

**ORDINANCE NO. 1150**

AN ORDINANCE OF THE BOROUGH OF TYRONE, A HOME RULE MUNICIPALITY, SETTING FORTH DEFINITIONS; PROHIBITING LITTER IN PUBLIC PLACES; PROHIBITING LITTER IN GUTTERS; PROHIBITING LITTER FROM VEHICLES; PROHIBITING VEHICLES FROM CAUSING LITTER; PROHIBITING LITTER IN PUBLIC WATERS; PROHIBITING LITTER ON PRIVATE PREMISES; PROHIBITING LITTER ON VACANT LOTS; PRESCRIBING PROCEDURES TO PLACE LITTER IN RECEPTACLES; PRESCRIBING PENALTIES FOR VIOLATION; AND ESTABLISHING AN EFFECTIVE DATE.

The Borough of Tyrone hereby ordains the following:

**SECTION 1. DEFINITIONS.**

The following terms, phrases, words and their derivations shall have the following meanings unless the context clearly indicates otherwise.

**BOROUGH** - The Borough of Tyrone in the County of Blair, Commonwealth of Pennsylvania.

**GARBAGE**- Animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**LITTER** - Garbage, refuse and/or rubbish, as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare or create unsightliness.

**PARK** - A park, reservation, playground, beach, recreation center or any other public area in the Borough owned or used by the Borough in both active or passive recreation.

**PERSON** - Any person, firm, partnership, association, corporation, company or organization of any kind.

**PRIVATE PREMISES**- Any dwelling, house, building or other structure designed or used, either wholly or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and includes any yard, ground, walk, driveway, porch, steps, vestibule or mailbox belonging or pertinent to such dwelling house, building or other structure and/or any store or building or group thereof, including shopping centers, shopping plazas and other similar places, wherein mercantile activities and services are offered to the public and includes all parking areas thereto and/or any premises used for industrial purposes.

**PUBLIC PLACE** - Any and all streets, sidewalks, boulevards, alleys or other publicways, and any and all public parks, squares, spaces, grounds and buildings.

REFUSE - All putrescible and non-putrescible solid waste (except body waste), including paper, plastic, garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid municipal and industrial waste.

RUBBISH - Non-putrescible solid waste consisting of both combustible and noncombustible waste, such as yard clippings, leaves, wood, glass, bedding, crockery, roof shingles, other construction/demolition debris and similar materials.

VEHICLE - Every device in, upon or which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

## **SECTION 2. PROHIBITION OF LITTERING.**

It shall be unlawful for any person to:

(a) Litter in Public Places. No person shall deposit or throw litter in or upon any street, sidewalk or other public places within the Borough except in public or private receptacles specifically designated for the collection of litter.

(b) Litter in Gutters. No person shall sweep or deposit in any gutter, street or other public place within the Borough the accumulation of litter from any building or litter from any public place or private premises.

(c) Litter from Vehicles. No person while a driver or a passenger in a vehicle shall throw or deposit litter upon any street or public place within the Borough or upon private premises.

(d) Vehicles Causing Litter. No person shall drive or move any vehicle within the Borough unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place; nor shall any person drive or move any vehicle within the Borough, the wheels or tires which carry onto or deposit on any street, alley or other public place any mud, dirt, sticky substance, litter or matter of any kind.

(e) Litter on Public Waters. No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere in the Borough.



(f) Litter on Private Premises. No person shall throw or deposit litter on any private premises within the Borough, whether owned by such persons or not, except that the owner or person in control of the private premises may maintain authorized private receptacles for collection in such a manner that the litter be prevented from carrying or deposited by the elements upon any street or other public place or upon any private premises.

(g) Litter on Vacant Lots. No person shall throw or deposit litter on any open or vacant private premises within the Borough, whether owned by such person or not.

**SECTION 3. PLACING LITTER IN RECEPTACLES TO PREVENT SCATTERING.**

Persons placing litter in public receptacles or in private receptacles shall do so in such a manner to prevent the litter from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private premises.

**SECTION 4. PENALTIES.**

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of at least Twenty-five and no/100 (\$25.00) Dollars and not more than Six Hundred and no/100 (\$600.00) Dollars, or imprisonment for a term not to exceed thirty (30) days.

**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 Council of the Borough of Tyrone that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 6. REPEALER.**

Any Ordinance or Resolution or parts thereof inconsistent with the terms of this Ordinance are hereby repealed.

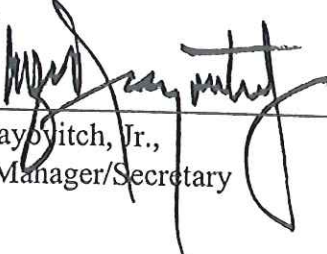
**SECTION 7. EFFECTIVE DATE.**

This Ordinance shall become effective at the earliest possible date provided by law.

**ORDAINED AND ENACTED** as an Ordinance of the Borough of Tyrone by the Borough

Council on this 8th day of February, 1999.

ATTEST:

  
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Alfred Dray Smith, Jr.,  
Borough Manager/Secretary

BOROUGH OF TYRONE

By Patricia S. Stoner  
\_\_\_\_\_  
Patricia Stoner, Mayor/President