

ORDINANCE NO. 2 OF 2018

SCHUYLKILL TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA

**AN ORDINANCE OF THE TOWNSHIP OF SCHUYLKILL AMENDING ORDINANCE NUMBER 78-4 AND ORDINANCE 94-1 (AMENDING ORDINANCE) WHICH PROVIDES FOR THE COLLECTION OF GARBAGE AND OTHER REFUSE MATERIAL BY THE TOWNSHIP AND ESTABLISHING A FEE FOR THE COLLECTION THEREOF**

**BE IT ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Schuylkill, County of Schuylkill, as follows:

Section 3 of Ordinance 78-4 and Section 2 of Ordinance 94-1, which amended Section 3 of Ordinance 78-4, are hereby amended and restated to read as follows:

“Section 3 – The Township Supervisors may, by Resolution, designate the Township official who shall be responsible for collecting the garbage collection and disposal fee as assessed. The collection and disposal fee shall be payable within thirty (30) days from date of assessment which assessment shall be on an annual basis. The annual assessment can be modified from time to time by Resolution of this Township.

All assessments as invoiced shall be considered delinquent if not paid within sixty (60) days from date of mailing of the bill thereof. All delinquent accounts shall be subject to immediate discontinuance of service without notice. The Board of Supervisors shall discontinue all refuse collection service to all delinquent accounts unless the Board of Supervisors specifically directs otherwise. Service shall be resumed thereafter only upon payment of the accumulated fees for the period of collection. The stoppage of service, as authorized by this Ordinance, for non-payment of collection assessments shall be in addition to the right of the Township to proceed for collection of such unpaid charges by an action in assumpsit or at the election of the Township any other matter or action provided by

law for the collection of municipal claims. Furthermore, the delinquent holder shall be subject to the penalties as set forth in Section 4 and any amendments thereto.

All persons whose garbage, rubbish, or ashes are not being collected by the Borough or during the pendency of suspended service as a result of a delinquent account shall immediately furnish the Township, upon the Township's request, a statement of the method and means of disposal of their garbage, rubbish, or ashes and shall furnish such other information relating thereto as shall be required by the Township Board of Supervisors. Nothing herein shall be considered as a waiver or release for any unpaid/delinquent assessment as imposed by this Ordinance.

Any owner of a business premise or dwelling unit may register with the Township Municipal Secretary a property serviced by the Township that is vacant. Such registration must be received no later than December 1<sup>st</sup> of each year. Upon application, the Township shall verify that the premises in question are vacant and the owner of such business premise or dwelling unit shall be relieved of remitting the annual garbage fee. However, if the Business, premise or dwelling unit shall become occupied at any point in time during the waiver year the full garbage assessment shall be imposed and immediately due and payable without further abatement or proration.

Furthermore, the Township will not permit a waiver of the applicable assessment fee for any portion of a year which has not been registered by the 1st day of December for the anticipated upcoming year billing cycle. There shall be no proration for any property that becomes vacant during any annual billing cycle. Any business premise or dwelling unit that is not so registered as vacant by December 1<sup>st</sup> of each year shall be assessed the full annual fee.


All Ordinances or Resolutions or parts of Ordinances or Resolutions, insofar as they are inconsistent with this amendment and restatement are hereby repealed.


All remaining provisions of Ordinance 78-4; any amending ordinance thereafter, including Ordinance No. 94-1 and Ordinance No. 2-2012 are hereby ratified as being in full force and effect other than as modified or amended or restated herein.


If any sentence, clause, section, or part of this amending ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions of this amending ordinance, nor any previous ordinance or resolution as hereby ratified."

**ENACTED AND ORDAINED** by the Board of Supervisors of Schuylkill Township, Schuylkill County, Pennsylvania the 2 day of July, 2018 in lawful session duly assembled.

TOWNSHIP OF SCHUYLKILL

By   
Charles Fayash

By   
Charles Hosler

By   
Frank Fabrizio

Attest:

  
Secretary