

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2007-221

"LEAF WASTE"

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, PART II (GENERAL LEGISLATION), CHAPTER 116 (RECYCLABLE MATERIALS MANAGEMENT) BY AMENDING SECTION 116-12 (HANDLING OF LEAF WASTE) BY DELETING THE EXISTING SECTION IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION ENTITLED "HANDLING OF LEAF WASTE" IN ORDER TO IMPLEMENT A CURBSIDE LEAF WASTE COLLECTION PROGRAM.

The Board of Supervisors of Worcester Township does hereby **ENACT and ORDAIN:**

SECTION I. Amendment to the Code.

The Codified Ordinances of Worcester Township, Part II (General Legislation), Chapter 116 (Recyclable Materials Management), Section 116-12 (Handling of Leaf Waste) is hereby amended by deleting the existing Section 116-12 in its entirety and replacing it with a new Section 116-12 entitled "Handling of Leaf Waste" as more fully set forth below:

HANDLING OF LEAF WASTE.

- A. The Township hereby authorizes establishment of a program for curbside collection of leaf waste at least once during the spring and at least once during the fall of each year. In the event leaf waste is not collected curbside at least once a month, the leaf waste program shall be augmented by designation of a drop-off compost facility for haulers and residents to utilize which must be open at least once per month for leaf waste which is generated between scheduled collections.

- B. Leaf waste collection shall be conducted by the Township or private municipal waste collectors in accordance with regulations of DEP. All leaf waste shall be disposed of in a DEP-permitted compost facility in accordance with all applicable state guidelines.
- C. All private municipal waste collectors shall provide the Township with the name and address of the facility(ies) where the leaf waste will be disposed and report the quantity in tons or cubic yards. Leaf waste shall not be commingled with any other municipal solid waste. The disposal of leaf waste at a sanitary landfill, waste-to-energy facility or any other non-composting facility is strictly prohibited.
- D. The methodology for separating and collecting leaf waste shall be established by Township and implemented by Township and communicated to participating private municipal waste collectors. The leaf waste collection guidelines set forth in this Ordinance are intended to be general in nature. The actual leaf waste collection and education program shall be established in more detail by Township and is subject to modification as needed, from time to time, provided any modifications to the program comply with this Ordinance and the most recent regulations of DEP.
- E. Leaf waste shall not be left at curbside more than twenty-four (24) hours prior to collection and shall not be left in a form which obstructs the flow of traffic or affects the performance of drainage facilities or catch basins.

SECTION II. Repealer.

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

SECTION III. Severability.

The provisions of this Ordinance are 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 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.

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania this 21st day of November, 2007.

WORCESTER TOWNSHIP

By: John R. Harris
John R. Harris, Chairman
Board of Supervisors

Attest: Arthur C. Bustard
Arthur C. Bustard, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on November 21, 2007, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and could vote to adopt an ordinance amending the Codified Ordinances of Worcester Township, Part II (General Legislation), Chapter 116 (Recyclable Materials Management) by amending Section 116-12 (Handling of Leaf Waste) by deleting the existing section in its entirety and replacing it with a new section entitled "Handling of Leaf Waste" in order to implement a Curbside Leaf Waste Collection Program.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Times Herald*, 410 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1421 Valley Forge Road, Worcester, Pennsylvania, 19490 where a copy of the proposed ordinance may also be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE
MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP
Solicitors for Worcester Township**