

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA  
CIVIL DIVISION

PENNSYLVANIA WASTE INDUSTRIES	:	
ASSOCIATION, PENNSYLVANIA	:	
INDEPENDENT WASTE HAULERS	:	
ASSOCIATION, IESI PA BETHLEHEM	:	
LANDFILL CORPORATION	:	
CHRIN BROTHERS, INC.,	:	
CHRIN HAULING, INC., GRAND CENTRAL	:	
SANITARY LANDFILL, INC. PINE GROVE	:	
LANDFILL, INC.	:	
WASTE MANAGEMENT DISPOSAL	:	
SERVICES OF PENNSYLVANIA, INC.,	:	
WASTE MANAGEMENT OF	:	
PENNSYLVANIA, INC.,	:	
BERGER SANITATION, INC.,	:	
ROYER SANITATION,	:	
LEN SYMONS & SONS SANITATION	:	
Plaintiffs	:	
	:	
v.	:	No. 2003-C-2523
	:	
COUNTY OF LEHIGH,	:	
Defendant	:	

**ORDER**

And now, this 11<sup>th</sup> day of May, 2005, upon consideration of Defendant's Motion for Summary Judgment against named Plaintiffs for lack of standing, Plaintiffs' response thereto, briefs and arguments submitted, and for the reasons provided in the Memorandum Opinion filed contemporaneously, IT IS HEREBY ORDERED and DECREED that Defendant's Motion for Summary Judgment based on lack of standing is DENIED.

Upon consideration of Plaintiff's and Defendant's cross-motions for summary judgment, responses thereto, the respective memorandum of law, argument thereon and for the reasons provided in the Memorandum Opinion filed contemporaneously herewith, IT IS HEREBY ORDERED and DECREED as follows:

- (1) Plaintiff's Motion for Summary Judgment is DENIED;
- (2) Defendant's Motion for Summary Judgment is GRANTED;
- (3) Lehigh County's Administrative Fee established in Lehigh County's Waste Rules and Regulations, August 2003, is a valid exercise of Lehigh County's Legislative authority;
- (4) Lehigh County's Waste Hauler Licensing Scheme established by Lehigh County's Waste Rules and Regulations, January 2002 § 6.1, is also a valid Exercise of Lehigh County's legislative authority.

BY THE COURT:

  
JOHN P. LAVELLE, S.J.