

BOROUGH OF ARCHBALD  
LACKAWANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 4 OF 2008

AN ORDINANCE REGULATING THE TIME FOR THE PLACEMENT OF TRASH  
CONTAINERS AND RECYCLABLE CONTAINERS FOR REMOVAL OF TRASH AND  
RECYCLABLES AND THE TIME FOR THE REMOVAL OF SUCH TRASH  
CONTAINERS AND RECYCLABLE CONTAINERS AND PROVIDING FOR  
PENALTIES THEREOF

SECTION 1.

Pursuant to the provisions of the Pennsylvania Borough Code, specifically including, but not necessarily limited to, 53 P.S. Sections 46202(4), 46202(5), 46202(10) and 46202(11) (the power to prohibit and remove any obstruction or nuisance in the streets of the Borough of Archbald as well as the power to prohibit and remove any accumulation of garbage or other refuse material within the Borough of Archbald); 53 P.S. Section 46202(17) (the power to regulate the streets of the Borough of Archbald); 53 P.S. Section 46202(3) (the power to impose fines and penalties or to remit the same) and 53 P.S. Section 46202(74) (the power to make and adopt all such ordinances as the Archbald Borough Council shall deem expedient or necessary for the proper management, care and control of the Borough of Archbald and its finances and the maintenance of peace, good government, safety and welfare of the Borough and its trade, commerce and manufactures, the Archbald Borough Council enacts the within Ordinance.

SECTION 2.

The Council of the Borough of Archbald has determined that the extended placement of trash containers and recycle containers at curbsides and in the streets of the Borough of Archbald, beyond the time period reasonably necessary for the reasonable removal of trash and recyclable materials, creates the potential for a nuisance to exist.

SECTION 3.

NOW, THEREFORE, it is hereby **ORDAINED** and **ENACTED** by the Council of the Borough of Archbald, pursuant to its authority under the Pennsylvania Code, specifically including, but not limited to, the specific powers granted to the Borough of Archbald by 53 P.S. §46202 as follows:

(A) No trash, trash container, recyclable material or recyclable container may be placed on the sidewalk, curb, right of way, or along a public street, alley or any street, cart way or roadway upon which trash and/or recyclable materials are collected for collection earlier than 12:00 Noon on the day before its scheduled collection day.

(B) All trash, refuse and recyclable containers must be removed from the sidewalk, curb, right of way, or along a public street, alley or any street, cart way or roadway upon which trash and/or recyclable materials are collected no later than 12:00 Midnight on the actual scheduled day of its collection.

(C) Violation of the provisions of this Ordinance shall constitute a summary offense and any person, partnership, corporation or other legal entity which violates any term of this Ordinance shall, upon conviction, be guilty of a summary offense punishable by a fine not to exceed Fifty Dollars (\$50.00). Each day a violation of the within Ordinance occurs shall constitute a separate offense.

**SECTION 4.**

This Ordinance shall take effect thirty (30) days after the date of its enactment herein.

ORDAINED AND ENACTED this 24<sup>th</sup> day of September, 2008.

ATTEST:

  
LEONARD HOSIE, SECRETARY

(SEAL)

BOROUGH COUNCIL OF THE  
BOROUGH OF ARCHBALD

By:   
JOHN ALTIER, PRESIDENT

EXAMINED AND APPROVED this 24<sup>th</sup> day of September, 2008.

By:   
EDWARD FAIRBROTHER, MAYOR