

ORDINANCE NO. 191

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, REGULATING THE PLACEMENT OF SOLID WASTE AND/OR RECYCLABLES FOR COLLECTION

BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of the Township of South Heidelberg, Berks County, Pennsylvania, as follows:

SECTION 1. No person shall place any solid waste and/or recyclable in any street, alley or public place or upon any private property, whether owned by such person or not, within the Township, except in proper containers for collection. No person shall throw or deposit any solid waste and/or recyclable in any stream or other body of water.

SECTION 2. Solid waste and/or recycling containers for collection by the Township or Township collector from a given property shall be placed on the property at ground level and at a location immediately behind the curb line of the street from which the collection is made or, if there is no curbing, at a location agreeable among the resident, the Township, and the Township collector. Said placement for collection shall be not more than twenty-four (24) hours prior to the time of scheduled collection. Solid waste and/or recycling containers shall be removed from their placement for collection within twenty-four (24) hours from the time of collection of said solid waste and/or recyclables.

SECTION 3. Any person who shall fail, neglect or refuse to comply with any of the provisions of this Ordinance shall, upon conviction thereof before a District Justice, be sentenced to pay a fine or penalty of not more than Six Hundred Dollars (\$600.00) and costs of prosecution and, in default of payment of such fine or penalty and cost, to imprisonment in the Berks County Prison for not more than ten (10) days; provided, however, that each day's violation shall constitute a separate offense

SECTION 4. If any section or provision of this Ordinance in judicial proceeding is held to be unconstitutional, said holding shall not affect the validity of the remaining provisions and sections of this Ordinance, which shall then be construed to have been enacted within the unconstitutional section or provision on the date of its adoption.

SECTION 5. Any ordinance or parts of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 6. This Ordinance shall become effective five (5) days after enactment.

Enacted and Ordained as an Ordinance this 11th day of November,
2004.

BOARD OF SUPERVISORS OF
SOUTH HEIDELBERG TOWNSHIP

Attest: Richard E. Hemmel
Secretary

[Signature]
Chairman

David A. Schaeff
Supervisor

Richard E. Hemmel
Supervisor