

AN ORDINANCE IMPLEMENTING AND AMENDING
ORDINANCE NO. 52, REGULATING THE STORAGE,
COLLECTION AND DISPOSAL OF REFUSE IN
BARRETT TOWNSHIP, MONROE COUNTY, PENNSYL-
VANIA, AND PROVIDING FOR FEES CHARGED FOR
SAID STORAGE, COLLECTION AND DISPOSAL.

The Township of Barrett, being desirous of providing the inhabitants of said Township garbage and refuse disposal at a charge or fee compatible with the services provided under the Township Garbage and Refuse Disposal Ordinance and being further desirous of arranging that the fees and charges paid will be equitable and in proportion to the garbage and refuse output from all properties in said Township, hereby ordains the following ordinance:

Section 1. Fees for the storage, collection and disposal of refuse by and within the Township of Barrett, Monroe County, Pennsylvania, shall be charged in accordance with the following formula: At the rate of three (3) mills on the current assessed values of all buildings located on all real estate within Barrett Township; provided, however, that such fee shall not be charged against any property owner or owners from which the Barrett Township Supervisors elect not to collect refuse or garbage under the provisions of Ordinance No. 52; provided further, however, that the minimum fee charged property owners in said Township for such storage, collection and disposal of refuse shall be no less than the sum of Fifteen (\$15.00) Dollars per year on a building or buildings located on one tract or on contiguous tracts of land in said Township; provided further, however, that for commercial establishments, which are herewith defined as being establishments other than dwellings, the fee

shall be based upon the average amount of refuse output of such commercial establishment and the frequency of collection therefrom, said fee to be fixed by the Township Supervisors in accordance therewith; provided further, however, that the collection and disposal of refuse by the Township provided for under Ordinance No. 52, and the collection of fees provided for under the provisions of this ordinance, shall not apply to any building which has, or buildings which have, been exempted from the payment of real estate taxes, unless the Township Supervisors elect, by agreement or arrangement between the Township Supervisors and the tax exempt owner to collect said tax exempt owner's refuse at a fee agreed upon between said parties.

Section 2. The Barrett Township Supervisors, under such circumstances as they determine to be proper, may provide by separate contract or agreement with such owner or owners of real estate in said Township, for storage, collection or disposal of refuse from the property of such owner or owners, at such fee or fees as shall be agreed upon by the Township Supervisors and said owner or owners.

Section 3. Collection of Fees. The fees herein provided for shall be paid yearly by the owner or owners of the building or buildings and by the owner or owners of the commercial establishment. Fees shall be subject to a penalty of ten (10) per cent if not paid within thirty (30) days from due date on billing. All accounts shall be considered delinquent if not paid within thirty (30) days from due date on billing and all delinquent accounts are subject to stoppage of service without notice. Upon stoppage, service will be resumed thereafter only on payment of

the accumulated fees for the period of collection and the period of non-collection plus ten (10) per cent. Provided, however, that the Township may continue to charge fees for any period of non-collection due to delinquency in payment of collection fees, so long as said delinquency continues and regardless of how many proceedings to collect said delinquent fees may be instituted by Township. The stoppage of service herein provided for shall be in addition to the right of the Township to proceed for the collection of such unpaid charges by action in assumpsit or, at the election of the Township, in any other manner provided by law for the collection of a municipal claim.

Section 4. Penalties. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof before any Justice of the Peace in said Township, be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days; provided, each day's violation of any of the provisions of this ordinance shall constitute a separate offense. All fines, levied, assessed and paid under the terms of this ordinance shall be payable by the Justice of the Peace to the Treasurer of the Township of Barrett for the general use of said Township.

Section 5. Severability. If any section, sub-section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the

validity of the remaining portions hereof.

Section 6. Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

ORDAINED AND ENACTED into law this 17th day
of May, A. D., 1967.

TOWNSHIP OF BARRETT

By Stanley D Bender
Chairman

Attest:

Roger H. Lindsay
Secretary



RESOLUTION

ENACTED and adopted at a meeting of the Barrett Township Supervisors, held in the Fire House at Buck Hill Falls, Barrett Township, Monroe County, Pennsylvania, Wednesday evening, May 17, 1967;

It was regularly moved, seconded and passed that the following resolution be adopted:

Resolved that Ordinance No. 53 be interpreted and administered so that fees collected thereunder be collected annually instead of quarterly and that bills for said fees be paid within thirty days of due date on billing instead of within fifteen days;

Also, that where the words " operator and operators" appear in said Ordinance same shall be interpreted to mean "owner and owners".

Secretary