

Ordinance 89-8

Recycle Material

7/11/89

ORDINANCE NO. 89-8

MUNICIPALITY OF HOPEWELL TOWNSHIP

RECYCLING ORDINANCE

AN ORDINANCE TO ESTABLISH A PROGRAM FOR THE COLLECTION OF RECYCLABLE MATERIALS FROM HOMES, APARTMENTS, AND OTHER RESIDENTIAL ESTABLISHMENTS, FROM COMMERCIAL, MUNICIPAL, AND INSTITUTIONAL ESTABLISHMENTS, AND FROM COMMUNITY ACTIVITIES IN HOPEWELL TOWNSHIP FOR RECYCLING PURPOSES; TO PROHIBIT THE DISPOSAL OF RECYCLABLE MATERIALS INTO THE CONVENTIONAL MUNICIPAL SOLID WASTE DISPOSAL SYSTEM; TO EMPOWER HOPEWELL TOWNSHIP TO ADOPT AND PROMULGATE REASONABLE REGULATIONS THEREFORE; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Board of Commissioners, Hopewell Township, recognizes the need and desire to provide for the conservation of recyclable materials because of the municipality's concern over the disposal of solid waste and its impact on the environment; and

WHEREAS, the Public Law of the Commonwealth of Pennsylvania requires that municipalities with populations greater than 5,000 persons enact legislation mandating the recycling of recyclable materials; and

WHEREAS, there is an increasing necessity to conserve natural resources and energy; and

WHEREAS, the collection of recyclable materials from residences, from commercial, municipal, and institutional establishments, and from community activities promotes the general public interest;

NOW, THEREFORE, BE IT ORDAINED, by the BOARD OF COMMISSIONERS, HOPEWELL TOWNSHIP in the County of Beaver, Commonwealth of Pennsylvania, as follows:

Section 1. TITLE

The short title of this Ordinance shall be the "Hopewell Township Recycling Ordinance," and the same may be cited in that manner.

Section 2. DEFINITIONS

As used in this Ordinance:

ALUMINUM CANS shall mean empty all-aluminum beverage and food containers.

BIMETALLIC CANS shall mean empty food and beverage containers consisting of ferrous sides and bottom and an aluminum top. 01014

COMMERCIAL ESTABLISHMENTS shall mean those properties used primarily for commercial or industrial purposes.

CORRUGATED PAPER shall mean that material consisting of two or more pieces of kraft liner separated by corrugated (fluted) liner board. Excluded are materials without a corrugated interliner, and those materials with a corrugated liner made from rice or other nonwood-based materials.

CURBSIDE COLLECTION shall mean the collection by the municipality or its authorized agent(s) of recyclable materials placed at the curbside or other designated location.

FERROUS CAN shall mean empty steel or tin food or beverage containers.

GLASS CONTAINERS shall mean bottles and jars made of clear, green or brown glass. Expressly excluded are noncontainer glass, plate glass, blue glass and porcelain or ceramic products.

HIGH GRADE OFFICE PAPER shall mean that paper collected from commercial, institutional and municipal establishments that was discarded from xerographic copiers, from non-thermal computer printers, from general office use forms, memos, and correspondence, and from print shops and other commercial printing processes. Material sorting and classification grades will be specified in the regulations specific to this Ordinance. Expressly excluded are papers with self carbons, carbon paper, envelopes, and all other grades of papers not meeting specifications in the regulations.

INSTITUTIONAL ESTABLISHMENT shall mean those facilities that house or serve groups of people, e.g., hospitals, schools, nursing homes.

LEAF WASTE shall mean leaves, garden residues and similar material, but not including grass clippings.

MAGAZINES AND PERIODICALS shall mean printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded, however, are all other paper products of any nature whatsoever.

NEWSPAPERS shall mean paper of the type of commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded, however, are newspapers which have been soiled.

PERSON(S) shall mean owners, lessees and occupants of residences or commercial or institutional establishments.

PLASTIC CONTAINERS shall mean empty plastic food and beverage containers. Due to the large variety of types of plastics, the recycling regulations shall stipulate the specific types of plastic which may be recycled.

RECYCLABLE MATERIALS shall mean those materials specified by the municipality to be recycled. The list of materials shall be specified in the recycling regulations resulting from this Ordinance and may be revised from time to time as deemed necessary by the municipality.

RESIDENCE shall mean any occupied single or multi-family dwelling from which a municipal or private waste hauler collects solid waste.

SOLID WASTE shall mean all refuse (garbage and rubbish) and other discarded solid material normally collected by a municipal or private hauler.

YARD WASTE shall mean prunings, grass clippings, weeds, leaves and garden waste.

Section 3. ESTABLISHMENT OF PROGRAM

There is hereby established by the Township of Hopewell, hereinafter referred to as the municipality, a program that mandates that recyclable materials shall be kept separate from solid waste by all persons within the municipality.

Section 4. SEPARATION OF RECYCLABLES
AND PLACEMENT FOR COLLECTION

Recyclable materials shall be placed at the curb (or in areas designated by the municipality) separate from solid waste, for collection at such times and dates as may be hereinafter established by regulations.

Section 5. COLLECTION BY UNAUTHORIZED PERSON(S)

It shall be a violation of this Ordinance for any person unauthorized by the Municipality to collect or pick up or cause to be collected or picked up any such recyclable material. Each such collection in violation hereof shall constitute a separate and distinct offense punishable as hereinafter provided.

Section 6. ENFORCEMENT AND ADMINISTRATION

The Secretary is authorized and directed to enforce this Ordinance. The same is hereby authorized and directed to 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 Municipality may change, modify, repeal or amend any portion of said rules and regulations at any time.

Section 7. VIOLATION AND PENALTY

Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this Ordinance, or any regulation thereof, shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00) upon a first conviction and Three Hundred Dollars (\$300.00) upon a second or subsequent conviction. The above fines shall not be applicable to a conviction for Section 5 hereof which shall be punishable by fine not to exceed Five Hundred Dollars (\$500.00). No enforcement of Section 3 and 4 of this Ordinance shall be made until three (3) months from the effective date of regulations authorized to be promulgated hereunder.

Section 8. FRANCHISE OR LICENSE

The Municipality may enter into agreements with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from curbside or elsewhere as designated by the Secretary.

Section 9. ALTERNATIVE COLLECTION OF RECYCLABLE MATERIALS

Any person may donate or sell recyclable materials to individuals or organizations authorized by the municipality in its recycling regulations. These materials must be delivered to the individual's or the organization's designated dropoff site. Individuals or organizations may not collect recyclable materials at the curb.

Section 10. SEVERABILITY

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, sentence or part of this Ordinance directly involved in the controversy in which such judgement shall have been rendered.

Section 11. AUTOMATIC REPEALER

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 12. EFFECTIVE DATE

This Ordinance shall take effect upon establishment of the recycling regulations.

ADOPTED THIS 11 DAY OF July, 1989

WITNESS:

HOPEWELL TOWNSHIP
BOARD OF COMMISSIONERS

James McEwen

Tim Force



Beaver County Times

P.O. BOX 400
BEAVER, PA 15009-0400
AREA CODE 412 775-3200



TOWNSHIP OF HOPEWELL
CLARK BOULEVARD
ALIQUIPPA PA 15001

LEGAL ADVERTISING INVOICE

7-17-89
RECEIVED

PROOF CHARGE IS \$2.00 FOR AFFIDAVIT, \$2.00 FOR

ACCOUNT	INVOICE DATE	DESCRIPTION	LINES	TIME
94249600	07/07/89	ORDINANCE	217	
7/03/89				
DATES APPEARED				

PROOF OF PUBLICATION

The **Beaver County Times**, a daily newspaper of general circulation published by BEAVER NEWSPAPERS, INC., a Pennsylvania corporation, 400 Fair Avenue, West Bridgewater, Beaver County, Pennsylvania, established in 1946, and has been issued regularly, except legal holidays, since said date.

The attached advertisement, which is exactly as printed and published, appeared in the regular issue on

7/03/89

BEAVER NEWSPAPERS, INC.

By Edwin S. Metzger

STATE OF PENNSYLVANIA, }
COUNTY OF BEAVER, } SS:

Before me, a Notary Public in and for such county and state, personally appeared
EDWIN S. METZGER, who being duly sworn according to law says that he is
CONTROLLER of BEAVER NEWSPAPERS, INC.; that neither affiant
nor said corporation is interested in the subject matter of the attached advertisement; and
that all of the allegations of the foregoing statement including those as to the time, place and
character of publication are true.

Sworn to and subscribed before me

this 07TH day of JULY 1989

Muriel L. Hopp

The costs of advertising and proof,
has been paid.

264.40

BEAVER NEWSPAPERS, INC.

By

NOTARIAL SEAL
MURIEL L. HOPP, NOTARY PUBLIC
BRIDGEWATER BOROUGH, BEAVER COUNTY
MY COMMISSION EXPIRES JAN. 22, 1993

Member, Pennsylvania Association of Notaries
BEAVER COUNTY TIMES

P.O. BOX 400

BEAVER, PA. 15009

ty activities promotes the gen-
eral public interest;
NOW, THEREFORE, BE IT
ORDAINED, by the BOARD OF
COMMISSIONERS, HOPE-
WELL TOWNSHIP, HOPE-
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264.40