

**BOARD OF SUPERVISORS**  
SCHUYLKILL TOWNSHIP, SCHUYLKILL COUNTY, PA.  
MUNICIPAL BUILDING — P.O. BOX 405  
MARY-D, PENNSYLVANIA 17952

**RESOLUTION NO 97- 1**

THIS RESOLUTION, APPROVED AND ADOPTED BY THE SUPERVISORS OF SCHUYLKILL TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA, ON THIS DATE HEREINAFTER SET FORTH.

**WITNESSETH:**

WHEREAS, WE THE BOARD OF SUPERVISORS OF SCHUYLKILL TOWNSHIP HEREBY RESOLVE, APPROVE, AND ADOPT MARY - D FIRE COMPANY MARY D., PA 17952 TO APPLY FOR A GRANT.

NOW, THEREFORE, WE THE UNDERSIGNED SUPERVISORS OF SCHUYLKILL TOWNSHIP, DO HEREBY APPROVE, AND ADOPT THIS RESOLUTION.

**DATE: AUGUST 6, 1997**

**ATTEST:**

*Mary E. Bubel*  
**SECRETARY**

MARY E. BUBEL

**CHAIRMAN**

FRANK THOMPSON

*Frank Thompson*

**VICECHAIRMAN**

MARY JANE BASSLER

*Mary Jane Bassler*

**SUPERVISOR**

JOSEPH BORAN

*Joseph Boran*

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## ORDINANCE NO. 1997 - 1

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AN ORDINANCE OF SCHUYLKILL TOWNSHIP, SCHUYLKILL COUNTY, PENNSYLVANIA, KNOWN AS THE CRIMINAL AND CIVIL ENFORCEMENT PROCEDURE ORDINANCE, CHANGING THE ENFORCEMENT OF AND PENALTIES FOR VARIOUS ORDINANCES IN SCHUYLKILL TOWNSHIP FROM CIVIL TO CRIMINAL; ESTABLISHING A PROCEDURE FOR FILING AND ESTABLISHING FINES AND PENALTIES FOR VARIOUS ORDINANCE VIOLATIONS.

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WHEREAS, Act 172 of 1996 was enacted into law on December 18, 1996 and became effective on February 16, 1997; and

WHEREAS, said Act amended Section 1601 of the Second Class Township Code to provide for both criminal and civil enforcement proceedings, depending on the subject matter of the township ordinance.

NOW, THEREFORE, it is hereby ORDAINED and ENACTED by the Supervisors of Schuylkill Township as follows:

**SECTION 1:** This Ordinance shall be known as the Criminal and Civil Enforcement Procedure Ordinance of Schuylkill Township and shall govern the imposition of fines and/or criminal penalties for violation of the Township Ordinances hereinafter set forth.

**SECTION 2:** Ordinance 1996 - 2 is hereby repealed in its entirety.

**SECTION 3:** All Township ordinances enacted prior to the date of this ordinance which regulate 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.

**SECTION 4:** The maximum fine for violations of Township Ordinances regulating the subject matter and activities mentioned in Section 3 shall be One-Thousand Dollars (\$1,000.00), payable to the Township treasurer and/or imprisonment for a period of not more than thirty (30) days or both.

**SECTION 5:** For a person who is not in compliance, each continuing day of violation or non-compliance with any ordinance regulating the subject matter and activities mentioned in Section 3, after the first day of violation, shall be a separate offense for which the enforcement officer may seek separate fines and/or terms of imprisonment in the same or separate proceedings.

**SECTION 6:** All other Township Ordinances which do not regulate the subject matter and activities mentioned in Section 3 shall be enforced by Civil Procedure with fine of not less than One-Hundred Dollars (\$100.00) and not more than Six-Hundred Dollars (\$600.00).

**SECTION 7:** In each action the enforcement officer shall include attorney fees and court costs until a judgment is entered, and the court shall enter the Township's legal fees and court costs in the judgment entered. (See 53 P.S. § 66601 (c)).

**SECTION 8:** The amounts of fines as set forth in the complaint shall be determinative upon the trier of facts, including District Justice and the Court of Common Pleas on appeal, provided that the complaint correctly sets forth the

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fine determined in the ordinance or subsequent ordinances of Schuylkill Township.

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**SECTION 9:** No judgment may be imposed under this ordinance until the determination of the District Justice, or if the District Justice determination is appealed, by the Court of Common Pleas.

**SECTION 10:** If the defendant fails to pay a final judgment or timely appeals the fine, costs or attorney fees, Schuylkill Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure.

ORDAINED and ENACTED into an Ordinance this 16<sup>th</sup> day of February, 1996.

SCHUYLKILL TOWNSHIP SUPERVISORS

*Ann Marie Thompson*

*Joseph Down*

*M. J. [Signature]*

ATTEST:

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*Mary E. Buebel*