

**SHIPPENSBURG TOWNSHIP  
CUMBERLAND COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2010-01**

**AN ORDINANCE TO AMEND THE SHIPPENSBURG TOWNSHIP  
SOLID WASTE AND RECYCLING ORDINANCE OF 2003**

It is hereby enacted and ordained by the Board of Supervisors of Shippensburg Township, Cumberland County, Pennsylvania that the Shippensburg Township solid Waste and Recycling Ordinance of 2003, Ordinance No.2003-2, as amended by Ordinance 2005-05, is further amended as follows:

1. Article IV, Section 1 Penalties is hereby amended to read:

**SECTION 1: Penalties**

Any person, including the exclusive hauler and any other haulers operating within the Township, who shall violate any provision of this Ordinance or who assists in the violation of any provision of this Ordinance shall be liable, upon conviction for the first offense and upon summary conviction for each subsequent offense, to a fine of not less than One Hundred (\$100.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, together with the cost of prosecution, including reasonable attorney's fees in each case. Every violator of the provision of this Ordinance shall be deemed guilty of a separate offense each and every day such violation continues and shall be subject to the penalty imposed by this Section for each and every separate offense. Fines and costs imposed under the provision of this Ordinance shall be enforceable and recoverable in the manner and at the time provided by applicable law. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and costs, such person may be sentenced and committed to the jail of Cumberland County for a period not exceeding thirty (30) days.

It shall be a violation of this Ordinance for any person to interfere with a township contractor or hauler in its performance of collecting, transporting and/or disposing of recyclable materials and/or solid waste.

It shall be a violation of this Ordinance for any property owner, lessee and/or tenant to place solid waste or recyclable containers at the curb more than 24 hours prior to the scheduled pickup day or to leave solid waste or recyclable containers at the curb for more than 24 hours after the pickup day. In the event this provision is violated, the Township or its employees or agents shall have the right and authority to remove the container from the curb and place it out of harm's way adjacent to the building, in which case the Landlord shall be billed \$15.00 per event for costs and penalty.

Any premises on which conditions of waste exist causing it to be a public nuisance is prohibited. Failure to resolve or remedy said public nuisance after receiving

written notice to do so shall be deemed a violation of this Ordinance, punishable as herein provided.

The presence of any articles containing a person's name among solid waste or recyclables shall create a rebuttable presumption that said solid waste or recyclables are the property of the person whose name is found therein. This presumption can only be rebutted by clear and convincing evidence to the contrary.

Nothing herein is intended to preclude the Township's exercise of any additional remedies in law or equity, for non-compliance with this Ordinance, all in accordance with the provision of the Municipal Waste Planning, Recycling and Waste Reduction Act and The Second Class Township Code.

2. All other provisions of this Ordinance shall remain unchanged and fully enforceable by the Township.


ENACTED AND ORDAINED by the Board of Supervisors of Shippensburg Township, Cumberland County, Pennsylvania, this 4<sup>th</sup> day of January, 2010 in session duly assembled.

SHIPPENSBURG TOWNSHIP  
BOARD OF SUPERVISORS

By:   
Chairman

By:   
Supervisor

By:   
Supervisor

ATTEST  
  
Secretary