

NOTICE

NOTICE IS HEREBY GIVEN that the Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania, intends to consider for adoption and to vote upon an enactment of the Ordinance summarized below at the regularly scheduled Chambersburg Town Council Meeting on March 23, 2026, at 7:00 p.m. at the Borough Office, 100 South 2nd Street Chambersburg, Pennsylvania 17201.

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE BOROUGH OF CHAMBERSBURG, FRANKLIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 150 REGULATIONS REGARDING FIRE PREVENTION AND CHAPTER 248 REGULATIONS REGARDING SOLID WASTE DISPOSAL AND RECYCLING REQUIREMENTS.

WHEREAS, Section 1202(5) of the Borough Code, 8 Pa. C.S. § 1202(5), authorizes the Borough of Chambersburg (the “Borough”) to make regulations as may be necessary for the health, morals, general welfare, cleanliness, beauty, convenience, comfort, and safety of the Borough; and

WHEREAS, Section 1203 of the Borough Code, 8 Pa. C.S. § 1203, authorizes the Borough to make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of the Commonwealth as may be expedient or necessary for the proper management, care and control of the Borough and the maintenance of safety and welfare of the Borough and its trade and commerce; and

WHEREAS, Act 101 of 1988, Municipal Waste Planning, Recycling, and Waste Reduction Act (53 P.S. § 4000.101 et seq.), outlines the requirements for municipal recycling programs which the Borough must implement; and

WHEREAS, on April 13, 2009, the Town Council for the Borough (“Town Council”) enacted Ordinance 2009-09, establishing certain requirements for its recycling programs, codified at Chapter 248, Section 248-2 of the Code; and

WHEREAS, on June 29, 2015, the Town Council enacted Ordinance 2015-06 adding the Borough requirements for green yard waste recycling, codified at Chapter 248, Section 248-2(H) of the Code of the Borough of Chambersburg (the “Code”); and

WHEREAS, on October 13, 2014, the Town Council enacted Ordinance 2014-12, and repealed the former Chapter 150, Article II, Section(s) 5 and 6 of the Fire Prevention Code, and added a new Section 5 adopting certain provisions of the International Fire Code; and

WHEREAS, the Fire Prevention Code currently prohibits all open burning and recreational fires, but permits the use of portable outdoor fireplaces used in accordance with manufacturer’s instructions; and

WHEREAS, the Borough Solicitor has reviewed Chapters 150 and 248 and Chapter of the Code and recommended to Town Council that certain amendments be made to make the regulations compliant with Act 101; and

WHEREAS, the Mayor and Town Council have determined it to be in the best interests of the residents of the Borough to amend certain provisions of Chapters 150 and 248 of the Code in the manner set forth below.

NOW THEREFORE, the following is enacted and ordained by the Mayor and Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania:

SECTION 1. Chapter 150, Section 150-5 of the Code of the Borough of Chambersburg, entitled subsection 307.3 “Portable Outdoor Fireplaces,” is hereby amended by adding a new subsection 307.3.3:

307.3.3 The burning of refuse, recyclables, and leaf waste in portable outdoor fireplaces is prohibited in the Borough of Chambersburg.

SECTION 2. Chapter 248, Section 248-1 of the Code of the Borough of Chambersburg, entitled “Definitions,” the definition of “Community Activities” is hereby amended to read as follows:

Community Activities: Community activities shall mean those properties that are sponsored by public or private agencies or individuals that include but are not limited to fairs, bazaars, socials, picnics, and organized events attended by 200 or more individuals per day. Examples include Chamberfest, AppleFest, Icefest, Cinco de Mayo, 4th of July celebration, parades, etc.

SECTION 3. Chapter 248, Section 248-2 of the Code of the Borough of Chambersburg, entitled “Administration” subsection E is hereby amended to read as follows:

E. All residences, commercial, municipal, institutional establishments, and community activities shall separate recyclables and leaf waste from refuse for the purpose of recycling and composting materials as required by this chapter.

SECTION 4. Chapter 248, Section 248-2 of the Code of the Borough of Chambersburg, entitled “Administration” subsection G is hereby amended to read as follows:

G. Recyclable material for household units, apartments (even if one person is billed rather than the individual occupants), and other residential establishments shall be aluminum, steel and bimetallic cans, clear glass, colored glass, and leaf waste. Residents must separate these materials from all other municipal waste generated at their homes, apartments, and other residential establishments, and store such materials until collection; leaf waste shall be kept separate from all other municipal waste until collection, unless the property owner or resident has otherwise provided for the composting of leaf waste. The Borough also

requires the separation of aluminum, clear glass, colored glass, corrugated paper, high-grade office paper, leaf waste, and steel and bimetallic cans generated at commercial, municipal, or institutional establishments, and from community activities; persons of such establishments or community activity organizers are responsible for the storage of recyclable materials until collection. However, the Borough shall exempt certain establishments within its boundaries from the requirements of this Ordinance if those establishments have otherwise provided for the recycling of materials they are required to recycle. To be eligible for this exemption, such establishment shall annually provide the Borough with written documentation from the commercial or institutional solid waste generator of the total number of tons recycled by the establishment. The recyclable materials designated in this Chapter are subject to change by resolution of the Borough Council.

SECTION 5. Chapter 248, Section 248-2 of the Code of the Borough of Chambersburg, entitled “Administration” subsection H(1) is hereby amended to read as follows:

- (1) Leaf waste, yard waste, woody waste, organic waste or similar waste material, as defined by state law, may be disposed at the Chambersburg Green Yard Waste Recycling Facility at the 491 West Commerce Street facility established by the Borough. Pursuant to Act 101 of 1988 (codified at 53 P.S. § 4000.101 *et seq.*), “leaf waste” is defined as leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings.

SECTION 6. Chapter 248, Section 248-2 of the Code of the Borough of Chambersburg, entitled “Administration” subsection I is hereby amended to read as follows:

- I. The sponsor of a community activity is responsible for obtaining recycling containers from the Borough’s Sanitation Department. At a minimum, the organizers of the community activity shall provide for the separation, storage, and collection of high-grade office paper, aluminum, corrugated paper, and leaf waste at such an event. At the end of the community activity, the sponsor of the activity shall properly store the recyclables until collection by the Sanitation Department or its assigned persons.

SECTION 7. Chapter 248, Section 248-4 of the Code of the Borough of Chambersburg, entitled “Collection Practices” subsection A is hereby amended to read as follows:

- A. Frequency of collection. Refuse will be collected at least once each week from household units. Collection of refuse from commercial accounts shall be by mutual agreement between the owner and collector. Recyclable material shall be collected at least once a month from homes, apartment units, and commercial, municipal, and institutional establishments.

SECTION 8. Repealer. All provisions of the previous ordinances of the Borough of Chambersburg, which are contrary to this Ordinance, are expressly repealed.

SECTION 9. Savings Clause. In all other respects, the ordinances of the Borough of Chambersburg shall remain as previously enacted and ordained.

SECTION 10. Severability. The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

SECTION 11. Effective Date. This Ordinance shall become effective upon adoption.

ENACTED, ORDAINED, AND APPROVED this _____ day of _____, 2026.

William Everly,
President of Town Council

ATTEST:

Secretary of Town Council

Kenneth Hock, Mayor