

RESOLUTION

A RESOLUTION OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA PROVIDING FOR DISCONTINUANCE OF RESIDENTIAL AND COMMERCIAL REFUSE SERVICES.

WHEREAS, The Borough of Hanover recognizes that there is lack of office/public works administration guidance in relation to discontinuance of refuse services within the Borough of Hanover as permitted under Ordinance No. 2096 and Resolution No. 985 pertaining to Solid Waste Collection and Fees, and under Ordinance 1723 pertaining to Housing Standards which are referenced under *The Hanover Borough Code* Sections 308 Solid Waste and 230 (F) Housing Standards, respectively; and

WHEREAS, With the issuance of Ordinance No. 2262, referenced under *The Hanover Borough Code* Section 266 establishing a registry requirement for vacant properties, the Borough of Hanover wishes to identify the office/Public Works provisions that would permit a discontinuance of refuse services for residential, commercial, and institutional properties to assist in consistent, uniform provision of services throughout the Borough. For all commercial properties and all residential properties not owner-occupied, the policy will permit a discontinuance of service when said property is registered and listed under the Vacant Property Ordinance - otherwise, no temporary discontinuance of service will be provided. For owner-occupied residential properties, the policy will permit a discontinuance of service when said property is registered and listed under the Vacant Property Ordinance, or provide for a temporary discontinuance not to exceed three (3) months due to seasonal vacancy of the property; and

WHEREAS, As used in this policy, the following terms shall have the meanings indicated:

- **Commercial** shall mean of or pertaining to any wholesale, retail, industrial, manufacturing, transportation or financial or professional service or office enterprise, business or establishment;
- **Institutional** shall mean of or pertaining to any establishment engaged in service to persons, including, but not limited to, hospitals, nursing homes, orphanages, schools, universities, and social or fraternal societies and organizations;
- **Multifamily Housing Property** shall mean a type of residential property, either under single ownership or organized as a condominium or cooperative form of housing, which contains four or more dwelling units;
- **Residential** shall mean of or pertaining to any dwelling unit used as a place of human habitation and which is not commercial, municipal, institutional or a community activity. Home occupations incidental to the residential use within a building are considered residential; and

WHEREAS, The refuse service charges provided within the Borough were established to provide weekly refuse collection services (*or more frequent collection, if necessary by Code or desired by the property owner*) as well as the following, which were established through office policy drafted May 15, 2009:

- Monthly collection of recyclables;
- Fall leaf collection services throughout the Borough (*performed throughout the season until there are no further calls for collection services*);
- Leaf and Garden Waste collection in May and October annually;
- Collection of storm tree damage, and Christmas trees;
- Street sweeping services from March through November annually;
- Storm water drainage drop cleaning as required/necessary;

- Collection services for all recreation facilities and the Downtown area;
- Collection of "road kill" carcasses within the Borough limits;
- Disposal of tires, paints, and appliances;
- Access to Recycling Center (*promoting regular recycling efforts*) and Transfer Station (*disposal of large items and construction waste*); and

WHEREAS, Refuse service is required for all dwelling units under the provisions of Borough Code Chapter 230 (*Housing Standards*) Section 230-5(F) (*Minimum Standards for Basic Equipment and Facilities - Garbage Disposal*).

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL AS FOLLOWS: Based on the provision of services above, active refuse service is required to be maintained for all properties within the Borough unless the property has been placed under a permanent vacancy designation - through registration under the Borough's Vacant Property Ordinance. Per Resolution No. 985, residential refuse rates are established per dwelling unit as a minimum service, and, per Ordinance 1723, are required for each dwelling unit related to the respective property. Upon registry under the Vacant Property Ordinance, refuse service will be discontinued as of the effective date of the registration -- any partial services through the registry date will be billed supplemental to the registration.

AND BE IT FURTHER RESOLVED THAT Upon a property receiving final inspection and removal from the Vacant Property Registry, refuse service will commence at the effective date of the inspection approval. Any change in ownership of the relating property will require a new application for refuse service.

AND BE IT FURTHER RESOLVED THAT Temporary discontinuances of refuse service will not be provided for any commercial properties nor any non-owner occupied residential properties within the Borough unless registered as a Vacant Property with the Borough -- these include, but are not limited to, change in tenants or temporary vacancy of residential, commercial, or industrial rental properties. Finally, temporary discontinuances of refuse service for owner-occupied residential properties will not be provided within the Borough unless registered as a Vacant Property with the Borough, with the exception of a temporary discontinuance not to exceed three (3) months due to seasonal vacancy of the property. Request for temporary discontinuance due to seasonal vacancy will require direct request to the Borough and stipulate the date of service restart not to exceed three (3) months from the date of temporary discontinuance request.

Enacted this 27th day of June, A.D., 2018.

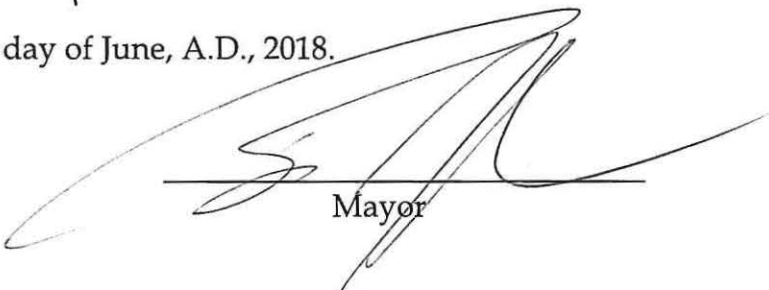
THE BOROUGH OF HANOVER

ATTEST:


Borough Secretary


Council President

Approved this 27th day of June, A.D., 2018.


Mayor