

ORDINANCE NO. _____

AN ORDINANCE PROHIBITING THE HANDLING, STORAGE, TRANSPORTATION, PREPARATION, USE OR DISPOSING OF ANY AND ALL RADIOACTIVE, DELETERIOUS, NOXIOUS, PERNICIOUS OR POISONOUS MATERIALS WITHIN THE TOWNSHIP OF MIDDLETOWN, COUNTY OF SUSQUEHANNA AND COMMONWEALTH OF PENNSYLVANIA, AND ESTABLISHING PENALTIES FOR ANY VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED BY THE TOWNSHIP OF MIDDLETOWN, AS FOLLOWS:

ARTICLE I

Section 1 - Purpose and Intent

It is the purpose of this Ordinance to promote and protect the public health of the people of the Township of Middletown and of all other peoples in the Township of Middletown who may be there from time to time so as to prohibit the handling, storage, transportation, preparation, use, or disposing or any and all radioactive, deleterious, noxious, pernicious or poisonous materials within the township.

Section 2 - Definitions

(1) "Deleterious" means any substance which is dangerous to the health of persons.

(2) "Noxious" means any material which is poisonous, deadly or unwholesome to the health of persons.

(3) "Pernicious" means any material which is fatal, deadly or injurious to persons.

(4) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this Commonwealth, any other state or political subdivision or agency thereof, and any legal successor, representative agent, or agency of the foregoing.

(5) "Poisonous" means any material harmful to the health of persons.

(6) "Radioactive" means any material which causes radiation which is harmful to persons.

WASTE MANAGEMENT ORDINANCE

TOWNSHIP OF MIDDLETOWN

An Ordinance prohibiting the accumulation and burying of hazardous waste, human compost, human waste, and other sewage brought into the Township of Middletown from outside its borders upon private property in said Township of Middletown and providing penalties for the violation of said Ordinance.

WHEREAS, it is the purpose and intention of this Ordinance enacted under the power of the Township of Middletown, Susquehanna County, Pennsylvania, to regulate and control hazardous waste, human compost, human waste and other sewage from outside the Township of Middletown in order to maintain, provide for and protect the health, safety and sanitation of the inhabitants of this Township.

NOW THEREFORE, be it enacted and ordained by the Board of Supervisors of the Township of Middletown, Susquehanna County, Pennsylvania, as follows:

SECTION I: Definitions.

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 Waste" - shall mean all toxics, poisons, reactives, corrosives, and nuclear waste materials.

SECTION II: General.

It shall be unlawful for any person to accumulate or bury hazardous waste, human compost, human waste and other sewage brought into the Township of Middletown from outside its borders or permit another to accumulate or bury hazardous waste, human compost, human waste and other sewage brought into Middle-Town Township from outside its borders.

ARTICLE II

Section 1 - Operational Standards

No person shall handle, store, transport, prepare use or dispose of any, and all radioactive, deleterious, noxious, pernicious or poisonous materials within the limits of the Township of Middletown, Susquehanna County, Pennsylvania.

Section 2 - Compliance

Every person shall be subject to this Ordinance upon the effective date hereof. Persons transporting the prohibited material shall be subject to this Ordinance upon the date signs are posted on the roads upon which such materials is transported.

Section 3 - Violations

Any person violating any provision of this Ordinance shall, upon conviction thereof, be fined \$10,000 or undergo imprisonment for a period of 30 days and the costs of prosecution for each violation of this Ordinance. A new and separate offense shall be deemed for each day this Ordinance is violated.

Section 4 - Abatement of Nuisances

In addition to the remedies provided in Section 3 above, any continued violations of this Ordinance which shall constitute a nuisance, which may be abated by proceeding against the violator in a court of equity for abatement.

Section 5 - Severability

If any section of this Ordinance shall be found to be invalid, the other sections of the Ordinance shall not be affected thereby.

Section 6 - Effective Date *Sept. 9, 1981*

This Ordinance shall become effective five days after adoption.

ATTEST:

Township Secretary

Thomas W. Young

John Guitor

Township Supervisors