

AN ORDINANCE OF THE TOWNSHIP OF WEST CALN, CHESTER COUNTY, PENNSYLVANIA AMENDING THE PENALTY PROVISIONS OF ALL ORDINANCES OF THE TOWNSHIP CONTAINING REFERENCES TO CRIMINALITY, SUMMARY VIOLATIONS, MISDEMEANORS, ARRESTS, AND CRIMINAL PENALTIES

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

Section 1. Deletion of References to Criminality; Civil Penalties and Actions

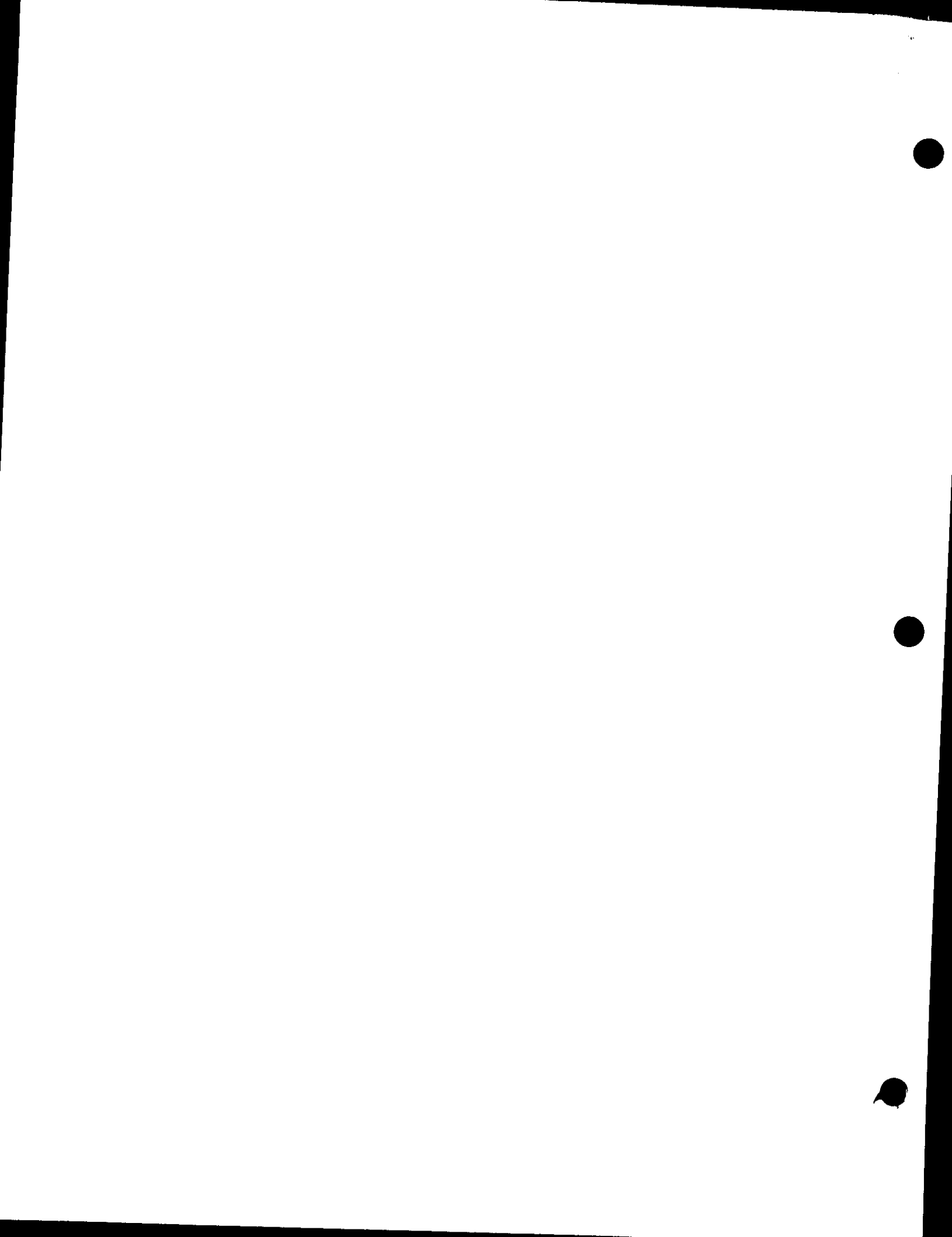
A. All Ordinances of West Caln Township containing references to criminality, summary violations, misdemeanors, arrests and/or criminal penalties are hereby amended to repeal all references to criminal actions, criminality and criminal fines.

B. All Ordinances of West Caln Township containing references to criminal penalties or actions are hereby deemed to be references to civil penalties and actions and all violations are deemed to be civil violations.

Section 2. Civil Fines Imposed

A. Any person who violates or permits the violation of the following Township Ordinances as amended to date as amended to date shall, upon being found liable therefor in a civil enforcement proceeding shall pay a fine of not exceeding six hundred dollars (\$600.00), plus court costs and reasonable attorneys fees. Each violation shall constitute a separate offense. Each day that a violation continues shall constitute a separate offense:

<u>Ordinance Number or Date</u>	<u>Subject Matter of Ordinance</u>
4	Real Estate Transfer Tax
5	Disorderly Conduct
7	House Trailer Tax
13	Mobile Homes
15	Trailers
16	Installation of Facilities and Alteration of Rights-of-Way
17	Curfew Ordinance
19	Junkyards
21	Land Development and Subdivision
23	Opening or Cutting of Streets



24
 August 7, 1978
 28
 29

 86-2
 1-87
 2-93

 1-94
 3-95
 July 11, 1983
 September 9, 1978

Mobile Home Parks
 Speed Limits
 Speed Limits
 Restricted Use of Certain Public
 Highways
 Off street Parking
 Loitering
 Affixing and Maintaining Street
 Address Numbers
 Junkyards
 Alarm Devices
 Subdivision and Land Development
 Zoning

B. Any person who violates or permits the violation of the following Township Ordinances shall, upon being found liable therefor in a civil enforcement proceeding shall pay a fine not exceeding One Thousand Dollars (\$1,000.00) plus court costs and reasonable attorneys fees. Each separate violation shall constitute a separate offense. Each day that a violation continues shall constitute a separate offense.

Ordinance Number or Date

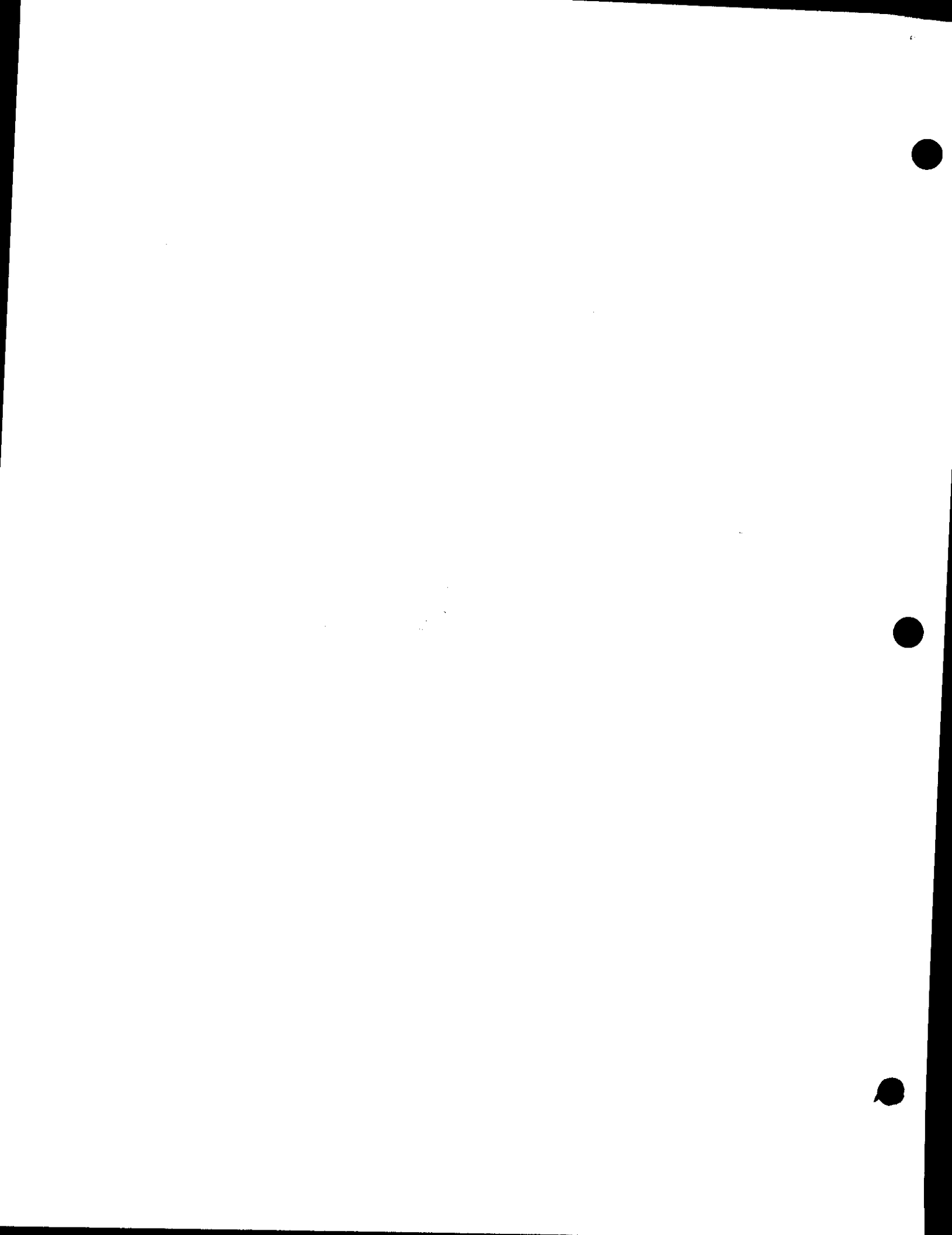
Subject Matter of Ordinance

8
 9
 10
 11
 14
 22
 December 13, 1982
 83-3
 89-1
 4-95

Building Code
 Sewage
 Objectionable Establishments
 Township Dump
 Dogs
 Fire Prevention Code
 Waste Disposal
 Building Code
 Building Code
 Fire Prevention Code

Section 3. Enforcement

A. Authorized Persons. The police officer or Township code enforcement officer, as applicable shall determine in each instance whether a violation of a Township Ordinance has occurred or is occurring. Upon determining that a violation has occurred, the officer shall proceed in accordance with the enforcement provisions of the relevant ordinance. All references to criminal enforcement proceedings shall be construed to be references to civil enforcement proceedings. All references to proceedings before the Justice of the Peace or District Justice shall be deemed to be references to civil enforcement proceedings before the appropriate judicial authority, including the District Justice and higher courts such as, but not necessarily limited to, the Court of Common Pleas of Chester County.



B. The police officer or code enforcement officer of the Township shall initiate enforcement proceedings as required to achieve compliance with each Ordinance of West Caln Township.

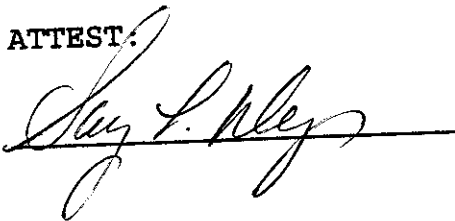
Section 4. Severability

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.

Section 5. Effective Date

Approved by the Board of Supervisors and enacted and ordained into an Ordinance this *10TH* day of *June*, 1996. Except as expressly modified by this Ordinance, all Township Ordinances shall remain unmodified and in full force and effect.

ATTEST:



THE BOARD OF SUPERVISORS
OF WEST CALN TOWNSHIP

