

ORDINANCE NO. 24

WHEREAS, THE BOROUGH OF LITTLE MEADOWS HAS ENACTED AN ORDINANCE PROHIBITING THE ACCUMULATION AND DUMPING OF GARBAGE AND REFUSE; AND,

WHEREAS, THE BOROUGH OF LITTLE MEADOWS INTENDS THAT THE HEREIN ORDINANCE BE OF FULL FORCE AND EFFECT TO ALL QUARRING OPERATIONS IMMEDIATELY, AND TO ALL SOLID WASTE FACILITIES IN THE EVENT THAT SAID PROHIBITION ORDINANCE, OR ANY PART THEREOF, BE ADJUDGED TO BE VOID, UNENFORCEABLE OR INEFFECTUAL FOR ANY REASON WHATEVER.

NOW THEREFORE, Be it ordained and enacted by the Little Meadows Borough Council, Susquehanna County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, as follows:

SECTION ONE. All quarry or solid waste facilities (landfills, incinerators, sludge operations) or any other business or operation within Little Meadows Borough which may pose as an attractive nuisance or which could pose a danger to the safety of individuals, provide an enclosure system which prohibits the entering to or on said facilities or premises by foot or motorized vehicles such as cars, trucks, motorcycles, snowmobiles and all-terrain vehicles.

SECTION TWO. Said enclosure will be a minimum of 8 feet in height and will be permanently installed prior to the commencement of activities for which the facility was intended. Enclosures may be constructed of solid fencing or woven wire fencing. Enclosures will have a minimum of 3 strands of barbed wire atop the enclosure the entire length of the enclosures.

SECTION THREE. For operations that are deemed to be unattractive, an eye sore, or unappealing, such as junk yards landfill sites, sludge operations that are within visual site of a residence that is within 1 mile of line of site, or within site of a public road that is within 1 mile of line of site, the enclosure will be constructed with materials that obstruct the view of the facility from the residence(s) and/or roadway(s) as described above.

SECTION FOUR. Any person, firm, or corporation which shall violate any of the provisions of this ordinance shall be subject, upon conviction, to pay a fine of three hundred dollars (\$300.00) and cost of prosecution, and in default of the payment of such fine and costs to imprisonment for thirty (30) days for each occurrence. An occurrence is defined as each day that the facility is in violation of this ordinance.

SECITON FIVE. If any sentence, clause or section or part of this Ordinance is for any reason found to be unconsitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of

the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, not been included herein. This Ordinance will be in effect even in the Little Meadows Ordinance #21 prohibiting dumps and landfills is found to be ineffectual, invalid, void, or illegal. ENACTED AND ORDAINED this 23rd day of February 1987 A.D.

ATTEST:

Jenny Fahinger
Secretary

Charles D. Fahinger
President

Alan J. Musconi
Mayor