

ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 50 (SOLID WASTE) OF THE CODE OF ORDINANCES OF THE BOROUGH OF CRESSONA BY RENAMING THE SUBCHAPTER HEADING "TRASH DUMPSTERS" TO "TRASH DUMPSTERS AND TEMPORARY/BULK STORAGE CONTAINERS," AMENDING §50.20 TO ADD A DEFINITION FOR TEMPORARY/BULK STORAGE CONTAINERS, AND AMENDING §50.21 REGARDING PERMIT FEES AND PERMIT DURATIONS FOR DUMPSTERS AND TEMPORARY/BULK STORAGE CONTAINERS.

WHEREAS, the Borough of Cressona has enacted a Code of Ordinances establishing rules and regulations within the Borough;

WHEREAS, as part of the aforesaid Code of Ordinances, the Borough has enacted Chapter 50 governing the storage, collection, and disposal of solid waste within the Borough;

WHEREAS, the Borough Council believes it is in the best interests of the residents of the Borough to amend the aforesaid provisions to address the placement and regulation of temporary/bulk storage containers, commonly known as PODs, within the Borough;

NOW, THEREFORE, be it ordained by the Borough of Cressona, as follows:

SECTION I. AMENDMENTS

Chapter 50 of the Code of Ordinances of the Borough of Cressona is hereby AMENDED as follows:

A. The subchapter heading "TRASH DUMPSTERS" appearing before §50.20 is hereby amended to read: **"TRASH DUMPSTERS AND TEMPORARY/BULK STORAGE CONTAINERS."**

B. Section 50.20 is hereby amended to add the following definition:

TEMPORARY/BULK STORAGE CONTAINER. Any mobile container, storage unit, shed-like container or other portable structure that is not permanently affixed to the land; is designed for temporary short-term storage; is not intended for human habitation; that can be or is used for the storage of personal property of any kind; and which is located for such purposes outside an enclosed building, other than an accessory building or shed complying with all applicable building codes and land use requirements. The term includes, but is not limited to, portable devices or containers commonly known as "PODs."

C. Section 50.21(A) is hereby amended to read as follows:

No person shall place a dumpster or temporary/bulk storage container within the Borough without first obtaining from the Borough Secretary/Treasurer a permit and paying the applicable fee, as established from time to time by resolution of Borough Council in the Borough's fee schedule.

D. Section 50.21(B) is hereby amended to read as follows:

The permit shall be of a two (2) week duration if the dumpster or temporary/bulk storage container is placed upon a Borough street or within the Borough right-of-way. If the applicant requires additional time, a second permit may be obtained for up to two (2) additional weeks upon payment of a second permit fee. No more than two permits shall be issued for any single placement upon Borough streets or within the Borough right-of-way.

E. Section 50.21(C) is hereby amended to read as follows:

The permit shall be of a six (6) week duration if the dumpster or temporary/bulk storage container is placed upon private property of the permit applicant. Upon expiration of the permit, the dumpster or temporary/bulk storage container shall be removed unless a new permit is obtained in accordance with this section.

F. All references to “dumpsters” in §50.22 shall be construed to include temporary/bulk storage containers as defined in the amended §50.20, and the requirements of §50.22 shall apply equally to temporary/bulk storage containers placed upon Borough streets.

SECTION II. REPEALER

Any ordinance or part of any ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed, insofar as the same effects this Ordinance.

SECTION III. SEVERABILITY

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 without the invalid portion.

SECTION IV. SAVINGS CLAUSE

Except as expressly amended by this Ordinance, all provisions of Chapter 50 (Solid Waste) of the Borough Code of Ordinances, as previously adopted and lawfully amended, shall remain in full force and effect and are hereby ratified, confirmed, and reaffirmed. Nothing contained herein

shall be construed to repeal, modify, or affect any provision of Chapter 50 (Solid Waste) of the Borough Code of Ordinances not specifically amended by this, or any prior, Ordinance.

SECTION V. EFFECTIVE DATE

This Ordinance shall be effective immediately upon ratification.

ENACTED this _____ day of _____, 2026 by the Cressona Borough Council
in lawful session duly assembled.

CRESSONA BOROUGH COUNCIL

Council President

CRESSONA BOROUGH

Borough Mayor

ATTEST:

Secretary