

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF EAST NORRITON TOWNSHIP AMENDING THE CODE OF THE TOWNSHIP OF EAST NORRITON, BY CREATING CHAPTER 163 "SHOPPING CARTS" RELATIVE TO SHOPPING CARTS BEING MAINTAINED IN A DESIGNATED AREA, IF OUTDOORS, AND OTHERWISE INSIDE THE PROPRIETORS' PLACE OF BUSINESS.

SECTION I. AMENDMENT OF THE CODE.

Chapter 163 "Shopping Carts" is hereby created as follows:

**A. Definitions:**

Person – Any person or persons, male or female, corporation, partnership, association, company, individual, owner, occupant, lessee or any agency, organization or other entity recognized by law as the subjects of rights and duties.

**B. Location:** It shall be unlawful, a nuisance, and adverse to the public health, safety and welfare for any business owner that provides shopping carts for its customers to permit shopping carts anywhere on the property other than in a designated enclosed area.

**C. Violations:** Any person that has on its property or elsewhere (not on its property) five or more shopping carts not in the designated enclosed area shall be in violation of this Chapter.

**D. Penalties:** Any person who violates any provision of this Chapter shall be sentenced as follows:

(i) For the first offense, a written warning shall be issued by the Chief of Police or the Fire Marshal.

(ii) For the second offense, a written warning shall be issued by the Chief of Police or the Fire Marshal.

(iii) For the third offense and upon being judged guilty thereof in any proceeding brought by virtue hereof before the District Justice, the person shall be guilty of a summary offense, punishable by fine if not more than \$1,000.00 per offense, or by imprisonment not to exceed thirty (30) days, or both. Each day a violation continues shall be deemed a separate offense.

E. Offenses shall be accumulated on a moving 12-month basis. Any offense more than one year old shall not be considered in determining whether an offense is a first or subsequent offense.

**SECTION II. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions shall be separate, distinct and independent, and such holding shall not effect the validity of the remaining portions of this Ordinance.

**SECTION III. RATIFICATION.**

This Ordinance shall in no other way affect, amend or modify the Zoning Ordinance contained in Chapter 205 of the Code of East Norriton Township.

**SECTION IV. FAILURE TO ENFORCE NOT A WAIVER.**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**ENACTED AND ORDAINED** by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 17th day of April, 2000.

Attest:

**BOARD OF SUPERVISORS  
EAST NORRITON TOWNSHIP**

Helmut J. K. ...  
Secretary

By:

La. B. ...  
Chairman

