

ORDINANCE NO. 195

AN ORDINANCE OF THE TOWNSHIP OF EAST NORRITON, MONTGOMERY COUNTY, PENNSYLVANIA, MAKING IT UNLAWFUL FOR ANY PERSON TO CONNECT WITH ANY PART OF THE CABLE TELEVISION SYSTEM OF ANY PROVIDER OF CABLE TELEVISION SERVICES FRANCHISED BY THE TOWNSHIP OF EAST NORRITON WITHOUT PAYMENT TO THE FRANCHISEE OF THE SCHEDULED RATE OF CHARGES, MAKING IT UNLAWFUL FOR ANY PERSON TO IN ANY WAY TAMPER OR INTERFERE WITH ANY TYPE OF EQUIPMENT USED FOR THE DISTRIBUTION OF ELECTRONIC SIGNALS TRANSMITTED OVER THE CABLE TELEVISION SYSTEM OF ANY DULY AUTHORIZED FRANCHISEE OF THE TOWNSHIP OF EAST NORRITON, AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Norriton, Montgomery County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

SECTION I. Definitions. For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. Cable Television System. A system of coaxial cables, microwave links, television origination facilities, a control terminal, remote transmitter-receivers that connect to ancillary devices, and other electrical conductors and equipment used or to be used primarily to receive television, digital or radio signals directly or indirectly by cable, microwave or of the air and to transmit the signals to subscribers, or from subscribers to the control terminal with relay capabilities to remote receiving points.

2. Franchise. Includes any authorization granted by the Township of East Norriton in terms of a franchise privilege, permit, license or otherwise to construct, or have constructed, operate, maintain and provide a cable television service to the citizens of the Township of East Norriton.

3. Person. Any person, firm, partnership, association, corporation or organization of any kind.

SECTION II. Prohibitions.

1. It shall be unlawful for any person to receive or to make or allow to be made to that person's property any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise with any part of the cable television system of any provider of cable television services franchised by the Township of East Norriton for the purpose of that person enabling himself or others to receive and/or relay television signals, radio signals, pictures, programs, sounds or any other information

or intelligence transmitted over the cable television system of the authorized franchisee without payment to the franchisee of the scheduled rate of charges established from time to time for the various services being supplied through the cable television system to the citizens of East Norriton Township.

2. It shall be unlawful for any persons, without the consent of the owner or authorized franchisee, to willfully tamper with, remove, or injure any cable wires or other equipment used for the distribution of television signals, radio signals, pictures, programs, sounds or any other information or intelligence transmitted and/or received over the cable television system of any duly authorized franchisee of the Township of East Norriton.

SECTION III. Penalties.

Violation - Any violation of this Ordinance shall constitute a summary offense punishable by a fine of not more than \$300.00 and not less than \$50.00 or imprisonment not to exceed thirty (30) days, or both, for any person violating any provisions of this Ordinance.

SECTION IV. Severability. The provisions of this Ordinance are severable. If any Section, sentence, clause or phrase of this Ordinance shall be held illegal, invalid, unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses or phrases of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of East Norriton Township that this Ordinance would have been adopted had such invalid or unconstitutional Section, sentence, clause or phrase not been included herein. Furthermore, it is the intent of this Ordinance to be supplementary to and not contrary to any laws of the Commonwealth of Pennsylvania or regulations of any of its executive agencies.

SECTION V. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION VI. Effective Date. This Ordinance shall take effect and be in force from and after its approval as provided by law.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Norriton, Montgomery County, Pennsylvania this 19th day of December, 1983.

BOARD OF SUPERVISORS
TOWNSHIP OF EAST NORRITON

Attest:


Secretary

By:


Chairman