

ORDINANCE NO. 97-3 , 1997

AN ORDINANCE OF THE TOWNSHIP OF WEST CALN, CHESTER COUNTY, PENNSYLVANIA AMENDING THE PENALTY PROVISIONS OF CERTAIN ORDINANCES THE TOWNSHIP IN COMPLIANCE WITH ACT 172 OF 1996.

WHEREAS, the Township of West Caln in compliance with Act 60 of 1995 enacted Ordinance No. 96-2 that amended the Criminal Penalty Provisions of all Township Ordinance by imposing Civil Fines instead of Criminal Penalties; and

WHEREAS, after enactment of Ordinance No. 96-2, the Pennsylvania Legislature in Act 172 adopted legislation that created both criminal and civil enforcement proceedings and provided for mandatory criminal enforcement for ordinances regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution violations.

WHEREAS, Act 172 automatically applies to all Ordinances enacted prior to May 7, 1996.

WHEREAS, West Caln Township desires Act 172 to apply to all of it Ordinances including all Ordinances enacted after May 7, 1996.

NOW THEREFORE BE IT ORDAINED AND IT IS HEREBY ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF WEST CALN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, THAT:

1. All ordinances enacted after May 7, 1996, and prior to the date of this ordinance and regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution are hereby amended and shall be enforced as summary offenses under the Pennsylvania Rules of Criminal Procedure, pursuant to the mandate of Act 172 of 1996.

2. **Severability** - If any sentence, clause or portion of this ordinance is found for any reason to be unconstitutional, illegal or invalid, such unconstitutionally, illegality or invalidity shall not affect or impair the remaining provisions hereof.

3. Effective Date - Approved by the Board of Supervisors and enacted and ordained into an Ordinance this _____ day of _____, 1997. Except as expressly modified by this Ordinance, all Township Ordinances shall remain unmodified and in full force and effect.

THE BOARD OF SUPERVISORS
OF WEST CALN TOWNSHIP

ATTEST
Suzanne Kley

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