

ORDINANCE NO. 8

SOLID WASTE SOURCE SEPARATION

AN ORDINANCE OF THE TOWNSHIP OF APOLACON, 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 APOLACON 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 Apolacon 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 Apolacon Township shall receive wastes only from communities, businesses, 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.

**SECTION TWO.** Prior to waste being accepted in solid waste facilities operated within Apolacon 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 Apolacon 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 Apolacon Township Supervisors and/or person(s) designated as their representative.

**SECTION FOUR.** Apolacon 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 townships 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,

ES494



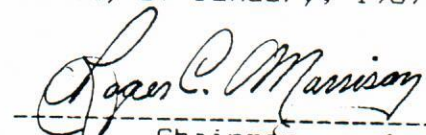
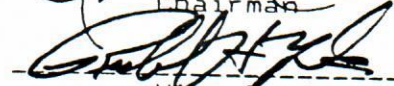
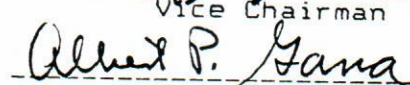
clause, section or part thereof, not been included herein. Additionally, In the event that Ordinance Number 1, dated November 5, 1962, an Ordinance of the Township of Apolacon pertaining to the 'Prohibition of Accumulation and Dumping of Garbage and Refuse' is deemed by competent authority to be void, illegal or ineffective as it pertains to this Ordinance, this Ordinance will be considered to be passed and effected in its place.

**SECTION SEVEN.** This ordinance supercedes Apolacon Township Resolution 8701-001 (Solid Waste Source Separation).

**ENACTED AND ORDAINED** this 21st day of January, 1987 A.D.

ATTEST:

  
Secretary/Treasurer

  
Chairman  
  
Vice Chairman  
  
Supervisor

ES494