

The Republican-Herald (Under act P.L. 877 No 160. July 9, 1976)  
Commonwealth of Pennsylvania, County of Schuylkill

CASS TOWNSHIP SUPERVISORS  
EVEYLN  
1209 VALLEY ROAD POTTSVILLE PA 17901

Account # 159972  
Order # 81152315  
Ad Price: 249.67

ORD:RECYCLING PROGRAM

Kathi Breslin

Being duly sworn according to law deposes and says that she is Billing clerk for The Republican-Herald, owner and publisher of The Republican-Herald, a newspaper of general circulation, established in 1884, published in the city of Pottsville, county and state aforesaid, and that the printed notice or publication hereto attached is exactly as printed in the regular editions of the said newspaper on the following dates:

02/20/2013

Affiant further deposes and says that neither the affiant nor The Republican-Herald is interested in the subject matter of the aforesaid notice or advertisement and that all allegations in the foregoing statement as time, place and character or publication are true Kathi Breslin

Sworn and subscribed to before me  
this 20th day of February A.D., 2013

Michele Andregic  
(Notary Public)

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Michele Andregic, Notary Public  
City of Pottsville, Schuylkill County  
My Commission Expires June 16, 2013

NOTICE OF INTENT TO  
ADOPT ORDINANCE

NOTICE IS HEREBY GIVEN that the Cass Township Board of Supervisors at their regularly scheduled meeting to begin at 6:30 p.m., on February 28, 2013, at the Cass Township Municipal Building, 1209 Valley Road, Cass Township, Schuylkill County, Pennsylvania, will consider to adopt and enact an ordinance establishing a municipal recycling program and fixing penalties for violation thereof.

A copy of the proposed ordinance is available for inspection by any citizen at the Cass Township Municipal Building located at 1209 Valley Road, Cass Township, Pennsylvania, Monday through Friday between 10:00am and 3:00pm; the Schuylkill County Law Library, Schuylkill County Courthouse, 401 North Second Street, Pottsville, Pennsylvania, on any Monday through Friday, between the hours of 8:30 a.m. and 4:30 p.m.; and the Republican & Herald, 111 Mahantongo Street, Pottsville, Pennsylvania, on any Monday through Friday between the hours of 9:00am and 5:00pm, prevailing time.

Persons with disabilities may request auxiliary aids and services by calling the Township offices, as applicable, within 48 hours of the hearing or meeting.

By order of:  
Board of Supervisors of  
Cass Township  
Schuylkill County, Pennsylvania  
Edward M. Brennan, Esquire  
Solicitor

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BY ORDER OF:

Board of Supervisors of Cass Township  
Schuylkill County, Pennsylvania

Edward M. Brennan, Esquire  
Solicitor

**CASS TOWNSHIP  
SCHUYLKILL COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2013-01**

**AN ORDINANCE OF THE TOWNSHIP OF CASS, A  
SECOND CLASS TOWNSHIP, IN THE COUNTY OF  
SCHUYLKILL AND COMMONWEALTH OF  
PENNSYLVANIA, ESTABLISHING A MUNICIPAL  
RECYCLING PROGRAM, AND FIXING PENALTIES FOR  
VIOLATION THEREOF**

The Board of Supervisors of Cass Township, Schuylkill County, Pennsylvania (the “Township”), hereby enacts and ordains as follows:

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended by Section 1 of the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. 66506, entitled “General Powers”, authorizes any board of township supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens.

NOW THEREFORE, it is hereby enacted and ordained by the Board of Supervisors of Cass Township, Schuylkill County, Pennsylvania, in accordance with the general powers permitted by the Second Class Township Code (53 P.S. 65101, et seq.) and the statutes noted above, as follows:

AND NOW, BE IT ENACTED AND ORDAINED that the Cass Township Code is amended to add Title VI, Chapter 10, to read as follows:

**Section 1001. Title**

This ordinance shall be known as the “Cass Township Recycling Ordinance”.

**Section 1002. Citation**

This ordinance may be cited as 6 Cass Code § 1001, et seq.

### **Section 1003. Scope**

The provisions of this Ordinance shall apply to all recycling within Cass Township.

### **Section 1004. Definitions**

The following words, terms and phrases when used in this Ordinance shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

DROP-OFF SITE – Any location or facility specifically designated by Cass Township as a place or site to which Recyclable Materials may be delivered.

NON-RECYCLABLE MATERIALS – Those materials which are specifically identified in Section 1006 of this Ordinance, as well as any and all materials which are not otherwise specifically identified as recyclable materials in Section 1005 of this Ordinance.

PERSON – Any individual, partnership, association, corporation, institution, cooperative enterprise, trust, municipal authority, federal government or agency, commonwealth institution or agency or any other legal entity whatsoever which is recognized by law as a subject of rights and duties. In any provision of this Ordinance prescribing a fine, imprisonment or penalty or any combination of the foregoing, the term “person” shall include the officers and directors of any corporation or any other legal entity having officers and directors.

RECYCLABLE MATERIALS – Those materials which are specifically identified in Section 1005 of this Ordinance.

## **Section 1005. Establishment of Recycling Program**

All persons who reside in Cass Township shall be permitted to dispose of recyclable materials from the waste generated at their properties at a designated drop-off site, as follows:

**Section 1005.1. Plastics.** Only the following materials may be deposited into the “Plastics” compartment of any recycling container at a designated drop-off site:

1. #1 PET plastic food and beverage bottles
2. #2 HDPE plastic milk and cider jugs
3. spring water and detergent jugs
4. #2 HDPE plastic toys cut into one foot (1’) sections or less

**Section 1005.2. Metals.** Only the following materials may be deposited into the “Metals” compartment of any recycling container at a designated drop-off site:

1. aluminum food and beverage cans
2. steel food and beverage cans
3. bi-metal food and beverage cans

**Section 1005.3. Glass.** Only the following materials may be deposited into the “Glass” compartment of any recycling container at a designated drop-off site:

1. clear glass food, beverage and liquor containers
2. green glass food, beverage and liquor containers
3. brown glass food, beverage and liquor containers

**Section 1005.4. Paper and Cardboard.** Only the following materials may be deposited into the “Paper and Cardboard” compartment of any recycling container at a designated drop-off site:

1. newsprint
2. phonebooks
3. magazines
4. catalogs
5. office paper
6. junk mail
7. boxes and paperboard (flattened)

**Section 1006. Prohibitions**

The deposit or disposal of any non-recyclable materials at a drop-off site by any person is strictly prohibited. Prohibited non-recyclable materials specifically include, but are not limited to, the following:

1. Styrofoam of any kind
2. tarps of any kind
3. inflatable pools
4. vinyl siding/soffit
5. plastic toys in greater than one foot (1') sections (see Section 1005.1)
6. televisions, computers, computer monitors and radios
7. electronics of any kind
8. paint
9. plastic bags

**Section 1007. Rules and Regulations**

The disposal of recyclable materials by property residents of Cass Township shall be made in compliance with any rules and regulations which may be adopted by the Board of Supervisors of Cass Township from time to time to carry out the intent and purpose of this Ordinance. Such rules and regulations shall be approved by resolution of the Board of Supervisors and, when so approved, shall be posted at the designated drop-off site(s), and shall thereafter have the same force and effect as the provisions of this Ordinance. Said rules and regulations may be amended, modified or repealed by resolution of the Board of Supervisors.

**Section 1008. Penalties**

Any person, partnership, corporation, bureau or utility, or the partners or officers thereof, who or which violates any of the provisions of this Chapter shall, upon conviction thereof in a summary proceeding or upon verdict in a civil enforcement proceeding, be sentenced to pay a fine in accordance with 1 Cass Code §107, Penalties.

**Section 1009. Construal of Provisions**

The terms and provisions of this Ordinance are to be liberally construed so as to best achieve and effectuate the goals and purposes hereof. This Ordinance shall be construed *in pari materia* with the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, as amended, 35 P.S. § 6018.101 et seq., the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 556, No. 101, 53 P.S. § 4000.101, et seq., and the rules and regulations adopted thereunder.

**Section 1010. Savings Clause**

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion other than the part or portion declared void or inoperable.

**Section 1011. Repealer**

Any ordinance, parts of ordinances, resolution or parts of resolutions conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance's provisions.

**Section 1012. Effective Date**

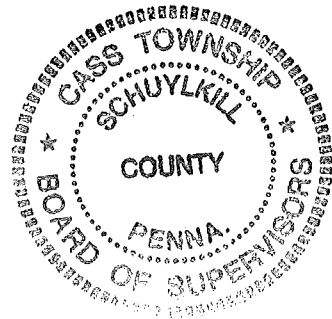
This Ordinance shall become effective five (5) days after the adoption hereof.

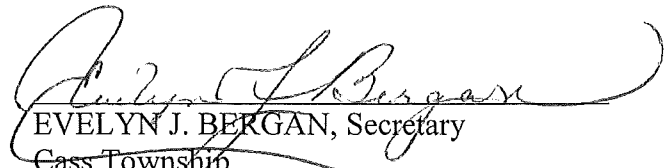
**IN RE: AN ORDINANCE OF THE TOWNSHIP OF CASS, A SECOND CLASS TOWNSHIP, IN THE COUNTY OF SCHUYLKILL AND COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A MUNICIPAL RECYCLING PROGRAM, AND FIXING PENALTIES FOR VIOLATION THEREOF**

**CERTIFICATION**

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Cass Township, Schuylkill County, Pennsylvania, on the 28th day of February, 2013.

TOWNSHIP SEAL




  
EVELYN J. BERGAN, Secretary  
Cass Township  
1209 Valley Road  
Pottsville, PA 17901  
Telephone No. (570) 544-5370

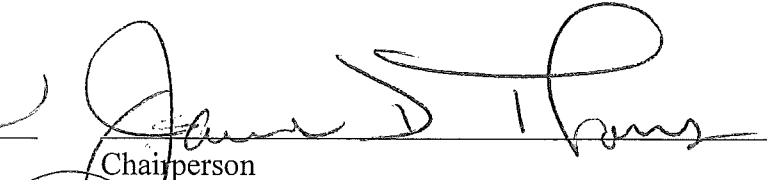


ORDAINED AND ENACTED by the Board of Supervisors of Cass Township,  
Schuylkill County, Pennsylvania, this 28 day of February, 2013.

ATTEST:

CASS TOWNSHIP BOARD OF  
SUPERVISORS, CASS TOWNSHIP,  
SCHUYLKILL COUNTY, PENNSYLVANIA

  
Secretary

  
Chairperson

(SEAL)

