

ORDINANCE NO. 1-1997

SHENANGO TOWNSHIP, LAWRENCE COUNTY,
PENNSYLVANIA

CONSOLIDATION AMENDMENT TO EXISTING ORDINANCES
FOR THE IMPOSITION OF CRIMINAL PENALTIES UNDER
SECTION 1601 of ACT No. 1996-172

WHEREAS the Pennsylvania Legislature enacted Act No. 1996-172, which provides in Section 1601(C.1(2) that the board of supervisors may prescribe fines not exceeding \$1,000.00 dollars for a violation of a building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution; and

WHEREAS said section 1601(C.1(2) further provides that any person who violates such township ordinances may be found liable therefor in a criminal enforcement proceeding commenced by the township before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure; and that the township solicitor may assume charge of the prosecution without consent of the District Attorney as required under Pa. R.Crim.P. No. 83(c) relating to trial in summary cases; and

WHEREAS the supervisors intend to consolidate the imposition of criminal penalties for all such previously enacted ordinances and to make the enforcement thereof criminal in nature,

returning such existing ordinances from civil violations to summary offenses; and

WHEREAS pursuant to Section 1601(d) of said Act, the township has advertised notice of the proposed adoption of this Consolidation Amendment by listing in the notice the titles of each of the ordinances so amended.

BE IT ENACTED AND ORDAINED by the Supervisors of Shenango Township, Lawrence County, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION 1. The following previously enacted ordinances are hereby being amended:

Ordinance No. 2-1958	The Shenango Township Anti-Nuisance Act
Ordinance No. 3-1960	Garbage Permits/Violations
Ordinance No. 1966-1	Shenango Township Junkyard and Refuse Ordinance
Ordinance No. 8-1986	Fire Prevention Code Ordinance
Ordinance No. 1975-1	Dog Ordinance
Ordinance No. 1-1988	Shenango Township Anti-Litter Ordinance
Ordinance No. 5-1986	Shenango Township Dangerous Buildings Ordinance
Ordinance No. 6-1986	Noise Control Ordinance

Ordinance No. 1-1987

Fire Prevention Code of the
Township of Shenango

Ordinance No. 3-1995

Defining Lewd Materials

Ordinance No. 3-1989

Nuisance Ordinance

Ordinance

December 14, 1989 Amendment
to Zoning Ordinance of
Shenango Township of 5/27/67

SECTION 2. Any person who violates or permits the violation of any of the ordinances identified in Section 1 hereof shall upon being found liable therefore in a summary criminal enforcement proceeding commenced by the township, pay the fine set by the township in said ordinance, plus all court costs, incurred by township in the enforcement of said ordinance. The penalties imposed in said Ordinances shall be deemed to be criminal and not civil violations, and imprisonment shall be imposed to the extent allowed by law for the punishment of summary offenses.

SECTION 3. The Consolidation Amendment enacted on May ____, 1996, for the imposition of civil penalties is hereby repealed.

SECTION 4. Instead, criminal penalties applicable to the violation of each said Ordinance are hereby established as set forth in Section 2 hereof.

SECTION 5. A separate offense shall arise for each day or portion

thereof in which a violation is found to exist or for each section of the ordinance which is found to have been violated.

SECTION 6. All fines and penalties collected for the violation of any township ordinance shall be paid to the township treasurer.

SECTION 7. The code enforcement officer of the township and/or the supervisors shall initiate enforcement proceedings as required to achieve compliance with each said Ordinance.

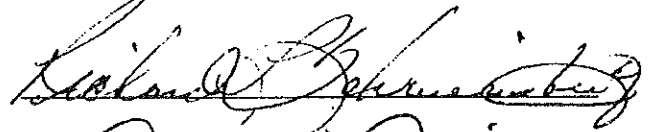
SECTION 8. Except as provided herein, all other provisions of said Ordinances shall remain in force.

SECTION 9. SEVERABILITY. 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 as the intent of the Board of Supervisors of the Township, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after its adoption.

ENACTED AND ORDAINED into an Ordinance this ____ day of _____, 1997, by the Supervisors of Shenango Township, Lawrence County, in lawful session duly assembled.

SUPERVISORS OF SHENANGO TOWNSHIP


Andrew Piccetta

CERTIFICATION OF ADOPTION

I hereby certify the foregoing to be an exact copy
of an Ordinance adopted by the Supervisors of Shenango Township,
Lawrence County, Pennsylvania, at a regular meeting of the
Board on the _____ day of _____, 1997.

Brian D. Tamm
Secretary