

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 4 - 2019

AN ORDINANCE OF THE TOWNSHIP OF WEST GOSHEN, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 53 OF THE WEST GOSHEN TOWNSHIP CODE, ENTITLED "NUISANCES" TO REPLACE AND AMEND THE VIOLATION AND ENFORCEMENT PROVISIONS TO PROVIDE FOR CRIMINAL ENFORCEMENT AND CRIMINAL PENALTIES AS REQUIRED BY THE SECOND CLASS TOWNSHIP CODE, 53 P.S. §65101 *ET SEQ.*

BE IT ENACTED AND ORDAINED by the Board of Supervisors of West Goshen Township that Chapter 53 of the West Goshen Township Code, titled, "Nuisances", shall be amended as follows:

SECTION 1. Section 53-3. shall be amended and revised to read as follows:

"53-3. Violation and enforcement provisions.

Any person who violates or permits the violation of any provisions of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000, plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines and penalties collected for the violation of this chapter shall be paid to the Township Treasurer."

SECTION 2. 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 hereof. It is hereby declared as the intent of the Board of Supervisors of West Goshen 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 3. Repealer. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4. Effective Date. This Ordinance shall be effective five (5) days following enactment as by law provided.

ENACTED AND ORDAINED this 19th day of March, 2019.

ATTEST:

**BOARD OF SUPERVISORS
WEST GOSHEN TOWNSHIP**

Casey LaLonde, Secretary

BY: _____
Robin Stuntebeck, Chair

Hugh J. Purnell, Jr., Vice-Chair

Mary R. LaSota, Esq., Member

Edward G. Meakim, Jr., Member

Christopher Pielli, Esq., Member