

ORDINANCE NUMBER 1988-5

SOLID WASTE SOURCE SEPARATION

AN ORDINANCE OF THE TOWNSHIP OF BROOKLYN, 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 TO BROOKLYN 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 Brooklyn 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, transfer stations, and recycling centers) within Brooklyn Township shall receive wastes only from communities, business, and industries which source separate their wastes by removing all materials which threaten the integrity of liner systems or which are classified as hazardous to the environment by the township and/or Susquehanna and Wyoming County solid Waste Authority, EPA, and DER.

SECTION TWO. Prior to waste being accepted in solid waste facilities operated within Brooklyn 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 Brooklyn Township must contain details outlining the complete process for aforementioned material separation including the monitoring of same for compliance. Additionally, community, business or industry performing the waste separation must provide written permission for periodic inspection of the separation operation by Brooklyn Township Supervisors and/or person(s) designated as their representative.

SECTION FOUR. Brooklyn Township will provide in writing within sixty days of receipt of aforementioned documentation concurrence or 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. The amount of \$300.00

is set as the maximum allowed by law. Should the law be amended to allow a higher fine, the fine shall rise as the law allows.

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, not been included herein.

SECTION SEVEN. It is hereby declared as the intent of the Township, in the event that an Ordinance of the Township of Brooklyn pertaining to the 'Prohibition of Accumulation and Dumping of Garbage and Refuse' is deemed by competent authority to be void, illegal or ineffective as it pertains to this Ordinance, this Ordinance will be considered to be passed and effected in its place.

ENACTED AND ORDAINED this 13 day of APRIL, 1988,
A.D.

ATTEST:

Joan White
SECRETARY/TREASURER

Gordon A. A. J.
CHAIRMAN

Harold D. Old
VICE CHAIRMAN

M. J. Thompson
SUPERVISOR