

TOWNSHIP OF POCONO

ORDINANCE NO. 49

AN ORDINANCE IN THE TOWNSHIP OF POCONO, COUNTY OF  
MONROE, STATE OF PENNSYLVANIA REGULATING THE ACCUMULATION,  
STORAGE AND DISPOSAL OF ALL WASTE MATERIALS AND PRESCRIBING  
PENALTIES FOR VIOLATIONS THEREOF.

---

ARTICLE I

TITLE, APPLICATION, AND PURPOSE

SECTION 101 TITLE AND SHORT TITLE

101.1 Title

An Ordinance regulating the accumulation, storage and disposal of all waste materials in the Township of Pocono, Monroe County, Pennsylvania, as necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of the said Township.

101.1 Short Title

This Ordinance shall be known as, and may be cited as, the Pocono Township Refuse Ordinance.

**SECTION 102 APPLICATION OF ORDINANCE**

Except as hereinafter provided, no refuse shall be stored, or disposed of in the Township of Pocono unless in conformity with the provisions of this Ordinance.

**SECTION 103 MINIMUM STANDARDS**

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements ~~for the handling of any and all waste within the Township of~~ Pocono, Monroe County, Pennsylvania.

**ARTICLE II**

**DEFINITIONS**

**SECTION 201 REFUSE**

Refuse shall include the following items:

(a) Garbage - All table refuse, animal and vegetable matter, offal from meat, fish and fowl, vegetables and fruits and parts thereof, and other articles and materials ordinarily used for food and which have become unfit for such use or which are for any reason discarded.

(b) Combustible Rubbish - All paper, straw, excelsior, rags, rubber, shoes and such other rubbish as may result from ordinary housekeeping or residential pursuits and which may be burned by fire.

(c) Ashes - The residue from the burning of wood, coal, coke and other combustible materials for the purposes of heating and cooking.

(d) Incombustible Rubbish - All discarded articles or materials except sewage, liquid waste, garbage and combustible rubbish and other articles and materials ordinarily resulting from ordinary housekeeping or residential pursuits, including household appliances, furniture (indoor and outdoor), and other bulky items generated by residential households.

---

### ARTICLE III

#### STORAGE OF GARBAGE AND REFUSE

##### SECTION 301 DISPOSAL

No person shall place any refuse in any street, alley, or other public place, or upon any private property either owned by such person or within the limits of the Township of Pocono except if same is placed in proper receptacle for collection. Likewise, no person shall throw or deposit any refuse in any stream or any other body of water.

##### SECTION 302 NUISANCES

Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within

five days after the effective date of this Ordinance shall be deemed a violation of same.

**SECTION 303 VEHICLES**

Allowing garbage to remain in a parked refuse collection vehicle for more than a twenty-four hour period is hereby declared to be a nuisance and is prohibited.

**ARTICLE IV**

---

**AUTHORITY**

**SECTION 401 ADMINISTRATION**

Except as herein otherwise provided, this Ordinance shall be administered by the Supervisors of Pocono Township, which Township shall have the power to promulgate regulations and procedures and to appoint a Sanitation Officer and any other such Agents and/or employees necessary to carry out the intent, provisions, and purposes of this Ordinance.

**ARTICLE V**

**CONFLICTS**

**SECTION 501 INTERPRETATION**

All Ordinances or parts of Ordinances and all Resolutions or parts of Resolutions which are inconsistent with this Ordinance shall be and the same are expressly repealed. The regulations and standards set forth herein shall be deemed to

be minimum standards and shall prevail in any conflict with the regulations and standards of any other Ordinance or Resolution of the Township of Pocono.

## ARTICLE VI

### PENALTIES

---

#### SECTION 601 VIOLATIONS

Conviction of a violation of this Ordinance shall be punishable by a fine, not to exceed the maximum amount allowed by law for violation of a municipal ordinance or confinement for a period not exceeding thirty days, or both. Each day's violation shall constitute a separate offense.

#### SECTION 602 REMEDIES

The Supervisors of Pocono Township, their agents and/or employees shall have the power under this Ordinance to remove any nuisance on public or private grounds after notice to the owner to do so, and in his default, to collect the cost of such removal together with such penalties prescribed herein. In the exercise of the powers herein conferred, the Township may institute proceedings in courts of equity.

## ARTICLE VII

REPEALER: EFFECTIVE DATE

SECTION 701 SEVERABILITY

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can

SECTION 702 EFFECTIVE DATE

---

This Ordinance shall take effect five (5) days from the date of adoption and shall continue in full force and effect thereafter until amended, modified, revoked or rescinded by the BOARD OF SUPERVISORS OF POCONO TOWNSHIP.

DULY ENACTED AND ORDAINED by the POCONO TOWNSHIP SUPERVISORS, Tannersville, Monroe County, Pennsylvania, this 17th day of July, 1989, in lawful session duly assembled.

By: L. Patrick Ross  
L. Patrick Ross, Chairman

John A. Smiley  
John A. Smiley, Supervisor

John M. Wolfe  
John M. Wolfe, Supervisor

ATTEST:

Jane Cilurso  
Jane Cilurso, Secretary