

**BERWICK. TOWNSHIP**  
**RECYCLING CENTER ORDINANCE**

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**ORDINANCE NO. 20-01**

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**AN ORDINANCE REGULATING THE USE OF THE BERWICK TOWNSHIP  
RECYCLING CENTER AND PRESCRIBING PENALTIES FOR VIOLATIONS**

**WHEREAS**, under Section 4506 of the Second Class Township Code, the Board of Supervisors has the specific power to enact ordinances as may be necessary for the maintenance of peace, good government, health and welfare of the Township and its citizens; and

**WHEREAS**, under Sections 2101-2108 of the Second Class Township Code, the Township may provide for and regulate the collection and disposal of recyclables within the Township; and

**WHEREAS**, the Township has established a voluntary recycling center at the Berwick Township Municipal Building; and

**WHEREAS**, the Township wishes to enact recycling regarding the use and operation of the recycling center.

**NOW, THEREFORE**, it is hereby **ORDAINED** and **ENACTED** by the Board of Supervisors of Berwick Township, Adams County, Pennsylvania, as follows:

**Section 1. Purpose.**

As a service to the community, in partnership with the Adams Rescue Mission, Berwick Township operates a voluntary Recycling Center at the Berwick Township Municipal Building. This Ordinance is enacted in order to regulate the collection, storage, and disposal of recyclables at the Berwick Township Recycling Center so as to prevent the attraction, breeding or harborage of insects or rodents and to prevent conditions which may create potential hazards to the public health or which may create fire and other safety hazards, odors, unsightliness or public nuisance.

**Section 2. Definitions**

As used in this Ordinance, the following terms shall have the meanings indicated:

**TOWNSHIP**

Berwick Township, Adams County, Pennsylvania.

**GARBAGE**

All putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

**MUNICIPAL WASTE**

Any garbage, refuse, yard waste, industrial waste and other material, including solid, liquid, semisolid or contained gaseous material, resulting from the operation of residential activities and/or from municipal, commercial or institutional establishments.

**PERSON**

Any individual, partnership, corporation, association, institution, cooperative enterprise, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. In any provisions of this chapter prescribing a fine, imprisonment or penalty, or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or other legal entity having officers and directors.

**RECYCLABLES**

Materials designated as recyclable by the Township from time to time and in the manner prescribed.

**RECYCLING CENTER**

The facility located at Berwick Township Municipal Building, 85 Municipal Road, Hanover, Pennsylvania and which is designated as a collection center for the processing, storage and shipment of recyclables.

**Section 3. Recycling**

- A. The Township will accept only those Recyclables which are designated by the Township as Recyclables. No person shall dump, discard, or deposit any material at the Recycling Center or elsewhere on Township property which is not specifically designated by the Township as Recyclable material.
- B. No person shall dump, discard or deposit any garbage or municipal waste at the Recycling Center or elsewhere on Township property.
- C. No person shall dump, discard or deposit any material at, in, or near the Recycling Center or otherwise on Township property in violations of the Rules and Regulations.

**Section 4. Rules and Regulations**

The Township shall promulgate such rules and regulations concerning the materials able to be recycled and as may be necessary to promote the Purpose of this Ordinance. The rules and regulations shall be conspicuously posted at the Recycling Center and/or on the Township's

official website. Such rules and regulations shall have the same force and effect as if they were otherwise enacted by Ordinance.

**Section 5. Penalty for Violation.**

Any person violating the provisions of this Ordinance shall be guilty of a summary offense, and upon conviction thereof, shall be punished by a fine not exceeding \$1,000.00 per violation and/or by imprisonment to the extent allowed by law for the punishment of summary offenses. The municipal solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 83 (c).

**Section 6. Severability.**

If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Township reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**Section 7. Repealer.**

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

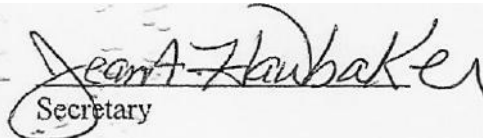
**Section 8. Effective Date**

This Ordinance shall be effective five (5) days following its enactment.


**ORDAINED AND ENACTED** this 179 day of je n&..., 2020.

**ATTEST:**

**BERWICK TOWNSHIP**



Secretary



Peter L. Socks, Jr., Chairman