ORDINANCE NO. ____

AN ORDINANCE OF THE TOWNSHIP OF MAIDENCREEK, BERKS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 223) OF THE TOWNSHIP, BY AMENDING CHAPTER 88 ENTITLED MAIDENCREEK TOWNSHIP OUTDOOR BURNING ORDINANCE AND CHAPTER 178 SOLID WASTE ORDINANCE AS REQUESTED BY PENNSYLVANIA D.E.P.

The Board of Supervisors of the Township of Maidencreek, Berks County, PA (the Township) in lawful session duly convened hereby ENACTS AND ORDAINS the following amendments to its Code of Ordinances (the Code) as follows:

Section 1. Amendments to Chapter 88.

A. Part II General Legislation of the Code, Chapter 88 entitled Maidencreek Township Outdoor Burning Ordinance, Section Chapter 88-2 Definitions is hereby amended by deleting the word and Definition of "RUBBISH" and deleting the word "rubbish" from the definition of "Refuse."

B. Part II General Legislation of the Code, Chapter 88 entitled Maidencreek Township Outdoor Burning Ordinance, Section Chapter 88-3 Prohibited Activities, exceptions subparagraph A.(6) is hereby amended to read as follows:

"(7) It shall be unlawful to burn any leaf waste and source separated recyclables within the Township of Maidencreek."

C. Part II General Legislation of the Code, Chapter 88 entitled Maidencreek Township Outdoor Burning Ordinance, Section Chapter 88-6 entitled Limitations on burning on private properties Section D.(1) is hereby amended by deleting the word "rubbish."

Section 2. Amendments to Chapter 178.

A. Part II General Legislation of the Code, Chapter 178 entitled Solid Waste, Article I. Garbage, Rubbish and Refuse is hereby amended by deleting the word "Rubbish" in the Title.

B. Part II General Legislation of the Code, Chapter 178, Article II. Recycling, Section 178.5 Definitions is hereby amended by deleting the existing definition of LEAF WASTE and replacing the definition to read as follows:

LEAF WASTE

Leaves, garden residues, shrubbery and tree trimmings, and similar materials but not including grass clippings.

Section 3. Severability.

The provisions of this Article shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, such decision shall not affect the validity of any remaining provisions of this Article. It is hereby declared that it is the legislative intent that this Article would have been adopted had the unconstitutional or illegal provisions not been included.

Section 4. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of the Ordinance are hereby repealed, to the extent but only to the extent inconsistent with the terms of this Ordinance but in all other respects, the Code of the Township of Maidencreek, Berks County, PA, is otherwise ratified and confirmed.

Section 5. Effective Date.

This Ordinance shall be effective five (5) days after enactment.

ORDAINED and ENACTED as an Ordinance by the Board of Supervisors of Maidencreek Township, County of Berks, Pennsylvania, in lawful session duly assembled, this _____ day of _____, 2018.

MAIDENCREEK TOWNSHIP
BOARD OF SUPERVISORS

By:_____
Claude Beaver, Chairman

_____
Joseph E. Rudderow, III, Supervisor

_____
Heidi Fiedler, Supervisor

Attest:

_____
Diane Hollenbach, Secretary