

BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 492 - 2024

ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH OF LEESPORT ORDINANCE NO. 350, AS AMENDED, TO AMEND SECTION 2 ENTITLED “DEFINITIONS” TO ADD DEFINITIONS OF “COMMERCIAL ESTABLISHMENT”, “MUNICIPAL ESTABLISHMENTS” AND “INSTITUTIONAL ESTABLISHMENT”; TO DELETE THE WORD “RUBBISH” WHEREVER IT APPEARS; AND TO AMEND SECTION 3a TO REQUIRE ALL PERSONS RESIDING IN DWELLING UNITS AND ALL INSTITUTIONAL, MUNICIPAL AND COMMERCIAL ESTABLISHMENTS TO HAVE WASTE COLLECTION AND TO PROVIDE FOR THE IMPOSITION OF REFUSE COLLECTION CHARGES.

WHEREAS, the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended, provides for each municipality of the Commonwealth to have the power to adopt and implement programs for collection and recycling of municipal waste or source separated recyclable materials; and

WHEREAS, on July 17, 1991, Leesport Borough Council enacted Leesport Borough Ordinance Number 350 and thereby imposed refuse collection charges; and

WHEREAS, on March 17, 2010, Leesport Borough Council enacted Leesport Ordinance Number 438, and thereby amended Ordinance Number 350 to delete the term “habitual property”, redefined the term “dwelling unit”, and amending the imposition and rates of charges; and

WHEREAS, Leesport Borough Council believes is in the best interests of the residents of Leesport Borough to further amend Ordinance Number 350 to require waste collection by persons residing in Dwelling Units, and by Institutional, Municipal and Commercial Establishments, and to delete the definition of rubbish.

BE IT ENACTED AND ORDAINED, by the Borough Council of the Borough of Leesport, Berks County, Pennsylvania (“Borough”) as follows:

SECTION 1. Ordinance Number 350, as amended, Section 2 entitled “Definitions” is hereby amended to add the following terms and their definitions in alphabetical order:

“Commercial Establishment” shall mean an establishment engaged in nonmanufacturing or nonprocessing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

“Institutional Establishment” shall mean any establishment engaged in service, including but not limited to hospitals, nursing homes, orphanages, schools and universities.

“Municipal Establishment” shall mean any facility or building owned or operated by a local government or county government, local government or county government authority, State Government or agency or Federal Government or agency.

SECTION 2. Ordinance Number 350, as amended, Section 2 entitled “Definitions” is amended hereby to delete the definition of “Rubbish”.

SECTION 3. Ordinance Number 350, as amended, is amended to delete the word “Rubbish” wherever it appears.

SECTION 4. Ordinance Number 350, as amended, Section 3 entitled “Imposition and Rates of Charge” is amended to be renamed “Establishment of Program and Imposition of Charges” which shall read in its entirety as follows:

SECTION 3. Refuse Collection Required, Imposition of Charges.

- (a) All persons residing in Dwelling Units, and all Commercial Establishments, Institutional Establishments, and Municipal Establishments within the Borough shall arrange for the storage, collection, transportation, and disposal of refuse. Refuse shall be collected at least once per month.
- (b) The Borough hereby imposes refuse collection charges on each Dwelling Unit, at such rate as shall from time to time be established by Resolution of Borough Council.

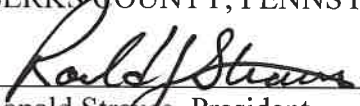
SECTION 5. Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance’s provision.

SECTION 6. If any sentence, clause, section or part of this 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, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 7. This Ordinance shall become effective five (5) days after enacted, as provided by law.

ENACTED AND ORDAINED this 16th day of October, 2024.

COUNCIL FOR THE
BOROUGH OF LEESPORT,
BERKS COUNTY, PENNSYLVANIA




Ronald Strause, President

ATTEST



Sandra Weiser-Pascavage, Borough Manager / Secretary

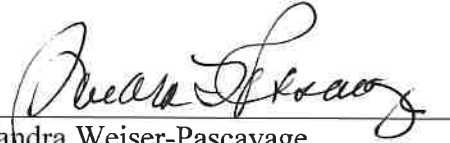
APPROVED this 16th day of October, 2024



David J. Reimer, Mayor of the Borough

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 492 -2024 adopted by the Council of the Borough of Leesport, Berks County, Pennsylvania at a public hearing following a regular meeting held on October 16, 2024, pursuant to notice as required by law.



Sandra Weiser-Pascavage
Borough Manager / Secretary