

ORDINANCE NO 306

AN ORDINANCE OF THE TOWNSHIP OF SPRING, BERKS COUNTY, PENNSYLVANIA, AMENDING THE ORDINANCES OF THE TOWNSHIP OF SPRING AND SPECIFICALLY AMENDING CHAPTER X, ENTITLED "GARBAGE AND REFUSE", OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF SPRING BY ESTABLISHING A NEW PART 4, ENTITLED "YARD RESIDUALS"; ESTABLISHING THE TITLE, PURPOSE AND DEFINITIONS; DESIGNATING COLLECTION FACILITIES; ESTABLISHING REGULATIONS FOR THE USE THEREOF; ESTABLISHING PENALTIES FOR VIOLATION; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A SEVERABILITY CLAUSE, A REPEALER CLAUSE AND AN EFFECTIVE DATE

WHEREAS, Section 304(a) of the Municipal Waste Planning, Recycling & Waste Reduction Act, Act 101 of July 28, 1988, P.L. No. 528 ("Act 101") provides that it is the duty of the Township to assure the proper and adequate collection and transportation of Municipal Waste generated within its boundaries; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same that Chapter X, entitled "Garbage and Refuse", of the Code of Ordinances of the Township of Spring and the Garbage and Refuse Ordinances of the Township of Spring, as amended, be and they hereby are, amended in pertinent parts as follows:

SECTION 1. Chapter X, entitled "Garbage and Refuse", of the Code of Ordinances of the Township of Spring, is hereby amended by adding thereto the following new Part 4:

"Part 4
Yard Residuals Collection Facility

Section 40. Title and Purpose. The short title of this Ordinance shall be "The Yard Residuals Collection Facility Ordinance", and the same may be cited in that manner. The purpose of this Ordinance is for the Township of Spring to provide collection facilities to the residents of the Township for Yard Residuals and regulate the use of such facilities.

Section 41. Definitions. Unless the context clearly indicates otherwise, the following terms used in this Ordinance shall have the following meanings:

"Act 101" - The Municipal Waste Planning, Recycling & Waste Reduction Act, Act of July 28, 1988, P.L. 528, as now or hereafter amended.

"Collection Facility" - Township designated facility for the collection of Yard Residuals.

"Commercial Landscapers" - An individual, company or entity skilled in the development and decorative planting of gardens and grounds.

"Lawn Mowing Company" - An individual, company or entity in the business of mowing grass on lawns.

"Township" - The Township of Spring, Berks County, Commonwealth of Pennsylvania.

"Yard Residuals" - shall consist solely of grass clippings and woody materials such as tree limbs, shrubs, slashings and brush.

Section 42. DESIGNATION OF COLLECTION FACILITY. The Township hereby designates two (2) areas in the Township to provide for the collection of Yard Residuals as follows:

- (a) Located in the Township of Spring along Reedy Road near the Township Sanitary Sewage Treatment Plant; and
- (b) Goose Lane located east of Sage Drive on Goose Lane

Section 43. REGULATIONS. Use of the Collection Facilities shall be by the following regulations:

- (a) All Yard Residuals shall be deposited directly into the dumpsters or an area indicated by signs;
- (b) Yard residuals hauled to the site in plastic bags must be emptied into the dumpsters or emptied at an area indicated by signs. No plastic bags are to be left at the site. Biodegradable paper bags can be placed directly into dumpsters or in an area indicated by signs;
- (c) Only Yard Residuals shall be accepted at the Collection Facility. No other type of recyclable material, rubbish, trash, waste,

municipal waste or garbage is accepted at the Collection Facility;

(d) Only residents of the Township of Spring may use the Collection Facility;

(e) Commercial landscapers, lawn mowing companies, and other similar entities shall be prohibited from using the Collection Facilities.

(f) Hours of operation of the Collection Facility shall be 6:00 a.m. through 9:00 p.m. May 1 through September 30 and 6:00 a.m. through 7:00 p.m. October 1 through April 30.

The Township shall have the power to adopt additional rules and regulations relating to this Ordinance and to the use of the Collection Facility.

Section 44. PENALTIES. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction, be subject to a penalty of not less than One Hundred Dollars (\$100.00) or more than Six Hundred Dollars (\$600.00) plus costs of prosecution. Each day of a violation shall constitute a separate offense.

Section 45. SEVERABILITY. The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstance within the Township is held invalid, said invalidity shall not affect any other provision or application of this Ordinance which can be given effect."

SECTION 2. All ordinances or parts of ordinances of this Township which are inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall become effective in accordance with the law.


SECTION 4. The Code of Ordinances, as amended, of the Township of Spring, Berks County, Pennsylvania, shall be and remain unchanged and in full force and effect except as amended, supplemented or modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances, as amended, of the Township of Spring, Berks County, Pennsylvania, upon adoption.

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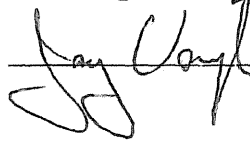
DULY ENACTED AND ORDAINED into law this 14th day of June,
2004 by the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania.

TOWNSHIP OF SPRING
BOARD OF SUPERVISORS









Attest:



Secretary