

**NOTICE OF PUBLIC HEARING
INTENT TO ENACT
ORDINANCE NO. 1420-2025**

TAKE NOTICE, the East Stroudsburg Borough Council will hold a Public Hearing on **Tuesday, December 16, 2025 at 7:30 PM** during a Regular Meeting of Borough Council to enact Ordinance No. 1420, Amending Chapter 134 – Solid Waste, of the Codified Ordinances of the Borough of East Stroudsburg, in the Borough of East Stroudsburg Municipal Building located at 24 Analomink Street, East Stroudsburg, PA. After the hearing and during the continuance of the meeting, the Borough Council will, if in order, consider and vote upon the Ordinance as well as conduct any other business which may come before the Borough Council at that time. In lieu of setting forth the entire Ordinance, a summary of the proposed Ordinance is as follows:

Chapter 134 – Solid Waste, §134-21 Annual Fee, of the East Stroudsburg Borough Code of Ordinances shall be amended to establish a two (2%) percent discount for payment of the annual municipal solid waste collection service user fee in full within thirty (30) days of the date of invoice; extend the regular due date for payment in full from sixty (60) days to ninety (90) days; provide an economic hardship provision for an extended payment period; revise the fees, interest, penalties, and lien provisions applicable to delinquent accounts; and amend §§134-8(F) and 134-9(B) to change mobile cart and container set-out and removal times to a seasonal schedule, 4:00 pm, between November 1st and March 31st and 5:00 pm between April 1st and October 1st. The Ordinance shall also contain provisions for severability, repealer, and establishing an effective date.

The hearing is open to the public. All interested parties are welcome to attend and will have an opportunity to be heard. The proposed Ordinance can be examined without charge or obtained for a charge not greater than the actual cost of reproduction thereof at the East Stroudsburg Municipal Building at the address set forth above during regular business hours (8 AM to 5 PM, Monday-Friday) and online at the East Stroudsburg Borough Website www.eaststroudsburgboro.org.

If you are a person with a disability and require auxiliary aid, service, or other accommodation to participate in the proceedings, don't hesitate to get in touch with the Borough at 570-421-8300 to discuss how your needs may be accommodated. The public hearing may also be viewed via the East Stroudsburg Borough Facebook Page.

Prepared by:
Kelly Lewis, Borough Manager
Borough of East Stroudsburg



COMMONWEALTH OF PENNSYLVANIA
BOROUGH OF EAST STROUDSBURG
MONROE COUNTY

ORDINANCE NO. 1420 -2025

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF EAST STROUDSBURG, MONROE COUNTY, PENNSYLVANIA (“BOROUGH”) AMENDING CHAPTER 134, SOLID WASTE, OF THE CODIFIED ORDINANCES OF THE BOROUGH OF EAST STROUDSBURG. CHAPTER 134 SOLID WASTE SHALL BE AMENDED TO INCLUDE: A TWO (2%) PERCENT DISCOUNT OF ANNUAL USER FEE IS PAID IN FULL WITHIN THIRTY (30) DAYS OF DATE OF INVOICE; EXTENDING THE REGULAR DUE DATE TO NINETY (90) DAYS FROM SIXTY (60) DAYS; CHANGE OF MOBILE CART SET-OUT TIMES TO A SEASONAL REVISION; AND TO INCLUDE AUTHORIZING PROVISIONS FOR SEVERABILITY, REPEALER, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Borough is a Municipal Corporation of the Commonwealth of Pennsylvania, organized and existing under the "Pennsylvania Borough Code," as amended, 8 Pa.C.S. 101, *et seq.* ("Pennsylvania Borough Code"); and

WHEREAS, the East Stroudsburg Borough Council of the Borough of East Stroudsburg, pursuant to the Pennsylvania Borough Code, §1202 (Specific powers); (5) make regulations for health, welfare, and safety of the Borough, and §1203 (Reserved powers), authority to make and adopt Ordinances, Bylaws, Rules, and Regulations for proper management and control of the Borough and its finances; and

WHEREAS, the Borough Council of the Borough of East Stroudsburg, Monroe County, Pennsylvania, has adopted Chapter 134 – Solid Waste as an ordinance to the Borough Code of East Stroudsburg; and

WHEREAS, the Borough pursuant to its Ordinance in Chapter 134, Solid Waste may amend its codified Ordinances, adding and amending the Definitions and other sections to address revisions to the Ordinance.

WHEREAS, Borough Council has conducted a public hearing on the proposed Solid Waste Ordinance on _____, 2025 in accordance with the Pennsylvania Municipalities Planning Code, as amended.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of East Stroudsburg, Monroe County, Pennsylvania, that the following additions and amendments to Chapter 134 Solid Waste, of the Code of Ordinances of the Borough of East Stroudsburg, be adopted, as follows:

SECTION 1. Ordinance Amendments. Chapter 134 Solid Waste, §134-21, of the East Stroudsburg Code of Ordinances is amended by deleting existing §134-21 in its entirety and replacing with the following provision:

Chapter 134 Solid Waste

§134-21 Annual Fee

The annual municipal solid waste collection service user fee charged to residences shall be established annually by resolution of Borough Council, to be charged on a per-year-per mobile refuse cart basis.

A. Two (2%) Percent Discount for Timely Payment

If the annual municipal solid waste collection service user fee is paid in full within thirty (30) days of date of invoice a two (2%) percent discount shall be applied. There shall be no household limit on the number of two (2%) percent discounts applicable so long as each municipal solid waste collection service user fee is paid in full.

B. Payment Due Date

The total annual municipal solid waste collection service user fee (not discounted rate) shall be paid in full within ninety (90) days of invoice, unless the applicant obtains approval for an extended period under the hardship provision indicated below. No partial payments of the fee will be accepted. Any municipal solid waste service user fee not paid in full within ninety (90) days of issuance of invoice shall be deemed delinquent and shall be subject to collection to include interest, late fees, and attorney fees.

C. Economic Hardship for Extension of Payment Due Date

Owner-occupied residents who demonstrate eligibility based on federal low-/moderate-income guidelines pursuant to the Community Development Block Grant (CDBG) program may apply for and receive approval to pay the total annual municipal solid waste collection service user fee within one hundred eighty (180) days of issuance of the invoice. In order to be eligible for the extended payment

period for the annual municipal solid waste collection service user fee, a resident must demonstrate low-/moderate-income eligibility each year based on current CDBG income guidelines for Monroe County. No partial payments of the fee will be accepted. Any municipal solid waste service user fee not paid in full within one hundred eighty (180) days of issuance of invoice shall be deemed delinquent and shall be subject to collection to include interest, late fees, and attorney fees.

D. Fees, Interest, and Penalties

A one-time ten (10%) percent administrative fee on the total municipal solid waste collection service user fee shall be added to the balance of any municipal solid waste collection service user fee that is unpaid, not paid-in-full, or outstanding more than ninety (90) days from the date of invoice each year, or more than one hundred eighty (180) days from the date of billing for approved hardship applicants. In addition and within the same timeframes, interest shall accrue at the rate of eight (8%) percent per annum from the date of invoice on any outstanding balance due. If the account is turned over for collection, then a legal fee of Five Hundred (\$500.00) Dollars per delinquent account plus court costs shall be added to the balance due for collection.

E. Solid Waste Fees to be Liened

Any amount of the municipal solid waste collection service user fee that is unpaid or outstanding more than ninety (90) days from the date of invoice, or more than one hundred eighty (180) days from the date of invoice for approved hardship applicants, shall bear interest at the rate established in the schedule of fees adopted by resolution of Council, from the date the invoice is issued (currently, eight (8%) percent per annum). Such amount(s) shall be a lien on the property for which the municipal solid waste collection service user fee is charged. Court costs and legal fees for the filing of lien(s) shall be added to the outstanding account balance.

F. Legal Fees for Collections

If the account is turned over for collection, then a legal fee of Five Hundred (\$500.00) Dollars per delinquent account plus court costs shall be added to the balance due for collection.

G. Summary Offense for Failure to Comply

In addition to the penalties referenced in §134-21D and E above, any person or entity who violates or fails to comply with any of the provisions of the article shall be guilty of a summary offense and, upon conviction thereof, shall be punished by a fine of not more than One Thousand (\$1,000.00) Dollars or by imprisonment for not more than thirty (30) days, or both. Each day that a violation continues shall constitute a separate offense.

SECTION 2. Amendment to 134-8.F. Chapter 134 Solid Waste, §134-8.F., of the East Stroudsburg Code of Ordinances is deleted in its entirety and replaced with the following provision:

§ 134-8. Residential collection standards.

- F. Any person required to participate in the municipal solid waste collection service preparing domestic waste for collection shall ensure that the mobile refuse carts, special disposable bags, approved reusable containers containing special disposable bags and large bulk items shall be placed by the owner or customer at a collection point specified by the municipality or its designated representative. Mobile refuse carts, special disposable bags, reusable containers containing special disposable bags or large bulk items shall not be placed at the curbside or side of the road before 4:00 pm from November 1st through March 31st and before 5:00 p.m. from April 1st through October 31st on the day prior to the designated collection day, and containers must be removed from curbside or side of the road to the storage place no later than 8:00 a.m. on the day after collection.

SECTION 3. Amendment to §134-9.B. Chapter 134 Solid Waste, §134-9.B., of the East Stroudsburg Code of Ordinances is deleted in its entirety and replaced with the following provision:

§ 134-9. Multifamily housing properties, private communities, commercial, industrial, and institutional establishments collection standards.

- B. Any person not required to participate in the municipal solid waste collection service preparing domestic waste for collection shall ensure that the approved reusable containers and large bulk items be placed by the owner or customer at a collection point specified by the person's contracted hauler or the municipality. Reusable containers or large bulk items shall not be placed at the curbside or side of the road before 4:00 pm from November 1st through March 31st and before 5:00 p.m. from April 1st through October 31st on the day prior to the designated collection day, and containers must be removed from curbside or side of the road to the storage place no later than 9:00 p.m. on the day of collection.

SECTION 4. Severability. The provisions of this Ordinance shall be severable. If any of the provisions hereof shall be invalid or unenforceable, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 5. Repealer. All ordinances or parts of ordinance conflicting with or inconsistent with the provisions of this Ordinance are hereby repealed, but only insofar as the same are in direct conflict or directly inconsistent with this Ordinance.

SECTION 6. Effective Date. This Ordinance shall be effective upon its approval as provided by law.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of East Stroudsburg Borough Council, Monroe County, Pennsylvania, on this ____ day of _____, 2025.

ATTEST:

BOROUGH OF EAST STROUDSBURG

(Assistant) Secretary

By: _____
(Vice) President

Printed Name

Printed Name

(Borough Seal)

Approved:

Victor A. Bruzusky, Mayor

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 1420-2025 adopted by a majority vote of the East Stroudsburg Borough Council at a meeting of said Council duly held on _____, 2025. Present at the meeting and a record of their vote is as follows:

Council Member	Present	Aye	Nay
Sonia C. Wolbert			
Carrie Panepinto			
Erika Huber			
Edmund Freeborn			
Jane Gagliardo			
Paul Shemansky			

Further be it certified that public notice of said meeting was given in the manner provided by law; that said Ordinance No. 1420-2025 shall be duly recorded upon the minutes of the Borough Council, has not been amended or rescinded, and is in full force and effect this _____ day of _____, 2025.

(Assistant) Secretary

Printed Name

(Borough Seal)