

**BOROUGH OF DARBY
COUNTY OF DELAWARE
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 772

**AN ORDINANCE OF THE BOROUGH OF DARBY
REGULATING DISPOSAL OF MATTRESSES, BOX
SPRINGS, AND UPHOLSTERED FURNITURE**

WHEREAS, the Borough of Darby is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania, including but not limited to the Borough Code; and,

WHEREAS, the Legislature of the Commonwealth vests the Borough of Darby with the power and authority to make and adopt all such ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth, as is expedient or necessary for the proper management, care and control of, inter alia, the borough's finances, the maintenance of peace, good government, safety and welfare of the borough, its trade, commerce and manufacturers; and,

WHEREAS, after reviewing the existing ordinances, it is in the best interest of the efficient operation of government, good government, and public safety to adopt and implement an Ordinance regulating the disposal of mattresses, box springs and upholstered furniture in the interests of preventing the infestation and spread of, *inter alia*, bed bugs and other similar pests; and,

NOW, THEREFORE, BE IT ORDAINED and ENACTED:

SECTION I. The Code of the Borough of Darby is hereby amended to include Section 184-3.B.(12), which shall read as follows:

A mattress, box spring and/or any upholstered furniture, when placed curbside for bulk trash collection, shall be sealed in a plastic bag. The failure to do so may result in non-collection, imposition of a \$100 civil fine, and other penalties that may be imposed pursuant to this Article and applicable law.

SECTION II: All Borough elected and appointed officials are authorized to take all action necessary to ensure the implementation and effect the purpose hereof.


SECTION III: Any and all Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of their inconsistency. The Borough Council may from time to time amend, supplement, change, modify or repeal this ordinance pursuant to the provisions of Federal, State and Local Laws.

SECTION IV: The provisions of this Ordinance are severable, and if any clause, sentence, subsection or section hereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not

affect, impair or invalidate the remainder but shall be confined in its operation and application to the clause, sentence, subsection or section rendered. It is hereby declared the intent of the Borough Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional clause, sentence, subsection, or section had not been included therein.

SECTION V: This is effective immediately upon enactment according to law, and shall remain in effect hereafter until revised, amended, or revoked by action of the Borough of Darby.

ADOPTED by the Borough Council this 19th day of August, 2015.



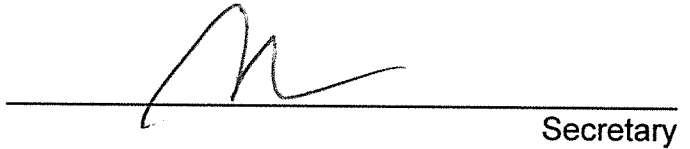
Council President

APPROVED by the Mayor, this 19th day of August, 2015.



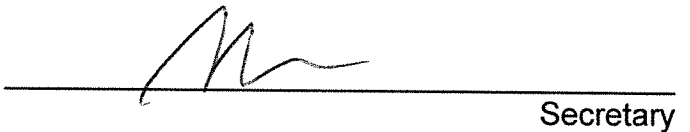
Mayor

ENACTED this 19th day of August, 2015.



Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a meeting of Borough Council held on the 19th day of August, 2015.



Secretary