

BERNVILLE BOROUGH, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO 2021- 347

AN ORDINANCE OF THE BOROUGH OF BERNVILLE, BERKS COUNTY, PENNSYLVANIA, AMENDING BERNVILLE BOROUGH ORDINANCE # 258 ENTITLED "AN ORDINANCE OF THE BOROUGH OF BERNVILLE, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING AND IMPLEMENTING A COLLECTION PROGRAM FOR RECYCLABLE MATERIALS AND ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS THEREOF" TO REQUIRE RECYCLING AT ALL COMMUNITY EVENTS AND TO DESIGNATE LEAF WASTE AS RECYCLABLE MATERIAL AND TO PROVIDE FOR THE DISPOSITION OF LEAF WASTE

WHEREAS, the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended, provides for each municipality of the Commonwealth to have power to adopt and implement programs for collection and recycling of municipal waste or source separated recyclable materials; and

WHEREAS, on July 7, 1988, Bernville Borough Council enacted Bernville Borough Ordinance Number 258 and thereby established a program for recyclable materials; and

WHEREAS, on July 5, 2005, Bernville Borough Council enacted Bernville Ordinance Number 301, and thereby amended Ordinance Number 258 to prohibit leaf waste and grass clipping as recyclable materials; and

WHEREAS, Borough Council has reconsidered the regulations thereby established by Ordinance Number 258 as amended by Ordinance Number 301 and now desires to amend Bernville Borough Ordinance Number 258 to require recycling at all community events and to require the recycling of leaf waste.

NOW THEREFORE, BE IT ENACTED and ORDAINED by the Bernville Borough Council of Bernville Borough, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Ordinance Number 258, enacted July 7, 1998, Section 1, entitled "Establishment of Program" is hereby amended to add subsection (d) which shall read in its entirety as follows:

(d). There is hereby established a mandatory program for the separation of Designated Recyclable Material, as required under Section 2, from municipal waste for all community events within the Borough of Bernville. All persons who organize community events within the Borough of Bernville shall ensure that all persons at the community event shall separate recyclable materials from solid waste and shall place recyclable materials in recycling containers located at the event.

SECTION 2. Ordinance Number 258, enacted July 7, 1998, Section 2, entitled "Designation of Recyclable Materials" is hereby amended to add letter (k), "leaf waste".

SECTION 3. Ordinance Number 258, enacted July 7, 1998, is hereby amended to add a Section 3, which shall be entitled "Disposition of Leaf Waste" and which shall read in its entirety as follows:

(a). All persons who reside or work within the Borough of Bernville shall separate leaf waste from other solid waste and recyclable materials and shall place leaf waste for collection at the times and in the manner as Borough Council by resolution shall direct. In addition, persons authorized to use the Bernville yard waste site shall also dispose of this material, throughout the year, at this site.

(b). This section shall not be interpreted or construed to require any person to gather leaf waste or to prevent any person from utilizing leaf waste for compost, mulch or other agricultural, horticultural, gardening or landscaping purposes.

SECTION 4. Ordinance Number 258, enacted July 7, 1998, Section 9, entitled "Definitions" is hereby amended to add subsection (i) and (m) which shall read in its entirety as follows:

(i). leaf waste – Leaves, garden residues, shrubbery and tree trimmings, and similar materials, but not including grass clippings.

(m). Community Events – Events sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, which include but are not limited to, fairs, bazaars, socials, picnics and organized sporting events that will be attended by 200 or more individuals per day.

SECTION 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

SECTION 6. If any sentence, clause, section or part of this Ordinance for any reason is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the legislative intent of the Bernville Borough Council that this Ordinance would have been adopted had such provisions not been included herein.

SECTION 7. Effective Date. This Ordinance shall become effective five (5) days after enactment, as provided by law.

DULY ENACTED AND ORDAINED as an Ordinance of Bernville Borough, Berks County, Pennsylvania, this 5 day of October, 2021.

ATTEST:

BOROUGH COUNCIL OF THE
BOROUGH OF BERNVILLE

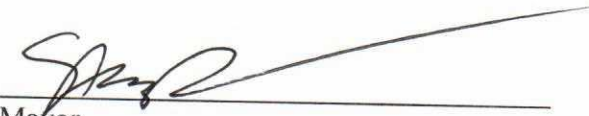

Borough of Bernville Secretary

By: 
Borough Council President

APPROVED, this 5 day of October, 2021, by the Mayor of the Borough of Bernville.

ATTEST:


Borough of Bernville Secretary


Mayor

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2021 - 347
adopted by the Borough Council of Bernville Borough, Berks County, Pennsylvania at a regular
meeting held on Oct. 5, 2021, pursuant to notice as required by law.

Dated: Oct. 5, 2021


Borough of Bernville Secretary