

West Brandywine Township

Board Of Supervisors

Carl S. Lindborg, *Chairperson*

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Ronald A. Rambo, Jr., *Township Manager*
Secretary-Treasurer

ORDINANCE NO. 2008-02

West Brandywine Township Chester County, Pennsylvania

AN ORDINANCE PROHIBITING THE BURNING OF RECYCLABLES

IT IS HEREBY ENACTED AND ORDAINED, in accordance with Act 101 of 1998, "The Pennsylvania Municipal Waste Planning and Recycling and Waste Reduction Act," and its implementation through Township Ordinance 91-03, "Recycling and Municipal Waste Collection Ordinance," that the burning of Municipal Waste and Recyclables is inconsistent with the Township's established municipal waste and recyclable collection program,

WHEREAS, recyclables as defined in the "West Brandywine Township Recycling and Municipal Waste Collection Ordinance" include leaf and yard waste, which the Township encourages resident composting of, or the mandated municipal collection of,

THEREFORE, West Brandywine Township Ordinance NO. 91-03 cited as the "West Brandywine Township Recycling and Municipal Waste Ordinance," as amended by Ordinance NO. 92-01 and Ordinance NO. 03-08 (all of which became Chapter 155, Solid Waste, at time of the Township codification) and Chapter 1-20. Definitions under the Township codification, shall be further amended as follows:

Add Yard Waste as a definition in Section 1:20. to read:

Yard Waste: The part of solid waste composed of grass clippings, leaves, twigs, branches and garden refuse.

Section 155-22. shall become Section 155-23,

Section 155-23 shall become Section 155-24,

Section 155-24 shall become Section 155-25,

A new Section 155-22 shall be added as follows:

Section 155.22 - Prohibition on Burning Municipal Waste and Recyclables

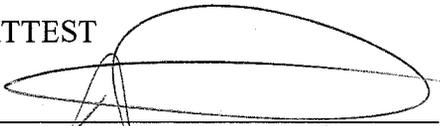
(1) The burning of municipal waste, designated recyclables, leaves and yard waste shall be prohibited at all times in the Township. This shall include construction and demolition debris as defined in the "International Residential Code," currently adopted edition, as amended by

Township Ordinance NO. 03-03 (currently Chapter 65 of the Township codification) and any and all subsequent amendments, municipal waste as defined by Act 101 of 1998, and recyclables that include leaf and yard *waste*.

(2) Nothing contained herein shall prohibit a farmer from carrying out the normal and customary activities of his farming operations as provided for under the "Pennsylvania Right-to-Farm Act," PA. CONS. STAT. ANN. §§951 et. seq., as amended by Act No. 1998-58 provided that such activities are conducted in accordance with all applicable laws, rules, and regulations.

ENACTED AND ORDAINED this 17th day of April, 2008.

ATTEST

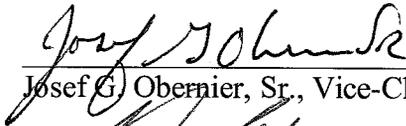


Ronald A. Rambo, Jr.,
Township Manager/Secretary/Treasurer

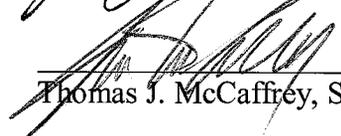
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