

**TOWNSHIP OF HATFIELD,
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 609

AN ORDINANCE OF THE TOWNSHIP OF HATFIELD, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING SECTION 238-29 OF THE CODE OF THE TOWNSHIP OF HATFIELD, AS AMENDED, (“RESPONSIBILITIES OF GENERATOR”) TO ADD A NEW PARAGRAPH REQUIRING EVERY PERSON OR ENTITY, UNLESS EXEMPTED, TO HAVE MUNICIPAL WASTE AND RECYCLABLE MATERIALS COLLECTED BY A MUNICIPAL WASTE COLLECTOR LEGALLY OPERATING WITHIN THE TOWNSHIP; AND FURTHER AMENDING SECTION 238-30 OF THE CODE OF THE TOWNSHIP OF HATFIELD, AS AMENDED, (“MATERIALS TO BE RECYCLED”) TO ADD A NEW PARAGRAPH REQUIRING THE PLACEMENT OF RECYCLING CONTAINERS AT COMMUNITY EVENTS ATTENDED BY 200 OR MORE PEOPLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A NON-WAIVER CLAUSE; REPEALING INCONSISTENT ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of Hatfield Township, Montgomery County, Pennsylvania has enacted Ordinance No. 558, as amended, which is codified as Sections 238-25 through 238-37 of the Code of the Township of Hatfield, which provides regulations for municipal solid waste collection and recycling; and

WHEREAS, the Pennsylvania Department of Environmental Protection (DEP) is performing a review of municipal solid waste collection and recycling ordinances and has requested that certain provisions appear in such ordinances in order to allow a municipality to qualify for recycling performance grants; and

WHEREAS, Hatfield Township desires to comply with DEP’s requests that municipalities require that all residents have their municipal waste and recyclables collected by a municipal waste collector that is legally operating within Hatfield Township, no less frequently than one time per week, and that recycling containers be provided at all community events attended by 200 or more people;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Commissioners of Hatfield Township, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I. - Amendment to Code

The Code of the Township of Hatfield, Section 238-29 (“Responsibilities of Generator”) is hereby amended to add the following new Paragraph “A”:

A. Each person or entity, unless exempted under §238-28.C. of this Article, who or which generates municipal waste and/or designated recyclable materials, shall have such waste and recyclable materials collected by a municipal waste collector that is legally operating within the Township, and such collection shall be no less frequent than one time per week.

Existing Paragraphs “A” through “F” of Section 238-29 shall hereinafter be designated Paragraphs “B” through “G”.

SECTION II. – Amendment to Code

The Code of the Township of Hatfield, Section 238-30 (“Materials to be Recycled”) is hereby amended to add the following new Paragraph “D”:

D. Community events. Recycling containers shall be provided at all community events attended by 200 or more people. The disposal of recyclable materials collected at such events shall be in accordance with the provisions of this Article.

SECTION III. – Severability

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Commissioners that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. - Failure to Enforce not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V. - Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VI. - Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Commissioners of the Township of Hatfield, Montgomery County, Pennsylvania, this 29th day of September 2010.

TOWNSHIP OF HATFIELD

By: _____
Scott Brown, President

Attest: _____
Andrew Haines, Manager