

**ORDINANCE NO. 2019-3**

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF NESQUEHONING, CARBON COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF NESQUEHONING, CHAPTER 18 SECTION 20-106 AND KNOWN AS SOLID WASTE.

BE IT ORDAINED and Enacted by the Council of the Borough of Nesquehoning as follows:

**Section 20-106 Payments.**

1. The fees for the collection and disposal of refuse shall be determined by resolution of the Borough Council of the Borough of Nesquehoning and public notice of the aforesaid fee schedule shall be made by the Borough.

2. All bills for the collection and disposal of refuse shall be rendered monthly and shall thereupon be immediately due and payable for the month pertaining thereto. All bills shall be payable at the Borough Building or, at such other place as shall be designated by the Borough Council, to a person duly appointed and authorized to collect the solid waste bills. Accounts shall be considered delinquent if not paid on or before the last calendar day of the month covered by said bill and if said bill is not paid on or before the last calendar day of the month covered by said bill, an administrative late fee of ten percent (10%) shall be added to such net bill, which net bill, plus such additional sum, shall constitute the gross bill. Payment must be received on or before the last calendar day of the month after the due date of the bill. Payments received after the last calendar day of the month will be considered late and subject to the applicable late fee even if postmarked prior to the aforesaid last calendar day of the month after the due date of the bill. Any and all payments received on account of delinquent accounts shall be applied first to the oldest outstanding gross bill, including any accumulated late fee.

If a delinquent account is not paid within sixty (60) days, The Borough shall have the right to proceed to collection of said delinquent account as authorized by law. In the event that a collection action is instituted, the delinquent account shall be subject to an additional fee of 20% upon the delinquent amount to cover the costs of collection.

In the case of a rental property, the owner of the property shall be responsible for the payment of the solid waste fees imposed hereunder regardless of any arrangement between the property owner as a landlord and any tenant.

3. In addition to the civil action for the collection of the unpaid charges, all delinquent accounts are subject to a stoppage of service. If a delinquent account is not paid within 30 days, the Borough is authorized to notify the solid waste hauler to cease all refuse collection for the property serviced by that account. Once service is suspended upon a delinquent account, service shall only resume upon the property owner making payment of the accumulated fees for the period of collection and/or reaches an agreement satisfactory to the Borough for the payment of

said fees in full.

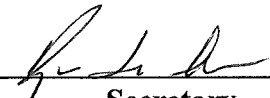
4. It shall be the duty of the Borough Secretary, or some other person or agency designated by the Borough Council to collect all fees and charges provided hereunder.

As to all other matters Chapter 20 of the Borough Code is hereby ratified and this Amendment shall be effective immediately upon adoption.

**ORDAINED AND ENACTED** this 27<sup>th</sup> day of March, 2019.

**BOROUGH OF NESQUEHONING**

BY:  \_\_\_\_\_

ATTEST:  \_\_\_\_\_  
Secretary

Examined and Approved this 27<sup>th</sup> day of March, 2019.

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Mayor