

**EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 869**

**AN ORDINANCE OF THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 316 OF THE EXETER TOWNSHIP CODE OF ORDINANCES FOR THE PURPOSE OF DEFINING COMMUNITY ACTIVITIES, SETTING FORTH A MINIMUM FREQUENCY FOR THE COLLECTION OF RECYCLABLE MATERIALS AND ALLOWING FUTURE REGULATIONS TO ADOPTED BY RESOLUTION**

**WHEREAS**, Section 1601 of the Second Class Township Code, 53 P.S. § 66601, authorizes the Exeter Township Board of Supervisors (“Board”) to adopt, amend, repeal or revise existing ordinances;

**WHEREAS**, Part II, Chapter 316 of the Code of the Township of Exeter (“Code”) constitutes the Exeter Township Municipal Solid Waste Recycling Ordinance; and

**WHEREAS**, the Board deserves to add a definition for “Community Activities,” set forth a minimum frequency for the collection of recyclable materials and permit future regulations to be adopted by resolution.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Exeter, Berks County, Pennsylvania, as follows:

**SECTION 1.** Part II, Chapter 316, Section 25, Subsection C of the Code is hereby amended to add the following definition:

**COMMUNITY ACTIVITY**

Events sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, which include, but are not limited to, fairs, bazaars, socials, picnics and organized sporting events that will be attended by two hundred (200) or more individuals per day.

**SECTION 2.** Part II, Chapter 316, Section 28, Subsection H of the Code is hereby amended in its entirety as follows:

H. Establishment of regulations. The Township or its authorized agent shall establish and promulgate, by resolution, regulations on the manner, days, and time of collection of recyclable materials, and for the bundling, handling, location, and time of placement of such materials for collection. The Township shall, by resolution, adopt a resolution setting forth the scheduled days, as set forth by zone, of when separated recyclable materials are to be placed at the curb or similar location for collection, provided that such scheduled days shall occur at least once per month.

Regulations shall be promulgated for each of the programs undertaken, including but not limited to the residential, multifamily, and commercial sources of recyclable materials.

### **SECTION 3. REPEAL OF ORDINANCES**

Any ordinance or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed in so far as they are inconsistent with this Ordinance's provisions.

### **SECTION 4. SEVERABILITY**

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the within Ordinance. The Board of Supervisors of the Township of Exeter, Pennsylvania hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

### **SECTION 5. EFFECTIVE DATE**

This Ordinance shall become effective at the earliest date permitted by law.

### **SECTION 6. CODE OF ORDINANCES**

The Code of Ordinances of Exeter Township 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 the Code of Ordinances of Exeter Township upon enactment.

DULY ORDAINED and ENACTED as an Ordinance this 28<sup>th</sup> day of May, 2024.

BOARD OF SUPERVISORS OF  
EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA



Alan Bell  
Chairman

Clarence Hamm  
Vice Chairman

Michelle J. Kucher  
Member

[Signature]  
Member

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Member

ATTEST:

[Signature]  
Interim Township Manager

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 869 adopted by the Board of Supervisors of Exeter Township, Berks County, Pennsylvania at a regular meeting held on May 28, 2024, pursuant to notice as required by law.

Dated: 5/28/24

Michelle J. Kircher  
Exeter Township Secretary