

AN ORDINANCE TO AUTHORIZE AND REGULATE SANITARY LAND FILLS; PROCEDURE FOR APPROVAL; GRANTING OF PERMITS; FEES FOR PERMIT; PENALTIES FOR FAILURE TO ABIDE BY REGULATIONS

The Supervisors of Jackson Township hereby ordain as follows:

Section 1

That the practice of Sanitary Land Fill be and hereby is authorized in the Township of Jackson, subject to the rules, regulations, conditions, requirements and provisions hereinafter set forth.

Section 2 - Definitions

- A. Sanitary Land Fill is a method of permanent disposal of non-salvagable waste, including dry trash, incombustible rubbish, edible and non-edible garbage, by either digging a trench to contain, or covering a small area with refuse, then spreading and compacting this refuse for minimum bulk and minimum settlement, and daily covering completely the compacted refuse with a minimum layer of six (6) inches of soil, which, after covering, should again be compacted.
- D. Application for Permit for Sanitary Land Fill shall be addressed to the Supervisors of Jackson Township, setting forth the details required under Section 3, A, B and requesting permission to operate a Sanitary Land Fill.
- C. Specific Area shall be only the area described in the application.
- D. Inspectors shall be the Supervisors of Jackson Township or its employees authorized by the said Supervisors of Jackson Township to make inspections of the areas approved for Sanitary Land Fill, as often as the said Supervisors shall deem necessary.

Section 3

Sanitary Land Fill shall be authorized and permitted in the Township of Jackson by any person, persons, partnership, company, or corporation upon compliance with the following Rules and Regulations:

- A. Any person, persons, partnership, company, or corporation shall make written application to the Supervisors of Jackson Township requesting permission to operate a Sanitary Land Fill for only the specific area described in such application.
- B. The application shall designate the date of application, name of the person, persons, partnership, company, or corporation applying for the permit, the address of such person, persons, partnership, company, or corporation applying for said permit, an exact description of the area and the location of said area to be used for such purpose,

a promise by the person applying for permission, to be bound by the Rules and Regulations, and the signature of the person, persons, partnership, company, or corporation applying for permission.

- C. The application for permission to engage in Sanitary Land Fill shall be accompanied by a \$15.00 dollar deposit in cash or certified check, which shall be credited on the permit fee if a permit to operate is granted. In the event a permit is refused, the said \$15.00 dollar fee shall be forfeited to the Township of Jackson as a charge for inspecting the area set forth in the application.
- D. If the area requested to be used for Sanitary Land Fill is so located and situated that it will not be a nuisance to surrounding property owners and/or residents of the area, and the area is adaptable to use for a Sanitary Land Fill, the Supervisors of Jackson Township shall then request that plans drawn by a registered architect or engineer, showing geographical and topographical data and the proposed method of operation, be submitted to the Department of Health of the Commonwealth of Pennsylvania for final approval. If this plan is approved by the Pennsylvania Department of Health, then the Supervisors of Jackson Township shall grant a permit to proceed with a Sanitary Land Fill in only the specific area described in the application, upon payment of the amount of \$20.00 dollars, which, together with the \$15.00 dollar deposit accompanying the application, shall entitle the applicant to use only the specific area described for Sanitary Land Fill, for a period of one (1) year, providing the said licensee abides by all the Rules and Regulations applicable to said operation, and posts with the Supervisors of Jackson Township a performance bond in an amount to be fixed by the Supervisors, if said bond is so required by the Supervisors.
- E. The Supervisors shall have the power to revoke any permit so issued for violation of the Rules and Regulations, and/or change in the development of the area in which the said Sanitary Land Fill is located, or the area immediately surrounding it.

Section 4 - Rules and Regulations

- A. The area for which permits are granted for Sanitary Land Fill shall be open for operation daily, except Sundays and Holidays, during hours fixed by the Supervisors of Jackson Township. These hours will be posted by the operator.
- B. The area of the Sanitary Land Fill operation shall be completely covered with a layer of soil at least six (6) inches in depth, properly compacted each and every night of operation so as to eliminate any exposure of refuse, garbage or debris.
- C. The said refuse, garbage, or debris shall be solidly compacted before the layer of soil is placed upon it, and the soil shall be compacted after it is placed upon the said compacted refuse, garbage, or debris.

- E. The operator of the said Land Fill shall construct a wind-row of earth, fences, or shrubbery to be approved by the Supervisors of Jackson Township, that will provide an effective means for controlling wind-blown debris so that the disposal site shall be at all times in a clean and sanitary condition, and not create a nuisance in the Township.
- F. All water collected as a result of the operation of said Land Fill shall be drained off or treated with effective chemicals so as to prevent collection and reproduction of mosquitoes, flies, or other insects, or the allaying of disagreeable odors or scents.
- G. After the active period of the filling operations of the Land Fill is completed, the operator/and/or owner shall maintain a continued program of maintenance for a period of two (2) years after so as to insure the repairing of any cracks, depressions and erosions of the surface and side slopes away from the Sanitary Land Fill.
- H. All necessary trenches shall be dug and adequate cover stock-piled to insure the proper coverage of the Land Fill during the daily operations of the same during the winter months when other ground or fill may be frozen.
- I. The back filling or covering of the Sanitary Land Fill as well as the side slopes or walls shall be maintained on a final grade level of one per cent (1%) so as to eliminate any possible erosion and yet permit adequate drainage.
- J. The said Sanitary Land Fill operation shall be conducted, maintained, and operated at all times so as to at least meet the minimum requirements and recommendations as now or hereafter prescribed by the Department of Health of the Commonwealth of Pennsylvania.
- K. During the summer months all roads leading to the Land Fill operations shall be kept free and clear of dust and dust particles and shall be periodically oiled so as not to create a nuisance to the surrounding neighborhood.

Section 5-Penalty

- A. Any person who shall violate or fail to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty (\$50.00) dollars and costs of prosecution and, in default of such payment of such fine and costs, to imprisonment of not more than thirty (30) days. Provided: that each day's continuance of a violation of this Ordinance shall constitute a separate offense.

Section 6

The Supervisors of Jackson Township shall also have the power to institute proceedings in Court of Equity to carry out the provisions of this Ordinance.

Section 7

- A. If any sentence, clause, or section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity

should not affect or impair any of the remaining provisions, sentences, clauses, or sections, or parts, of this Ordinance. It is hereby declared as the intent of the Township Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

Read and adopted this 5/ day of August, 1961.

TOWNSHIP OF JACKSON

Harry Leidy
Supervisor

Wayne Forner
Supervisor

Warren Smith
Supervisor

ATTEST:

Paul Horne
Secretary