

BOROUGH OF SOUTHMONT,  
CAMBRIA COUNTY, PENNSYLVANIA  
ORDINANCE NO. 523

AN ORDINANCE SETTING THE FEE FOR THE COLLECTION AND DISPOSAL FOR GARBAGE AND RUBBISH FROM RESIDENTS AND PROPERTY OWNERS OF THE BOROUGH FOR THE CALENDAR YEAR 2020.

**WHEREAS**, the Borough of Southmont, Cambria County, Pennsylvania, ("Borough") under the authority granted by the Act 2014-130, known as the Borough Code, and specifically §1202 of the Borough Code may provide for the collection and imposition of reasonable fees and charges for the collection of garbage and other refuse material;

**NOW THEREFORE**, BE IT ORDAINED and ENACTED by the Council of the Borough of Southmont, Cambria County, Pennsylvania, pursuant to the authority granted to the Borough enacts the following:

SECTION 1: The annual garbage fee for the calendar year of 2020 shall be the sum of ONE HUNDRED FIFTY-TWO DOLLARS (\$152.00) per year per dwelling unit or household.

SECTION 2: Payment of the annual fee established herein shall be made to the Borough Executive Secretary in quarterly installments or bi-annual installments (at a minimum). Said quarterly or bi-annual payments shall be made in accordance with the due date located on the billing sent by the Borough. If any fee or fees are not paid by the due date set forth in the bill, a penalty of 10% may be added to past due amounts. If any fee or bill remains delinquent for more than 6 months it shall be delinquent and the Borough may file an action at the District Magistrate's for collection of the outstanding amount plus any fees and costs.

In addition to the above, the Borough shall be entitled to place a lien on any property for an amount due under this Ordinance and shall be entitled to collect costs and legal fees associated with the collection of fees under this Ordinance.

SECTION 3: The annual garbage fee shall be due when billed regardless of the occupation and/or vacancy of the dwelling unit or household. Additionally, owners and/or landlords shall be responsible for payment of the garbage fees due under this Ordinance. The Borough will accept payments by tenants and/or occupants of rental properties, but failure by these individuals to pay garbage fees does not alleviate the legal obligation of owners and/or landlords from being responsible for garbage fees under this Ordinance.

SECTION 4: Definitions

Dwelling unit: A single-family home, multi-family home, duplex, apartment, apartments, a room or series of rooms located in a building which is utilized for residential purposes or a portion of which is used for residential purposes.

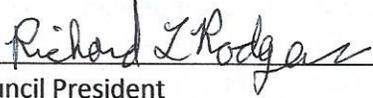
SECTION 5: Severability

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, 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 had not been included herein.

SECTION 6: Any provision of any garbage fee ordinance not consistent herewith is revoked and all other provisions of any garbage fee ordinance are hereby re-enacted, ratified and confirmed.

ORDAINED AND ENACTED this 9<sup>th</sup> day of December, 2019, by Council of the Borough of Southmont.

BOROUGH OF SOUTHMONT

  
\_\_\_\_\_  
Council President

  
\_\_\_\_\_  
Mayor

ATTEST

  
\_\_\_\_\_  
Borough Secretary