

## PENN FOREST TOWNSHIP

ORDINANCE NO. 2014 – 02

**AN ORDINANCE OF THE TOWNSHIP OF PENN FOREST, COUNTY OF CARBON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE 92-1 ENTITLED “AN ORDINANCE REGULATING THE DISPOSAL OF SOLID WASTE WITHIN THE TOWNSHIP OF PENN FOREST, COUNTY OF CARBON AND COMMONWEALTH OF PENNSYLVANIA, PROVIDING DEFINITIONS, ESTABLISHING GENERAL REQUIREMENTS FOR A PERMIT APPLICATION, PERMIT FEES, FURTHER PROVIDING REQUIREMENTS AND STANDARDS FOR SANITATION, ESTABLISHING PENALTIES AND LAW ENFORCEMENT PROVISIONS, PROVIDING FOR SEVERABILITY OF PROVISIONS, AND ESTABLISHING EFFECTIVE DATE.”**

WHEREAS, the Township, recognizing that the reclaiming of recyclable materials is an important method for addressing the growing solid waste disposal problem through conserving landfill space, and that recycling conserves natural resources, reduces energy consumption and promotes the general interest, does hereby amend Penn Forest Township Ordinance No. 92-1 entitled “AN ORDINANCE REGULATING THE DISPOSAL OF SOLID WASTE WITHIN THE TOWNSHIP OF PENN FOREST, COUNTY OF CARBON AND COMMONWEALTH OF PENNSYLVANIA, PROVIDING DEFINITIONS, ESTABLISHING GENERAL REQUIREMENTS FOR A PERMIT APPLICATION, PERMIT FEES, FURTHER PROVIDING REQUIREMENTS AND STANDARDS FOR SANITATION, ESTABLISHING PENALTIES AND LAW ENFORCEMENT PROVISIONS, PROVIDING FOR SEVERABILITY OF PROVISIONS, AND ESTABLISHING EFFECTIVE DATE” to authorize and encourage collection and recycling materials in accordance with the following:

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Penn Forest Township, Carbon County, Pennsylvania, that Ordinance No. 92-1 be amended as follows:

1. The following terms and definitions thereof shall be added to Section 1.02 (Definitions):

**“Aluminum”** – All food and beverage cans made of the light in weight, ductile and malleable metallic substance or element commonly known as aluminum. This description excludes aluminum foil, trays, plates, and miscellaneous aluminum products.

**“Clear Glass”** – Clear Glass consists only of clear food and beverage containers made of glass, of one gallon or less capacity, and comprised of the hard, brittle and transparent or partially transparent substance produced by fusion of silica and silicates or sand containing soda or lime and/or other chemicals and substances usually included in the manufacture of glass.

**“Colored Glass”** – Colored Glass consists only of green or brown food and beverage containers made of glass, of one gallon or less capacity, and comprised of the hard, brittle and transparent or partially transparent substance produced by fusion of silica and silicates or sand containing soda or lime and/or other chemicals and substances usually included in the manufacture of glass.

**“Corrugated Cardboard”** – Unbleached, unwaxed Kraft paper that is formed into layers with a fluted medium and manufactured into shipping boxes and regulated products.

**“Designated Recyclable Materials”** – Those Source Separated materials designated for mandatory recycling by the Board of Supervisors of Penn Forest Township. On the effective date of this Ordinance they are: aluminum, clear glass, colored glass, corrugated cardboard, high-grade office paper, newsprint, plastics and steel cans. Materials may be added to or deleted from this list of designated recyclable materials from time to time by resolution duly adopted by the Board of Supervisors of Penn Forest Township.

**“High-Grade Office Paper”** – Desktop generated paper limited to white ledger, copy paper, and computer printout (CPO).

**“Newsprint”** – Paper which has been used for the production of daily, weekend and special edition publications commonly known as newspapers.

**“Plastics”** – Recyclable Plastics are identified on the bottom of the container and consist of two (2) types of containers, namely: #1 PETE (such as soda bottles) and #2 HDPE (such as milk, spring water, and detergent bottles).

**“Source Separate”** or **“Source Separation”** – the process of separating, or the separation of, Designated Recyclable Materials from other Solid Waste where generated for the purpose of recycling.

**“Steel Cans”** – The ferrous metal food or beverage containers commonly known as tin cans.

2. A new Article II(A) entitled “Mandatory Recycling” shall be added and shall provide as follows:

**Section 2A.01 – Mandatory Recycling**

Notwithstanding anything to the contrary in this Ordinance, it shall be mandatory for all persons disposing of residential waste or light commercial waste at a depository to Source Separate and dispose of any Designated Recyclable Materials by depositing them in the appropriate receptacle at the depository. Upon and after the effective date of this Ordinance, it shall be unlawful for any person to dispose of any Designated Recyclable Materials at a depository other than in the appropriate receptacle at the depository.

**Section 2A.02 – Collection by Unauthorized Persons**

From the time of placement of Designated Recyclable Materials at a depository, the Designated Recyclable Materials shall become the property of the Township or its authorized agent or contractor. It shall be a violation of this Ordinance for any person unauthorized by the Township to collect, pick up or cause to be collected or picked up any such items. Any and each collection in violation hereof from a depository shall constitute a separate and distinct offense punishable as hereinafter provided.

3. In Sections 1.02(g), 4.01, 6.01(h) and 7.02 the reference to "Carbon County" shall be deleted and the "Department of Environmental Protection" shall be inserted in its place.

4. All ordinances or parts of ordinances conflicting with the provisions with this ordinance are hereby repealed.

5. Ordinance 92-1 is amended in no other way.

6. This Ordinance shall become effective five (5) days after it is enacted.

**ENACTED AND ORDAINED** this 5<sup>th</sup> day of May, 2014.

PENN FOREST TOWNSHIP SUPERVISORS

  
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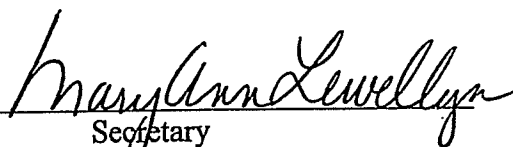
  
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Judith Knoppenberger  
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Christine Tapp  
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Scott Seymour  
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ATTEST:

  
Secretary