- 47 C. Borough Council or its designated representatives shall
48 have the authority to make such additional rules and
49 regulations concerning the manner and method of Borough
50 refuse collection as Borough Council deems necessary.

ORDINANCE

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, AMENDING AN ORDINANCE IMPOSING THE COLLECTION OF FEES FOR GARBAGE, RUBBISH, AND REFUSE ON THE OCCUPANTS OF EXETER BOROUGH WHO PHYSICALLY RESIDE WITHIN THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF FEES PURSUANT TO CHAPTER 66, SECTION 66-16. .

WHEREAS, AN ORDINANCE ADOPTED, IMPOSING COLLECTION OF FEES FOR GARBAGE, RUBBISH, AND REFUSE ON THE RESIDENTS WHO PHYSICALLY RESIDE IN THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF FEES AND PENALTIES FOR GARBAGE, RUBBISH, AND REFUSE SERVICE; AND

WHEREAS, THE BOROUGH OF EXETER, HEREINAFTER "BOROUGH", IS DESIROUS OF AMENDING CERTAIN PROVISIONS OF CHAPTER 66, SECTION 66-16, SUBSECTIONS B. AND C.;

NOW, THEREFORE, THE LANGUAGE OF CHAPTER 66, SECTION 66-16, SUBSECTION B. and C. SHALL READ:

- B. The annual garbage collection fee shall be paid on or before March 31 of each calendar year, except however that if a structure is first used for residential purposes on or after February 1st of any calendar year, then said fee shall be due and payable within thirty (30) days of the date that residential use is first established. If residential use is first established on or after July 1st of any calendar year, then only one-half of the fee set forth in Article V, Section I shall be required for that calendar year.
- C. If the fee for a garbage collection sticker is not paid within thirty (30) days of the date it is due, a Ninety (\$90.00) Dollar penalty will be added to the price of the garbage collection fee; if said fee plus penalty is not


paid within sixty (60) days of the date the fee is due the aggregate amount of the fee plus the penalty shall bear interest from the penalty date at the rate of one-half of one percent per month or a fraction thereof. In addition, any one not paying the fee by the penalty date or not paying any penalty or interest due shall bear the cost to the Borough of collecting the fee, penalty or interest.

SHOULD ANY PORTION WHATSOEVER OF THIS ORDINANCE BE HELD INVALID OR UNENFORCEABLE FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED SEVERABLE, BUT NOT ONLY TO THE EXTENT OF SUCH HOLDING AND SUCH HOLDING SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE.

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH BE THE SAME ARE HEREBY REPEALED.

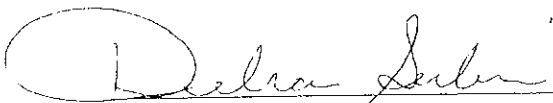
THIS ORDINANCE SHALL TAKE EFFECT Dec 30 2003,
2004.

ORDAINED AND ENACTED INTO LAW THIS 30 DAY OF DECEMBER,
2003.



PRESIDENT OF COUNCIL

ATTEST:



BOROUGH SECRETARY

APPROVED THIS 30 DAY OF DECEMBER, 2003



MAYOR

GARBAGE, RUBBISH AND REFUSE

1 **66-16. Collection of fees.**

- 2
- 3 A. It is the responsibility of anyone required by this
- 4 ordinance to purchase a garbage collection sticker to pay
- 5 the annual garbage collection fee for said sticker.
- 6
- 7 B. The annual garbage collection fee shall be paid on or
- 8 before February 28th of each calendar year, except however
- 9 that if a structure is first used for residential purposes
- 10 on or after February 1st of any calendar year, then said
- 11 fee shall be due and payable within thirty (30) days of the
- 12 date that residential use is first established. If
- 13 residential use is first established on or after June 1st
- 14 of any calendar year, then only one-half of the fee set
- 15 forth in Article V Section I shall be required for that
- 16 calendar year.
- 17
- 18 C. If the fee for a garbage collection sticker is not paid
- 19 within 30 days of the date it is due, a 10 percent penalty
- 20 shall be added thereto; if said fee plus penalty is not
- 21 paid within 60 days of the date the fee is due, the
- 22 aggregate amount of the fee plus penalty shall bear
- 23 interest from the penalty date at the rate of 1/2 of 1
- 24 percent per month or fraction thereof. In addition, anyone
- 25 not paying the fee due by the penalty date or not paying
- 26 any penalty or interest due, shall bear the cost to the
- 27 Borough of collecting said fee, penalty or interest.
- 28
- 29 D. Any individual or enterprise not paying its garbage
- 30 collection fee within the time required by this Section
- 31 shall be in violation of this Chapter and each day that the
- 32 garbage collection fee remains unpaid shall constitute a
- 33 separate violation of this Chapter.
- 34

35 **ARTICLE VI**

36 **Violations and Penalties**

37

38 **66-17. Violations and penalties.** *— Amended 12/30/03*

39

40 Any garbage, rubbish or other refuse not collected by the

41 Borough, either because of the limitations provided in this Chapter

42 or because of non-payment of a fee shall be disposed of by the

43 owner. Failure of the owner to dispose of garbage, rubbish or

44 other refuse not collected by the Borough shall be considered a

45 violation of this Chapter and the owner shall be subject to the

46 penalties hereinafter provided.

47

- 48 A. Any person who shall violate any provision of this Chapter
- 49 shall upon conviction thereof for each violation, be
- 50 subject to a fine of not less than fifty (\$50.00) dollars

GARBAGE, RUBBISH AND REFUSE

1 nor more than three hundred (\$300.00) dollars in the
2 discretion of the Court, plus costs of prosecution. In
3 default of the payment of such fines and costs, such person
4 shall be imprisoned in the County jail for a period of not
5 more than ten (10) days.

6
7 B. It shall be considered a violation of this Chapter where
8 more than one residential premises and/or business or
9 commercial enterprise are aggregating their garbage and
10 trash for collection under one service fee. In such event,
11 both parties will be considered in violation of this
12 Chapter.

13
14 C. Each day that any violation of this Chapter exists shall be
15 considered a separate and distinct violation.
16

17
18 **ARTICLE VII**
19 **Mandatory Recycling Program**
20

21 **66-18. Purpose.**
22

23 It is the goal and purpose of this Chapter to effectuate the
24 Borough's compliance with Act 101, by facilitating efficient
25 disposal of solid waste generated within the Borough in the most
26 economical, environmentally acceptable manner, and also to reduce
27 the total volume of solid waste disposal of by the Borough. This
28 Chapter is also designed, in accordance with the Borough's police
29 powers, to protect the health, welfare, and safety of the residents
30 of this Borough.
31

32 **66-19. Definitions.**
33

34 For the purposes of this Chapter, the following words and
35 phrases shall have the meanings given to them in this section
36 unless the context clearly indicates otherwise:
37

38 **PERSON** - Any individual, or any other legal entity whatsoever
39 which is recognized by law as the subject of rights and duties.
40 In any provisions of this Chapter prescribing a fine,
41 imprisonment or penalty, or any combination of the foregoing,
42 the term "person" shall include the officers and directors of
43 any corporation or other legal entity having officers and
44 directors.
45

46 **COMMERCIAL ESTABLISHMENT** - Any entity in business for profit
47 and which has not previously been afforded municipal waste
48 collection.
49

50 **CORRUGATED PAPER** - Paper which has been shaped or wrinkled into

GARBAGE, RUBBISH AND REFUSE

1 parallel grooves and ridges, including cardboard, wrapping and
2 packaging paper.

3
4 INDEPENDENT CONTRACTOR - A private garbage hauler engaged by a
5 commercial establishment.

6
7 NEWSPRINT - A cheap, low-grade paper made mainly from wood pulp
8 and used chiefly for newspapers.

9
10 RESIDENT - A person who lives in a residential structure.

11
12 RESIDENTIAL - Any noncommercial building used for family
13 dwelling and which contains no more than four (4) dwelling
14 units.

15
16 RECYCLABLE MATERIALS - Materials which are separated from the
17 remainder of municipal waste in compliance with Section 1501 of
18 Act 101.

19
20 SOLID WASTE - Materials or substances discharged or rejected as
21 being spent, useless, worthless, or in excess by the owner at
22 the time of such discard or rejection, except sewage and other
23 highly diluted water-carried materials or substances, and those
24 in gaseous form. Such waste is more commonly defined as
25 "Municipal Waste" under rules and regulations promulgated by
26 the Pennsylvania Department of Environmental Resources. The
27 waste shall include, but is not limited to, garbage, sludge,
28 rubbish, ashes, street cleaning, dead animals, offal, abandoned
29 vehicles, agricultural waste.

30 31 **66-20. Residential recycling requirements.**

32
33 A. In accordance with Section 1501 of Act 101, 53 P.S.
34 4000.1501, the following items are hereby declared as the
35 designated residential recyclable materials:

36
37 (1) Newsprint, which until such time as may be
38 prohibited by the recycling facility, may also
39 include glossy advertising inserts;

40
41 (2) Aluminum cans;

42
43 (3) Clear glass;

44
45 (4) Colored glass;

46
47 (5) Certain types of plastics.

48
49 B. Each resident must establish within the household a program
50 for effective source separation of the aforementioned

GARBAGE, RUBBISH AND REFUSE

1 recyclable materials. Said recyclable materials must be
2 kept separate from other solid waste, and shall be disposed
3 of as hereinafter set forth. Further, all of the
4 designated recyclable materials must be stored in an area
5 free from exposure to the elements and shall be properly
6 secured so as to be safe from vermin.
7

8 C. The Borough shall provide each residential dwelling one (1)
9 recyclable materials container, which container must be
10 utilized by the resident when placing the aforementioned
11 recyclables at curbside for collection. The container
12 shall remain the property of the Borough, and the
13 recyclables shall become the property of the Borough when
14 placed at curbside for collection.
15

16 D. The Department of Public Works of the Borough shall
17 establish a schedule for collection of the recyclable
18 materials which conforms to the requirements of Section
19 1501(d) of Act 101. Suitable public notice of said
20 schedule of collection shall be made via newspaper
21 advertisement.
22

23 **66-21. Commercial recycling requirements. 2/07**

24
25 A. In accordance with Section 1501 of Act 101, the following
26 are designated as the designated commercial recycling
27 materials:
28

- 29 (1) High grade office paper;
- 30
- 31 (2) Aluminum;
- 32
- 33 (3) Corrugated Paper;
- 34
- 35 (4) Leaf waste.
36

37 B. Each commercial establishment shall develop an effective
38 program for the source separation of the aforementioned
39 recyclables. These materials must be kept separate from
40 other solid waste. Further, the recyclable materials must
41 be stored in an area free from exposure to the elements and
42 properly secured, so as to be safe from vermin.
43

44 C. Each commercial establishment shall arrange with an
45 independent contractor for private collection of the
46 aforementioned recyclables, as well as for collection of
47 remaining solid waste, which independent contractor shall
48 comply with all governing statutes for proper disposal of
49 same.
50

GARBAGE, RUBBISH AND REFUSE

1 D. Any commercial establishment which seeks exemption from the
2 requirements of this Chapter on the basis that it has
3 otherwise provided for the recycling of the designated
4 recyclable materials shall report no later than January
5 15th of each year to the Borough the total number of tons
6 recycled in compliance with Section 1501 (c) (1) (iii) of
7 Act 101.
8

9 **66-22. Disposal of lead batteries.**

10
11 Any resident wishing to dispose of a lead acid battery shall
12 deliver same to an automotive battery retailer or wholesaler, or to
13 a secondary lead smelter permitted by the United States
14 Environmental Protection Agency, or to an authorized recycler, as
15 required by Section 1510 of Act 101. No other form of disposal
16 shall be lawful.
17

18 **66-23. Disposal of leaf waste and similar material.**

19
20 Leaves, garden residues, shrubbery and tree trimmings, and
21 similar material, but not including grass clippings, shall be
22 separated from other municipal waste generated by residents, and
23 shall be placed at curbside in accordance with the collection
24 scheduled adopted by the Borough. Said waste shall be placed at
25 curbside separately in a polyethylene trash bag of thirty (30)
26 gallon capacity or in a disposable corrugated container.
27

28 **66-24. Borough ownership of recyclables.**

29
30 Upon placement at curbside of the container supplied by the
31 Borough, as hereinbefore mentioned, all recyclables shall become
32 the property of the Borough, whose responsibility it shall be to
33 dispose of the recyclables in conformity with Act 101. No person
34 or persons other than the Department of Public Works or this duly
35 authorized agents may collect and dispose of recyclables placed at
36 curbside. Violation of this section shall be considered as
37 criminal theft or scattering rubbish under the Pennsylvania Crimes
38 Code, depending upon the severity of the violation, and may be
39 prosecuted in accordance with existing law.
40

41 **66-25. Recycling of materials.**

42
43 It shall be unlawful for any person to dispose of the materials
44 designated herein as recyclables with regular municipal waste. The
45 Department of Public Works and its designated agents are hereby
46 authorized to regularly inspect all municipal waste collected for
47 violations of this Chapter.
48

49 The Borough reserves the right to refuse to collect municipal
50 waste which contains unseparated recyclable materials in violation

GARBAGE, RUBBISH AND REFUSE

1 of Section IV of this Chapter.
2

3 **66-26. Delegation of duties.**
4

5 The Borough, if it deems it appropriate, may enter into an
6 agreement with any private firm for the collection of recyclables,
7 pursuant to Section 1501 (e)(1)(ii) of Act 101.
8

9 **66-27. Enforcement.**
10

11 Any person who violates any provision of this Chapter, except
12 as hereinbefore stated in Section IX, shall, upon conviction
13 thereof in a summary proceeding, be sentenced to pay a fine of not
14 less than one hundred dollars (\$100.00) nor more than three hundred
15 dollars (\$300.00) and costs of prosecution, and in default of
16 payment of such fine and costs, to undergo imprisonment for a
17 period of not more than thirty (30) days. Further, each day for
18 which a violation occurs and each violation of any provision of
19 this Chapter shall constitute a separate offense.
20

ORDINANCE NO. 4 OF 2005

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, AMENDING AN ORDINANCE IMPOSING THE COLLECTION OF FEES FOR GARBAGE, RUBBISH, AND REFUSE ON THE OWNERS WHO OWN REAL PROPERTY WITHIN THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF FEES PURSUANT TO CHAPTER 66.

WHEREAS, AN ORDINANCE ADOPTED, AMENDING THE FEES FOR GARBAGE, RUBBISH, AND REFUSE ON THE REAL PROPERTY OWNERS IN THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF FEES AND PENALTIES FOR GARBAGE, RUBBISH, AND REFUSE SERVICE;
AND

WHEREAS, THE BOROUGH OF EXETER, HEREINAFTER "BOROUGH", IS DESIROUS OF AMENDING THE FEE AND PENALTIES FOR GARBAGE, RUBBISH AND REFUSE;

NOW, THEREFORE,

SECTION 1.

The price for garbage stickers in the Borough of Exeter shall be amended to cost \$110.00.

SECTION 2, SUBSECTION C.

The language of Chapter 66, Section 66-16, Sub-section c shall read:

If the fee for garbage collection stickers is not paid on or by March 31 for each calendar year, a \$90.00 penalty will be added to the price of the garbage collection fee. In addition, any one not paying the fee by the penalty date or not paying any penalty due shall bear the cost to the Borough of collecting the fee, penalty, and interest.

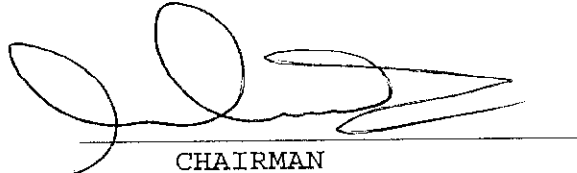
SHOULD ANY PORTION WHATSOEVER OF THIS ORDINANCE BE HELD INVALID OR UNENFORCEABLE FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED SEVERABLE, BUT NOT ONLY TO THE EXTENT OF SUCH HOLDING AND SUCH HOLDING SHALL NOT AFFECT

THE REMAINING PORTIONS OF THIS ORDINANCE.

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH
BE THE SAME ARE HEREBY REPEALED.

THIS ORDINANCE SHALL TAKE EFFECT January 1,
2006

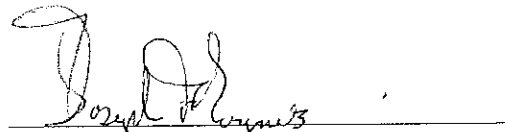
ORDAINED AND ENACTED INTO LAW THIS 27 DAY OF DECEMBER,
2005


CHAIRMAN

ATTEST:


BOROUGH SECRETARY

APPROVED THIS 27 DAY OF DECEMBER, 2005


MAYOR

ORDINANCE NO. 4 OF 2009

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, AMENDING AN ORDINANCE IMPOSING THE COLLECTION OF FEES FOR GARBAGE, RUBBISH, AND REFUSE ON THE OWNERS WHO OWN REAL PROPERTY WITHIN THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF FEES PURSUANT TO CHAPTER 66, SECTION 66-16.

WHEREAS, AN ORDINANCE ADOPTED, IMPOSING COLLECTION OF FEES FOR GARBAGE, RUBBISH, AND REFUSE ON THE REAL PROPERTY OWNERS IN THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, PROVIDING FOR THE COLLECTION OF FEES AND PENALTIES FOR GARBAGE, RUBBISH, AND REFUSE SERVICE; AND

WHEREAS, THE BOROUGH OF EXETER, HEREINAFTER "BOROUGH", IS DESIROUS OF AMENDING THE FEE AND PENALTIES FOR GARBAGE, RUBBISH AND REFUSE;

NOW THEREFORE,

SECTION 1.

The price for garbage stickers in the Borough of Exeter shall be amended to cost \$150.00 if purchased by February 28, 2010 and \$180.00 if purchased by March 31, 2010.

The price for garbage stickers in the Borough of Exeter for senior citizens, age 64 before March 31, 2010, shall be amended to cost \$110.00 if purchased by February 28, 2010 and \$130.00 if purchased by March 31, 2010.

SECTION 2.

The language of Chapter 66, Section 66-16, Sub-section C shall read:

If the fee for garbage collection stickers is not paid on or by March 31 for each calendar year a \$90.00 penalty will be added to the price of the garbage collection fee. In addition, any one not paying the fee by the penalty date or not paying any penalty due shall bear the cost to the Borough of collecting the fee, penalty and interest.

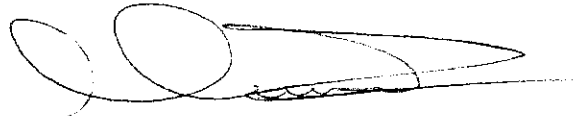
SHOULD ANY PORTION WHATSOEVER OF THIS ORDINANCE BE HELD INVALID OR UNENFORCEABLE FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED SEVERABLE, BUT NOT ONLY TO THE EXTENT OF SUCH HOLDING AND SUCH HOLDING SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE.

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith BE THE SAME ARE HEREBY REPEALED.

THIS ORDINANCE SHALL TAKE EFFECT January 4, 2010.

ORDAINED AND ENACTED INTO LAW THIS 4 DAY OF January, 2010.

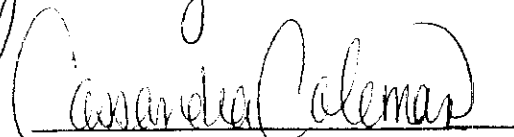
PRESIDENT OF COUNCIL



ATTEST:


BOROUGH SECRETARY

APPROVED THIS 4 DAY OF January, 2010


MAYOR