

ORDINANCE NO. 4

AN ORDINANCE regulating, and under certain circumstances prohibiting the dumping, depositing or other placing of garbage, rubbish and waste matter of all sorts in, or upon, or along the public roads in Rush Township; providing for the regulation of dumps or dumpings places and the licensing of the same; providing penalties for the breach of this ordinance.

The Board of Supervisors of Rush Township, Schuylkill County, Pennsylvania, does ordain:

SECTION 1. DEFINITIONS: (a) The word "GARBAGE" as used in this ordinance shall include any decayed or partly rotten fruit, vegetable or animal matter, or other articles of food, and all offal, swill, housesweepings and other worthless fruit, vegetable or animal matter, or putrescible matter of any kind.

(b) The word "RUBBISH" as used in this ordinance shall include all combustible trash, such as paper, cardboard, rags, boxes, crates, cartons, wood, tires, rubber, leather, garden trash, etc., and all non-combustible trash such as cans, bottles, wire, metal parts, glass, dishes, plaster, etc.

(c) The word "DUMP" as used in this ordinance shall include any accumulation of garbage from things not grown or consumed upon the premises, or of rubbish or waste matter arising from things not used or consumed upon the premises.

SECTION 2. It is hereby declared unlawful for any person, firm, association, or corporation to dump or place of deposit any garbage or waste matter in or upon or along any public road in Rush Township.

SECTION 3. No person, firm, association or corporation shall accumulate or knowingly permit the accumulation of garbage, rubbish or waste matter upon lands in Rush Township belonging to such person, firm, association or corporation so that the same becomes a public nuisance, or unsightly, or obnoxious to the public generally or so that the same may be or become injurious or detrimental to the health, safety or welfare of any resident of said township.

SECTION 4. It shall hereafter be unlawful for any property owner to use any private property in Rush Township for purposes of a dump, or a public dump, or to permit the same to be used by others for dumping purposes, unless and until such property owner shall have obtained a permit from the Board of Supervisors of Rush Township to maintain a dump. The application for the permit shall state fully and accurately the applicant's title to said property, the exact size and location of the proposed dump, and shall stipulate that no portion of it is within an area or distance of one hundred (100) feet from any public road. Upon such approval of such application by the Board, a permit shall be issued without any license fee being paid therefor, which permit shall be limited to one year and shall be subject to revocation at any time in the event of any dumping upon the premises outside the permitted area.

SECTION 5. Any person, firm, association or corporation violating any provision of this ordinance shall be subject to a fine or penalty of ten (\$10.00) dollars for the first offense; one hundred (\$100.00) dollars for each and every subsequent offense, which fine or penalty may be collected by suit or summary proceedings before any Justice of the Peace. Upon default in the payment of any fine and costs upon any judgment so entered, the defendant may be sentenced and committed for a period not to exceed thirty (30) days.

SECTION 6. Anyone knowingly depositing or accumulating garbage, rubbish or waste matter or permitting the same to be deposit-

ed or accumulated contrary to any provision of this ordinance shall within five (5) days written notice from the Township Supervisors so to do, forthwith remove such garbage, rubbish or waste matter, and upon failure so to do, the Township Supervisors may at their discretion remove or cause the same to be removed and collect the cost thereof in addition to the fines and penalties hereinbefore mentioned and provided for.

This ordinance enacted and ordained this 6th day of May, 1955 .

THE BOARD OF SUPERVISORS OF  
RUSH TOWNSHIP,

By: /s/ Wm. W. Leidinger  
President

ATTEST:

/s/ Guy W. Faust Sr.

/s/ Homer E. Neifert  
Secretary

/s/ Arnold R. Mace  
Township Supervisors

AMENDMENT TO ORDINANCE NO. 4 OF RUSH TOWNSHIP

AMENDMENT to Township Ordinance No. 4, enacted May 6, 1955, being an ordinance relating to the regulating, and under certain circumstances prohibiting the dumping, depositing or other placing of garbage, rubbish and waste matter of all sorts in, or upon, or along the public roads in Rush Township; providing for the regulation of dumps or dumping places and the licensing of the same; providing penalties for the breach of this ordinance.

The Board of Supervisors of Rush Township, Schuylkill County, Pennsylvania, does ordain that Section 5 of said Township Ordinance No. 4 shall be amended by deleting the words "Ten (\$10.00) Dollars" and inserting the words "Fifty (\$50.00) Dollars", and henceforth the said Section 5 of Township Ordinance No. 4 shall be as follows:

SECTION 5. Any person, firm, association or corporation violating any provision of this Ordinance shall be subject to a fine or penalty of Fifty (\$50.00) Dollars for the first offense; One Hundred (\$100.00) Dollars for each and every subsequent offense, which fine or penalty may be collected by suit or summary proceedings before any Justice of the Peace. Upon default in the payment of any fine and costs upon any judgment so entered, the defendant may be sentenced and committed for

a period not to exceed thirty (30) days.

This amendment ordained the 2nd day of June, 1972.

THE BOARD OF SUPERVISORS OF  
RUSH TOWNSHIP.

Samuel C. Keller  
President

Iva Blackwell

Attest:

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Secretary

AMENDMENT TO ORDINANCE NO. 4 OF RUSH TOWNSHIP

AMENDMENT to Township Ordinance No. 4, enacted May 6, 1955, being an ordinance relating to the regulating, and under certain circumstances prohibiting the dumping, depositing or other placing of garbage, rubbish and waste matter of all sorts in, or upon, or along the public roads in Rush Township; providing for the regulation of dumps or dumping places and the licensing of the same; providing penalties for the breach of this ordinance.

The Board of Supervisors of Rush Township, Schuylkill County, Pennsylvania, does ordain that Section 4 of said Township Ordinance No. 4 shall be amended by deleting the words "One hundred (100) feet" and inserting instead the words "Five hundred (500) feet", and henceforth the said Section 4 of Township Ordinance No. 4 shall be as follows:

"SECTION 4. It shall hereafter be unlawful for any property owner to use any private property in Rush Township for purposes of a dump, or a public dump, or to permit the same to be used by others for dumping purposes, unless and until such property owner shall have obtained a permit from the Board of Supervisors of Rush Township to maintain a dump. The application for the permit shall state fully and accurately the applicant's title to said property, the exact size and location of the proposed dump, and shall stipulate that no portion of it is within an area or distance of FIVE HUNDRED (500) FEET from any public road.

Upon such approval of such application by the Board, a permit shall be issued without any license fee being paid therefor, which permit shall be limited to one year and shall be subject to revocation at any time in the event of any dumping upon the premises outside the permitted area."

This Amendment enacted and ordained this  
2nd day of December 1955.

THE BOARD OF SUPERVISORS OF  
RUSH TOWNSHIP,

/s/ Wm. W. Leidinger  
PRESIDENT

/s/ Guy W. Faust Sr.

/s/ Arnold R. Mace

Attest:

/s/ Homer E. Neifert  
SECRETARY