

ORDINANCE NO. 03-2019

CATAWISSA BOROUGH, COLUMBIA COUNTY, PENNSYLVANIA

**AN ORDINANCE OF CATAWISSA BOROUGH ESTABLISHING RECYCLING
CENTER RULES**

WHEREAS, The Council of the Borough of Catawissa deems it to be in the best interest of the health, maintenance, and welfare of the Citizens of the Borough to establish reasonable Rules to maintain order, cleanliness, and the appearance of the Recycling Center.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Borough of Catawissa, Columbia County, Pennsylvania, as follows:

Section 101. Rules

1. No rubbish/items are to be left on the ground on or about the Recycling Center area.
2. Persons using the Center must abide by the signage and place the correct rubbish/items in the correct bin(s) as indicated.
3. Recycling Center is for the use of Catawissa Borough residents only.
4. Cardboard and boxes must be broken down before such are placed in the bin(s).

Section 102. Enforcement Remedies

1. The procedure set forth in Section 617.2 Of the Pennsylvania Municipalities Planning Code, 53 P.S. 10617.2, as reenacted and amended 1988, December 21, P.L. 1329, Act 170, and outlined below shall be utilized in enforcement of the provisions of this chapter. Where amendment or revision to the Municipalities Planning Code changes the enforcement procedure, such changes shall be considered to be part of this chapter.

2. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter, whether enacted under current law or prior law, shall, upon being found liable therefor in a civil enforcement proceeding commenced by Catawissa Borough, pay a judgment of not more than five hundred dollars (\$500.) plus all court costs, including reasonable attorney fees incurred by the township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, Catawissa Borough may

enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this chapter shall be paid over to Catawissa Borough.

3. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

4. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than Catawissa Borough the right to commence any action for enforcement pursuant to this section.

ENACTED AND ORDAINED this 11th day of March, 2019.

ATTEST:

CATAWISSA BOROUGH COUNCIL

Connie De Cole
Secretary

By: David Kim
Council President