

**Borough of Union Dale
Susquehanna County, Pennsylvania**

Ordinance No. 2017-003

AN ORDINANCE OF THE BOROUGH OF UNION DALE, SUSQUEHANNA COUNTY, COMMONWEALTH OF PENNSYLVANIA PROHIBITING THE ACCUMULATION, BURYING, PROCESSING, OR DISPOSAL OF HAZARDOUS WASTE UPON PROPERTY IN THE BOROUGH OF UNION DALE, SUSQUEHANNA COUNTY, PENNSYLVANIA.

WHEREAS, Council in the Borough of Union Dale is empowered with the authority to enact ordinances regulating the storage and collection of solid wastes, pursuant to the authorities of the Pennsylvania Solid Waste Management Act, which provides for municipal regulation of the storage and collection of solid wastes, and the Borough Code, which provides for the prohibition of nuisances.

WHEREAS, it is the purpose and intention of this Ordinance enacted under the power of the Borough of Union Dale, to prohibit the accumulation, burying, processing or disposal of hazardous waste in order to maintain, provide for and protect the health, safety and sanitation of its Borough.

NOW THEREFORE, the Council of the Borough of Union Dale, Susquehanna County, Commonwealth of Pennsylvania, hereby enacts and ordains as follows:

1. This Ordinance shall be known as the "Union Dale Borough Hazardous Waste Ordinance.
2. The following words, terms and phrases when used in this Ordinance shall have the meaning hereinafter ascribed to them, except when the context clearly indicates a different meaning:

Hazardous Wastes: Shall mean all flammables, toxics, poisons, reactives, corrosives, low-level nuclear waste materials and high-level nuclear waste materials, which because of its quality, concentration or physical, chemical or infectious characteristics may: (1) Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population or; (2) Pose a substantial present or potential hazard to human (or animal) health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

Disposal: The dumping, burying or release of any hazardous wastes anywhere within the Borough of Union Dale.

Storage: The holding or temporary deposit of hazardous wastes anywhere within the Borough of Union Dale, above or below ground.

Processing: The treatment, preparation or handling of hazardous waste by some special method.

Person: Every natural person, firm, corporation, partnership, association or institution.

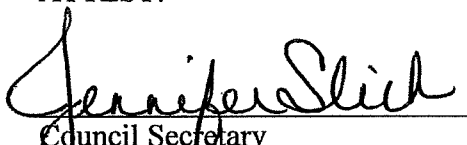
3. It shall be unlawful for any person to accumulate, bury, process or dispose of hazardous wastes within the limits of the Borough of Union Dale.
4. Any person or any officer of any firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof before a Magisterial District Judge of Susquehanna County, be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) per violation together with costs of prosecution or imprisonment in the Susquehanna County jail for a period of not more than thirty (30) days. Any person or any officer of any firm or corporation shall upon conviction be liable for all costs associated with the restoration of the area to the same environmental state that prevailed prior to the violation.

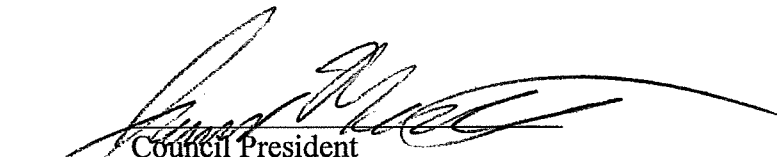
In the case of any continuing action or remaining instances in violation of this Ordinance, the Council of the Borough of Union Dale may institute in the name of the Borough any appropriate action or proceeding to prevent, restrain, correct or abate the problem constituting a violation.

5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.
6. All ordinances and parts of ordinances in conflict herewith are hereby repealed.
7. This Ordinance shall become effectively immediately upon enactment.

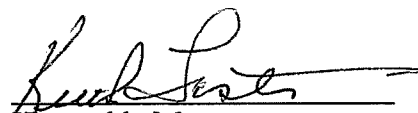
ENACTED AND ORDAINED this 7th day of August, 2017 by the Council of the Borough of Union Dale, Susquehanna County, Commonwealth of Pennsylvania in lawful session, duly assembled.

ATTEST:


Council Secretary
Borough of Union Dale


Council President
Borough of Union Dale

Approved By:


Honorable Mayor
Borough of Union Dale