

**BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 493 · 2024**

**ORDINANCE OF THE BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH OF LEESPORT ORDINANCE NO. 355, AS AMENDED, TO AMEND ARTICLE I ENTITLED “GENERAL”, SECTION 1 ENTITLED “DEFINITIONS” TO ADD NEW TERMS AND DEFINITIONS; TO AMEND ARTICLE II ENTITLED “STORAGE AND HANDLING OF RECYCLABLES”, SECTION 5 ENTITLED “DISPOSAL OF RECYCLABLES” IN ITS ENTIRETY TO REQUIRE DISPOSAL OF DESIGNATED RECYCLABLE MATERIALS AT A FREQUENCY OF NOT LESS THAN ONCE PER MONTH; TO AMEND ARTICLE II ENTITLED “STORAGE AND HANDLING OF RECYCLABLES”, SECTION 7 TO RENAME IT TO “SEPARATION AND COMPOSTING OF LEAF WASTE” AND REQUIRE THE SEPARATION AND COMPOSTING OF LEAF WASTE; AND TO AMEND ARTICLE II ENTITLED “STORAGE AND HANDLING OF RECYCLABLES TO ADD A NEW SECTION 8 TO BE ENTITLED “ALTERNATIVE DISPOSITION OF RECYCLABLE MATERIALS AND LEAF WASTE” TO PERMIT PUBLIC OR PRIVATE AGENCIES TO COLLECT DESIGNATED RECYCLABLE MATERIALS AND/OR LEAF WASTE FROM RESIDENTIAL DWELLINGS**

**WHEREAS**, the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended, provides for each municipality of the Commonwealth to have the power to adopt and implement programs for collection and recycling of municipal waste or source separated recyclable materials; and

**WHEREAS**, on March 18, 1992, Leesport Borough Council enacted Leesport Borough Ordinance Number 355 and thereby established a program for recyclable materials; and

**WHEREAS**, on November 19, 2014, Leesport Borough Council enacted Leesport Ordinance Number 454, and thereby amended Ordinance Number 355 to repeal the exemption for users of dumpster-type containers, to include industrial establishments in the recycling program, to approve private collection of recyclables, and to classify violations as summary offenses; and

**WHEREAS**, Leesport Borough Council believes it is in the best interests of the residents of Leesport Borough to further amend Ordinance Number 355 to provide regulations regarding the recycling of leaf waste and to clarify certain requirements of the recycling.

**BE IT ENACTED AND ORDAINED**, by the Borough Council of the Borough of Leesport, Berks County, Pennsylvania (“Borough”) as follows:

**SECTION 1.** Ordinance Number 355, as amended, Article I entitled “General”, Section 1 entitled “Definitions” is hereby amended to delete the definition of “Recyclables/Recyclable Materials”.

**SECTION 2.** Ordinance Number 355, as amended, Article I entitled “General”, Section 1 entitled “Definitions” is hereby amended to add the following terms and their definitions in alphabetical order:

Designated Recyclable Materials/Recyclables/Recyclable Materials - Source separated recyclable materials, including materials listed in Section 1501 of Act 101, and materials designated in Article II, Section 1 of this Ordinance for separation, collection, processing, recovery, or reuse as part of a recycling program.

Leaf Waste - Leaves from trees, bushes and other plants, garden residue, chipped shrubbery and tree trimmings but not including grass clippings.

**SECTION 3.** Ordinance Number 355, as amended, Article II entitled “Storage and Handling of Recyclables”, Section 5 entitled “Disposal of Recyclables” is amended in its entirety to read as follows:

Section 5. Disposal of recyclables. All designated recyclable materials shall be transported directly to an approved facility, without intervening transfer, unloading, processing, sorting, salvaging, scavenging, or reuse of any portion of any load. Collection and transportation to an approved facility shall occur at a frequency of not less than once per month.

**SECTION 4.** Ordinance Number 355, as amended, Article II entitled “Storage and Handling of Recyclables”, Section 7 entitled “Alternative Disposition of Recyclable Materials” is amended to be renamed to “Separation and Composting of Leaf Waste” which shall read in its entirety as follows:

Section 7. Separation and Composting of Leaf Waste. Leaf Waste shall be separated from Municipal Solid Waste by persons residing in Dwelling Units, and by Institutional, Municipal, and Commercial Establishments. Leaf Waste shall be disposed of at the Borough’s Leaf Waste drop-off location, as may be established or authorized by the Borough.

**SECTION 5.** Ordinance Number 355, as amended, Article II entitled “Storage and Handling of Recyclables”, is amended to add a new Section 8 to be entitled “Alternative Disposition of Recyclable Materials and Leaf Waste” which shall read in its entirety as follows:

Section 8. Alternative Disposition of Recyclable Materials and Leaf Waste. Nothing herein is intended to prohibit the Borough from authorizing public or private agencies to collect designated recyclable materials and/or leaf waste from residential dwellings. Any person may donate such designated recyclable materials from a residential dwelling to individuals or organizations approved by the Borough.

**SECTION 6.** Any ordinance or part of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance’s provision.

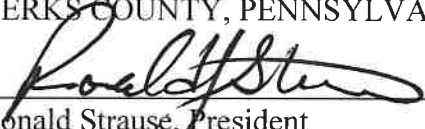
**SECTION 7.** If any sentence, clause, section or part of this Ordinance is for any reason found to

be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.


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

**ENACTED AND ORDAINED** this 16<sup>th</sup> day of October, 2024.

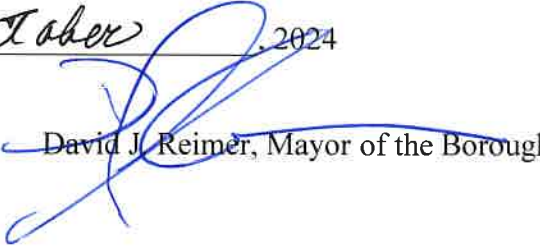
COUNCIL FOR THE  
BOROUGH OF LEESPORT,  
BERKS COUNTY, PENNSYLVANIA

  
\_\_\_\_\_  
Ronald Strause, President

ATTEST:

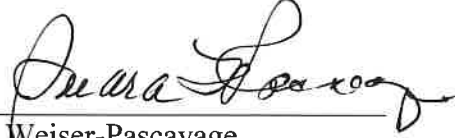
  
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Sandra Weiser-Pascavage, Borough Manager / Secretary

APPROVED this 16<sup>th</sup> day of October, 2024

  
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David J. Reimer, Mayor of the Borough

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 493-2024 adopted by the Council of the Borough of Leesport, Berks County, Pennsylvania at a public hearing following a regular meeting held on October 16, 2024, pursuant to notice as required by law.



Sandra Weiser-Pascavage  
Borough Manager / Secretary