

ORDINANCE NO. 2015-10

AN ORDINANCE OF THE BOROUGH OF GREENCASTLE, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 155 ENTITLED "SEWERS" OF THE CODE OF THE BOROUGH OF GREENCASTLE TO PERMIT TEMPORARY PORTABLE SELF-CONTAINED TOILET FACILITIES AND TO ADD THE FOLLOWING DEFINITIONS FOR EMERGENCIES, SPECIAL EVENTS, CONSTRUCTION ACTIVITIES AND AT PUBLIC RECREATIONAL AREAS DESIGNATED BY THE BOROUGH

WHEREAS, the Council of the Borough of Greencastle deems it in the best interest, and for the general welfare of the citizens and residents of the Borough to amend certain provisions of Chapter 155 of the Code of the Borough of Greencastle and add the definitions of "Public Recreational Facilities", "Special Events" and "Emergency" to Chapter 155 of the Borough of Greencastle;

WHEREAS, the Borough of Greencastle desires to permit temporary portable self-contained toilet facilities within the Borough in the event of emergencies, special events and public recreational areas; and

WHEREAS, the Borough of Greencastle desires to establish regulations controlling the temporary use, size and location of the portable self-contained toilet facilities within the Borough.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Chapter 155 of the Code of the Borough of Greencastle, entitled "Sewers", is amended by modifying the language of Section 155-1, entitled "Definitions" by adding the following terms to the existing contents of Section 155-1:

Construction Activities: "Construction Activities": shall mean the construction, reconstruction, or significant alteration of a structure where there are no available sanitary facilities available on the property.

Public Recreational Facilities: "Public Recreational Facilities" shall mean all public parks and recreation areas in such parks including the land, buildings, lakes, pond, streams, swimming pools, and all other property and buildings designated as a public recreation areas by the Borough.

Self Contained Portable Toilets: "Self Contained Portable Toilets" shall mean one or more commercially manufactured or assembled self-contained toilet facility that is portable and is not designed or intended for connection to a sewer system with a standard connection.

Special Events: "Special Events" is defined as any temporary civic, religious, or commercial outdoor gathering of at least 25 individuals, whether on public or private property, assembled with a common purpose for a period of one hour or longer. Special Events include, but are not limited to concerts, fairs, carnivals, circuparades, marathons, walkathons, festivals, races, bicycle events, celebrations, or any other gathering or events similar in nature. Special event does not include events that are not civic, religious, commercial or public in nature that are held on residential property such as graduations parties, wedding receptions, social parties or other similar functions.

Emergency: "Emergency" is an unforeseen combination of circumstances or the resulting state that calls for immediate action and/or an urgent need for assistance or relief.

SECTION II: Chapter 155 of the Code of the Borough of Greencastle, entitled "Sewers", is amended by modifying the language of Section 155-3, entitled "Prohibited Facilities" by adding the following language to the existing contents of Section 155-3:

Provided however, that the use of portable self-contained toilet facilities shall be permitted on a temporary and limited basis, such as special events, emergencies, or during construction activities, provided that prior permission is obtained from the Borough Manager or his designee. The Borough Manager is authorized to establish regulations for the use and location of portable, self-contained toilet facilities. The Borough Manager shall establish an application form, which shall, at a minimum, require the applicant to provide the following information: the event or activity that the temporary facilities are intended to accommodate, the general placement of the facilities, the number of facilities, the times when the facilities shall be in use (dates and hours) and the responsible party for servicing the facilities both during use and upon removal when the event or activity has concluded and such other information as the Borough Council or its agent may request at the time such application is made. Notwithstanding the foregoing Borough Council may allow for the long term use of portable, self-contained toilet facilities at properties that the Borough Council has designated by the Borough Council as public recreational facilities.

SECTION III: **REPEALER.** All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.


SECTION IV: **SAVINGS CLAUSE.** In all other respects, Chapter 155 of the Code Borough of Greencastle shall remain as previously enacted and ordained.

SECTION V: **SEVERABILITY.** The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

SECTION VI: **EFFECTIVE DATE.** This Ordinance shall take effect immediately.

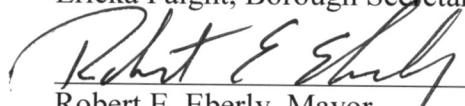
ENACTED, ORDAINED, AND APPROVED this 2nd day of Nov., 2015.

Borough Council of the Borough of
Greencastle, Franklin County, Pennsylvania

By: 
Charles R. Eckstine, President

ATTEST:


Ericka Faight, Borough Secretary


Robert E. Eberly, Mayor