ORDINANCE 2007-07

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA AMENDING, MODIFYING AND CHANGING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, 1997, BY AMENDING CHAPTER 180 SOLID WASTE.

BE IT ENACTED AND ORDAINED by the Board of Commissioners ("Board") of Lower Allen Township ("Township") Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the same as follows:

SECTION I

Chapter 180, Solid Waste, of the Code of the Township of Lower Allen, 1997, shall be amended by deleting the current definition of dwelling unit and replacing it with the following:

At Section 180-1:

"DWELLING UNIT"- A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

At Section 180-110:

"DWELLING UNIT" A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

At Section 180-117:

"DWELLING UNIT" A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

SECTION II

Chapter 180, Solid Waste, of the Code of the Township of Lower Allen, 1997, shall be revised at Section 180-12 as follows:

§ 180-12(D)(2) shall be deleted and replaced with the following paragraph:

"Highly flammable or explosive material shall not be placed in containers or plastic bags or bundles for regular collection, but shall be disposed of as directed by the Township Manager at the expense of the owner or possessor thereof.

§ 180-12(D)(6) shall be deleted and replaced with the following new language:

§ 180-12(D)(6) No person shall collect or remove refuse from any place before 7:00 a.m. or after 7:00 p.m., prevailing times, provided however, this shall not prevent the collection of refuse on an emergency basis during other hours subject to the prior approval of the Township Manager.

SECTION III

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinances and not as new enactments. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall it affect any such suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION IV

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION V

This ordinance shall take effect immediately.

ENACTED AND ORDAINED into an Ordinance this 29th day of May, 2007.

Attest:
(Corporate Seal)

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP

Danna S Luter
~~(Assistant)~~ Secretary

John T. Tetzel
~~(Vice)~~ President