

# Franklin Township

## PROHIBITING THE BURNING OF RECYCLABLES

### Ordinance #2 of 2001

**An ordinance prohibiting the burning of those recyclables that Franklin Township collects in its curbside recycling and annual recycling day collection programs; providing for enforcement; and providing penalties for violation.**

**WHEREAS**, it is in the best interests of the health, safety and welfare of the residents of Franklin Township to recycle rather than burn those specific items that are included in its collection program; and

**WHEREAS**, the Commonwealth of Pennsylvania Department of Environmental Resources has mandated that Franklin Township enact this ordinance in order to continue to receive grant funds towards its local, voluntary recycling program;

**NOW, THEREFORE**, the Board of Supervisors does hereby enact and ordain:

**SECTION I:** Following the effective date of this Ordinance, it shall be unlawful for residents of Franklin Township to burn any recyclable that is included in its curbside or annual recycle day collection programs.

**SECTION II: ENFORCEMENT** - Any member of the Pennsylvania State Police, or any employee or official of Franklin Township, is hereby authorized to enforce this ordinance.

**SECTION III: PENALTIES** - Any person violating any of the provisions of this Ordinance shall, upon summary conviction before a District Magistrate, be sentenced to pay a fine of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00) and the cost of prosecution, such fines to be collected as like fines are now collected by law, and/or shall undergo imprisonment not exceeding 10 days, or both. Any person continuing any such violation beyond one (1) calendar day, shall be deemed to have committed a separate offense for each calendar day such violation continues.

**SECTION VI: SEVERABILITY** - The provision of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Franklin Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

**SECTION VII: EFFECTIVE DATE** - This ordinance shall become effective five (5) days after enactment.

**SECTION VIII: REPEALS** – All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

**APPROVAL PAGE  
FRANKLIN TOWNSHIP ORDINANCE NO. 2 OF 2001**

FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
JOHN J. SACHAR  
Chairman

\_\_\_\_\_  
DENVER L IRELAND  
Vice-Chairman

\_\_\_\_\_  
DAVID G. HENDERSON  
Supervisor

Attest:

\_\_\_\_\_  
BONNIE J. BERNHARDT  
Secretary/Treasurer

I hereby certify that the foregoing Ordinance was advertised in the Brown-Thompson Newspapers on the \_\_\_\_\_ day of \_\_\_\_\_, 2001, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at the regular meeting of the Franklin Township Board of Supervisors held on the \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
BONNIE J. BERNHARDT  
Secretary/Treasurer