

TOWNSHIP OF SOUTH LONDONDERRY

LEBANON COUNTY, PENNSYLVANIA

ORDINANCE NUMBER 106

AN ORDINANCE TO ESTABLISH A PROGRAM FOR THE COLLECTION OF RECYCLABLE MATERIAL FROM PROPERTIES WITHIN SOUTH LONDONDERRY TOWNSHIP FOR RECYCLING PURPOSES; TO PROHIBIT THE DISPOSAL OF RECYCLABLE MATERIALS INTO THE CONVENTIONAL MUNICIPAL SOLID WASTE DISPOSAL SYSTEM; TO EMPOWER THE TOWNSHIP TO ADOPT AND PROMULGATE RULES AND REGULATIONS THEREFORE; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF

BE IT ORDAINED AND ENACTED; by the Authority of the corporation of South Londonderry, County of Lebanon, Commonwealth of Pennsylvania, by the South Londonderry Township Board of Supervisors, and it is hereby Ordained and Enacted:

SECTION I: PURPOSE:

A. Act 100 of 1988, an Act of the Commonwealth of Pennsylvania, entitled THE MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT, encourages Municipalities which do not meet the size requirements for mandatory recycling to enter into recycling and solid waste management on a voluntary basis.

B. It is the desire of the South Londonderry Township Board of Supervisors to establish, in conjunction with neighboring municipalities, a substantial solid waste recycling and solid waste management and reduction program within the Township to better utilize existing and future solid waste disposal facilities and to work toward a more productive and environmentally sound method of solid waste management.

SECTION II: TITLE: The short title of this ordinance shall be the South Londonderry Township Recycling Ordinance, and the same may be cited in that manner.

SECTION III: DEFINITIONS: The following words, when used in this Ordinance, shall have the following definitions:

A. Aluminum Cans - empty, all aluminum beverage and food containers

B. Bi-Metal Containers - empty food or beverage containers consisting of a combination of ferrous metals and aluminum; ie: ferrous sides and aluminum top and/or bottom.

C. Commercial Establishment - properties used primarily for commercial and or industrial purposes, and those multiple dwelling residential buildings containing more than four dwelling units.

D. Ferrous Containers - empty steel or tin food or beverage containers

E. Glass Containers - bottles and jars made of clear, green or brown glass. Expressly excluded are non-container glass, plate glass, blue glass and porcelain and ceramic products.

F. Institutional Establishments - facilities that house or serve groups of people, ie: hospitals, schools, nursing homes, etc..

G. Magazines and Periodicals - printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded, however, are all other paper products of any nature whatsoever.

H. Newspapers - paper of the type commonly referred to as newsprint. Expressly excluded are newspapers that have been soiled.

I. Person(s) - owners, lessees and occupants of residents, commercial or institutional establishments.

J. Plastic Containers - empty plastic food and beverage containers.

K. Recyclable Materials - materials specified from time to time in the rules and regulations for recycling.

L. Residence - any occupied single family or multi-family dwelling having up to four dwelling units per structure.

M. Solid Waste - all refuse (garbage and rubbish) and other discarded solid material normally collected by municipal or private haulers.

N. Yard Waste - prunings, grass clippings, weeds, leaves and garden wastes.

SECTION IV: ESTABLISHMENT OF PROGRAM: There is hereby established a program for the mandatory recycling of certain specified solid waste by all persons within South Londonderry Township, hereinafter referred to as the Township. Said recyclable materials shall be set forth in rules and regulations to be promulgated, and amended, from time to time by Resolution of the Township.

SECTION V: COLLECTION BY UNAUTHORIZED PERSONS: It shall be a violation of this Ordinance for any person(s) unauthorized by the Township to collect or pick up or cause to be collected or picked up any such recyclable. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

SECTION VI: ADMINISTRATION: The Township, with the advice of the Solid Waste Management Advisory Committee shall establish and promulgate reasonable regulations as to the manner, days and times for the collection of recyclable materials in accordance with the terms hereof, and any other matters required to implement this ordinance. The Township may change, modify, repeal or amend any portion of said rules and regulations at any time.

SECTION VII: ENFORCEMENT: The South Londonderry Township Code Enforcement Officer is hereby charged with the enforcement of this Ordinance and the rules and regulations promulgated from time to time.

SECTION VIII: FRANCHISE OR LICENSE: The Township may enter into agreements with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from the Township.

SECTION IX: ALTERNATIVE COLLECTION OF RECYCLABLE MATERIAL: Any person may donate or sell recyclable materials to individuals or organizations authorized by the Township in its recycling regulations. These materials must either be delivered to the individual's or organization's site or they may be placed at the curb for collection by such individual or organization on days not designated as recyclable material collection days by the Township.

SECTION X: DISPOSAL OF RECYCLABLE MATERIAL: Recyclable material removed from the Township shall be processed at an approved processing facility, and may not be discarded in the Greater Lebanon Refuse Authority Landfill unless specifically approved, in writing, by the Greater Lebanon Refuse Authority. The Township shall be notified, in writing, of every such incident.

SECTION XI: VIOLATIONS AND PENALTIES: Any person, firm, corporation or other entity who shall violate or shall fail to comply with any of the provisions of this Ordinance or any rules and regulations promulgated pursuant hereto shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and costs of prosecution, and, in default of payment of the fine or penalty imposed and the costs, to imprisonment in the county jail for period not exceeding thirty (30) days, PROVIDED: that each day's continuance of a violation or failure to comply with any provisions of this Ordinance or any rules or regulations promulgated pursuant hereto shall constitute a separate offense.

SECTION XII: SEVERABILITY: If any section, sentence or other part of this Ordinance shall be held to be invalid, such invalidity shall not cause or affect or impair any remaining section, sentence or other part of this Ordinance, it being the intent of this Township that such remainder shall be and remain in full force and effect.

SECTION XIII: REPEALER: All other Ordinances or Resolutions or parts thereof which are inconsistent herewith shall be and the same are expressly repealed.

SECTION XIV: EFFECTIVE DATE: This Ordinance shall be effective on the date of enactment of the Resolution establishing rules and regulations authorized hereunder, but in no case less than five days from the date of enactment of this Ordinance.

ENACTED AND ORDAINED this 17th day of September, 1991.

BOARD OF SUPERVISORS
SOUTH LONDONDERRY TOWNSHIP

ATTEST:

F. E. Daubenspeck
Secretary

Raymond D. Phillipy
Harry R. Kelly
Albert A. Atkinson

**Township of South Londonderry
Lebanon County, Pennsylvania
Ordinance # 124**

An Ordinance amending various South Londonderry Township Ordinances by eliminating criminal enforcement procedures and substituting civil enforcement procedures.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of South Londonderry, and it is hereby ordained and enacted by authority of the same.

SECTION I- Act No. 60 of 1995 mandates that enforcement of Municipal Ordinances shall be by civil procedure.

SECTION II- The South Londonderry Township Ordinances hereinbelow referenced are hereby amended by deleting therefrom any sanction of imprisonment for violation of Ordinance, by deleting reference to Summary Conviction and substituting in its place Civil Enforcement. Monetary amounts of fines shall not be changed but shall hereafter be deemed to be civil penalties and costs of prosecution to be assessed against person violating the Ordinance shall be deemed all Court Costs and in addition thereto, reasonable Attorney's Fees for the Township shall also be assessed.

SECTION III- Township Ordinances affected by this Ordinance are as follows

Ordinance No.

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| 3 | Nuisances |
| 23 | Weeds and other vegetation |
| 25 | Establishment and Maintenance of Junk Yards |
| 27 | On Lot sewage disposal systems regulations |
| 28 | Sewage facilities |
| 30 | Junk Vehicles |
| 32 | Establishment of Per Capita Tax |
| 35 | Requirements for Curbs and sidewalks |
| 42 | Curfew Ordinance |
| 43 | Road Encroachment |
| 60 | Disorderly Conduct towards a Police Officer |
| 61 | Disorderly Conduct with a Motor Vehicle |
| 72 | Dog and Livestock Regulations |
| 87 | BOCA National Building Code |
| 88 | BOCA National Plumbing Code |
| 89 | National Electric Code |
| 90 | CABO One and Two Family Dwelling Code |
| 98 | Collection, Transportation and Disposal of Municipal Waste |
| 99 | BOCA National Property maintenance Code |
| 106 | Recycling Program |

SECTION IV- All other provisions of the subject Ordinances not amended hereby shall remain in full force and effect.

SECTION V- This Ordinance shall be effective in five (5) days.

ATTEST:

Albert A. Atkinson
Raymond J. Phillip
Janet L. _____