

CODIFIED ORDINANCES OF WHITE OAK
PART ELEVEN - HEALTH AND SANITATION CODE

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CODIFIED ORDINANCES OF WHITE OAK
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ARTICLE 1101
Junk; Junked Motor Vehicles and Junk Yards

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CROSS REFERENCES

Junk dealers - see BUS. & TAX. Art. 305
Garbage and refuse - see H. & S. Art. 1111

1101.01 PURPOSE.

This article is enacted for the purpose of promoting the health, safety, morals and general welfare of the inhabitants of the Borough and maintaining the aesthetic and property values of the Borough by regulating the storage and disposition of abandoned and junked motor vehicles and junk within the Borough, by making provision for the application of all requirements of the Zoning Ordinance of the Borough to the use, operation and maintenance of junk yards, and providing minimum safety standards in such use for the protection of the public.
(Ord. 992. Passed 11-22-67.)

1101.02 SHORT TITLE.

This article shall be known and may be cited as "The White Oak Junked Motor Vehicle, Junk and Junk Yard Ordinance".
(Ord. 992. Passed 11-22-67.)

1101.03 DEFINITION OF TERMS.

(a) "Person" means any natural person, individual, firm, association, co-partnership or corporation or any agent, servant or employee thereof. Whenever used in a clause prescribing or imposing a fine or penalty, the term person as applied to a firm, association or co-partnership, shall mean any member thereof and as applied to a corporation shall mean the president or secretary thereof.

(b) "Motor vehicle" means all automobiles, tractors, trucks, truck trailers and other motor vehicles and trailers of every kind used for the transportation of people, goods or personal property.

(Ord. 992. Passed 11-22-67.)

(c) "Abandoned" or "junked vehicle" means any vehicle in such a state of disrepair as to be incapable of being moved under its own power or being towed, or in a dismantled condition, or without current license plate, or without current inspection sticker, which has not been moved or used for more than a week immediately prior to the tow; provided, however, the term shall not apply to any vehicle bearing current license plate and current inspection sticker until the Police Department and/or Ordinance Officer has by personal service or by regular mail given notice to the registered owner stating that the vehicle if not immediately moved shall be deemed to be abandoned or junked.

(Ord. 2059. Passed 1-21-80.)

(d) "Junk" means any old, used or discarded materials of any kind (except refuse as defined in Ordinance No. 425) including cloth, rags, clothing, paper, rubber, iron, brass, copper, tin, or other metal, furniture, household equipment, used motor vehicle or the parts thereof or other articles which due to its worn condition renders it practically useless for the purpose for which it was originally made.

(e) "Junk yard" means any lot or tract of land used in the business of selling, buying and dealing in junk as above defined including the operation of an auto wrecking or auto salvage yard or business.

(Ord. 992. Passed 11-22-67.)

1101.04 REGULATIONS.

(a) For the safety of the public, any accumulation of junk and the storage of abandoned or junked motor vehicles on public or private property, except as hereinafter provided, is hereby declared to be a nuisance.

(Ord. 992. Passed 11-22-67.)

(b) For the safety of the traveling public, no person shall park any abandoned or junked motor vehicle upon any public street, alley, highway, or public property within the Borough; and any abandoned or junked motor vehicle so illegally parked within the prohibition of this article may be ordered removed and impounded by the Police Department through any regular police officer of the Borough and/or the Ordinance Officer, pursuant to the provisions of this section and penalty imposed pursuant to Section 515.99. (Ord. 2059. Passed 1-21-80.)

(c) No person shall store or keep any abandoned or junked motor vehicle, discarded furniture or household equipment or junk on any private property within the Borough except in a junk yard duly authorized pursuant to the provisions of the Zoning Ordinance; provided, however, that any such abandoned or junked motor vehicle or junk may be kept and stored by the owner thereof within any dwelling, fully enclosed commercial place of business or appurtenant garage where such premises are not used for the purpose or business of selling, buying and dealing in junk.

(d) No person shall keep, conduct or maintain any building, structure, yard or place within the Borough for keeping, storing or piling of any junk in commercial quantities whether temporarily, irregularly, or continually, or for the buying or selling at retail or wholesale or dealing in any "junk" as herein defined unless:

- (1) Application for such use be made to the Building Inspector who must first determine that such premises are entirely located within a Use District (Industrial) in which the establishment of such a junk yard may be permitted by the Zoning Ordinance, and having so determined, has referred the application to the Board of Adjustment.
- (2) Such use has been authorized in accordance with the requirements of the Zoning Ordinance, as a special exception after public hearing by the Board of Adjustment.
- (3) The Rules and Regulations of the Allegheny County Health Department have been or will be fully met.
- (4) Use and Occupancy Permit has been duly issued over the signature of the Building Inspector, acting upon the direction of the Board of Adjustment and the permit fee paid as hereinafter provided.

(e) No person shall burn any junked motor vehicle, its assembly or part thereof or any other junk within the Borough, particularly in the operation of any junk yard and such act is hereby declared to be a nuisance.

(Ord. 992. Passed 11-22-67.)

1101.05 PERMITS.

(a) Permits for the use, operation and maintenance of a junk yard shall be issued by the Building Inspector:

- (1) Upon application in writing on forms to be furnished by him showing:
 - A. Name and address of the applicant and owner.
 - B. The extent and area to be used and its zoning classification, to be accompanied by a plan or survey or plat of such tract and adjoining properties showing the zoning classification of adjoining properties and location of public highways.
- (2) Upon direction of the Board of Adjustment after public hearing to do so.
- (3) Payment of the required fee as hereinafter provided.

(b) Permits for the use, operation and maintenance of a junk yard shall be issued by the Building Inspector for the calendar year and such permit shall be subject to suspension whenever the holder thereof shall be convicted of a violation of this article or a violation of the Zoning Ordinance. A suspended permit may be reinstated by the Building Inspector for the balance of the calendar year for which it was issued upon compliance of the holder thereof with all the requirements as herein provided.

(c) No permit for the use, operation or maintenance of a junk yard shall be transferable to a different location nor may any person holding such a use permit for the use of a junk yard extend the area nor add any new facility or structure or eliminate any existing facility or structure until notice of any proposed change shall have been given to the Building Inspector and the Building Inspector shall have ascertained, after investigation as in the case of an original application for such permit, that such proposed change is in accordance with all of the requirements of this article and shall have signified that fact by his approval endorsed in writing upon the original permit.

(Ord. 992. Passed 11-22-67.)

1101.06 FEES.

The annual fee for a use permit for the use, operation and maintenance of a junk yard shall be paid at the time of issuance thereof and shall be one hundred and seventy-five dollars (\$175.00) for the whole or any part of any calendar year and all monies received by way of permit fees shall be paid into the General Fund of the Borough; such fee to cover the services of the Borough officers and employees in making the necessary investigations and issuing the required permit and submitting report to the Borough Secretary.

(Ord. 1514. Passed 12-20-76.)

1101.07 INSPECTION AND SAFETY REQUIREMENTS.

(a) The Building Inspector shall inspect or cause to be inspected the premises of every duly authorized junk yard within the Borough as above provided, periodically and at the time of application for renewal of annual permit to determine that:

- (1) Such use and operation complies with all laws, ordinances, rules and regulations applicable thereto.
- (2) Such premises and all structures thereon be so situated and constructed that the business of junk dealing may be carried on in a sanitary manner.
- (3) Such premises contain no fire hazards and in this connection shall require that every fuel tank of every junked motor vehicle be drained, filled with water to overflowing and then securely capped.
- (4) Such premises be arranged so that their inspection may be made at any time by the proper health, fire, building and police authorities.
- (5) Such premises be enclosed by a fire proof wall, fence or other structure not less than eight feet in height and that no article be piled so as to protrude above the enclosure and that such fence, for the safety of the traveling public, be set back at least twenty feet from any public road, street or highway.

(b) If any person holding a permit for the use, operation and maintenance of a junk yard be convicted of any violation of the provisions of this article, or the requirements of the Zoning Ordinance, or any other ordinance of the Borough pertaining to the operation of such junk yard, it shall be the duty of the Building Inspector to suspend such permit subject to the right of reinstatement as hereinabove set forth at Section 1101.05(b). (Ord. 992. Passed 11-22-67.)

1101.08 ABATEMENT OF NUISANCES.

In the event that any person shall conduct any nuisance on any private or public property in violation of the provisions of this article, or shall in any way violate the provisions of this article, in addition to the other penalties and remedies that may be provided by law or this article, Council may, by proper resolution, direct the owner or occupant of such grounds to abate or remove the same within ten days of receipt of written notice in default of which the Borough may cause the same to be done and collect the cost thereof with a penalty of ten percent (10%) of such cost, in the manner provided by law for the collection of municipal claims or by action of assumpsit, or may seek relief by bill in equity as provided by Act No. 581 of 1965. (Ord. 992. Passed 11-22-67.)

1101.99 PENALTY.

(a) Any person who violates or causes to be violated any of the provisions of this article shall, be sentenced to pay a fine of three hundred dollars (\$300.00) and costs of prosecution for each and every offense, and, in default of the payment of such fine and costs to be sentenced and committed to the Allegheny County Jail for a period of not less than five days nor more than thirty days. (Ord. 3452. Passed 11-20-06.)

(b) Each and every day that a violation of this article is permitted to continue after twenty-four hour notice from the office of the Borough Secretary, Building Inspector or Borough Ordinance Officer shall be construed to constitute another separate and distinct offense under this article and shall be subject to separate and distinct penalties thereon. (Ord. 992. Passed 11-22-67.)

**ARTICLE 1111
Garbage and Refuse**

<p>1111.01 Definitions.</p> <p>1111.02 Containers.</p> <p>1111.03 Collectors' vehicles.</p> <p>1111.04 Garbage and refuse.</p>	<p>1111.05 Rubbish.</p> <p>1111.06 Collectors' permits.</p> <p>1111.07 Collection fee.</p> <p>1111.99 Penalty.</p>
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CROSS REFERENCES

Junk; Junked Motor Vehicles - see H. & S. Art. 1101
BOCA Building Code - see BLDG. & HOUS. Art. 1701

1111.01 DEFINITIONS.

For the purposes of this article, words used in the present tense include the future, words in the singular include the plural number and vice versa. The word shall is mandatory and the following words are intended to have the meaning hereinafter attributed to them.

- (a) "Garbage" means every accumulation of animal and vegetable matter that attends or results from the handling, preparation, cooking and/or consumption of food and all other putrescible solid wastes, except body wastes.
- (b) "Refuse" means all cans, cartons and containers which were receptacles for food or were receptacles for materials normally used in and about the enjoyment of a human habitation, but specifically shall not include ashes, yard clippings, discarded furniture, machinery, parts of dismantled automobiles or equipment, or any accumulation of containers or wastes resulting from any commercial or industrial operation.
- (c) "Rubbish" means all non-putrescible solid wastes which are not hereinabove classified as refuse, whether combustible or non-combustible, such as newspapers, magazines, discarded furniture and bedding, broken down or dismantled automobiles and all other materials commonly denoted as junk.
(Ord. 425. Passed 4-11-60.)

1111.02 CONTAINERS.

(a) Every owner or occupant of any dwelling or other building wherein garbage and refuse originates shall provide or cause to be provided a water tight metal or solid plastic receptacle of not less than five or more than twenty-four gallons capacity for the accumulation and keeping of garbage and refuse that may originate upon the premises which shall be maintained in good condition. Any container having ragged or sharp edges or other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced by the owner thereof.

(b) All containers shall be kept in such manner and place as to be free from molestation by vermin or stray animals; shall be so designed with proper covers that they can be kept securely closed and free of obnoxious or offensive odors; and shall be so maintained as to meet the approval of the regulations of the Allegheny County Board of Health.

(c) No container shall be kept or be placed and allowed to remain on any public street, sidewalk or walkway any longer than may be necessary to effect removal of the contents thereof, and in no event, shall it be allowed to so remain for a period in excess of three hours.

(d) No container shall be kept or placed with respect to adjoining premises as to cause discomfort or annoyance from offensive odors; and in no case, shall any container be kept or placed within fifteen feet of the entrance of any human habitation unless the same be buried or enclosed.

(Ord. 425. Passed 4-11-60.)

1111.03 COLLECTORS' VEHICLES.

(a) All vehicles used for the collection, transportation and disposal of garbage and refuse originating within the Borough shall be certificated by Allegheny County, meet with the requirements and regulations of the Allegheny County Board of Health, have an enclosed body to prevent the escape of obnoxious odors and be maintained in such tight condition as to prevent any leakage or spillage of contents upon the public highways.

(b) No vehicle used for the collection and transportation of garbage and refuse, except when actually engaged in collecting such materials, shall be permitted to stand upon any public highway, street or alley within the Borough, nor shall any such vehicle while engaged in collecting such materials be permitted to stand unreasonably long in one place, and in no event, shall it be allowed to stand for a period in excess of sixty minutes, except for emergency repairs.

(c) All vehicles used for the collection, transportation and disposal of rubbish shall have strong, tight bodies with sides sufficiently high as to prevent spillage upon the public highways, and the contents thereof shall be covered in transit.

(Ord. 425. Passed 4-11-60.)

1988 Replacement

2007 Replacement

1111.04 GARBAGE AND REFUSE.

(a) After the effective date of this article, no owner or occupant of any dwelling or building within the Borough shall accumulate and keep or cause to be accumulated and kept any garbage or refuse as defined in this article, except in containers as defined herein.

(b) No person shall dump, discard or deposit or cause to be dumped, discarded or deposited any garbage or refuse as defined in this article upon any public highway, street, alley or other public ground, or in or upon any private property or into any stream in the Borough.

(c) No person shall place or deposit any highly inflammable or explosive materials, cylinders under pressure, cylinders of toxic or deadly gases, poisons and other such materials in any garbage and refuse container that might endanger the life or safety of the person engaged in the collection of such contents.

(d) No person shall use any property within the Borough or cause, allow or permit any property within the Borough to be used as a dump for garbage or sanitary land fill, except such as may be established and regulated by Allegheny County or the Borough.
(Ord. 425. Passed 4-11-60.)

1111.05 RUBBISH.

(a) After the effective date of this article, no owner of any building or premises within the Borough shall accumulate or suffer to be accumulated upon the premises any rubbish or junk which can be hazardous or endanger the public safety or which, by the very manner in which it is kept or by its very nature, is especially liable to fire or spontaneous combustion and which the Fire Marshal of Allegheny County declares to be dangerous to the building, premises or adjoining building.

(b) No owner or occupant of any premises within the Borough shall accumulate or suffer to be accumulated upon such premises any rubbish or junk which violates the provisions of the Zoning Ordinance.

(c) No owner of any broken down or partially dismantled automobile shall allow such vehicle to be parked upon any public highway, street or alley.

(d) No person shall dump or discard any rubbish or junk upon any public highway, street or alley or upon any public easement or in any sewer of the Borough.

(e) No person shall use any property within the Borough or cause, allow or permit any such property for the dumping, burning or disposal of rubbish.
(Ord. 425. Passed 4-11-60.)

1111.06 COLLECTORS' PERMITS.

(a) Effective from the enactment of this article, no individual, person, or officer, agent, servant or employee of any firm, partnership or corporation shall collect any garbage, refuse, or rubbish within the limits of the Borough without first

having paid the necessary fee and obtained a permit therefor from the Borough Secretary; provided, however, such permit shall not be required of the garbage and refuse collector who has duly contracted for the collection, transportation and disposal of garbage and refuse for the Borough.

(b) The annual fee for such permit, which shall be paid at the time of issuance thereof, shall be ten dollars (\$10.00) for the whole or any portion of any calendar year and all moneys received by way of permit fees hereunder shall be paid into the general fund of the Borough.

(c) No permit shall be issued by the Borough Secretary until he has caused an investigation and ascertained that the vehicles to be used by the applicant comply with the requirements of this article, the laws of the Commonwealth of Pennsylvania and the regulations of Allegheny County and the Allegheny County Board of Health relative thereto. (Ord. 425. Passed 4-11-60.)

1111.07 COLLECTION FEE.

(a) An annual fee of one hundred fifty dollars (\$150.00) per dwelling unit in the Borough of White Oak is hereby imposed upon each dwelling unit located in the Borough of White Oak for the collection and removal of garbage and other refuse material by the Borough's contract hauler. The fee shall be applicable for the year of 2004, and each year thereafter. If the annual fee is paid on or before February 15, a discounted rate of one hundred thirty-five dollars (\$135.00) shall apply.

(b) If the annual fee is not paid as aforesaid, it shall be paid on a quarterly basis of thirty-seven dollars and fifty cents (\$37.50) per quarter as determined and billed by the Borough or its agent. If the quarterly payments are not paid when due, interest at the rate of five percent (5%) shall be applied until paid. In addition, penalty of five percent (5%) shall also be applied. (Ord. 3328. Passed 1-19-04.)

(c) No payment shall be due for any full quarter when the dwelling unit is vacant. Full quarterly payments are due when any dwelling unit is occupied for any part of a quarter.

(d) A dwelling unit is defined as a single family house or residential unit the equivalent thereof having separate culinary facilities. Each dwelling unit in a duplex or in a row of connecting houses shall be billed as separate dwelling units.

(e) Each dwelling unit in the Borough shall use the garbage collection and disposal service provided by the Borough and shall pay the annual fee imposed by this section whether garbage is actually collected from the dwelling unit or not.

(f) Neither the Borough nor its contract hauler on behalf of the Borough shall collect and dispose of garbage and refuse material from apartment buildings or any kind of a building containing three or more dwelling units. Also, business establishments, commercial establishments, industrial establishments, schools, churches, volunteer fire companies and other non-residential establishments shall arrange for their own garbage and refuse collection and disposal.

(g) When a dwelling unit is vacated or a change in ownership is made, the owner or grantor shall provide written notice of the same to the Borough at the Municipal Building. Unless such written notice is provided, the owner or grantor shall be liable for all quarterly payments of the fee. Duly authorized agents of the Borough shall have access at all reasonable hours of the day to all portions of such vacated premises to make necessary inspections.

(h) The proper officers of the Borough are authorized and directed to institute any necessary billing practices and procedures for the collection of the fee imposed by this section. The billing and collection of the fee may be performed by employees of the Borough or by the White Oak Authority or in the alternative, these functions may be let to an outside agency of the Borough.

(i) The fee imposed by this section shall become a lien upon the lands, tenements, or hereditaments, or any interest therein upon which the dwelling unit is located, such lien to begin at the time when the fee under this section is due and payable, and continue until discharged by payment, or in accordance with the law, and the Solicitor is authorized to file a municipal claim in the Court of Common Pleas of Allegheny County, in accordance with the provisions of the Municipal Claims and Liens Act of 1923, 53 P.S. Section 7101 et seq., its supplements and amendments.

(j) All fees imposed by this section, together with interest and penalties prescribed herein, shall be recoverable as other debts of like character are recovered.
(Ord. 2816. Passed 12-19-88.)

1111.99 PENALTY.

(a) Any individual person, or officer, agent, servant or employee of any firm, partnership, or corporation who violates or causes to be violated any of the provisions of this article shall be fined three hundred dollars (\$300.00) and costs of prosecution for each and every offense, and, in default of the payment of such fine and costs to be sentenced and committed to the Allegheny County Jail for a period not less than five days nor more than thirty days.
(Ord. 3452. Passed 11-20-06.)

(b) Each and every day that a violation of this article is permitted to continue after twenty-four hour notice from the office of the Borough Secretary or Borough Ordinance Officer shall be construed to constitute another separate and distinct offense under this article and shall be subject to separate and distinct penalties thereon. (Ord. 425. Passed 4-11-60.)

ARTICLE 1121
Trailers and Trailer Courts

1121.01	Purpose.	1121.06	General regulations.
1121.02	Short title.	1121.07	Permits.
1121.03	Definitions.	1121.08	Fees.
1121.04	Use and maintenance of trailers.	1121.99	Penalty.
1121.05	Use and maintenance of trailer courts.		

CROSS REFERENCES

Garbage and refuse - see H. & S. Art. 1111
Flood control - see BLDG. & HOUS. Art. 1721
Lighting for community protection - see
BLDG. & HOUS. Art. 1751

1121.01 PURPOSE.

This article is enacted for the purpose of promoting the health, safety, morals and general welfare of the inhabitants of the Borough and maintaining the aesthetic and property values of the Borough by preventing the overcrowding of land and the undue concentration of population incident to the maintenance of trailers and trailer courts, by regulating the use and maintenance of trailers and trailer courts within the Borough, by making provision for the application of all requirements of the Zoning Ordinance to their use and maintenance, by providing for the application of all plumbing, sanitary and utility service line requirements of the ordinances of the Borough and regulations of the utility service companies servicing such area applicable to such trailers and trailer courts and compliance with the rules and regulations of the Allegheny County Health Department, and by providing for the reasonable inspection and control of the problems posed by the use of trailers as residences.
(Ord. 989. Passed 10-2-67.)

1121.02 SHORT TITLE.

This article shall be known and may be cited as the "Trailer and Trailer Court Ordinance".
(Ord. 989. Passed 10-2-67.)

1121.03 DEFINITIONS.

For the interpretation of this article words used in the present tense include the future, the singular includes the plural and vice versa, the masculine shall include the feminine and neuter, the word "shall" is mandatory and unless otherwise expressly stated, the following words shall be construed to have the meaning herein indicated:

- (a) "Trailer" means any vehicle, trailer house, portable trailer or structure equipped for and used as sleeping or living quarters for one or more persons, mounted upon wheels and used as a conveyance upon highways or streets and drawn by its own or other motive power; and shall apply whether the wheels or other transportation device has been removed or not;
- (b) "Trailer Court" means any camp, trailer camp, court, trailer court, lot, parcel or tract of land designated maintained or intended for the purpose of supplying a location or accommodation for two or more trailers, and upon which two or more trailers are parked or located and shall include all buildings used or intended for use as part of the equipment thereof whether a charge be made for the use of the trailer court and its facilities or not; but shall not apply to sales lots upon which unoccupied trailers are parked or stored for the purpose of inspection or sale;
- (c) "Person" means any individual, firm, corporation, partnership or association and any agent, servant or employee thereof.
(Ord. 989. Passed 10-2-67.)

1121.04 USE AND MAINTENANCE OF TRAILERS.

(a) No person shall use or maintain a trailer or use any property situated within the Borough for such use or maintenance or cause, allow or permit any property situated within the Borough to be so used for the maintenance of a trailer for sleeping or living quarters unless:

- (1) The trailer is located within the prescribed area of any authorized trailer court as hereinafter provided; or
- (2) The trailer, upon application made to the Building Inspector and hearing by the Board of Adjustment, is classified by that Board as a single-family detached dwelling and an occupancy permit is issued by the Building Inspector in full compliance with the requirements of the Zoning Ordinance; or
- (3) The trailer is, at the effective date of this article in use as a nonconforming use and legally existent by permit duly issued and required fee paid in compliance with the ordinances in effect at the time of the enactment of this article.

(b) After the effective date of this article no person shall continue to use and maintain any trailer, the use of which is then legally existent, after the expiration of the present calendar year, unless such person or owner thereof, prior to such expiration date, make application to the Building Inspector for occupancy permit and pay the required fee therefor as hereinafter provided and as a condition precedent to the granting of the permit, the Building Inspector shall first determine that the use of such trailer fully complies with all of the requirements of this article as well as those of the Zoning Ordinance excepting only the square feet of usable enclosed floor area requirements;

(c) After the effective date of this article, if any trailer, legally in use in any trailer court or as a single-family detached dwelling or as a nonconforming use, is moved and its use as sleeping or living quarters is abandoned for a period in excess of sixty days, such trailer shall not again be used as sleeping or living quarters within the Borough unless application for a permit be made and its subsequent use authorized in full compliance with the other requirements of this article.

(Ord. 989. Passed 10-2-67.)

1121.05 USE AND MAINTENANCE OF TRAILER COURTS.

(a) No person shall maintain or operate a trailer court or use any property within the Borough or cause, allow or permit any property within the Borough to be so used for the purposes of a trailer court unless:

- (1) Such Trailer Court is authorized in accordance with the requirements of the Zoning Ordinance as a special exception after public hearing by the Board of Adjustment; or
- (2) Such Trailer Court is, at the effective date of this article, legally existent and maintained in full compliance with the requirements of the current Borough Ordinances regulating the maintenance and use of trailers and trailer courts in the Borough with respect to each and every trailer maintained and used in such trailer court.

(b) After the effective date of this article, no person shall continue to maintain or operate any trailer court, the use of which is legally existent, after the expiration of the present calendar year, unless such person or owner thereof, prior to such expiration date, makes application to the Building Inspector for a permit and pays the required fee therefor as hereinafter provided, and as a condition precedent to the granting of the permit the Building Inspector shall first determine that every trailer located within the prescribed area of the Trailer Court and that the Trailer Court itself fully complies with the regulations and the requirements of this article as well as the Zoning Ordinance.

(c) After the effective date of this article, every application to the Building Inspector to establish, maintain or operate a Trailer Court shall set forth a plan of such Trailer Court or proposed Trailer Court setting forth the following:

- (1) The name and address of the applicant and owner;
- (2) The extent and area to be used for trailer court purposes;
- (3) The location of all roadways and driveways;
- (4) The location of all lots intended for the parking of trailers;
- (5) The location and number of all existing or proposed facilities to be used by the occupants of trailers, including sanitary conveniences, washrooms, toilets, laundries and utility rooms;

- (6) The method and plan of sewage disposal;
- (7) The method and plan of garbage and refuse disposal;
- (8) The plan for water supply;
- (9) The plan for electric lighting of trailers;
- (10) The location of fire extinguishers and nearest fire hydrant;
- (11) A statement that the premises proposed to be occupied by such Trailer Court, in the case of a Trailer Court not established prior to the adoption of the Zoning Ordinance are entirely located in a district in which the establishment of Trailer Courts is permitted by such Zoning Ordinance;

(d) After the effective date of this article, the Building Inspector shall first determine that every application to establish a new Trailer Court fully complies with the requirements of subsection (c) hereof, and shall then refer the application to the Board of Adjustment for its consideration and determination whether it shall be granted as a special exception in accordance with the provisions of the Zoning Ordinance;

(e) Lots for individual trailers in a Trailer Court shall be indicated by corner markers and no individual lot shall have an area of less than 800 square feet. Each lot shall abut upon a roadway or driveway, not less than twenty feet wide. Every such roadway or driveway shall be well drained, shall be clearly marked, adequately lighted at night, and easily accessible to a public street. Lots for individual trailers shall be so located and arranged that when trailers are located thereon, the setback regulations of the Zoning Ordinance are adhered to;

(f) In each Trailer Court, a sufficient supply of pure, healthful drinking water from a source and of a quality approved by the Allegheny County Health Department, not more than fifty feet from any trailer, shall be provided in convenient locations. Waste from each outlet shall be emptied into a drain connected with an approved disposal system. No common drinking vessel shall be provided. An abundant supply of hot water shall be provided at all times for bathing, washing and laundry facilities;

(g) In each Trailer Court, toilet facilities, connected to a sanitary sewer or approved septic tank, shall be provided as follows: There shall be separate toilet rooms for each sex, located not more than 200 feet from any lot for an individual trailer. Such toilet rooms shall be provided with one flush toilet for each sex for each ten trailer lots or fraction thereof, and, in addition, one urinal for each toilet room provided for men. Each toilet room shall include lavatories with hot and cold water in the ratio of one lavatory to every two or less toilets. Toilet rooms shall be adequately heated when the outside temperature renders it necessary. No trailer provided with an inside toilet facility not connected to a sanitary sewer or an approved septic tank shall be accommodated in any Trailer Court unless there shall be available, in a room separate from the other toilet rooms, a hopper with flushing facilities for the disposal of the contents of night waste containers. Adequate facilities shall be provided for the washing of such containers, and the washings and hopper wastes shall be disposed of in such manner as shall be approved by the Allegheny County Health Department;

(h) In each Trailer Court, there shall be provided separate bathing facilities for each sex, with one shower or tub bath, enclosed in a compartment at least four feet square, for each sex for each ten trailer lots or fraction thereof. Each shower compartment shall be supplemented by an adjacent individual dressing compartment. Bathing facilities for each sex shall be located not more than 200 feet from any lot for an individual trailer. Bathing rooms shall be adequately heated when the outside temperature renders it necessary.

(i) In each Trailer Court, there shall be provided a laundry room, with laundry trays, in the ratio of one double tray for each ten individual trailer lots;

(j) Floors of toilet rooms, bathing rooms and laundry rooms in each trailer park shall be of concrete, tile or similar material impervious to water and easily cleaned, and pitched to a floor drain. Liquid wastes from toilets, baths, lavatories and laundry rooms shall be piped to a sanitary sewer or a septic tank approved by the Allegheny County Health Department;

(k) No cooking shall be permitted in any trailer not furnished with a sink and a connection with a sanitary sewer or approved septic tank unless there shall be located, within 150 feet of such trailer, a hopper or a kitchen or laundry sink for the disposal of dishwater. In every case, such facilities for the disposal of dishwater shall be separate from the hopper for the disposal of night wastes and the washings from night waste containers;

(l) All plumbing, electrical, building and other work in the premises of any Trailer Court located in the Borough shall be in accordance with any other ordinances of the Borough regulating such subjects. Provided, however; if there is any conflict between any such ordinance and any of the provisions of this article, the provisions of this article shall control as to Trailer Courts only;

(m) All ordinances of the Borough applicable to the accumulation, collection, segregation and disposal of garbage shall be applicable to Trailer Courts located in the Borough, and shall be adhered to strictly by persons owning and operating Trailer Courts and by persons occupying trailers therein;

(n) In every Trailer Court there shall be an office building in which shall be located the office of the person in charge of such Trailer Court. A copy of the permit issued under this article shall at all times be posted in such office, and the register of such Trailer Court shall at all times be kept therein;

(o) Every person holding a permit under this article shall keep, or cause to be kept, a register, which shall at all times be open for the inspection of any officials of the Borough. Such register shall show, for each trailer accommodated in such Trailer Court, the following information:

- (1) The lot number upon which such trailer is parked or located;
- (2) The names and addresses of all persons using such trailer for living or sleeping purposes;
- (3) The State license number of such trailer and of the vehicle towing the same;
- (4) The date of arrival of such trailer at such Trailer Court and the date of departure therefrom;

(p) Each person holding a permit under this article shall adhere to the following additional regulations at all times:

- (1) He shall maintain such Trailer Court in a clean, orderly and sanitary condition;
- (2) He shall see that no disorderly conduct or violation of any law or ordinance is committed upon the premises and shall immediately report to the proper authorities any violations which may come to his attention;
- (3) He shall report to the Allegheny County Health Department all cases of persons or animals affected or suspected of being affected with any communicable disease, where he shall have reason to believe that medical attention has not been sought;
- (4) He shall maintain in convenient places, designated by the Fire Chief of the Borough, hand fire extinguishers, in good working order, in the ratio of one to every eight trailer lots or fraction thereof;
- (5) He shall prohibit the lighting of any open fire upon the premises;
- (6) He shall prohibit the use of any trailer by a greater number of occupants than that which it is designed to accommodate;

(q) After the effective date of this article, if the use of any Trailer Court, the use of which is then legally existent, should be abandoned as such for any period of time, such Trailer Court shall not again be so used as a Trailer Court unless application for a permit be made and its subsequent use authorized in full compliance with the other requirements of this article. (Ord. 989. Passed 10-2-67.)

1121.06 GENERAL REGULATIONS.

(a) Parking.

- (1) No person shall park or locate any trailer or allow it to stand upon any street, alley or public thoroughfare within the Borough, unless the same is attached to a motor vehicle; and in no instance shall such person park, locate or allow the trailer to stand upon such highway for a period of time longer than that allowed for the parking of vehicles upon such highway by the applicable State laws, the Ordinances of this Borough applicable to traffic and parking, and in any event, in excess of twenty-four hours;

- (2) Any person may park or store not more than one unoccupied trailer in a private garage or in a rear yard on the express condition that no person shall be permitted to use such trailer for living or sleeping purposes while so parked or stored;
 - (3) Unoccupied trailers may be parked or stored on sales lots, where legally existent, for the purpose of inspection or sale;
- (b) Occupancy. No person shall occupy any trailer within the Borough for sleeping or living purposes unless:
- (1) Such occupancy be authorized by occupancy permit duly issued over the signature of the Building Inspector and permit fee paid as hereinafter required;
 - (2) Such trailer be permanently connected with water and sanitary sewer lines and comply with all plumbing, sanitary and utility service line requirements of the ordinances of the Borough and utility service companies servicing the Borough applicable to dwellings;
 - (3) The rules and regulations of the Allegheny County Health Department have been fully met as the same pertains to the occupancy of the trailer. (Ord. 989. Passed 10-2-67.)
 - (4) All fuel tanks for the storage of fuel for heating, cooking or any other requirements for living in the trailer shall be buried in the ground and all connections thereto shall meet the safety requirements applicable to the use of the fuel being used in the equipment installed in the trailer.
 - (5) Trailers being used or designed for use as permanent living quarters shall have a suitable solid enclosure from the floor of the trailer to the ground of fiber glass, wood, aluminum or other metal. (Ord. 1200. Passed 4-26-71.)

1121.07 PERMITS.

(a) After the effective date of this article, no person shall occupy any trailer within the Borough for sleeping or living quarters without first having made application for an occupancy permit to so use such trailer and no person shall establish or maintain any Trailer Court without first having made application for permit to do so to the Building Inspector whose duty it shall be to ascertain whether all of the requirements of this article and the Zoning Ordinance as the same may be applicable to the use of the trailer or Trailer Court, have been met; provided, however, that if the use of the trailer or Trailer Courts be legally existent at the effective date of this article, such application shall be filed no later than the expiration of the present calendar year. If affirmatively determined, the Building Inspector shall issue such occupancy permit or permit upon payment of the required fee as hereinafter provided and make report thereof to the Borough Secretary;

(b) Permits shall be issued by the Building Inspector upon application, in writing, on forms to be furnished by him showing:

- (1) In the instance of an application for occupancy permit for trailer:
 - A. The name and address of the applicant as well as the owner of the lot or tract of land;
 - B. The description of the lot or tract of land to be used which must front upon a public street;
 - C. The zoning classification of the lot or tract of land;
 - D. Plan for sewage disposal which shall provide for connection with the Borough's sewage system and if none be available, with approved septic system;
 - E. Plan for connection with permanent water supply;
 - F. Plan for connection with gas and electric service companies;
 - G. Method and plan of garbage and refuse disposal;
- (2) In the instance of an application for use permit for Trailer Courts, all information hereinabove set forth at Section 1121.05(c).

(c) Occupancy permits for trailers and use permits for Trailer Courts shall be issued for the calendar year and such permit shall be subject to suspension whenever the holder thereof shall be convicted of any violation of this article or the requirements of the Zoning Ordinance. A suspended permit may be reinstated by the Building Inspector, however, for the balance of the calendar year for which it was issued upon compliance of the holder thereof with all of the requirements as herein provided;

(d) No permit issued under the provisions of this article shall be transferable to a different location; nor may any person holding a use permit for the use of a Trailer Court extend or reduce the area of any such court, add any new facility or structure or eliminate any existing facility or structure until notice of any proposed change shall have been given to the Building Inspector and the Building Inspector shall have ascertained, after investigation as in the case of an original application for such permit, that such proposed change is in accordance with all of the requirements of this article and shall have signified that fact by his approval endorsed in writing upon the original permit.

(Ord. 989. Passed 10-2-67.)

1121.08 FEES.

(a) The annual fee for an occupancy permit for a trailer, which shall be paid at the time of issuance thereof, shall be thirty dollars (\$30.00) for the whole or any part of any calendar year and any monies received by way of permit fees shall be paid into the General Fund of the Borough; such fee to cover the services of the Borough officers and employees in making the necessary investigations and issuing the required permit and report;

(b) The annual fee for a use permit for a Trailer Court shall be paid at the time of issuance thereof and shall be one hundred dollars (\$100.00) for the whole or any part of any calendar year and all monies received by way of permit fees shall be paid into the General Fund of the Borough; such fee to cover the services of the Borough officers and employees in making the necessary investigations and issuing the required permit and report.

(Ord. 989. Passed 10-2-67.)

1121.99 PENALTY.

(a) Any individual person, or officer, agent, servant or employee of any firm, partnership or corporation who violates or causes to be violated any of the provisions of this article shall be sentenced to pay a fine of three hundred dollars (\$300.00) and costs of prosecution for each and every offense, and, in default of the payment of such fine and costs, to be sentenced and committed to the Allegheny County Jail for a period of not less than five days nor more than thirty days. (Ord. 3452. Passed 11-20-06.)

(b) Each and every day that a violation of this article is permitted to continue after twenty-four hour notice from the office of the Borough Secretary, Building Inspector, or Borough Ordinance Officer shall be construed to constitute another separate and distinct offense under this article and shall be subject to separate and distinct penalties thereon. (Ord. 989. Passed 10-2-67.)

**ARTICLE 1131
Recyclable Materials**

<p>1131.01 Title. 1131.02 Definitions. 1131.03 Establishment of program grant of power. 1131.04 Lead acid batteries. 1131.05 Separation and collection. 1131.06 Ownership of recyclable materials. 1131.07 Collection by unauthorized persons.</p>	<p>1131.08 Existing recycling operations. 1131.09 Recycling of materials. 1131.10 Enforcement and administration. 1131.11 Franchise and license. 1131.12 Repeal and severability. 1131.13 Modifications.</p>
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CROSS REFERENCES

Garbage and refuse collection - see HLTH. & SAN.
Art. 1111

1311.01 TITLE.

The short title of this article shall be the Borough of White Oak Recycling Ordinance, and the same may be cited in that manner.
(Ord. 2872. Passed 11-19-90.)

1131.02 DEFINITIONS.

The following words and phrases used throughout this article shall have the following meanings:

- (a) "Act 101" means the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988.
- (b) "Aluminum" means all empty aluminum beverage or food cans.
- (c) "Bi-metal container" means all empty food or beverage containers consisting of steel and aluminum.
- (d) "Collector" means the entity or entities authorized by the Municipality to collect recyclable materials from residences, or authorized by commercial, municipal and institutional establishments that do not receive collection services from the Municipality to collect recyclable materials from those properties.
- (e) "Commercial establishments" means those properties used primarily for commercial or industrial purposes.
- (f) "Community activities" are events that are sponsored by public or private agencies or individuals that include but are not limited to fairs, bazaars, socials, picnics and organized sporting events attended by 200 or more individuals per day.
- (g) "Corrugated paper" means structural paper material with an inner core shaped in rigid parallel furrows and ridges.

- (h) "Ferrous containers" means empty steel or tin coated food or beverage containers.
- (i) "Glass containers" means empty bottles and jars made of clear, green or brown glass. Expressly excluded are noncontainer glass, plate glass, automotive glass, light bulbs, blue glass and porcelain and ceramic products.
- (j) "High grade office paper" means all white paper, bond paper and computer paper used in commercial, institutional and municipal establishments and in residences.
- (k) "Institutional establishments" means those facilities that house or serve groups of people including but not limited to, hospitals, nursing homes, orphanages, day care centers, schools and universities.
- (l) "Lead Acid Batteries" include but are not limited to automotive, truck and industrial batteries that contain lead.
- (m) "Leaf waste" means leaves from trees, bushes and other plants, garden residues, shrubbery, and tree trimmings, but not including grass clippings.
- (n) "Magazines and periodicals" means printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded are all other paper products of any nature whatsoever.
- (o) "Multi-family housing properties" means any properties having three or more dwelling units per structure.
- (p) "Municipal establishment" means public facilities operated by the Municipality and other governmental and quasi-governmental authorities.
- (q) "Municipal waste" means any garbage, refuse, industrial lunchroom or other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, waste-water treatment plant or air pollution control facility. The term does not include source-separated recyclable materials.
- (r) "Municipality" means the Borough of White Oak.
- (s) "Newspapers" means paper of a type commonly referred to as newspaper and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded are newspapers which have been soiled, color comics, glossy advertising inserts and advertising inserts printed of color other than black and white often included with newspapers.
- (t) "Person(s)" means owners, lessees, and occupants of residences and commercial, municipal and institutional establishments.
- (u) "Plastic containers" means empty plastic food and beverage containers. Due to the wide variety of types of plastics, the Municipality may stipulate specific types of plastic which may be recycled.
- (v) "Recyclable materials" shall initially mean clear glass, colored glass, aluminum, and steel and bimetallic cans. The recyclable materials may be revised by resolution from time to time as deemed necessary by the Municipality.

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- (w) "Recycling" means the collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would otherwise be disposed or processed as municipal waste (other than through combustions) and creation and recovery of reusable materials.
- (x) "Residences" mean any occupied single or multi-family dwellings having up to two dwelling units per structure for which the Municipality provides municipal waste collection service.
- (y) "Source separated recyclable materials" mean those materials separated at the point of origin for the purpose of being recycled.
- (z) "Waste" means a material whose original purpose has been completed and which is directed to a disposal or processing facility or so otherwise disposed. The term does not include source separated recyclable materials or materials approved by the Pa. Department of Environmental Resources for beneficial use.
(Ord. 2872. Passed 11-19-90.)

1131.03 ESTABLISHMENT OF PROGRAM GRANT OF POWER.

(a) The Municipality hereby establishes a Recycling Program for the mandatory separation and collection of recyclable materials and the separation, collection and composting of leaf waste from the residences and all commercial, municipal and institutional establishments located in the Municipality for which waste collection is provided by the Municipality or any other collection. Collection of the recyclable materials shall be made at least once per month by the Municipality, its designated agent, or any other solid waste collectors operating in the Municipality and authorized to collect recyclable materials from residences or from commercial, municipal and institutional establishments. The Recycling Program shall also contain a sustained public information and education program. Specific program regulations are provided as an attachment to Ordinance 2872. The Council is empowered to make changes to program regulations as necessary, as described in Section 1131.10. Subsequent changes in the program regulations may be made through approval of the Council and public notice and notification of all affected parties.

(b) This article is ordained pursuant to the provisions of Act 101 and the provisions of the Borough Code.
(Ord. 2872. Passed 11-19-90.)

1131.04 LEAD ACID BATTERIES.

Disposal by persons of lead acid batteries with other municipal wastes is prohibited and shall be a violation of this article.
(Ord. 2872. Passed 11-19-90.)

1131.05 SEPARATION AND COLLECTION.

(a) All persons who are residents of the Municipality shall separate all of those recyclable materials designated by the Municipality from all other municipal waste produced at their homes, apartments and other residential establishments, store such materials for collection, and shall place same for collection in accordance with the guidelines established hereunder.

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- (1) Persons in residences must separate recyclable materials from other refuse. Recyclable materials shall be placed at the curbside in containers initially provided by the Municipality for collection. Any containers provided to residences for collection of recyclable materials shall be the property of the Municipality and shall be used only for the collection of recyclable materials. Any resident who moves within or from the Municipality shall be responsible for returning the allocated container(s) to the Municipality or shall pay the replacement cost of such container(s). Use of recycling containers for any purpose other than the designated recycling program or use of the recycling containers by any person other than the person allocated such container(s) shall be a violation of this article.
- (2) An owner, landlord, manager, or agent of an owner or landlord or manager of a multi-family housing property with more than two units may comply with its recycling responsibilities by establishing a collection system at each property. The collection system must include suitable containers for collecting and storing the recyclable materials, easily accessible locations for the containers, and written instructions to the occupants concerning the use and availability of the collection system. Owners, landlords, manager, and agents of owners or landlords and manager, who comply with this article shall not be liable for noncompliance of occupants of their buildings.
If recyclable materials are collected by a collector other than the Municipality or its authorized agent, owners, landlords and agents of owners or landlords shall submit an annual report to the Municipality reporting the tonnage of material recycled during the pervious year.

(b) All persons must separate leaf waste from other municipal waste generated at their houses, apartments and other residential establishments for collection unless those persons have otherwise provided for composting of leaf waste.

(c) Persons must separate high grade office paper, aluminum, corrugated paper, leaf waste and such other materials as may be designated by the Municipality generated at commercial, municipal and institutional establishments and from community activities and store the recyclable materials until collection.

A person may be exempted from this subsection (c) by:

- (1) Providing for the recycling of high grade office paper, aluminum, corrugated paper, leaf waste and other materials deemed appropriate by the municipality.
- (2) Submitting, at a minimum, an annual recycling report to the governing body of the municipality. The report shall document the amount of municipal waste generated per year as well as the type and weight of materials that were recycled in the previous calendar year. Valid documentation shall include information from and end-use, recycler, or waste hauler which describes the type and weight of each recyclable material that was collected and marketed. Documentation may be in the form of one of the following:

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- A. Copies of weight receipts or statements which consolidate such information;
- B. A report from the provider of recycling collection services which identifies the amount of each material collected and marketed. The type and weight of recyclables generated by an individual establishment may be approximated based on a representative sample of its source-separated materials; or
- C. A report from the provider of waste collection services that identifies the type and weight of each recyclable material collected and marketed in cases where recyclables are commingled with the establishment's waste. The type and weight of recyclables generated by an individual establishment may be approximated based on a representative sample of its waste. For (c)(2)B. and C. where recyclables from several establishments are collected in the same vehicle, an individual establishment's contribution to the load may be apportioned. Only the weight of materials marketed for recycling purposes can be credited to an establishment. If recyclable materials are collected by a collector other than the Municipality or its authorized agent, occupants of such establishments shall submit an annual report to the Municipality reporting the type and weight of materials recycled during the previous calendar year. This requirement may be fulfilled by submission of a letter or form from the collector which certifies that recyclable materials are being collected from the establishment.

(d) All employees, users (patrons), and residents of commercial, municipal and institutional establishments must be informed of the recycling program. The education program should describe the program's features and requirements, and should include at at minimum an annual program meeting and an orientation to the program upon the arrival of a new employee or resident. Receptacles should be clearly marked with the recycling symbol and the type of recyclable material that is to be placed in the receptacle, and signs should be prominently displayed stating the requirements of the program.

(e) Commercial, municipal and institutional establishments which generate more than 2,200 pounds of municipal waste per month should also implement a waste minimization opportunity assessment which includes:

- (1) Waste characterization, including source, generation rate, management techniques, and management costs. The assessment should expressly consider high-grade office paper, aluminum, corrugated paper, leaf waste and any other materials generated in significant quantities.
- (2) A description of all possible waste minimization options, including use and waste reclamation.
- (3) An evaluation of the economic and technical feasibility of each option and a ranking of each option.

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- (4) An estimate of the pay back period for each feasible option.
 - (5) A statement of which options will be implemented, including an explanation and a timetable.
 - (6) Identification of the individual(s) who will be responsible for implementing the plan.
- (f) The waste minimization plan should be periodically updated. Implementation of the plan should include:
- (1) Recycling or composting of materials, to the greatest extent feasible, either privately or through a municipal recycling program.
 - (2) Use, to the greatest extent feasible, of products and materials which are recyclable or made of postconsumer materials.
 - (3) Substitution, to the greatest extent feasible, of durable and reusable products and materials for products that are not durable or reusable.
 - (4) Appropriate education materials and signs should be made available to employees or the public to encourage participation in recycling and waste reduction.
- (Ord. 2872. Passed 11-19-90.)

1131.06 OWNERSHIP OF RECYCLABLE MATERIALS.

All recyclable materials placed by persons for collection by the municipality or authorized collector pursuant to this article shall, from time of placement at the curb, become the property of the Municipality or the authorized collector, except as otherwise provided by Section 1131.08. Nothing in this article shall be deemed to impair the ownership of separated recyclable materials by the generator unless and until such materials are placed at the curbside for collection.

(Ord. 2872. Passed 11-19-90.)

1131.07 COLLECTION BY UNAUTHORIZED PERSONS.

It shall be a violation of this article for any person, firm or corporation, other than the Municipality or one authorized by the Council or other entity responsible for providing for collection of recyclable materials, to collect recyclable materials placed by residences or commercial, municipal and institutional establishments for collection by the Municipality or an authorized collector. In violation hereof, unauthorized collection from one or more residences or commercial, municipal and institutional establishments on any one calendar day shall constitute a separate and distinct offense punishable as hereinafter provided.

(Ord. 2872. Passed 11-19-90.)

1131.08 EXISTING RECYCLING OPERATIONS.

Any residence or commercial, municipal or institutional establishment may donate or sell recyclable materials to any person, firm or corporation, whether operating for profit or not, provided that the receiving person, firm or corporation shall not collect such donated or sold recyclable materials from the collection point of a residence or commercial, municipal or institutional establishment without prior written permission from the Council or other entity responsible for authorizing collection of recyclable materials to make such a collection.

(Ord. 2872. Passed 11-19-90.)

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1131.09 RECYCLING OF MATERIALS.

Disposal by persons of recyclable materials with waste is prohibited and shall be a violation of this article. The collected recyclable materials shall be taken to a recycling facility. Disposal by collectors or operators of recycling facilities of source separated recyclable materials in landfills or to be burned in incinerators is prohibited unless markets do not exist and the collectors or operators have notified the Council of the Borough of White Oak in writing. (Ord. 2872. Passed 11-19-90.)

1131.10 ENFORCEMENT AND ADMINISTRATION.

(a) The Council of the Borough of White Oak is hereby authorized and directed to make reasonable rules and regulations for the operation and enforcement of this article as deemed necessary, including, but not limited to:

- (1) Establishing recyclable materials to be separated for collection and recycling by residences, and additional recyclable materials to be separated by commercial, municipal and institutional establishments.
- (2) Establishing collection procedures for recyclable materials.
- (3) Establishing reporting procedures for amounts of materials recycled.
- (4) Establishing procedures for the distribution, monitoring and collection of recyclable containers.
- (5) Establishing procedures and rules for the collection of leaf waste.

(b) Any person, firm or corporation who shall violate the provisions of this article shall receive an official written warning of non-compliance for the first and second offense. Thereafter all such violations shall be subject to the penalties hereinafter provided. (Ord. 2872. Passed 11-19-90.)

(c) Except as hereinafter provided, any person, firm or corporation who shall violate any of the provisions of this article shall upon conviction, be sentenced to pay a fine of six hundred dollars (\$600.00), and costs of prosecution for each and every offense. Each violation for each separate day and each violation of any provision of this article or any regulation promulgated hereunder shall constitute a separate offense. (Ord. 3452. Passed 11-20-06.)

(d) The Municipality reserves the right not to collect municipal waste containing recyclable materials in combination with nonrecyclable materials. (Ord. 2872. Passed 11-19-90.)

1131.11 FRANCHISE AND LICENSE.

The Municipality may enter into (an) agreement(s) with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from curbside. (Ord. 2872. Passed 11-19-90.)

1131.12 REPEAL AND SEVERABILITY.

All ordinances or parts of ordinances inconsistent with this article are hereby repealed to the extent of such inconsistency. Should any part of this article be held unconstitutional, illegal or unenforceable by any court of competent jurisdiction, such invalidity shall not affect, impair, nullify or otherwise prevent the enforcement of the remainder of this article. It is hereby declared that such parts as are legal would have been enacted independently of the invalid portion had the invalidity of such part been known, and it is the intention of the Municipality that such remainder shall be and remain in full force and effect.

(Ord. 2872. Passed 11-19-90.)

1131.13 MODIFICATIONS.

The Municipality may, from time to time, modify, add to or remove from the standards and regulations herein and as authorized in Section 1131.10.

(Ord. 2872. Passed 11-19-90.)