

AN ORDINANCE TO APPROVE, ADOPT AND ENACT AN ORDINANCE CODIFICATION OF A COMPLETE BODY OF LEGISLATION FOR THE TOWNSHIP OF EAST NORRITON, COUNTY OF MONTGOMERY COMMONWEALTH OF PENNSYLVANIA; TO PROVIDE FOR THE REPEAL OF CERTAIN LEGISLATION NOT INCLUDED THEREIN; TO SAVE FROM REPEAL CERTAIN OTHER LEGISLATION NOT INCLUDED THEREIN; AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE CODE OR CHAPTERS THEREOF

ARTICLE I
Adoption of Code

Be it enacted and ordained by the Board of Supervisors of the Township of East Norriton, County of Montgomery, Commonwealth of Pennsylvania, and it is enacted and ordained as follows:

§ 1-1. Approval, adoption and enactment of Code.

Pursuant to Section 702, Clause XLI.1 (53 P.S. § 65741.1) of the Second Class Township Code, the codification of a complete body of ordinances for the Township of East Norriton, County of Montgomery, Commonwealth of Pennsylvania, as revised, codified and consolidated into titles, chapters and sections by general Code Publishers Corp. and consisting of Chapters 1 through 206, together with an Appendix, are hereby approved, adopted, ordained and enacted as a single ordinance of the Township of East Norriton, which shall be known and is hereby designated as the "Code of the Township of East Norriton," hereinafter referred to as the "Code."

§ 1-2. Effect of Code on previous provisions.

The provisions of this Code, insofar as they are substantively the same as those of ordinances in force immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Board of Supervisors of the Township of East Norriton, and it is the intention of said Board of Supervisors that each such provision contained within the Code is hereby reenacted and reaffirmed as it appears in said Code. Only such provisions of former ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below, and only new or changed provisions, as described in § 1-6 below, shall be deemed to be enacted from the effective date of this Code, as provided in § 1-15 below.

§ 1-3. Repeal of ordinances not contained in code.

All ordinances or parts of ordinances of a general and permanent nature adopted by the Township of East Norriton and in force on the date of the adoption of this Code and not contained in the Code are hereby repealed as of the effective date given in § 1-15 below, except as hereinafter provided.

§ 1-4. Ordinances saved from repeal; matters not affected by repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-3 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal; provided, however, that the repeal of ordinances pursuant to § 1-3 or the saving from repeal of ordinances pursuant to this section shall not be construed so as to revive any ordinance previously repealed, superseded or no longer of any effect:

- A. Any ordinance adopted subsequent to July 1, 1988.
- B. Any right or liability established, accrued or incurred under any legislative provision of the township prior to the effective date of this ordinance, or any action or proceeding brought for the enforcement of such right or liability or any cause of action acquired or existing.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the township or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending, or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision of the township.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred by the township or any lawful contract, obligation or agreement.
- F. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the township, or other instruments or evidence of the township's indebtedness.
- G. Any ordinance adopting an annual budget or establishing an annual tax rate.
- H. Any ordinance providing for the levy, imposition or collection of special taxes, assessments or charges.
- I. Any ordinance authorizing the purchase, sale, lease or transfer of property or acquiring property by acceptance of deed, condemnation or exercise of eminent domain.
- J. Any ordinance annexing land to the township.
- K. Any ordinance providing for requiring the construction or reconstruction or opening of sidewalks, curbs and gutters.

- L. Any ordinance, or part of an ordinance, providing for laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, sidewalk, park or other public place or property or designating various streets as public highways.
- M. Any ordinance establishing water, sewer or other special purpose districts and designating the boundaries thereof; or providing for a system of sewers or water supply lines; or providing for the construction, extension, dedication, acceptance or abandonment of any part of a system of sewers or water supply lines.
- N. Any ordinance providing for the making of public improvements.
- O. Any ordinance providing for the salaries and compensation of officers and employees of the township or setting the bond of any officer or employee.

§ 1-5. Inclusion of new legislation prior to adoption of Code.

All ordinances of a general and permanent nature adopted subsequent to the date given in § 1-4A and/or prior to the date of adoption of this ordinance are hereby deemed to be a part of the Code and shall, upon being printed be included therein. Attested copies of all such legislation shall be temporarily placed in the Code until printed supplements are included.

§ 1-6. Changes and revisions in previously adopted ordinances; new provisions.

- A. Nonsubstantive grammatical changes. In compiling and preparing the ordinances of the township for adoption and revision as part of the Code, certain nonsubstantive grammatical and style changes were made in one (1) or more of said ordinances. It is the intention of the Board of Supervisors that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.
- B. Substantive changes and revisions. In addition to the changes and revisions described above, the following changes and revisions of a substantive nature are hereby made to various ordinances included in the Code. These changes are made to bring provisions into conformity with the desired policies of the Board of Supervisors, and it is the intent of the Board of Supervisors that all such changes be adopted as part of the Code as if the ordinances so changed have been previously formally amended to read as such. All such changes and revisions shall be deemed to be in effect as of the effective date of the Code specified in § 1-15.

(1) Chapter 9, Emergency Management Agency.

(a) Section 9-7B (original Section 8 of Ord. No. 180, adopted 9-27-82) is amended to read as follows:

B. Any person violating any provision of this chapter or any rule, regulation or order promulgated hereunder, upon conviction before a District Justice within the district of which the Township of East Norriton is a part, shall be fined not less than three hundred dollars (\$300.), plus costs of prosecution. In default of the payment of any fine, such persons shall be liable for imprisonment of not more than thirty (30) days in the Montgomery County Prison. Whenever any violators shall be notified by a representative of the township or by service of summons or prosecution or in any other way that such violation has been committed, each day that the violator shall continue in such violation shall constitute a separate offense punishable by fine or penalty.¹

(2) Chapter 59, Alcoholic Beverages.

(a) Chapter 59 (original Ord. No. 160, adopted 6-22-81) is amended to read as follows:

§ 59-1. Consumption restricted.

It shall be unlawful for any person to consume any alcoholic beverage and/or malt or brewed beverage as defined in the Pennsylvania Liquor Code¹ or to possess any such beverage with the intent to consume the same while in or upon or adjacent to highways, roadways, trafficways, alleys, sidewalks and parks within the Township of East Norriton.

§ 59-2. Possession.

Possession of an open alcoholic and/or malt or brewed beverage container by any person as described in the foregoing section shall create the presumption that such person did consume or intend to consume the contents thereof in violation of this chapter.

§ 59-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(3) Chapter 63, Amusement Devices.

- (a) Section 63-8A (original Section 8, first paragraph, of Ord. No. 174, adopted 6-8-82) is amended to read as follows:

A. Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(4) Chapter 72, Building Construction, Plumbing and Fire Prevention.

- (a) Section 72-2A(13) (original Section 2, Subsection 18, of Ord. No. 221, adopted 11-18 85) is amended to read as follows:

(13) Section 117.4 is supplemented to read: "Any person who shall violate a provision of this code shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official or of a permit or certificate issued under the provisions of this code shall be guilty of a summary offense, punishable by a fine of not more than one thousand dollars (\$1,000.) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense."

- (b) Section 72-2A(14) (original Section 2, Subsection 19, of Ord. No. 221, adopted 11-18-85) is amended to read as follows:

(14) Section 118.2 is supplemented to read: "Any person who shall continue any work in or about the structure after having been served with a stop-work order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not more than one thousand dollars (\$1,000.)."

(c) Section 72-4A(4) (original Section 5, Subsection 4, of Ord. No. 221, adopted 11-18-85) is amended to read as follows:

(4) Section P-117.4 is supplemented to read: "Any person who shall violate a provision of this code or shall fail to comply with any other requirement thereof or who shall install plumbing work in violation of an approved plan or directive of the Plumbing Official or of a permit or certificate issued under the provisions of this code shall be guilty of a summary offense, punishable by fine of not more than six hundred dollars (\$600.) or by imprisonment not exceeding thirty (30) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense."

(d) Section 72-6A(2) (original Section 7, Subsection 2, of Ord. No. 221, adopted 11-18-85) is amended to read as follows:

(2) Section F105.5.1 is changed to read: "Any person who shall violate any of the provisions of the code hereby adopted or fails to comply with any order made thereunder or who shall build in violation of any detailed statement or specifications of plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken or who, upon appeal, shall fail to comply with such an order as affirmed or modified by the Supervisors or by a court of competent jurisdiction within the time fixed herein shall, for each and every such violation and noncompliance, upon summary conviction before a District Justice, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.) or, in default of payment thereof, by imprisonment for not more than five (5) days. Each day that prohibited conditions are maintained shall constitute a new and separate offense."

(e) Section 72-6C(3) (original Section 7, Subsection 5, of Ord. No. 221, adopted 11-18-85) is amended to read as follows:

(3) Section F301.8 is added as follows:

F301.8 Penalties: Any person, persons, firm, association or corporation violating any of the provisions of Section F301.0 or neglecting to comply with any orders, notices issued pursuant to a violation of this section hereof shall, upon being adjudged guilty thereof in any proceeding brought by virtue hereof before any District Justice having jurisdiction within said township, be sentenced to pay a fine for the use of said township of not more than one thousand dollars (\$1,000.) to East Norriton Township for each offense and, in default of paying said fine and all costs accrued, shall be committed to the county jail for a period not exceeding thirty (30) days.

(5) Chapter 77. Cable Television Connections.

- (a) Section 77-3 (original Section III of Ord. No. 195, adopted 12-19-83) is amended to read as follows:

§ 77-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(6) Chapter 82, Curfew.

- (a) Section 82-1 (original Section I, Subsection C, of Ord. No. 38, adopted 2-4-63) is deleted.

- (b) Section 82-2A (original Section II, Subsection A, of Ord. No. 38, adopted 2-4-63) is amended to read as follows:

A. It shall be unlawful for any minor to remain in or upon any public place or any establishment between the hours of 10:30 p.m. and 6:30 a.m. of the following day, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.

- (c) Section 82-3A (original Section III, Subsection A, of Ord. No. 38, adopted 2-4-63) is amended to read as follows:

A. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment between the hours of 10:30 p.m. and 6:30 a.m. of the following day, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.

- (d) Section 82-4A (original Section IV, Subsection A, of Ord. No. 38, adopted 2-4-63) is amended to read as follows:

A. It shall be unlawful for any operator of any establishment or his agents or employees knowingly to permit any minor to remain upon the premises of said establishment between the hours of 10:30 p.m. and 6:30 a.m. of the following day, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.

(e) Section 82-5B (original Section V, Subsection B, of Ord. No. 38, adopted 2-4-63) is amended to read as follows:

B. Any parent who shall permit a minor to violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(f) Section 82-5C (original Section V, Subsection C, of Ord. No. 38, adopted 2-4-63) is amended to read as follows:

C. Any operator of any establishment and any agents or employees of any operator who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days. All fines imposed and collected shall be paid into the township treasury for the use of the township.

(7) Chapter 87, Dogs and Other Animals.

(a) Section 87-3 (original Section 3 of Ord. No. 5, adopted 11-1-49) is amended to read as follows:

§ 87-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (b) Section 87-5 (original Section 2 of Ord. No. 47, adopted 9-12-66) is amended to read as follows:

§ 87-5. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (c) Section 87-8A (original Section 3 of Ord. No. 86, adopted 10-10-72) is amended to read as follows:

A. Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (8) Chapter 92, Dumps and Dumping.

- (a) Section 92-2 (original Section 2 of Ord. No. 7, adopted 4-3-51) is amended to read as follows:

§ 92-2. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(9) Chapter 97, Firearms and Hunting.

- (a) Section 97-4 (original Section 4 of Ord. No. 18, adopted 9-4-56) is amended to read as follows:

§ 97-4. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(10) Chapter 110, Garage Sales.

- (a) Section 110-7 (original Section 7 of Ord. No. 188, adopted 7-18-83) is amended to read as follows:

§ 110-7. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(11) Chapter 114, Grading and Excavations.

- (a) Section 114-6 (original Section 6 of Ord. No. 171, adopted 4-26-82) is amended to read as follows:

§ 114-6. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(12) Chapter 118, Hazardous Wastes.

- (a) Section 118-5 (original Section 5 of Ord. No. 234, adopted 7-21-86) is amended to read as follows:

§ 118-5. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (b) Section 118-11 (original Section 6 of Ord. No. 256, adopted 11-16-87) is amended to read as follows:

§ 118-11. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new a separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(13) Chapter 122, Kerosene Heating and Storage.

- (a) Section 122-6 (original Section 7 of Ord. No. 185, adopted 5-23-83) is amended to read as follows:

§ 122-6. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(14) Nuisances.

- (a) Section 129-5 (original Section 8 of Ord. No. 155, adopted 12-15-80) is amended to read as follows:

§ 129-5. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(15) Chapter 135, Parking on Private Property.

- (a) Section 135-3 is added to read as follows:

§ 135-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(16) Chapter 139, Parks and Recreation Areas.

- (a) Section 139-2 (original No. 6 of Ord. No. 94, adopted 5-8-73) is amended to read as follows:

§ 139-2. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(17) Chapter 144, Peace and Good Order.

- (a) Section 144-3 (original Section 3 of Ord. No. 67, adopted 8-24-70) is amended to read as follows:

§ 144-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (b) Section 144-6 (original Section 3 of Ord. No. 68, adopted 11-9-70) is amended to read as follows:

§ 144-6. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (c) Section 144-9 (original Section 3 of Ord. No. 87, adopted 11-14-72) is amended to read as follows:

§ 144-9. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(18) Chapter 148, Peddling and Soliciting.

- (a) Section 148-3 (original Section 3 of Ord. No. 23, adopted 1-5-59) is amended to read as follows:

§ 148-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(19) Chapter 152, Property Maintenance.

- (a) Section 152-6 (original Section 6 of Ord. No. 261, adopted 3-28-88) is amended to read as follows:

§ 152-6. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(20) Chapter 156, Real Estate Registry.

- (a) Section 156-5 (original Section 5 of Ord. No. 259, adopted 12-21-87) is amended to read as follows:

§ 156-5. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(21) Chapter 159, Rental Property, Registration of.

- (a) Section 159-2 (original Section 2 of Ord. No. 81, adopted 4-10-72) is amended to read as follows:

§ 159-2. Violations and penalties.

Any owner, including an individual, firm, partnership, association, corporation, organization or any other group acting as a unit and, where other than individuals, the officers of such groups or entities, who fails to provide any required list of occupants within ten (10) days of the date it is due shall, upon summary conviction therefor before a District Justice within the magisterial district within the Township of East Norriton is a part, be fined not more than one thousand dollars (\$1,000.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(22) Chapter 162, Sewers.

- (a) Section 162-18 (original Section XXIII of Ord. No. 31, adopted 3-14-60, as amended 6-8-82 by Ord. No. 172) is further amended to read as follows:

§ 162-18. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (b) Section 162-32 (original Section 4 of Ord. No. 35, adopted 1-9-61) is amended to read as follows:

§ 162-32. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (c) Section 162-43 (original Section 11 of Ord. No. 124, adopted 5-4-76) is amended to read as follows:

§ 162-43. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (d) Section 162-79 (original Section 6.1 of Ord. No. 214, adopted 5-20-85) is amended to read as follows:

§ 162-79. Violations and penalties.

Any user or significant user alleged to have violated an order of the township or to have willfully or negligently failed to comply with any provision of this Article or the orders, rules, regulations and permits issued hereunder shall be prosecuted before a District Justice and, upon conviction thereof, shall be subject to a fine of not more than one thousand dollars (\$1,000.) for each offense. Each day on which a violation shall occur or continue to occur shall be deemed to be a separate and distinct offense.

(23) Chapter 168, Streets and Sidewalks.

- (a) Section 168-5 (original Section 5 of Ord. No. 9, adopted 6-5-51) is amended to read as follows:

§ 168-5. Violations and penalties.

- A. Upon the construction or erection of any such drive or sidewalk which does not comply with any conditions imposed by the Township Supervisors as aforesaid or any erection or construction of any such drive or sidewalk made without the prior approval of the Township Supervisors, and which does not meet with the approval of the Township Supervisors after construction or erection, then, in either case, the Township Supervisors may, with or without notice, make the necessary correction and recover the cost of such correction in a summary proceedings to be brought before a District Justice in said township.
- B. Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

- (b) Section 168-14A (original Section XVI of Ord. No. 69, adopted 11-9-70) is amended to read as follows:

- A. Any person, corporation or other entity who shall violate any of the provisions of this Article or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(24) Chapter 178, Swimming Pools.

- (a) Section 178-9 (original Section 11 of Ord. No. 173, adopted 6-8-82) is amended to read as follows:

§ 178-9. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who should fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(25) Chapter 182, Taxation.

- (a) Section 182-17 (original Section 14 of Ord. No. 45, adopted 3-3-66, as amended 11-17-86 by Ord. No. 239) is further amended to read as follows:

§ 182-17. Violations and penalties.

Any person or any officer, agent, servant or employee thereof who should fail, neglect or refuse to comply with any of the terms or provisions of this Article shall, upon conviction before a District Justice, be sentenced to pay a fine of not more than six hundred dollars (\$600.) and costs of prosecution for each offense, to be collected as other fines and costs are now by law collectible, or imprisonment not exceeding ninety (90) days, if the amount of said fine and costs shall not be paid. The fine imposed by this section shall be in addition to any other penalty imposed by any other section of this Article. Each day on which such person violated the Article will be considered as a separate offense and punishable as provided herein.

- (b) Section 182-22I (original Section 5, Subsection I, of Ord. No. 701, adopted 5-25-70) is amended to read as follows:

- I. Any person who, except as permitted by the provisions of the foregoing Subsection H of this Article, divulges any information which is confidential under the provisions of this Article shall, upon conviction thereof before any District Justice or court of competent jurisdiction, be sentenced to pay a fine of not more than six hundred dollars (\$600.) for each offense and costs and, in default of payment of such fine and costs, to be imprisoned for a period not exceeding thirty (30) days.

(c) Section 182-25A (original Section 8, Subsection A, of Ord. No. 701, adopted 5-25-70) is amended to read as follows:

A. Any person who fails, neglects or refuses to make any declaration or return required by this Article any employer who fails, neglects or refuses to register or to pay the taxes deducted from his employees or fails, neglects or refuses to deduct withholding taxes from his employees, any person who refuses to permit the Earned Income Tax Collector or any agent designated by him to examine his books, records and papers and any person who knowingly makes any incomplete, false or fraudulent return or to do anything whatsoever to avoid the full disclosure of the amount of his net profits of earned income in order to avoid the payment of the whole or any part of the tax imposed by this Article shall, upon conviction thereof, before any District or magistrate or court of competent jurisdiction, be sentenced to pay a fine of not more than six hundred dollars (\$600.) for each offense and costs, and, in default of payment of such fine and costs, to be imprisoned for a period not exceeding thirty (30) days.

(d) Section 182-39 (original Section 3, Subsection K, of Ord. No. 121, adopted 12-30-75) is amended to read as follows:

§ 182-39. Violations and penalties.

Whoever makes any false or untrue statement on any return required by this Article or who refuses inspection of his books, records or accounts in his custody and control setting forth the number of employees subject to this tax who are in his employment or whoever fails or refuses to file any return required by this Article or who shall fail to pay the tax due shall, upon conviction before any District Justice, be sentenced to pay a fine of not more than six hundred dollars (\$600.) for each offense and, in default of payment of said fine and costs, be imprisoned in Montgomery County Prison for a period not exceeding ninety (90) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this Article.

- (e) Section 182-51 (original Section 14 of Ord. No. 236, adopted 10-20-86) is amended to read as follows:

§ 182-51. Violation and penalties.

Any person or any officer, agent, servant or employee thereof who shall fail, neglect or refuse to comply with any of the terms or provisions of this Article shall, upon conviction before a District Justice, be sentenced to pay a fine not to exceed six hundred dollars (\$600.) and costs of prosecution for each offense, to be collected as other fines and costs are now by law collectible, or imprisonment not exceeding ninety (90) days, if the amount of said fine and costs shall not be paid. The fine imposed by this section shall be in addition to any other penalty imposed by any other section of this Article. Each day on which such person violates this Article will be considered as a separate offense and punishable as provided herein.

- (26) Chapter 190, Use and Occupancy Permits.

- (a) Section 190-3 (original Section 3 of Ord. No. 91, adopted 3-13-75) is amended to read as follows:

§ 190-3. Violations and penalties.

Any person, corporation or other entity who shall violate any of the provisions of this chapter or who shall fail to comply with any notice of violation herein, upon conviction before a District Justice within the magisterial district within which the Township of East Norriton is a part, shall be fined not more than six hundred dollars (\$600.) plus costs of prosecution after a summary proceeding brought in the name of the township before said District Justice. A new and separate offense shall be deemed to be committed for each day that such violation exists. In default of the payment of any fine imposed and the costs, the person or persons that are charged may be sentenced to be committed to the county jail for a period not exceeding thirty (30) days.

(27) Chapter 205, Zoning.

- (a) Section 205-146 (original Section 2201 of Article XXIII of Ord. No. 96, adopted 9-11-73) is amended to read as follows:

§ 205-146. Violations and penalties.

For any and every violation of the provisions of this chapter, the owner, general agent or contractor of a building or premises where such violation has existed or shall exist; and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist; and the general agent, architect, building contractor or any other person who knowingly commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine not exceeding six hundred dollars (\$600.) for each and every offense. In default of payment of the fine, such person, the members of such partnership or the officers of such corporation shall be liable to imprisonment for not more than sixty (60) days in the Montgomery County Prison. Whenever such person shall have been notified by the Zoning Officer or by service of warrant in a prosecution, or in any other way, that he is committing such violation of this chapter, each day that he shall thereafter continue the violation shall constitute a separate offense punishable by a like fine or imprisonment.

§ 1-7. Interpretation of provisions.

In interpreting and applying the provisions of the Code, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of the Code impose greater restrictions or requirements than those of any statute, other ordinance or regulation, the provisions of the Code shall control. Where the provisions of any statute, other ordinance or regulation impose greater restrictions or requirements, the provisions of such statute, other ordinance or regulation shall control.

§ 1-8. Titles and headings; editor's notes.

- A. Chapter and Article titles, headings and titles of sections and other divisions in the Code, or in supplements made to the Code, are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the ordinances.

- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the ordinances.

§ 1-9. Filing of copies of Code.

Three (3) copies of the Code in a post-bound volume shall be filed with the Ordinance Book in the office of the Township Manager and shall remain there for use and examination by the public. Upon adoption, such copies shall be certified to by the Township Manager, as provided by law, and such certified copies shall remain on file in the office of the Township Manager, available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-10. Amendments to Code.

Any and all additions, deletions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intention of the Board of Supervisors to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such changes. Whenever such additions, deletions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the post-bound book containing said Code, as amendments and supplements thereto.

§ 1-11. Code books to be kept up-to-date.

It shall be the duty of the Township Manager, or someone authorized and directed by him or her, to keep up-to-date the certified copies of the book containing the Code required to be filed in the office of the Township Manager for the use of the public. All changes in said Code and all ordinances adopted by the Board of Supervisors subsequent to the effective date of this codification which the Board of Supervisors shall adopt specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said Code books, at which time such supplements shall be inserted therein.

§ 1-12. Publication of notices.

The Township Manager, pursuant to law, shall cause to be published in the manner required a notice of the introduction and of the adoption of the Code in a newspaper of general circulation in the township. The enactment and application of this ordinance, coupled with the publication of the notices of introduction and adoption, as required by law, and the availability of copies of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-13. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, or to alter or tamper with the Code, or any part or portion thereof, in any manner whatsoever, which will cause the law of the township to be misrepresented thereby. Anyone violating this section of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding three hundred dollars (\$300.) plus costs of prosecution, and in default of payment thereof by imprisonment for a term not exceeding thirty (30) days.

§ 1-14. Severability.

The provisions of this ordinance and of the Code adopted hereby are severable, and if any clause, sentence, subsection, section, Article or part thereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation and application to the clause, sentence, subsection, section, Article or part thereof rendered. It is hereby declared to be the intent of the Board of Supervisors that this ordinance and the Code would have been adopted if such illegal, invalid or unconstitutional clause, sentence, subsection, section, Article or part thereof had not been included therein.

§ 1-15. Effective date.

All provisions of this ordinance and of the Code shall be in force and effect on and after ...1/1/89.....

John W. [Signature]

[Signature]

Adopted 12.19.88