

**CITY OF JEANNETTE
WESTMORELAND COUNTY, PENNSYLVANIA**

BILL NO. 05-05

ORDINANCE NO. 05-05

AN ORDINANCE OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 96-3 ELIMINATING THE MANDATORY USE OF CITY OF JEANNETTE GARBAGE BAGS FOR GARBAGE AND RUBBISH DISPOSAL AND AUTHORIZING THE AMENDMENT OF COLLECTION FEES BY SUBSEQUENT RESOLUTION.

WHEREAS, The Council of the City of Jeannette, September 11, 1996, ordained and enacted Ordinance No. 96-3:

“AN ORDINANCE OF THE CITY OF JEANNETTE, FOR THE COLLECTION AND REMOVAL OF MUNICIPAL WASTE AND RECYCLABLES FROM PREMISES WITHIN THE CITY, PROVIDING FOR FEES AND PROCEDURES THEREFORE, DELEGATING RESPONSIBILITY FOR PAYMENT TO PROPERTY OWNERS, IMPOSING FINES AND PENALTIES FOR NON-COMPLIANCE, AND REVOKING ORDINANCE 56-1 AND ITS AMENDMENTS, AND ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH”

WHEREAS, Section III-B of such Ordinance requires the mandatory use of City of Jeannette garbage bags for garbage and rubbish disposal; and

WHEREAS, the Council of the City of Jeannette desires to amend the aforesaid Ordinance to continue to require the mandatory use of plastic bags, but abolish that portion of Ordinance No. 96-3 that requires such plastic bags to be purchased through the City of Jeannette; and

WHEREAS, the Council of the City of Jeannette also desires to provide an alternate method for modifying both commercial and residential garbage collection fees and charges as well as the charges for special pick-ups, roll offs and/or other garbage collection service fees set forth in the aforesaid Ordinance.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING
INCORPORATED HEREIN BY REFERENCE THERETO, THE PARTIES HERETO DO
HEREBY AGREE AS FOLLOWS:

1. Section III.B of Ordinance No. 96-3, entitled “Mandatory Use of City of Jeannette Garbage Bags for Garbage and Rubbish” is hereby rescinded and deleted in its entirety.

BILL NO. 05-05

ORDINANCE NO. 05-05

2. Section III B of Ordinance No. 96-3 shall hereafter be amended and replaced by the following:

B. Mandatory use of Garbage Bags for Garbage and Rubbish.

1. All garbage and rubbish shall be placed for collection in plastic bags having the following requirements:
 - a. Any plastic bag used by property owners for the disposal of trash and rubbish must be 30 gallons in size and not exceed more than 30 lbs. in weight, when filled to capacity.
 - b. Smaller plastic bags may be used if, and only if, such bags are placed in metal or heavy duty plastic garbage cans or other sealed container for collection.
2. Except as otherwise provided for herein, no garbage or rubbish shall be placed for collection by any person unless it is contained in garbage bags having those requirements set forth in paragraph one (1) above.
3. It shall be unlawful to place any garbage or rubbish for collection in any container except for the bags described in paragraph number one (1) above provided, however, that upon placing garbage and rubbish in such bags, it shall be permissible to place the filled bags into heavy duty plastic or metal containers not be exceed 32 gallons.
4. All liquids shall be drained from garbage prior to its placement into those bags referenced in paragraph one (1) above.
5. On the dates when collections are made, the owner or occupant of the premises shall place the aforesaid plastic bags and/or containers holding filled plastic bags at:
 - a. A point either on the premises, or in the sidewalk or alleyway immediately adjacent thereto where it is readily accessible to collectors; or
 - b. Any exact point for collection determined by the City, such point being subject to change from time to time at the discretion of the City.
6. Multi-family residential accounts and mixed use accounts which utilize a dumpster shall comply with all requirements set forth in paragraphs VI. B (2) – (4) of this Ordinance; and

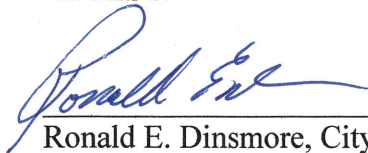
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- a. Shall be charged the commercial pull rates set forth in Schedule B of this Ordinance;
 - b. Shall be billed according to Paragraph XI B (2) of this Ordinance; and
 - c. Shall make payment pursuant to Paragraph XI B (4) of this Ordinance; and
 - d. Shall be exempt from the per unit rate set forth in Paragraph III A (1) of this Ordinance.
7. Article VII of Ordinance No. 96-3 is hereby amended to add the following paragraph No. 6.
- “6. The Council of the City of Jeannette may amend any and all fees and/or charges due, payable and/or assessable under Ordinance No. 96-3, by Resolution duly adopted by the Council of the City of Jeannette at a public meeting.”

THIS ORDINANCE IS DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE, WESTMORELAND COUNTY, PENNSYLVANIA, AT A PUBLIC MEETING HELD THE 13th DAY OF April, 2005 AND SHALL TAKE EFFECT IMMEDIATELY.

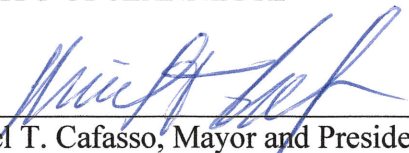
ATTEST:



Ronald E. Dinsmore, City Clerk

THE CITY OF JEANNETTE

BY:



Michael T. Cafasso, Mayor and President of Council