

**BRECKNOCK TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA**

ORDINANCE NO 2024- 234

AN ORDINANCE OF BRECKNOCK TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF BRECKNOCK, PART II ENTITLED "GENERAL LEGISLATION", CHAPTER 45 ENTITLED "BURNING, OPEN", TO AMEND SECTION 45-4 ENTITLED "DEFINITIONS" TO ADD NEW TERMS AND THEIR DEFINITIONS, TO DELETE THE DEFINITION OF "WOODY YARD WASTE", TO AMEND SECTION 45-5 ENTITLED "OPEN FIRES" TO PROHIBIT THE BURNING OF YARD WASTE AND DESIGNATED RECYCLABLES IN ALL ZONING DISTRICTS, AND TO DELETE SECTION 45-6 ENTITLED "OPEN BURNING OF WOODY YARD WASTE" IN ITS ENTIRETY

WHEREAS, the Township of Brecknock, Lancaster County, is a Second Class Township governed by the Second Class Township Code of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the authority contained in the Second Class Township Code, as amended, 53 P.S. §§ 65101 et seq. the Board of Supervisors of Brecknock Township enacted Ordinance No. 200-2014 on September 9, 2014, which set forth regulations for fires and open burning within the Township; and

WHEREAS, ordinance No. 200-2014 was codified within the Code of the Township of Brecknock, Part II entitled "General Legislation", Chapter 45, entitled "Burning, Open"; and

WHEREAS, the Board of Supervisors of Brecknock Township believes is in the best interests of the residents of Brecknock Township to amend the Code of the Township of Brecknock, Part II entitled "General Legislation", Chapter 45, entitled "Burning, Open", in order to prohibit the burning of yard waste and designated recyclables in all zoning ordinance of the Township.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of the Township of Brecknock, Lancaster County, Pennsylvania ("Township") as follows:

SECTION 1. The Code of the Township of Brecknock, Part II entitled "General Legislation", Chapter 45 entitled "Buring, open" Section 45-4 entitled "Definitions", is hereby amended to add the following terms and their definitions in alphabetical order:

DESIGNATED RECYCLABLE MATERIALS

Those recyclable materials designated from time to time per the Lancaster County Solid Waste Management Authority's ("LCSWMA") Rules and Regulations as recyclable materials.

YARD WASTE

All garden residues, leaves, shrubbery, tree trimmings, grass clippings, and sod.

SECTION 2. The Code of the Township of Brecknock, Part II entitled “General Legislation”, Chapter 45 entitled “Buring, open” Section 45-4 entitled “Definitions”, is hereby amended to delete the definition of “Woody Yard Waste”.

SECTION 3. The Code of the Township of Brecknock, Part II entitled “General Legislation”, Chapter 45 entitled “Buring, open” Section 45-5 entitled “Open fires”, is hereby amended in its entirety as follows:

§ 45-5 Open fires.

It shall be unlawful for any person to ignite, feed, maintain or permit the ignition, feeding or maintenance on his property of any open fire for the burning of any materials whatsoever except those specifically permitted by this Ordinance. The burning of yard waste and designated recyclable materials is prohibited in all zoning districts within the Township of Brecknock.

SECTION 4. The Code of the Township of Brecknock, Part II entitled “General Legislation”, Chapter 45 entitled “Buring, open” Section 45-6 entitled “Open burning of woody yard waste”, is hereby deleted in its entirety and shall be marked as reserved for future use.

SECTION 5. Any ordinance or part of an ordinance conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

SECTION 6. In the event that any provision, section, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Township of Brecknock that such remainder shall be and remain in force and effect.

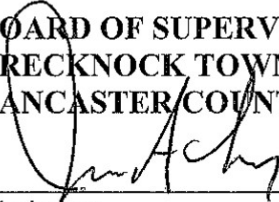
SECTION 7. The Code of Ordinances of the Township of Brecknock shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of such Code, upon adoption.

SECTION 8. This Ordinance shall become effective five (5) days after enactment, as provided by law.

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ENACTED AND ORDAINED as an Ordinance of Brecknock Township, Lancaster County, Pennsylvania, this 13 day of February, 2024.

**BOARD OF SUPERVISORS OF
BRECKNOCK TOWNSHIP,
LANCASTER COUNTY, PENNSYLVANIA**



Chairman




Vice Chairman



Member

ATTEST:



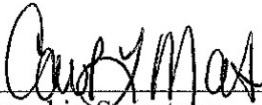
Secretary



CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2024 - 234 adopted by the Board of Supervisors of Brecknock Township, Lancaster County, Pennsylvania at a public meeting held on 2/13/24, 2024, pursuant to notice as required by law.

Dated: 2/13/2024



Township Secretary