

ORDINANCE NO. 84

BE IT ORDAINED AND ENACTED by the Council of the Borough of Marion Heights, Northumberland County, Pennsylvania, and is hereby enacted and ordained by the authority of the same as follows:

SECTION I-Use in connection with construction, repair or demolition.

No garbage storage container [defined herein as a dumpster or other container with a holding capacity in excess of one hundred (100) pounds] used in connection with construction, reconstruction, repair or demolition of a premises shall be utilized on any street, sidewalk or other public right-of-way in the proximity of any residential or commercial property within the limits of the Borough of Marion Heights unless approved by the Borough Council upon application as follows:

- A. The applicant for permit shall be the owner of the garbage storage container.
- B. The applicant for permit must first establish to the satisfaction of the Borough Health Officer that there is no viable alternative to the temporary use of the garbage storage container on any residential street or sidewalk or other public right-of-way in the proximity of any residential or commercial property.
- C. Application for permit shall be filed with the Borough Health Officer, together with a fee of Ten (\$10.00) Dollars per week for a period of time not to exceed a maximum of six (6) weeks.
- D. For the use of a garbage storage container in a metered

zone, the fee shall be the maximum amount that the Borough would receive daily from each meter removed from utilization up to a maximum of six (6) weeks plus the Ten (\$10.00) Dollars per week usual permit fee. A separate fee shall be required for each garbage storage container.

- E. The garbage storage container shall be used only in connection with construction, reconstruction, repair or demolition of a premises.
- F. The garbage storage container shall be maintained in a sanitary condition and covered at the conclusion of each work day; the exposed area of the container shall have reflectors or reflector tape attached and shall be secured in such fashion so as to protect the same from the public.
- G. The garbage storage container shall be emptied promptly when full and at least once every week.
- H. While in effect, the application shall act as a bar to any violations pertaining to snow removal, street cleaning or maintenance.
- I. The applicant shall be responsible for any damage to roadways, curbs or sidewalks or damages to property of or personal injury to another.

SECTION II-Other uses.

No garbage storage container used for purposes other than as delineated in Section I shall be utilized on any street, sidewalk or other public right-of-way in the proximity of any residential or

commercial property within the limits of the Borough of Marion Heights unless approved by the Borough Council upon application as follows:

- A. The applicant for permit shall be the owner of the garbage storage container.
- B. The applicant for permit must first establish to the satisfaction of the Borough Health Officer that there is a need for the use of the garbage storage container in the area where it is to be utilized.
- C. Application for permit shall be filed with the Borough Secretary, together with a fee of Twenty-five (\$25.00) Dollars for a period of six (6) months. A separate fee shall be required for each garbage storage container. X
- D. No garbage storage container under this section shall be placed on a Borough street or alleyway or in any Borough metered zone.
- E. The garbage storage container shall be maintained in a sanitary condition and shall include a cover and shall be secured in such fashion as to protect the same from the public.
- F. The garbage storage container shall be emptied promptly when full and at least once every week.
- G. The applicant shall be responsible for any damage to roadways, curbs or sidewalks or damages to property of or personal injury to another.

SECTION III-Repealer.

All ordinances or parts of ordinances inconsistent herewith are

Christopher J. Jones
Council