

WEST BRADFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO . 96-03

AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD,
CHESTER COUNTY, PENNSYLVANIA AMENDING THE VIOLATION
AND PENALTY PROVISIONS OF EACH HEREIN IDENTIFIED
ORDINANCE IN COMPLIANCE WITH SECTION 1601 OF ACT 60 -
1995 AND PROVIDING FOR A CIVIL ENFORCEMENT PROCEEDING
FOR ENFORCEMENT OF ALL SUCH TOWNSHIP ORDINANCE
ADOPTED UNDER AND PURSUANT TO THE PENNSYLVANIA
SECOND CLASS TOWNSHIP CODE, ACT OF MAY 1, 1933, (P.L. 103)
NO. 69, AS AMENDED.

WHEREAS, the Pennsylvania Second Class Township Code, Act of May 1, 1933 (P.L. 103), No. 69, as amended, 53 P.S. §65101 et. seq. (the "Code") was substantially amended by the General Assembly of the Commonwealth of Pennsylvania by its enactment of Act. No. 60 - 1995, effective, with limited exception, on May 7, 1996 ("Act 60"); and

WHEREAS, Act No. 60 amends the enforcement provisions of Section 1601 of the Code, 53 P.S. §66601, by, inter alia, providing for a civil enforcement proceeding for the enforcement of all Township ordinances adopted pursuant to the Code's enabling provisions, repealing the prior quasi criminal summary proceeding previously authorized by the Code, including the penalty of incarceration for non-payment of fines and costs; and

WHEREAS, all of the Township's ordinances adopted under and pursuant to the Code prior to the enactment of Act No. 60 mandate prosecution for violations in a quasi criminal summary proceeding and contain enforcement and penalty provisions which provide for the imposition of the penalty of incarceration for up to thirty (30) days for non-payment of any fines and costs imposed by a district justice or a court of record, and therefore must be amended in compliance with Act. No. 60.; and

WHEREAS, by its adoption of this omnibus ordinance, it is the intention of the Board of Supervisors of West Bradford Township to amend all of the Township's herein designated ordinances heretofore adopted pursuant to the Code by amending the penalty

provision of each such ordinance to comply with the enforcement proceeding provisions required by Section 1601(c) of Act No. 60.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of West Bradford Township, Chester County, Pennsylvania, as follows:

Section 1. Section 6 of Ordinance VIII, entitled “AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, DEFINING DISTURBING THE PEACE WITHIN THE TOWNSHIP LIMITS OF THE TOWNSHIP OF WEST BRADFORD AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF”, enacted on August 9, 1965 is amended by amending the penalty provision to read as follows:

Section 6 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys’ fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 2. Section 2 of Ordinance XVI, entitled “PARKING REGULATIONS - ROUTE 162” enacted on 12/26/68 is amended by amending the penalty provision to read as follows:

Section 2 Violation and Enforcement Provision. Any person who violates or permits the violation of this ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a fine of \$20.00 plus all court costs, including reasonable attorneys’ fees, incurred by the municipality. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 3. Section 7 of Ordinance IX, entitled “AN ORDINANCE PROHIBITING THE SELLING, PURCHASING OR SOLICITING THE SALE OR PURCHASE OF GOODS OR SERVICES FROM HOUSE TO HOUSE AND ON PUBLIC STREETS WITHOUT LICENSE; PROVIDING FOR APPLICATION FOR LICENSE; ESTABLISHING PROCEDURE FOR IDENTIFICATION; ESTABLISHING RULES OF CONDUCT IN SELLING, PURCHASING OR SOLICITING; PROVIDING FOR REVOCATION OF LICENSES IN CERTAIN CASES; EXEMPTING CERTAIN PERSONS FROM THE TERMS HEREOF AND FIXING PENALTY FOR VIOLATIONS enacted on October 12, 1965 is amended by amending the penalty provision to read as follows:

Section 7 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 4. Section 6 of Ordinance 74-4, entitled "AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, PROVIDING THAT NO PUBLIC STREETS OF THE TOWNSHIP OF WEST BRADFORD BE OPENED OR CUT BY ANY PERSON, FIRM, CORPORATION, OR UTILITY WITHOUT FIRST SECURING A PERMIT IN ACCORDANCE WITH THE TOWNSHIP CODE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF" enacted on June 11, 1974 is amended by amending the penalty provision to read as follows:

Section 6 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 5. Section 6 of Ordinance 75-1, entitled "AN ORDINANCE RELATING TO THE OPERATION OF MOTORCYCLES, MINI-BIKES, SNOW MOBILES, TRAIL BIKES AND SIMILAR TYPE OF VEHICLES IN WEST BRADFORD TOWNSHIP" enacted on January 14, 1975 is amended by amending the penalty provision to read as follows:

Section 6 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 6. Section 901.4 of Ordinance 77-1, entitled “ZONING ORDINANCE” enacted on January 25, 1977 is amended by amending the penalty provision to read as follows:

Section 901.4 Violation and Enforcement Provision. Any person, partnership or corporation who or which has violated the provisions of this zoning ordinance or prior ordinances shall, upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorneys’ fees, incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event, there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and, thereafter, each day that a violation continues shall constitute a separate violation.

Section 7. Section IV b. of Ordinance 77-2, entitled “AN ORDINANCE REQUIRING THE ENCLOSURE OF SWIMMING POOLS WITHIN THE TOWNSHIP, DESCRIBING THE TYPE OF SUCH FENCING PERMITTED AND PROVIDING FOR PENALTIES FOR NON-COMPLIANCE” enacted on July 12, 1977 is amended by amending the penalty provision to read as follows:

Section IV b. Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys’ fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 8. Section 13 of Ordinance 78-1, entitled “AN ORDINANCE PRESCRIBING PARKING REGULATIONS IN THE EVENT OF SNOW EMERGENCIES IN WEST BRADFORD TOWNSHIP AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF” enacted on February 28, 1978 is amended by amending the penalty provision to read as follows:

Section 13 Violation and Enforcement Provision. Any person who violates or permits the violation of this ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a fine of not more

than \$20.00 plus all court costs, including reasonable attorneys' fees, incurred by the municipality. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 9. Section 4.A of Ordinance 82-01, entitled "SOLID FUEL ORDINANCE - WOOD AND COAL STOVES enacted on January 12, 1982 is amended by amending the penalty provision to read as follows:

Section 4.A Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 10. Section 4 of Ordinance 77-3, entitled "AN ORDINANCE PROHIBITING THE DUMPING OR OTHERWISE DISPOSING OF ASHES, GARBAGE, RUBBISH AND OTHER REFUSE MATERIALS WITHIN WEST BRADFORD TOWNSHIP AND SETTING STANDARDS FOR THE DETERMINATION OF EXISTENCE OF FIRE EMERGENCIES AND PROHIBITING THE BURNING OUT-OF-DOORS OF TRASH, PAPERS, LEAVES AND OTHER REFUSE DURING SUCH PERIODS" enacted on September 13, 1977 is amended by amending the penalty provision to read as follows:

Section 4 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 11. Section V of Ordinance 83-03, entitled "AN ORDINANCE PRESCRIBING A SPEED LIMIT FOR BEACON HILL ROAD (T-380) AND ESTABLISHING A 'NO PARKING' ZONE ALONG CERTAIN PORTIONS OF SAID ROAD enacted on June 14, 1983 is amended by amending the penalty provision to read as follows:

Section V Violation and Enforcement Provision. Any person who violates or permits the violation of this ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a fine of not more than \$20.00 plus all court costs, including reasonable attorneys' fees, incurred by the municipality. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 12. Section 10 of Ordinance 84-03, entitled "AN ORDINANCE REGULATING THE DESIGN AND INSTALLATION OF DRIVEWAYS OPENING ON ROADS IN WEST BRADFORD TOWNSHIP, ESTABLISHING PROCEDURES FOR THE GRANTING OF PERMITS, ADMINISTRATION AND FEES WITH RESPECT THERETO AND ESTABLISHING PENALTIES FOR VIOLATION" enacted on July 10, 1984 is amended by amending the penalty provision to read as follows:

Section 10 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 13. Section XI of Ordinance 85-01, entitled "AN ORDINANCE REGULATING THE USE OF PUBLIC STREETS WITHIN WEST BRADFORD TOWNSHIP" enacted on March 26, 1985 is amended by amending the penalty provision to read as follows:

Section XI Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 14. Section 5 of Ordinance 85-03, entitled "AN ORDINANCE REQUIRING CONNECTION TO PUBLIC WATER SYSTEMS" enacted on March 26, 1985 is amended by amending the penalty provision to read as follows:

Section 5 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 15. Section V. A of Ordinance 85-07 entitled "AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, DECLARING FALSE ALARMS FROM ALARM DEVICES TO BE A PUBLIC NUISANCE enacted on December 10, 1985 is amended by amending the penalty provision to read as follows:

Section V. A Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 16. Section 16.b (2nd paragraph) of Ordinance 86-05, entitled "AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, PROVIDING FOR THE LEVYING, ASSESSMENT AND COLLECTION OF A TRANSFER TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF ONE (1%) PERCENT UPON ANY TRANSFER OF REAL PROPERTY OR AN INTEREST IN REAL PROPERTY TO THE EXTENT THAT THE TRANSFERS ARE SUBJECT TO THE TAX IMPOSED BY THE COMMONWEALTH OF PENNSYLVANIA PURSUANT TO ACT 77 - 1986, 72 P.S. §8101-C, et seq., AUTHORIZED BY ARTICLE XI-D, 'LOCAL REAL ESTATE TRANSFER TAX', 72 P.S. §8101-D., et seq., AND ADMINISTERED, COLLECTED AND ENFORCED UNDER THE 'LOCAL TAX ENABLING ACT', 53 P.S. §6901, et seq.; AND ESTABLISHING PENALTIES FOR VIOLATION OF THE ORDINANCE: AND REPEALING THE CURRENT TOWNSHIP 'REALTY TRANSFER TAX'" enacted on December 9, 1986 is amended by amending the penalty provision to read as follows:

Section 16.b (2nd paragraph) Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the

Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorneys' fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 17. Section 16 of Ordinance 93-03 entitled "AN ORDINANCE TO ESTABLISH A SYSTEM FOR MUNICIPAL WASTE COLLECTION AND SOURCE SEPARATION AND COLLECTION OF RECYCLABLE MATERIAL IN ACCORDANCE WITH THE PROVISIONS OF ACT 101, THE PENNSYLVANIA MUNICIPAL WASTE PLANNING AND RECYCLING AND WASTE REDUCTION ACT OF 1988 enacted on December 14, 1993 is amended by amending the penalty provision to read as follows:

Section 16 Violation and Enforcement Provision. Any person who violates or permits the violation of this ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a fine, as follows, plus all court costs, including reasonable attorneys' fees, incurred by the municipality. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Any action by any person, firm, corporation or other entity which violates or does not comply with any provision of this ordinance, or any regulation thereof, shall be punishable by a fine not to exceed ten (\$10.00) dollars, upon a first conviction; twenty-five (\$25.00) dollars upon a second conviction; and fifty (\$50.00) dollars upon a third or subsequent conviction. The above fines shall not be applicable to a conviction for Section 5, or Section 9 hereof which sections shall be punishable by a fine not to exceed six hundred (\$600.00) dollars.

Section 18. Section VII.B. of Ordinance 93-04 entitled "AN ORDINANCE REQUIRING THE AFFIXING AND MAINTAINING OF STREET ADDRESS NUMBERS UPON ALL BUILDINGS IN THE TOWNSHIP OF WEST BRADFORD" enacted on November 9, 1993 is amended by amending the penalty provision to read as follows:

Section VII.B. Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the municipality, pay a fine, of not more than \$50.00 plus all court costs, including reasonable attorneys' fees, incurred by the municipality. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.

Section 19. Section 116.4 of the B.O.C.A. Code adopted by Section 3 of Ordinance No. 94-05, adopting the B.O.C.A. National Building Code, Twelfth Edition, 1993, with insertions, additions and deletions thereto, enacted on September 13, 1994, is amended to read as follows:

Section 116.4 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance or the B.O.C.A. Code, or who shall fail to comply with any of the requirements thereof, or 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 Ordinance or the B.O.C.A. Code shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorney's fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. If the Building Official determines that any permit holder is in violation of any of the provisions of this Ordinance or the B.O.C.A. Code adopted by this Ordinance, he may refuse to grant additional permits to such permit holder until all such violations have been corrected and any judgment entered by the district justice under this Section has been paid.

Section 20. Section M-116.4 of the B.O.C.A. Code adopted by Section 3 of Ordinance No. 94-06, adopting the B.O.C.A. National Mechanical Code, Eighth Edition, 1993, with insertions, additions and deletions thereto, enacted on September 13, 1994, is amended to read as follows:

Section M-116.4 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance or the B.O.C.A. Code, or who shall fail to comply with any of the requirements thereof, or 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 Ordinance or the B.O.C.A. Code shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorney's fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. If the Building Official determines that any permit holder is in violation of any of the provisions of this Ordinance or the B.O.C.A. Code adopted by this Ordinance, he may refuse to grant additional permits to such permit holder until all such violations have been corrected and any judgment entered by the district justice under this Section has been paid.

Section 21. Section P-116.4 of the B.O.C.A. Code adopted by Section 3 of Ordinance No. 94-07, adopting the B.O.C.A. National Plumbing Code, 1993, Ninth Edition, with insertions, additions and deletions thereto, enacted on September 13, 1994, is amended to read as follows:

Section P-116.4 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance or the B.O.C.A. Code, or who shall fail to comply with any of the requirements thereof, or 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 Ordinance or the B.O.C.A. Code shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorney's fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. If the Building Official determines that any permit holder is in violation of any of the provisions of this Ordinance or the B.O.C.A. Code adopted by this Ordinance, he may refuse to grant additional permits to such permit holder until all such violations have been corrected and any judgment entered by the district justice under this Section has been paid.

Section 22. Section 106.4 of the CABO One and Two Family Dwelling Code, 1995 Edition adopted by Section 2 of Ordinance No. 96-01, adopting The 1995 Edition of the Council of American Building Officials (CABO) One and Two Family Dwelling Code, with insertions, additions and deletions thereto, enacted on February 13, 1996, is amended to read as follows:

Section 106.4 Violation and Enforcement Provision. Any person who violates or permits the violation of any provision of this Ordinance or the CABO One and Two Family Dwelling Code, 1995 Edition or who shall fail to comply with any of the requirements thereof, or 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 Ordinance or the CABO Code shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township before a district justice, pay a fine for each such violation in an amount not less than \$100.00 and not more than \$1,000.00 plus all court costs, including reasonable attorney's fees, incurred by the Township. No judgment shall be imposed until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. If the Building Official determines that any permit holder is in violation of any of the provisions of this Ordinance or the CABO Code adopted by this Ordinance, he may refuse to grant additional permits to such permit holder until all such violations have been corrected and any judgment entered by the district justice under this Section has been paid.

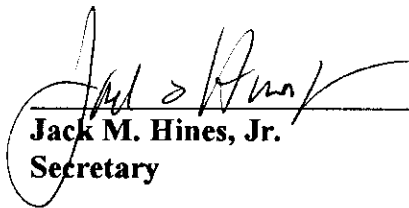
Section 23. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 24. Effective Date. This Ordinance shall become effective five (5) days following enactment.

ENACTED AND ORDAINED this 13th day of August, 1996.

ATTEST:

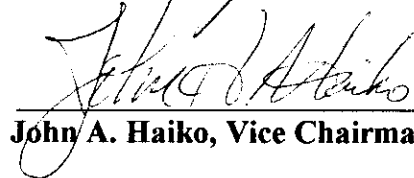
**WEST BRADFORD TOWNSHIP
BOARD OF SUPERVISORS**



Jack M. Hines, Jr.
Secretary



Mark J. Blair, Chairman



John A. Haiko, Vice Chairman



Kenneth E. Klunk, Member