

TOWNSHIP OF BENEZETTE
ELK COUNTY, PENNSYLVANIA
ORDINANCE NO. _____

AN ORDINANCE OF BENEZETTE TOWNSHIP, ELK COUNTY, PENNSYLVANIA, REGULATING THE DISPOSAL OF SOLID WASTE AND THE USE OF THE BENEZETTE TOWNSHIP DUMPING SITE; ESTABLISHING DESIGNATED DISPOSAL HOURS AND MATERIAL RESTRICTIONS; AND PROHIBITING ILLEGAL DUMPING; PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Supervisors of Benezette Township, Elk County, Pennsylvania, has determined that it is in the best interest of the health, safety, and general welfare of the residents of the Township to regulate the disposal of solid waste and the use of Township-operated disposal facilities; and

WHEREAS, the Township seeks to ensure that solid waste is managed in a sanitary and environmentally responsible manner consistent with the Pennsylvania Solid Waste Management Act

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Benezette Township, Elk County, Pennsylvania, and it is hereby ordained and enacted as follows:

Section 1: This Ordinance shall be known and cited as the “Benezette Township Solid Waste Disposal and Illegal Dumping Ordinance.

Section 2. For the purposes of this Ordinance, the following terms shall have the meanings indicated:

- A. **“Dump Site”** – The solid waste disposal site or facility owned, leased, or operated by Benezette Township for use by residents for lawful disposal of permitted materials.
- B. **“Solid Waste”** – Any garbage, refuse, rubbish, and other discarded material as defined by the Pennsylvania Solid Waste Management Act.

- C. **“Illegal Dumping”** – The disposal, abandonment, or deposition of solid waste, materials, or items in any area of the Township not designated for such use, or at the Township Dump Site outside of posted hours or without proper authorization.
- D. **“Hazardous Waste”** – Any waste designated as hazardous under federal or state law, including but not limited to pesticides, motor oil, paint, solvents, batteries, and mercury-containing devices.

Section 3. Authorized Use of Township Dump Site:

- A. The Township Dump Site shall be open for use only on dates and during hours designated and publicly posted by the Township. Such hours are subject to change at the Township’s discretion through these public postings.
- B. Only residents or property owners of Benezette Township, or other authorized persons by the Township, may dispose of solid waste at the site.
- C. Only materials approved by the Township shall be accepted. The Township may require payment of fees for certain materials or items.

Section 4. The following acts are hereby prohibited.

- A. No person shall deposit, discard, or leave any solid waste or other material at the Dump Site at any time other than during posted hours of operation
- B. No person shall dispose of any of the following materials at the Township Dump Site:
 - a. Hazardous waste, including but not limited to pesticides, paints, solvents, motor oil, gasoline, or other flammable liquids;
 - b. Mercury-containing products, including fluorescent bulbs and thermostats;
 - c. Tires, appliances and electronics (e-waste);
 - d. Medical or infectious waste;
 - e. Building materials, demolition debris, or asbestos-containing materials.
- C. No person shall remove, scavenge, or tamper with any waste material deposited at the Dump Site without authorization from the Township.

Section 5. Enforcement and Penalties are as follows:

- A. This Ordinance shall be enforced by the Township Board of Supervisors, or any other duly authorized Township representative.
- B. Any person, firm, or corporation violating any provision of this Ordinance shall, upon conviction before a Magisterial District Judge, be sentenced to pay a fine of Five Hundred Dollars (\$500.00) per violation, plus costs of filing, prosecution, and legal fees and costs. Each act of violation shall constitute a separate offense.

Section 6. If any section, clause, or provision of this Ordinance shall be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

Section 7. Effective Date. This Ordinance shall take effect and be in force immediately after adoption by the Township.

ENACTED AND ORDAINED this _____ day of _____, 202, by the Board of Supervisors of Benezette Township, Elk County, Pennsylvania

Attest:

Secretary

Chairman

Vice Chair

Supervisor