

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 181

AN ORDINANCE PROVIDING FOR THE PAYMENT FOR SPECIAL EQUIPMENT AND/OR CLEAN-UP AND/OR MATERIALS AND LABOR USED TO CONTROL AND/OR EXTINGUISH PETROLEUM TYPE OR HAZARDOUS MATERIALS OR CHEMICAL TYPE SPILLS AND/OR FIRES IN THE TOWNSHIP OF WASHINGTON, NORTHAMPTON COUNTY, PENNSYLVANIA.

THE TOWNSHIP OF WASHINGTON HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The owner of petroleum and/or chemicals and/or hazardous materials and/or the common carriers of any type whatsoever, including a pipeline carrying said products, shall be liable to the Township of Washington to control, extinguish and/or clean-up petroleum type of chemical or hazardous material type spills and/or fires involving said chemicals or petroleums or hazardous materials in the Township of Washington, Northampton County, Pennsylvania.

Further, the owner of any personal or business vehicle which causes a spill to occur within the Township limits on public or private property or public roads within the Township, shall be likewise liable to the Township of Washington for the remediation called for in this Ordinance.

Section 1.1: The said special equipment and/or materials include, but are not limited to, the following:

- A. Foam
- B. Dry chemical extinguisher.
- C. Sand.

D. Any other equipment and/or materials deemed necessary by the Fire Chief of the Township of Washington or the officer in charge.

Section 1.2: The cost of labor shall be the actual wage rates including fringe benefits paid by the Township to all personnel involved in the extinguishing of any such fire or in cleaning up any spill involving chemicals or petroleum or hazardous materials.

Section 2: The owner of any petroleum or chemicals or hazardous materials and/or the common carrier of said petroleum or chemicals or hazardous materials, including any pipeline as aforesaid, shall also be liable for the cost of any temporary storage of chemicals or petroleum or hazardous materials and/or the cost of disposing of the same.

The same provisions shall apply to the owner of any private or commercial vehicle which causes a spill within the Township limits, as referred to herein.

Section 3: Bills for the amount of the above described costs shall be forwarded by the Fire Department or any other Township official in charge of same to the Board of Supervisors who shall bill the above described liable party. If payment is not made in full within thirty (30) days from the date of mailing of said bill, the Board of Supervisors shall turn the matter over to the Solicitor for the Township for collection as is necessary.

Section 4: Any person failing to pay the said bill submitted to them or it by the Township of Washington within thirty (30) days, shall, upon conviction thereof in a Summary proceeding

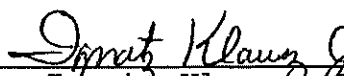
before a District Justice, be sentenced to pay a fine of not more than Three Hundred and 00/100 (\$300.00) Dollars, together with costs of prosecution, and in default thereof undergo imprisonment in Northampton County Prison for not more than thirty (30) days. The Township also shall be entitled to proceed against any responsible party with a civil suit for reimbursement of costs of clean-up, in addition to prosecuting said responsible party.

Section 5: For purposes of this Ordinance, the Washington Township Volunteer Fire Department is designated as Agent for the Township for enforcement and collection purposes and is hereby given specific authority as the designated fire protection agency within the Township of Washington for enforcement hereof. The said Washington Township Volunteer Fire Department shall have full and complete authority for enforcement of this Ordinance, unless otherwise provided herein.


Section 6: This Ordinance shall be placed in effect immediately upon enactment.

ORDAINED AND ENACTED into an Ordinance this 14th day of July, 1993.

WASHINGTON TOWNSHIP BOARD OF SUPERVISORS

By: 
Ignatz Klausz, Jr., Chairman

By: 
Clayton D. Rutt

By: 
David Hess

ATTEST:

By: 
Barbara J. Hallet, Secretary