

Chapter 6

Conduct

Part 1 Littering

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Part 1**Littering****§6-101. Definitions.**

Litter—any paper, rags, boxes, wrapping materials, clothes, shoes, carpeting, food containers, food leftovers, cups, glass, china, wood, brick, tile, building materials, animal remains, animal excrement, and any other liquid, solid, or gaseous matter which qualifies as garbage, rubbish, ash, leaves, waste matter, and/or accumulated-in-bulk grass or hedge trimmings. The term “litter” shall not include any such matter which is kept in suitable trash receptacle for disposal in any manner as may be permitted by law. The term “litter” shall not include composting for residential and agricultural purposes, or agricultural land application of any material as approved and regulated by State and/or Federal law or regulation.

Person—any individual, partnership, association, corporation, joint stock company, trust, unincorporated association, and/or other group or legal entity, and/or any governmental body other than Heidelberg Township acting by and through any natural person acting on behalf of and in the course his duties with respect to Heidelberg Township.

(Ord. 99-4, 12/11/1999, §1)

§6-102. Prohibited Acts.

1. Except for placement into a suitable trash receptacle for disposable in a manner as may be permitted by law, no person may throw or place, or cause to be thrown or placed, any litter upon any public or private street, Township property, public property, or private property.

2. Every owner and/or occupant of property shall, at his or her own expense, purchase, keep, and use a sufficient number of suitable hard plastic, metal, or aluminum receptacles for the placement of litter. Alternatively, every owner and/or occupant of property shall, at his or her own expense, purchase, keep, and use plastic trash bags for the placement of litter so long as such bag(s) are not accessible to animals during anytime such bag(s) is on private property.

3. No person may burn litter, or any matter, at anytime during which the Township, by Resolution, maintains in force a ban against burning.

(Ord. 99-4, 12/11/1999, §2)

§6-103. Enforcement.

The Township Administrator and/or Township Solicitor is/are authorized to institute proceedings in any court under this Part against any person he/she/they reasonably believes has violated any provision hereof.

(Ord. 99-4, 12/11/1999, §3)

§6-104. Penalties and Remedies.

1. Any person, firm, or corporation who shall violate any provision of this Part,

upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 2010-1*]

2. Nothing in this Part shall be construed to affect, waive, or bar the right of the Township to seek any other relief from the violation of this Part which may be available at law or in equity, such remedies being specifically reserved unto the Township. Nor shall any relief afforded by a court of law or equity be construed to affect, waive, or bar the Township from obtaining a judicial disposition under §6-103 of this Part.

(*Ord. 99-4, 12/11/1999, §4; as amended by Ord. 2010-1, 4/8/2010*)