



**CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 24\_\_-21**

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**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF  
CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY,  
PENNSYLVANIA AMENDING CHAPTER 161, GARBAGE,  
RUBBISH AND REFUSE, TO REQUIRE RECYCLING AT  
COMMUNITY ACTIVITIES AND EVENTS**

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**WHEREAS**, statewide recycling in Pennsylvania was established in 1988 with the passage of Act 101, the Municipal Waste Planning and Waste Reduction Act, which requires municipalities to recycle; and

**WHEREAS**, Act 101, as amended from time-to-time, provides guidance for grants to fund local collection programs, public education and outreach, processing and composting facilities, equipment acquisition, and technical training; and

**WHEREAS**, Cheltenham Township (“Township”) established a Recycling Program in 1990 for the mandatory separation and collection of designated recyclable municipal waste; and

**WHEREAS**, the Board of Commissioners seeks to strengthen and clarify the terms of Chapter 161, Garbage, Rubbish and Refuse, of the Township Code to meet the requirements of Act 101 which requires recycling at community activities.

**NOW, THEREFORE**, the Board of Commissioners of Cheltenham Township, in session duly assembled, hereby amends the Code of Cheltenham Township as follows:

**SECTION I. Amendment to the Code**

Section 161-13.E., is hereby amended to read as follows:

161-13.E. Commercial, institutional, and municipal recycling. Henceforth, commercial, institutional, and municipal establishments as well as community activities or events shall be required, at a minimum, to separate from other solid waste placed for collection the following recyclables:

- 1) High grade office paper
- 2) Aluminum cans
- 3) Corrugated paper
- 4) Leaf waste

**SECTION II. Disclaimer**

Nothing in this Ordinance shall limit, in any manner whatsoever, the Township's right to enforce any ordinance or law of Cheltenham Township, Montgomery County or Commonwealth of Pennsylvania.

Nothing in this Ordinance shall be a defense of any citation issued by any municipal corporation or the Commonwealth pursuant to any other law or ordinance.

**SECTION III. Severability**

The provisions of this Ordinance are severable, and if any Section, sentence, clause or phrase shall be held by a court of competent jurisdiction to be illegal, invalid, or unconstitutional, the remaining portions of this Ordinance shall not be affected or impaired thereby.

**SECTION IV. Repealer**

Any ordinance or part of any Ordinance conflicting with the provisions of this Ordinance shall be deemed and the same are hereby repealed to the extent of such conflict.

**SECTION V. Failure to Enforce Not a Waiver**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION VI. Effective Date**

This Ordinance shall take effect and be in force as soon after adoption as is permitted by law.

**DULY ORDAINED AND ENACTED** this 19<sup>th</sup> day of **May, 2021**, by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, in lawful session duly assembled.

**ATTEST:**

**TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS**

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**Robert A. Zienkowski**  
*Township Manager and Secretary*

By: \_\_\_\_\_  
**Daniel B. Norris, President**