

**EAST FALLOWFIELD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2010-04

AN ORDINANCE AMENDING CHAPTER 20, PART I OF THE TOWNSHIP OF EAST FALLOWFIELD CODE OF ORDINANCES, STORAGE AND DISPOSAL OF TRASH AND RECYCLABLE MATERIALS BY AUTHORIZING THE POSITION OF RECYCLING COORDINATOR, BY PROVIDING FOR COMMERCIAL, INSTITUTIONAL AND MUNICIPAL RECYCLING; BY PROVIDING AN EXEMPTION FOR MIXED USE BUILDINGS AND BY AUTHORIZING A SERVICE CHARGE BY RESOLUTION. EFFECTIVE FIVE DAYS FROM ENACTMENT.

AND NOW, this 26th day of October, 2010, the Board of Supervisors of East Fallowfield Township hereby enacts and ordains as follows:

Section 1. Chapter 20, Part I, Section 20-102, is hereby amended by adding the following phrase and meaning:

Community activities – 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 2. Chapter 20, Part I, Section 20-104.3.B., is hereby amended to read as follows:

B. A service charge for the costs of billing shall be established by resolution of the Board of Supervisors.

Section 3. Chapter 20, Part I, Section 20-104 is hereby amended to add a new subsection 5 to read as follows:

5. *Exemption.* The owner of a residential unit that is part of a mixed use building may request an annual exemption from the residential trash collection service and the annual fee if the owner demonstrates to the satisfaction of the Township that a trash dumpster serves the mixed use building and recyclable trash is separated and disposed of in accordance with this Part. The procedure for the submission of the written request for exemption and the determination by the Township shall be governed by the procedures applicable to appeals set forth in §20-104.4.

Section 4. Chapter 20, Part I, Section 20-106, is hereby amended to read as follows:

§20-106. Regulations.

The Board of Supervisors may from time to time promulgate and adopt by resolution regulations designed to further carry out the intent and purposes of this Part and its provisions. When so adopted, a violation of those regulations so promulgated shall be a violation of this Part, and punishable as such. The Board of Supervisors shall by resolution designate and appoint one or more persons to administer and enforce this Part, including but not limited to a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance, and delegate to such persons or entities the duties and authority to act on behalf of the Township consistent with such delegation and assignment.

Section 5. Chapter 20, Part I, is hereby amended by adding a new Section 20-109, to read as follows:

§20-109. Commercial, institutional and municipal recycling.

All persons occupying commercial, institutional and municipal establishments within a nonresidential unit shall separate high-grade office paper, aluminum, corrugated paper, leaf waste, and such other recyclable trash as may be changed from time to time by resolution of the Board of Supervisors generated at such establishments and from community activities, store the materials until collection by a trash collector, and annually provide written documentation and certification to East Fallowfield Township of a total weight of materials and the types of materials recycled in the previous calendar year. Such persons may comply with the reporting requirements hereunder by requiring their trash collector to provide said documentation and certification directly to the Township.

Section 6. Effective Date.

Except for Section 2, this Ordinance shall be effective five (5) days from the date of enactment. Section 2 shall be effective on January 1, 2011.

ENACTED and ORDAINED this 26th day of October, 2010.

**BOARD OF SUPERVISORS OF
EAST FALLOWFIELD TOWNSHIP**

Chris Amentas, Chairman

Chris Makely, Vice Chairman

George Broadbent, Member

Gary Barach, Member

Mark Toth, Member

ATTEST:

Denise Miller, Secretary