

TOWNSHIP OF WEST MAHANoy  
SCHUYLKIL COUNTY, PENNSYLVANIA

ORDINANCE NO. 1990-3

AN ORDINANCE REQUIRING TOWNSHIP RESIDENTS AND/OR COMMERCIAL  
ESTABLISHMENTS TO SHOW PROOF THAT THE TRASH GENERATED  
AT THE RESIDENCE AND/OR BUSINESS ESTABLISHMENT IS BEING  
DISPOSED OF PROPERLY IN A LICENSED LANDFILL OR WITH A  
GARBAGE HAULER WHO DUMPS SAID TRASH AT A LICENSED FACILITY  
AND PRESCRIBING PENALTIES FOR FAILURE TO PROVIDE SUCH PROOF

WHEREAS, the Board of Supervisors of the Township of West Mahanoy have observed that illegal dumping of trash and refuse is occurring in the Township both on public and private property and same is deemed to be deleterious to the health, safety and welfare of Township residents; and

WHEREAS, the health, welfare and safety of the public will be better protected by prohibiting the dumping of trash in places other than facilities licensed by the Commonwealth of Pennsylvania, Department of Environmental Resources; and

WHEREAS, the Board of Supervisors of the Township of West Mahanoy believe that the best way to regulate and control the dumping of trash illegally is to require Township residents and commercial establishments to provide proof that trash generated thereby is being dumped in a facility licensed by the Commonwealth of Pennsylvania, Department of Environmental Resources.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Township of West Mahanoy, and it is hereby ordained by the Board of Supervisors of the Township of West Mahanoy as follows:

SECTION 1: DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance.

1. TRASH: Any refuse material including all animal and vegetable waste resulting from the handling, preparation, cooking or consumption of foods, glass, metal, paper, plant growth, wood, rubber materials, plastic products, and all other waste material including rubbish and ashes.

2. PERSON: Any natural person, association, partnership, firm or corporation.

SECTION 2: REGULATIONS

It shall be unlawful for any person to dump trash, or allow another person to dump trash, or provide for another person's dumping of trash, anywhere within the Township of West Mahanoy. All persons are hereby required, upon request, to provide evidence that he/she is dumping, or causing to be dumped, his/her trash in a facility licensed by the Commonwealth of Pennsylvania, Department of Environmental Resources.

SECTION 3: ENFORCEMENT

The Township of West Mahanoy, through its police force, may, upon reasonable suspicion that a person is not causing his/her trash to be dumped in a licensed facility by the Commonwealth of Pennsylvania, Department of Environmental Resources, request this person to provide proof that his/her trash is being dumped in such a licensed facility. In the event that a person is unable to provide evidence that his/her trash is being dumped in a facility licensed by the Commonwealth of Pennsylvania, Department of Environmental Resources, this person shall be guilty of a summary offense and penalized as hereinafter set forth.

SECTION 4: PENALTIES

Any person who shall violate or fail to comply with the provisions of the Ordinance, rules or regulations adopted hereinto, or any person who is unable to provide proof that his/her trash is being dumped in a facility licensed by the Commonwealth of Pennsylvania, Department of Environmental Resources, upon conviction in a summary proceeding, shall be subject to a fine or penalty of not more than One Thousand (\$1,000.00) Dollars plus costs of prosecution and in default of payment thereof, to be imprisoned for not more than thirty (30) days.

SECTION 5: EFFECTIVE DATE

This Ordinance shall be effective upon its final adoption.

ENACTED AND ORDAINED INTO ORDINANCE THIS 18 DAY OF July, 1990.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF WEST MAHANoy

BY: Robert J. Gandy  
Chairman

Anthony J. McElhenny  
Supervisor

ATTEST:

Marshall P. McElhenny  
Secretary

Donald L. Gandy  
Supervisor

TOWNSHIP OF WEST MAHANoy  
SCHUYLKILL COUNTY, PENNSYLVANIA

AMENDED ORDINANCE NO. 2004- 5

AN ORDINANCE OF THE TOWNSHIP OF WEST MAHANoy, SCHUYLKILL  
COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NUMBER 1990-3,  
SECTION 1.1 TRASH.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF  
WEST MAHANoy TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA, AS  
FOLLOWS:

SECTION 1.1 TRASH IS HEREBY AMENDED TO INCLUDE THE FOLLOWING:

Any refuse material including all animal and vegetable waste resulting from the  
handling, preparation, cooking or consumption of foods, glass, metal, paper, plant  
growth, wood, rubber materials, plastic products, and all other waste material  
including rubbish, ashes and leaves.

ENACTED AND ORDAINED this 21 day of December, 2004.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF WEST MAHANoy

BY: *Evelyn Andrews*  
Evelyn Andrews, Chairperson

*Regina J. Huntley*  
Supervisor

ATTEST:

*Michael Michalik*  
Michael Michalik, Secretary

*Paul Martin*  
Supervisor