

ORDINANCE NO. 120 OF 1987

AN ORDINANCE AMENDING ORDINANCE #22 OF 1969, BEING THE ZONING ORDINANCE OF THE BOROUGH OF SUGARCREEK, VENANGO COUNTY, PENNSYLVANIA, AND THE ZONING MAP OF THE BOROUGH OF SUGARCREEK INCORPORATED IN SAID ORDINANCE AND EXISTING AMENDMENTS AND SUPPLEMENTS THERETO BY AMENDING ORDINANCE #22 FROM THE CODE OF THE BOROUGH OF SUGARCREEK REGARDING "SOLID WASTE PROCESSING AND DISPOSAL". ARTICLE 4, SECTION 417.

WHEREAS, the Council of the Borough of Sugarcreek, Venango County, Pennsylvania, deem it to be in the best interest of the Borough, to adopt regulations dealing with the location of sanitary landfills; and

WHEREAS, such regulations are intended to promote, protect and facilitate the public health, safety and general welfare of the Borough of Sugarcreek; and

WHEREAS, in accordance with Article 4, Section 417, from Ordinance #22 of the Borough of Sugarcreek and Section 609 of the aforesaid Pennsylvania Municipalities Planning Code, a public hearing was held by the Council of the Borough of Sugarcreek after proper public notice.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the authority of the Council of Sugarcreek Borough, that the aforesaid Borough of Sugarcreek Zoning Ordinance # 22, be amended as follows:

Add the following definitions:

HAZARDOUS WASTE: A solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

RADIOACTIVE WASTE: Any material solid, liquid, or gas of which one or more constituents exhibit radioactivity or is capable of emitting ionizing radiation.

SEWAGE SLUDGE: The coarse screenings, grit and dewatered or air dried sludges, septic and holding tank pumpings and any other residues from sewage collection and treatment systems which require disposal.

SOLID WASTE: Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities.

SOLID WASTE PROCESSING AND DISPOSAL: Any technology used for the purpose of reducing the volume of municipal or residual waste for off-site reuse and/or the incineration, deposition, injection, dumping, spilling, leaking, or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters the environment, is emitted into the air or is discharged to the waters of the Commonwealth. Solid waste as defined by this amendment shall not include hazardous or radioactive waste.

Amend Article 7 to read: Section 701, Solid Waste Processing and Disposal Operations may be permitted only in the A-1 Conservation District as a Conditional Use if approved by the Council of Sugarcreek Borough in accordance with Article 7 of the Zoning Ordinance of the Borough of Sugarcreek, Venango County.

Plans for solid waste processing and disposal facilities and areas shall be in harmony with existing surroundings uses and shall conform with all requirements of the Pennsylvania Solid Waste Management Act, Act 241 of 1968, as the same may be amended. In addition, all solid waste processing and disposal operations shall comply with the following minimum requirements:

- A. No operation shall be conducted closer than 7,000 feet to an existing dwelling, school, hospital or similar residential use or water source for those uses.
- B. There shall be one access road serving the solid waste processing and disposal operation. Said access road shall be located no closer than 3,000 feet to an existing dwelling, school, hospital or similar residential use.
- C. No solid waste processing and disposal operation shall be located closer than one thousand (1,000) feet to an existing state, federal or township road.
- D. No operation proposing to dispose of hazardous, radioactive or sewage sludge from metropolitan or industrial sources shall be located closer than 10,000 feet to an existing dwelling, school, hospital, or similar residential use or water supply for those uses.
- E. A fee on a cost per ton basis, set by the Council, shall be assessed to any solid waste transported into the solid waste processing and disposal that has been generated from outside the Borough of Sugarcreek.

BE IT FURTHER ORDAINED AND ENACTED that the above described zone changes shall become effective October 7, 1987.

APPROVED THIS 7th DAY OF October, 1987.

SUGARCREEK BOROUGH COUNCIL

Rf Fugagli
John D. Mc Clelland

James Noel
Borough Secretary