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**[HISTORY: Adopted by the Borough Council of the Borough of Dallastown as indicated in article histories. Amendments noted where applicable.]**

GENERAL REFERENCES

Air pollution—See Ch. 70.  
Nuisances—See Ch. 136.

Abandoned vehicles—See Ch. 208.

**ARTICLE I**  
**Dumping**  
**[Adopted 7-11-1960 by Ord. No. 238]**

**§ 164-1. Unlawful acts.**

It shall be unlawful to dump, deposit or store organic or inorganic waste or refuse of any kind on any lot or tract of land in Dallastown Borough, York County, Pennsylvania.

**§ 164-2. Construal of provisions.**

This article shall in no way be construed to prohibit the storing of organic or inorganic waste and refuse in suitable covered containers, awaiting collection, for a reasonable period of time.

**§ 164-3. Violations and penalties.<sup>1</sup>**

Any person violating any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$600, plus costs of prosecution, and in default of payment of such fine and costs by imprisonment for not more than 30 days. Each day's violation of any of the provisions of this article shall constitute a separate offense.

**ARTICLE II**  
**Storage and Collection**  
**[Adopted 2-12-1973 by Ord. No. 276]**

**§ 164-4. Title.**

This article shall be known as the "Refuse Ordinance."

**§ 164-5. Definitions; word usage.**

A. As used in this article, the following terms shall have the meanings indicated:

ASHES—The residue resulting -from the burning of wood, coal, coke or other combustible material.

BULKY RUBBISH—Includes discarded furniture, large household appliances such as refrigerators, washing machines, bathtubs, sinks and commodes.

DISPOSAL—Includes the storage, collection, disposal or handling of refuse.

GARBAGE—All animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of foods.

PERSON—Includes any natural person, association, partnership, firm or corporation.

REFUSE—All solid wastes except body wastes and shall include garbage, ashes and rubbish.

RUBBISH—Includes glass, metal, paper, plant growth, wood or nonputrescible solid wastes.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- B. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

**§ 164-6. Refuse preparation.**

- A. Garbage shall be drained and stored in durable, rust-resisting, nonabsorbent, watertight, easily washable containers, equipped with handles and tight-fitting covers, or disposable containers as set forth in § 164-7C.

[Text continued on p. 16403]



- B. Ashes shall be stored in fire-resistant containers equipped with handles and tight-fitting covers. Ashes containing hot embers shall not be collected until they have been adequately quenched.
- C. Rubbish shall be stored in durable containers with tight-fitting covers. Tree trimmings, hedge clippings, old newspapers and similar materials which cannot be conveniently placed in the aforementioned containers shall be baled, tied or sacked in compact bundles less than four feet in length and placed in a location easily accessible to the collector.
- D. Bulky rubbish shall not be allowed to accumulate on any premises except in containers which are approved by the Borough of Dallastown in accordance with the specifications contained in this article.
- E. No person shall place refuse in any street, alley or other public place or upon any private property within the limits of the Borough of Dallastown unless it is placed in a proper refuse container for collection. Likewise, no person shall throw or deposit refuse in any stream or any other body of water.
- F. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within three days after the effective date of this article shall be deemed a violation of the same.
- G. Certain materials, such as scrap lumber and fire wood, may be stored and kept on the premises, but they shall be stored so that a minimum clear space of 12 inches above the ground surface is provided.

**§ 164-7. Refuse storage.**

All refuse storage shall conform to the following standards:

**A. General.**

- (1) All refuse receptacles shall be provided by the owner tenant or occupant of the premises, unless otherwise specified.
- (2) The storage of all refuse by residents of the Borough of Dallastown shall be practiced so as to prevent the attraction, harborage or breeding of insects and/or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness and public nuisances.
- (3) A sufficient number of containers necessary to meet the intent of Subsection A(2) shall be provided to contain all waste materials generated between regularly scheduled collections.

**B. Individual containers.**

- (1) Individual containers utilized for the storage of refuse at household and other premises shall have the following physical characteristics:
  - (a) Be constructed in such manner as to be easily handled for collection.

[1] Not greater than 20 gallons capacity for garbage storage.

- [2] Not greater than 30 gallons capacity for combined refuse storage.
- (b) Be constructed of rust and corrosion resistant materials.
  - (c) Be equipped with tight-fitting lids.
  - (d) Be constructed in such manner as to be watertight, leakproof, weatherproof, insectproof and rodentproof.
  - (e) Shall not exceed 60 pounds in weight when filled.
- (2) Methods of use of individual containers.
- (a) Containers shall not be filled to the point where the lid will not fit properly.
  - (b) The area around the containers shall be kept clean.
- C. Disposable containers. Disposable containers such as paper and polyethylene bags shall be acceptable for storage of refuse, provided that the following conditions are met:
- (1) Only those bags specially designed for storage and collection shall be used.
  - (2) Bags are protected against precipitation, animal damage and overloading to prevent littering or attracting of vectors.
  - (3) Bags have holding strength capable of withstanding stresses until they are collected.
  - (4) Bag opening is securely closed prior to setting out for collection.
- D. Bulk containers. Bulk containers for commercial, industrial and institutional refuse shall meet the general and individual container requirements previously set forth except for size limitations. Bulk containers shall be sized according to the type and quantity of waste production, equipment handling capabilities and the frequency of collection.
- E. Open storage. Certain wastes of a nondecomposable nature may be store temporarily in a manner other than containerization.
- (1) In order to minimize littering, magazines, newspapers, wastepaper, tree prunings, brush and yard trimmings, when stored outside of containers, shall be tied securely in bundles of such size as to be readily handled by the collection system.
  - (2) Tires and outsized wastes such as furniture and appliances shall be stored so that water accumulation and rodent harborage are prevented.

#### § 164-8. Collection practices.

- A. Place of collection. For collection purposes, except where there is an agreement with the collector to the contrary, refuse containers shall be placed at ground level, on the property, not within the cartway of a street or alley, and easily accessible from the side of the street or alley from which collection is made.
- B. Frequency of collection. Refuse shall be collected:
- (1) Twice weekly.

- (2) Semiannually for bulky rubbish during each year.

**§ 164-9. Licensing of refuse collectors. [Amended 4-14-1975 by Ord. No. 298]**

- A. Only a person entering into a contract with the Borough of Dallastown, York County, Pennsylvania, may collect refuse within the territorial limits of the Borough of Dallastown.
- B. An authorized collector is one who has entered into a contract with the Borough of Dallastown, York County, Pennsylvania, for the specific purpose of collecting and disposing of refuse.
- C. No authorized collector shall dispose of any refuse collected in the Borough of Dallastown, York County, Pennsylvania, except by conveyance to a place of disposal approved by the Pennsylvania Department of Environmental Protection. The contractor shall state, in writing, the name, location and type of facility that he will use for disposal.
- D. Failure of an authorized collector to comply with the provisions of this article shall result in the revocation of his authority to collect refuse within the Borough of Dallastown.

**§ 164-10. Collection vehicles.**

Except for the collection of bulky rubbish as designated in § 164-8B(2) of this article, all vehicles used for the collection of refuse shall have watertight enclosed metal bodies of easily cleanable construction, equipped with compaction devices.

**§ 164-11. Disposal of refuse. [Amended 4-14-1975 by Ord. No. 298]**

No person shall hereafter dispose of any refuse collected in the Borough of Dallastown, York County, Pennsylvania, except by conveyance to a disposal facility approved by the Pennsylvania Department of Environmental Protection.

**§ 164-12. Violations and penalties; payments to borough. [Amended 4-13-1998 by Ord. No. 432]**

- A. Any person violating any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$600, plus costs of prosecution, and in default of payment of such fine and costs by imprisonment for not more than 30 days. Each day's continuance of a violation of this article shall constitute a separate offense.
- B. The contractor collecting refuse in the refuse collection districts agrees that the Borough of Dallastown Treasurer shall be authorized to deduct from payments due or to become due the contractor the amount set forth in the contract between the borough and the contractor.

**§ 164-13. Conflict with other provisions.**

In any case where a provision of this article is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, the provision which establishes the higher

standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this article is found to be in conflict with a provision of any other ordinance or code of the Borough of Dallastown existing on the effective date of this article which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this article shall be deemed to prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this article.

**§ 164-14. Collections. [Added 5-12-1980 by Ord. No. 328]**

- A. The Council of the Borough of Dallastown shall from time to time establish days of collection.
- B. No garbage may be put out for collection before 6:00 p.m., prevailing time, on the day before the established collection day, and the garbage containers must be removed before 9:00 p.m. on the day of collection.

**ARTICLE III**

**Refuse Fees**

**[Adopted 12-10-1979 by Ord. No. 325]**

**§ 164-15. Collection fee; payment procedures.**

- A. A charge per annum for the collection of refuse is hereby imposed upon all dwelling units, businesses, educational, industrial and commercial establishments within the Borough of Dallastown. The particular fee as imposed and established will be set by resolution of the Borough Council. The annual charge for the collection of refuse within the Borough of Dallastown may be changed by Borough Council from time to time by resolution. **[Amended 12-29-1982 by Ord. No. 354; 12-27-1984 by Ord. No. 368; 1-4-1988 by Ord. No. 389; 4-13-1998 by Ord. No. 432]**
- B. Each room, group of rooms, building or other enclosures occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by a person living alone shall constitute a dwelling unit.
- C. Said charge or fee shall be paid in equal quarterly installments.
- D. All bills with respect to said charges shall be rendered quarterly, in advance, on the first day of January, April, July and October of each year.
- E. Refuse charges shall be due and payable immediately after mailing or delivery by or in behalf of this borough to the property owner or reputed owner for payment thereof. If refuse charges are paid within 30 days of the beginning of each billing period, the face amount of the bill shall be payable. If charges remain unpaid after 30 days from the beginning of each billing period, a penalty of 1% per month will be added for each month during which the bill remains unpaid. Payments made or mailed and postmarked on or before the last day of the period during which bills are payable at the face amount thereof shall constitute payment with such period. If the last day of such period shall fall on a legal holiday or on a Sunday, payment made on or mailed and postmarked on the next

succeeding business day which is not a legal holiday shall constitute payment within such period. **[Amended 7-10-2000 by Ord. No. 456]**

- F. Every owner of property shall provide this borough with and thereafter shall keep this borough advised of his or her correct address. Failure of any person to receive quarterly bills for refuse charges shall not be considered an excuse for nonpayment nor shall such failure result in an extension of the period of time during which said bills shall be payable at the face amount thereof.
- G. Refuse charges imposed by this article shall be a lien on the property, and any such refuse charges which are not paid within six months after the beginning of each quarterly billing period shall be filed as a lien against the property, which lien shall be filed in the office of the Prothonotary of York County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collecting of municipal claims.
- H. The method of collection and method of disposal of refuse is regulated by Borough Ordinance No. 276,<sup>1</sup> which is hereby ratified and affirmed.
- I. All persons, partnerships or corporations desiring refuse collection in addition to that provided by Ordinance No. 276<sup>2</sup> shall make their own arrangements with an authorized refuse collector and shall pay the expense thereof directly to said collector. The borough shall assume no liability whatsoever for such transactions.

#### ARTICLE IV

##### Recycling

**[Adopted 6-9-2008 by Ord. No. 558, §§1-16]**

#### § 164-16. Findings.

The Council of the Borough of Dallastown hereby finds that the reduction of the amount of solid waste and conservation of recyclable materials is an important public concern and it is, therefore, appropriate to implement the requirements of Pennsylvania Act No. 101 of 1988 and the York County Solid Waste Management Plan, as updated, to help minimize the adverse environmental effects of land filling by reducing the need for landfills and conserving the existing landfill capacity, to facilitate the implementation and operation of other forms of resource recovery identified in the York County Solid Waste Management Plan, to conserve natural resources, and to control the escalating costs of solid waste disposal.

#### § 164-17. Definitions.

For the purposes of this article, the following terms, phrases or words shall have the meaning ascribed to them in this section, except where the context in which the word is used clearly indicates otherwise.

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**1 Editor's Note: See Article 11 of this chapter.**

**2 Editor's Note: See Article 11 of this chapter.**

ALUMINUM CANS—Empty all-aluminum non-aerosol beverage and food containers.

BI-METAL or STEEL CANS—Empty non-aerosol food or beverage containers consisting of all-steel or ferrous sides and bottom and an aluminum top (sometimes called “tin” cans).

BOROUGH—The Borough of Dallastown located in York County, Pennsylvania, or its authorized representative or representatives.

CARDBOARD—All corrugated or other cardboard normally used for packing, mailing, shipping or containerizing goods, merchandise or other material, but excluding plastic, foam, or wax-coated or soiled cardboard.

CIVIC ORGANIZATION—Non-profit groups who utilize the Borough’s contracted solid waste service including, but not limited to, churches, fire companies, and other incorporated or unincorporated associations or groups serving a charitable or civic purpose.

COLLECTOR—That individual, partnership, firm, corporation or business entity designated by the Borough by means of an independent contract, as the person having the exclusive right and privilege to collect, haul, carry, or remove municipal solid waste and/or recyclable materials from the dwelling units and small commercial establishments within the Borough.

COMMERCIAL ESTABLISHMENT—Those properties used primarily for business purposes. Small commercial establishments are those that have a low volume of solid waste and utilize the Borough contracted solid waste and recycling service. Large commercial establishments are those with large volumes of solid waste who contract privately for solid waste and recycling services.

COMINGLED—Source separated, non-putrescible recyclable materials that have been mixed at the source of generation (i.e., placed in the same container).

COMPOSTING—A microbial degradation of organic waste to produce a relatively nuisance-free product of potential value as a soil conditioner.

DWELLING—A building used for residential living quarters for one or more families except hotels, motels, rooming houses, convalescent homes and tourist homes or other accommodations used for transient occupancy.

DWELLING UNIT—A building or portion thereof arranged or designed for occupancy by not more than one family for living purposes and having cooking facilities.

GLASS CONTAINERS—All empty bottles and jars made of clear, green, or brown glass, but not including non-container glass, light bulbs, window or door plate glass, mirrors, porcelain and ceramic products.

HIGH GRADE OFFICE PAPER—Include paper items generated primarily by offices and/or commercial establishments. This may include colored or white: computer paper, copier paper, typing paper, letterhead paper, note pad paper, and other similar office paper.

INSTITUTIONAL ESTABLISHMENTS—Those facilities that house or serve groups of people, such as hospitals, schools, colleges, and nursing homes.

MAGAZINE AND PERIODICAL—Printed matter consisting of usually glossy pages bound in some fashion containing miscellaneous written pieces published at fixed or varying intervals, excluding all other paper products of any nature whatsoever.

**MULTIPLE-FAMILY DWELLING PROPERTY**—Any property having two or more dwelling units per structure.

**MUNICIPAL ESTABLISHMENTS**—Any public facility operated by Borough or other governmental or quasi-governmental authority.

**NEWSPAPER**—Paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and other matters of public interest, but not including glossy advertising inserts included with newspapers and not including magazines and periodicals and not including high grade office paper.

**PERSON**—Any individual, partnership, firm, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal government or agency, State institution or agency or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. It shall also mean owner, lessee, or occupant of a residential dwelling, commercial establishment or institutional establishment. In any provision of this article prescribing a fine, imprisonment or penalty, or any combination thereof, the terms “person” shall include the officers and directors of any corporation or other legal entity having officer and directors.

**PLASTIC CONTAINER**—All empty plastic soap, detergent or beverage containers, but not including plastic containers used for oils, paints, solvents, chemicals or otherwise potentially hazardous materials and not including any other plastic product.

**RECYCLE**—The collection, separation, recovery, and sale or re-use of metals, glass, paper, yard waste, plastic, and other materials which would otherwise be disposed of or processed as municipal solid waste.

**RECYCLABLE MATERIAL**—Those materials which may be processed or re-fabricated for re-use and which are specified by the Borough for separation from the regular solid waste.

**RECYCLING BIN**—The plastic container provided by the Borough for the express purpose of storing recyclable materials for collection by the Borough’s collector.

**RESIDENTIAL DWELLING**—Any occupied single family, two-family or multi-family dwelling property for which the Borough provides municipal solid waste collection service.

**SOLID WASTE**—Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from residential and commercial activities. Solid waste also includes rubbish and ashes which are defined as: Rubbish consists of all household refuse or wastes, except body wastes including, but not limited to, paper, tin cans, glass, metal, wood, used Christmas trees, grass, leaves, tree and shrubbery cuttings and yard cleanings; and ashes consist of the residue from burning of coal, wood, paper or other combustible material.

**SOURCE SEPARATION**—To separate recyclable materials from the solid waste stream at the point of waste generation.

**YARD WASTE**—Leaves, grass clippings, garden residue, shrubbery and tree trimming and similar materials.

#### **§ 164-18. Establishment of program.**

There is hereby established in the Borough a mandatory source separation and collection program for recyclable materials from solid waste by residents, and commercial, municipal, civic

and institutional organizations in accordance with this article.

**§ 164-19. Separation and disposal of recyclable materials from residential dwellings, small commercial establishments, municipal establishments, and civic organizations.**

- A. Recyclable materials for residential dwellings, small commercial establishments, municipal establishments, and civic organizations are newspaper, bundled office paper, magazines, clear and colored glass bottles and jars, plastic containers bearing the recycling symbol No. 1 or No. 2, and aluminum and steel and bi-metal cans.
- B. Recyclable materials from residential dwellings, small commercial establishments, municipal establishments, and civic organizations shall be placed in recycling bins either at the public street or alley edge where solid waste is normally placed but separate from solid waste for collections.
- C. At such times and dates as may be established by the Borough, recyclable materials for residential dwellings, small commercial establishments, municipal establishments, and civic organizations shall be collected once a week unless the collection day is one of the following holidays, in which case the collection that day will be omitted: (New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day).
- D. Recyclable materials for residential dwellings, small commercial establishments, municipal establishments, and civic organizations shall be prepared for collection as follows:
  - (1) All newspaper shall be placed in brown paper bags or tied with string in bundles not exceeding one foot thickness.
  - (2) Glass and plastic containers shall have caps and lids removed and discarded and then should be rinsed free of contaminates.
  - (3) Aluminum cans and bi-metal or steel cans should be rinsed free of contaminates.
  - (4) Glass and plastic containers, aluminum cans and bi-metal or steel cans shall be commingled in the bin or bins provided by the Borough. No solid waste shall be placed in the recycling bin.
  - (5) No recyclable materials shall be placed at the street or alley side earlier than 6:00 p.m. the evening of the day preceding a scheduled collection day. The bundled newspapers and the recycling bins containing glass and plastic containers and cans shall be placed at the street or alley side for collection adjacent to one another and clearly separated from containers of solid waste.
  - (6) The Borough may from time to time, by resolution, alter the preparation of recyclable material which resolution shall have the force and effect as this article.

**§ 164-20. Separation and disposal of recyclable materials by multi-family dwelling properties.**

Instead of having each dwelling unit use a separate recycling bin, the owners, landlord or agent of any owner or landlord of multi-family dwelling properties may establish a centralized collection system for recyclable materials at each structure upon written approval of the Borough Council. Recyclable materials for multi-family dwelling properties are the same as those of other

residential dwellings. The collection systems must include suitable containers for collecting and sorting materials, easily accessible locations for the containers, and written instructions to occupants concerning the use and availability of the collection systems owners, landlords and agents who comply with this section shall be liable for noncompliance of occupants of their buildings.

**§ 164-21. Separation and disposal of recyclable materials by large commercial, and institutional establishments.**

Large commercial and institutional establishments shall separate and store recyclable materials until collection. Recyclable materials for large commercial and institutional establishments are high grade office paper, aluminum cans and cardboard. These establishments shall arrange for transfer of recyclable materials to a recycling system or recycling facility. These establishments shall annually provide to the Borough, by January 15 on a form provided by the Borough, evidence of such arrangement and documentation of the total number of tons of each of the recycled materials that were recycled during the previous calendar year.

**§ 164-22. Collection contract.**

Borough may enter into a collection contract with a collector for collection of all or part of recyclable materials from the Borough.

**§ 164-23. Collection by unauthorized person.**

No person other than the Borough designated collector shall collect or pick up or cause to be collected or picked up any recyclable material from residential dwellings and small commercial establishments that has been placed for curbside pickup within the Borough or dispose of the same in any manner. Each such collection or pickup in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

**§ 164-24. Other prohibited acts.**

A. It shall be unlawful for:

- (1) Any person to violate or to cause or to assist in the violation of any provision of this article or any provision of Pennsylvania Act 101 concerning recycling.
- (2) Any person to place or to cause to be placed and material other than a designated recyclable in a recycling bin.
- (3) Any person to hinder, to obstruct, to prevent or to interfere with the Borough or designated collector in the performance of any duty under this article or in the enforcement of this article.
- (4) Any person to cause or to allow their pets to cause recyclable materials to be scattered or spilled from recycling bins or bundles that have been placed for collection.
- (5) Theft of recycling bins.
- (6) Willful damage to and/or unauthorized use of recycling bins.

- B. All unlawful conduct set forth in § 164-23 and this section shall constitute a summary criminal offense punishable as set forth in § 164-30. Section § 164-23 and this section shall be enforced by the appropriate law enforcement agency, the mayor, and the codes enforcement officer where applicable.

**§ 164-25. Non-collection of solid waste contaminated by designated recyclables.**

The Borough, or at the direction of the Borough, the designated collector collecting solid waste generated within the Borough may refuse to collect solid waste from any person who has clearly failed to source separate recyclables designated under an applicable section of this article.

**§ 164-26. Other means of residential recycling.**

Notwithstanding anything herein to the contrary, any resident of the Borough may donate or sell any recyclable material to any other person; provided, however, that the person receiving the recyclable material does recycle it and does not under any circumstances collect the donated or sold recyclable material from the curbside. All recycling bins and newspaper bundles placed at the curbside are deemed to be containing recyclable materials intended for the Borough designated collector.

**§ 164-27. Separation and disposal of yard waste. [Amended 9-8-2008 by Ord. No. 560, §1]**

- A. All persons shall separate yard waste generated at their residences and at the commercial, municipal or industrial establishment from other solid waste and shall not place the same for collection with the Borough's ordinary garbage collection. Yard waste may be placed at such locations for collection at such times as the Borough Council may publicly announce from time to time.
- B. This section does not prevent any person from otherwise providing for composting of yard waste in compliance with the law and other Borough ordinances that may apply. **[Amended 9-8-2009 by Ord. No. 560]**

**§ 164-28. Non-interference with existing contracts.**

- A. Nothing contained in this article shall be construed to interfere with or in any way modify the provisions of any existing contract which is consistent with the laws of the Commonwealth of Pennsylvania and in force in the Borough on the effective date of this article.
- B. No renewal of any existing contract upon the expiration of the original term thereof and no new contract for the collection, transportation, processing or purchase of solid waste or recyclables shall be entered into after the effective date of this article, unless such renewal or such contract shall conform to the requirements of this article.

**§ 164-29. Recycling bins.**

The Borough shall supply one recycling bin to each residential dwelling, individual unit of a multi-family dwelling, small commercial establishment, municipal establishment and civic

organization to which a recycling bin was not already distributed as of the effective date of this article. The Borough shall supply at cost additional bins if requested. Any person responsible for recycling pursuant to this article is responsible for the replacement of the recycling bin due to loss, damage or wear and tear.

**§ 164-30. Penalties.**

Any person or entity violating any of the provisions of this article shall, upon summary conviction thereof, be sentenced to pay a fine of not less than \$50 nor more than \$600 together with the costs of prosecution, and in default of payment thereof, to be imprisoned in the York County Prison for a period not to exceed 30 days. Each continuing day of violation of this article shall constitute a separate offense.

**§ 164-31. Conflicts between ordinances.**

In any case where a provision of this article is found to be in conflict with a provision of any other ordinance of the Borough, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail, and the lesser provision of the other ordinance shall not be applicable in the case.

