

ORDINANCE NO. 1 - 1987

SOLID WASTE SOURCE SEPARATION

AN ORDINANCE OF THE TOWNSHIP OF MIDDLETOWN, SUSQUEHANNA COUNTY, PENNSYLVANIA, PROVIDING THAT ALL WASTE MATERIALS DESTINED FOR WASTE DISPOSAL SITE(S) WITHIN THE TOWNSHIP BE SOURCE SEPARATED AND APPROPRIATE DOCUMENTATION OF THIS PROCESS PROVIDED MIDDLETOWN TOWNSHIP BEFORE ANY WASTE IS ACCEPTED TO ANY WASTE DISPOSAL SITE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Middletown Township, Susquehanna County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, as follows:

SECTION ONE. All solid waste facilities (landfills, incinerators, sludge operations) within Middletown Township shall receive wastes only from communities, businesses, and industries which sources separate their wastes by removing all materials which are classified as hazardous to the environment by the E.P.A., D.E.R., Middletown Township, and/or the Susquehanna and Wyoming County Solid Waste Authority, or which threaten the integrity of landfill liner systems.

SECTION TWO. Prior to waste being accepted in solid waste facilities operated within Middletown Township, operators of solid waste facilities must submit written proof that every community, business, and industry generating waste destined for a solid waste facility within the township has an ordinance, or in the case of business and industry, established procedures mandating such source separation.

SECTION THREE. Documentation submitted to Middletown Township must contain details outlining the complete process for aforementioned material separation including the monitoring of same for compliance. Additionally, every community, business or industry performing the waste separation must provide written permission for periodic inspection of the separation operation by Middletown Supervisors and/or person(s) designated as their representative.

SECTION FOUR. Middletown Township will provide in writing within sixty days of receipt of aforementioned documentation concurrence or disapproval of the outlined process stating specific grievances in cases of disapproval.

SECTION FIVE. Any person, firm, or corporation which shall violate any of the provisions of this ordinance shall be subject, upon conviction, to pay a fine of three hundred dollars (\$300.00) and cost of prosecution, and in default of the payment of such fine and costs to imprisonment for thirty (30) days for each occurrence. An occurrence is defined as each singular delivery of waste materials to the waste facility prior to the township's written acceptance of the submitted documentation.

SECTION SIX. If any sentence, clause or section or part 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 or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof. 1st FEBRUARY 1988

ENACTED AND ORDAINED

John M. Daly
Secretary/Treasurer

John Ginton
Chairman
Alfred Jones
Vice Chairman
Paul Newhart
Supervisor