

ORDINANCE NO. 98-1

BROWNSVILLE TOWNSHIP, FAYETTE COUNTY

AN ORDINANCE OF THE TOWNSHIP OF BROWNSVILLE, FAYETTE COUNTY, PENNSYLVANIA, ESTABLISHING A RESOURCE RECOVERY PROGRAM FOR THE SEPARATION OF RECYCLABLES FROM GARBAGE AND RUBBISH IN ORDER TO FACILITATE COLLECTION, ENCOURAGE RECYCLING, AND TO FIX PENALTIES FOR THE VIOLATION THEREOF.

SECTION 1. Intent and Purpose.

WHEREAS, recycling conserves valuable material resources and energy, promotes greater efficiency in the regional economy and provides local employment.

WHEREAS, recycling will reduce the overall amount of solid waste presently generated, and thus, reduce storage, collection, transportation and disposal costs.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Brownsville Township, Fayette County, Pennsylvania, and here by enacted by the authority of the same as follows:

SECTION 2. Definitions.

For the purpose of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section:

GLASS CONTAINERS - All containers made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass excluding,

however, blue glass, flat glass, plate glass and glass commonly known as window glass.

RECYCLABLES - Material having an economic value in the secondary materials market. The following materials have such economic value: aluminum cans and articles, bi-metal cans, glass containers, and plastic containers.

SECTION 3. Program Established.

There is hereby established a Resource Recovery Program for the mandatory separating of recyclables from garbage and rubbish in the Township of Brownsville.

SECTION 4. Separation of Recyclables and Placement for Removal.

Glass containers and recyclables shall be kept separate from other refuse and shall be collected by the Township or under subcontract by its designated agent. Individual household units shall separate and prepare for collection these materials. Glass containers shall be emptied, cleaned, and placed in the appropriate receptacle. These materials shall be placed either at the curbside to be collected at times designated by the Township or placed in recycling shelters at any time. Glass containers and recyclables as defined in this Ordinance shall not be placed in the same garbage can as or otherwise mixed with other forms of solid waste for collection, removal or disposal.

SECTION 5. Collection by Unauthorized Person.

From the time of placement of recyclables at the curb, or in recycling shelters, for collection in accordance with the terms thereof, items shall be and become the property of Brownsville Township or its authorized agent. It shall be a violation of this Ordinance for any person unauthorized by Brownsville Township to collect or pick up or cause to be collected or picked up any such items. Any and each collection in violation hereof from one or more location(s) shall constitute a separate and distinct offense punishable as hereinafter provided.

It shall be unlawful for a person to collect, remove, or dispose of solid waste which contains glass containers and recyclables combined with other forms of solid waste.

The Board of Township Supervisors, or their agent, is empowered to designate the day(s) of the month on which recyclables shall be collected, removed and disposed of from a particular area.

SECTION 6. Violation and Penalty.

Any person who shall violate any provisions of this part shall, upon conviction thereof, be sentenced to pay a fine of no less than \$50.00 and not more than \$300.00 and costs of prosecution or in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days.

PROVIDED: Each violation of any provision of this part and each day the same is continued shall be deemed a separate offense.

SECTION 7. Repealer.

All ordinances or parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

SECTION 8. Severability.

If any section, sentence, or any other part of this Ordinance is invalid, that which remains is self-sustaining and capable of separate enforcement without regard to the stricken portion in which case that which remains should be sustained.

SECTION 9.

The Board of Township Supervisors shall by Resolution indicate which recyclables shall be designated for mandatory separation and collection by the Township or under subcontract with its appointed agent.

SECTION 10. This ordinance shall take effect on the first day of July, 1998.

ENACTED AND ORDAINED at a duly assembled public meeting by the Brownsville Township Board of Supervisors, this first day of June, 1998.

BROWNSVILLE TOWNSHIP SUPERVISORS



Homer Yeardie

Timothy L. Scott
Timothy Scott

Barry W. Bookshar
Barry Bookshar

ATTEST:

Edith M. Jenney
Secretary