

**ORDINANCE NUMBER 5 OF 2014**

**AN ORDINANCE AMENDING BOROUGH OF THROOP ORDINANCE NUMBER 11 OF 2005 PROHIBITING THE PLACEMENT OF REFUSE FOR CURBSIDE REMOVAL GENERATED OUTSIDE OF THE BOROUGH OF THROOP**

*WHEREAS, on July 25, 2005, Throop Borough passed an ordinance prohibiting the placement of refuse for curbside removal of refuse generated outside of the Borough of Throop; and,*

*WHEREAS, Ordinance Number 11 of 2005, specifically Section 4, contained the following language, "any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600.00, plus cost of prosecution and in default of payment of such fine and cost, to imprisonment for a term not to exceed thirty (30) days"; and,*

*WHEREAS, it is Throop Borough Council desire to amend Section 4 so that the fine is \$500.00, with no discretion to reduce the amount for a violation of the ordinance.*

*NOW THEREFORE be it ordained and enacted by the Council of the Borough of Throop as follows:*

- 1. Section 4 of the Borough of Throop Ordinance Number 11 of 2005 is hereby amended and will read as follows, in its entirety:*

*Any person who shall violate any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine of \$500.00 plus costs of prosecution and in default of payment of such fine and costs, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Article continues shall constitute a separate offense.*

**SECTION 1.**

*If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Borough of Throop reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.*

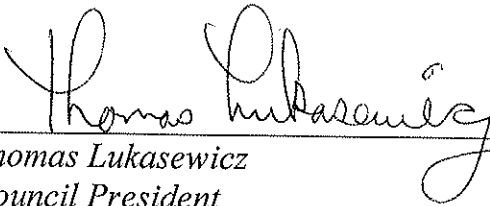
**SECTION 2.**

*This ordinance shall become effective immediately upon its enactment.*

**SECTION 3.**

*This Ordinance is enacted by the Council of the Borough of Throop under the authority of the Act of the Legislative, as amended, December 12, 1990, P.L. 1994, No. 220, and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.*

**ORDAINED AND ENACTED** this 31<sup>st</sup> day of March, 2014.



Thomas Lukasewicz  
Council President



Wayne Williams  
Mayor

Attest:



Renee O'Malley  
Secretary