

ORDINANCE NO. 96 - /

AN ORDINANCE OF PENN FOREST TOWNSHIP AMENDING PREVIOUSLY ENACTED ORDINANCES OF PENN FOREST TOWNSHIP TO PROVIDE FOR THEIR ENFORCEMENT BY A CIVIL ENFORCEMENT PROCEEDING; AND PRESCRIBING FINES FOR VIOLATION.

The Board of Supervisors of Penn Forest Township hereby ordains:

**Section 1. Definitions.**

- a. "Ordinance" shall mean any ordinance of Penn Forest Township enacted prior to the effective date of this Ordinance and not repealed on the effective date of this Ordinance; except, the Penn Forest Township Zoning Ordinance of 1991, as amended, and the Penn Forest Township Subdivision and Land Development Ordinance, as amended.
- b. "Person" shall mean any individual, partnership, association, firm, entity, or corporation.

**Section 2. Enforcement of Ordinances by Civil Enforcement Proceeding.** Any person who violates or permits the violation of an Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by Penn Forest Township, or its duly authorized officer (s) or agent (s), pay the fines hereinafter stated plus all court costs, including reasonable attorney fees, incurred by Penn Forest Township. This method of enforcement, shall be in addition to all other methods of enforcement permitted by the ordinance; and any other appropriate legal or equitable remedies.

**Section 3. Fines.** Any person violating any provision of a building, housing, property maintenance, health, fire or public safety code ordinance or for water, air, and noise pollution violations, upon being found liable therefore in a civil enforcement proceeding, shall pay a fine not exceeding \$1,000.00. Any person violating any provision of any other ordinance, upon being found liable therefore in a civil enforcement proceeding shall pay a fine not exceeding \$600.00. In addition to said fine, any person violating any provision of any ordinance, upon being found liable therefore, shall pay all court costs, including reasonable attorney fees, incurred by the Penn Forest Township. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.


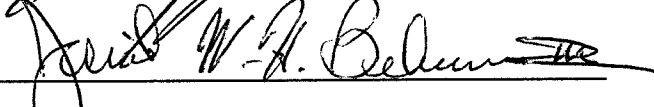
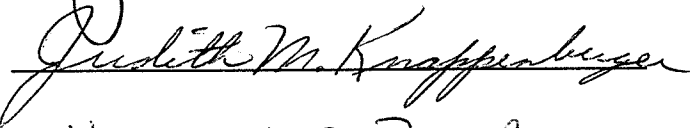

**Section 4. Severability.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this

Ordinance. It is hereby declared as the intent of the Board of Supervisors of Penn Forest Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

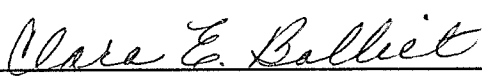
**Section 5. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**Section 6. Effective Date.** This Ordinance shall become effective on the earliest date permitted by law.

**PENN FOREST TOWNSHIP SUPERVISORS**

  
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Kenneth R. Bond  
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**ATTEST:**

  
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**SECRETARY**