

HAWLEY BOROUGH
WAYNE COUNTY, PENNSYLVANIA

ORDINANCE NUMBER No. 2026-1

An Ordinance of the Borough of Hawley, Wayne County, Pennsylvania regulating Commercial Haulers within the Borough and prescribing penalties for the violation thereof.

Whereas, Borough Council has determined that it is necessary for the health, safety, morals, general welfare and cleanliness and for the beauty, convenience, comfort and safety of the Borough to regulate the commercial haulers within the Borough.

Whereas, Borough Council hereby enacts and ordains the following Ordinance Number ___ under the authority granted to the Borough pursuant to 53 P.S. § 46202 (5) and (20);

Be it RESOLVED that the following Ordinance is Adopted.

Section 1. All licensed commercial haulers shall provide a schedule to the Borough of all hauling. All commercial haulers within the Borough shall provide copies of any applicable permits with the Borough. All commercial haulers shall comply with any and all applicable state and federal laws, statutes and regulations. The trucks may be inspected at any time by members of the Borough Council or its appointees, or members of any regulatory body. Any deficiency must be corrected immediately by the hauler.

Section 2. No vehicle used in the Borough as a licensed commercial hauler shall scatter any of said material, leachate or vehicle fluids on the streets, roads, alleyways, highways, or other property whether it be public or private in the Borough.

Section 3. All hauling or other commercial transport to or from the facilities within the Borough shall only be made between the hours of 7:00 a.m. and 7:00 p.m. Each hauler shall maintain its equipment in such condition as to be able to maintain the collection schedule.

Section 4. All vehicles used by licensed commercial haulers shall be clearly marked to identify the person who is hauling pursuant to this or any other applicable Borough Ordinance.

Section 5. Any person or association, partnership, corporation and their officers, agents and employees who shall violate any provisions of this ordinance commits a summary offense, and shall, upon conviction, be sentenced to pay a fine of not more than \$500.00 for a first offense, not more than \$750.00 for a second offense, and not more than \$1,500.00 for a third

offense, and cost of prosecution, including reasonable attorneys fees.

Section 6. This Ordinance shall become effective immediately. Duly enacted and ordained this eighth day of April, 2026 by the Borough Council of the Borough of Hawley, County of Wayne, and Commonwealth of Pennsylvania in lawful session duly assembled.

DULY ENACTED AND ORDAINED at a public meeting of the Hawley Borough Supervisors, Pennsylvania, held on the ____ day of _____, 2026.

HAWLEY BOROUGH COUNCIL

Attest:

/s/ _____
ANN MONAGHAN, PRESIDENT

/s/ _____
JOSEPH FAUBEL, COUNCILPERSON

/s/ _____
ELAINE HERZOG, COUNCILPERSON

/s/ _____
MICHELLE ROJAS, COUNCILPERSON

/s/ _____
MIKE DOUGHERTY, COUNCILPERSON

/s/ _____
BECKY MEAD, COUNCILPERSON

/s/ _____
KEVIN HAWK, COUNCILPERSON

ATTEST:

/s/ _____
ANDREA RACHT, SECRETARY

**BOROUGH OF HAWLEY
WAYNE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-2

**AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF A SEWAGE
ENFORCEMENT OFFICER**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Hawley Borough Council, as follows:

WHEREFORE, pursuant to the authority granted to the Borough by the Borough Code, as amended, Borough Council hereby enacts the following Ordinance.

WHEREFORE, this Ordinance is adopted to promote and protect the health, safety and welfare of the residents of Hawley Borough by authorizing the Borough to engage in the services of Sewage Enforcement Officers.

SECTION I: DEFINITIONS

1. **BOROUGH** – Shall mean the Borough of Hawley, Wayne County, Commonwealth of Pennsylvania, a municipal corporation of the Commonwealth of Pennsylvania, acting by and through its council or in appropriate cases, acting through its authorized representative.
2. **PERSON**- Any individual, association, partnership, public or private corporation whether for profit or non-profit, trust, firm, estate or other legally recognized entity. The term “person” shall include the members of an association, partnership, or firm or other legal entity.
3. **SEWAGE ENFORCEMENT OFFICER** – a Person certified by the Department of Environmental Protection of the Commonwealth of Pennsylvania, who is employed by Council to administer the provisions of this Ordinance and the Pennsylvania Sewage Facilities Act.

SECTION 2. APPOINTMENT OF SEWAGE ENFORCEMENT OFFICER

The Hawley Borough Council is hereby authorized to engage the services of Sewage Enforcement Officers licensed by the Commonwealth of Pennsylvania to perform any and all of the services and comply with all the requirements of the Borough under the Act at such rate of compensation as the Borough and that Officer may mutually agree upon.

SECTION 3. FEES & COSTS

The Borough Council shall, from time to time, by duly adopted resolution, determine and impose such fees and costs as it deems necessary and permitted by the Act for the services rendered, the applications reviewed and the permits issued in accordance with the Act.

SECTION 4. DUTIES

It shall be the duty and the Sewage Enforcement Officer shall have the authority to enforce for and in the Borough, Act No. 537 of 1965, as amended and supplements, known as the "Pennsylvania Sewage Facilities Act" and the rules and regulations promulgated thereunder.

SECTION 5. REPORTS

The Sewage Enforcement Officer shall report as often as requested to the Borough Council, informing said Council of the activities undertaken by the Sewage Enforcement Officer since the prior report and provide Council with any information which the Council deems of importance concerning any sewage facilities within the Borough.

SECTION 6. SEVERABILITY

Should any sentence, section, clause, part of provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective immediately. Duly enacted and ordained this 8th day of April 2026, by the Hawley Borough Council of the Borough of Hawley, County of Wayne, and Commonwealth of Pennsylvania, in lawful session duly assembled.

HAWLEY BOROUGH

ANN MONAGHAN, PRESIDENT

Attest:

Secretary

AND NOW, this ___ day of _____, 2026, the above Ordinance is hereby approved.