

AN ORDINANCE TO REGULATE IN PART, AND TO PROHIBIT IN PART, THE DEPOSITING OF ASHES, GARBAGE, RUBBISH AND OTHER REFUSE MATERIALS WITHIN THE TOWNSHIP OF WINFIELD, BUTLER COUNTY, PENNSYLVANIA,

Be it ordained by the Supervisors of the Township of Winfield, County of Butler and Commonwealth of Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of the same:

SECTION 1: No paper, trash, rubbish, ashes, junk, waste or discarded materials of any kind shall be thrown, deposited or dumped in any ravine, quarry, ditch, or gutter, of any highway, road, street, avenue, lane, alley, sidewalk or footpath in the Township of Winfield nor on any public place or private property, vacant or occupied within the limits of said Township.

SECTION 2: No leaves, grass, weeds, hedges, tree trimmings or any other material shall be burned within the boundaries of any public highway; nor shall any fire be made which will cause damage to a highway or street paving.

SECTION 3: It shall be unlawful for all individuals, corporations, or businesses, owning or occupying property along any public highway, road, street, avenue, lane or alley in the Township of Winfield to drain or allow the flow into or upon any highway, road, street, avenue, lane or alley, by pipe or any other channel, whether natural or artificial, any water or drainage from sinks, bathtubs, wash stands, lavatories, water closets, swimming pools, privies or cesspools of any kind or nature whatsoever, or any other foul or offensive water or drainage of any kind, or to allow any such water or drainage to percolate into or upon said highway, road, street, avenue, lane, or alley.

SECTION 4: Nothing in this Ordinance shall be construed to prohibit municipal dumps maintained by the Township of Winfield, or a reasonable accumulation of ashes and rubbish on private property by the owners thereof.

SECTION 5: Nothing in the Ordinance shall be construed to prohibit "land fill" operations within the Township when the following conditions are met:

- (a) A permit is obtained from the Supervisors; and
- (b) The requirements of the Commonwealth of Pennsylvania are complied with; and

- VI. ORDINANCE TO BE OBSERVED IN EVERY CASE TO BE PERMITTED
- (c) The rules, regulations or conditions of the permit of the Township are complied with; and
 - (d) Use of the land-fill site by the Township of Winfield or its permittees is available; and
 - (e) A payment of an annual fee as provided in Section 7 hereafter.

SECTION 6: Nothing in this Ordinance shall be construed to prohibit the Township of Winfield from permitting any of the several property owners within the Township of Winfield possessing non-used or abandoned quarries in leasing their property to a municipality upon written application and the payment of an annual license fee to the Township of Winfield and the acceptance of such terms and regulations from time to time adopted by the Township of Winfield.

SECTION 7: The annual fee required by virtue of Section 5 and 6 herein shall be determined annually and shall not be less than Five Hundred (\$500.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars. The fee shall be fixed by the Supervisors by taking into consideration traffic and maintenance of roads, inspection and supervision of the operations and such other factors which would tend to provide for an orderly operation.

SECTION 8: Any owner, person, firm, association, or corporation who shall violate any of the provisions of this Ordinance shall be guilty of summary offense, and upon conviction shall be liable to pay a fine of not less than Fifty (\$50.00) Dollars nor more than Five Hundred (\$500.00) Dollars for each and every offense and on failure to pay the fine and costs, may be imprisoned for not more than Thirty (30) days. A new and separate offense shall be deemed to have been committed for each day that said violation exists. All fines and penalties imposed by this Ordinance are recoverable by summary proceedings before any Justice of the Peace and all suits or actions at law instituted for the recovery thereof are to be in the name and for the use of the Township of Winfield, against which offense is committed, and, upon recovery thereof, all such fines and penalties are to be paid into the treasury of the Township.

SECTION 9: Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any other parts thereof.

SECTION 10: All ordinances or parts of ordinances inconsistent herewith are hereby repealed unless it is recorded in the Winfield Township Zoning Ordinance No. 380 of May 29, 1980, to the extent that those provisions are more restrictive.

SECTION 11: Nothing in this Ordinance shall be construed to prohibit property owners conducting farming operations thereon from depositing in or on their own private property, any matter or material produced as a result of said farming activities or used in the production of farm products.

APPROVED by the Supervisors and enacted into an Ordinance this 25th day of March, 1982.

WINFIELD TOWNSHIP BOARD OF SUPERVISORS

Richard L. Vandame
Chairman

Joseph J. Schneider

Attest:

Margaret McCracken
Secretary