

Upon motion by Leanna Kurtz, seconded by Paul Martin,  
the following Ordinance was duly enacted, 3 voting in favor of enactment,  
         voting against enactment.

ORDINANCE NO. 2007- 4

**AN ORDINANCE OF WEST MAHANAY TOWNSHIP,  
AMENDING TOWNSHIP ORDINANCES TO AUTHORIZE  
ENFORCEMENT OF CIVIL PENALTIES BY BOTH  
THE POLICE DEPARTMENT AND  
THE CODE ENFORCEMENT DEPARTMENT.**

WHEREAS, the Township of West Mahanoy has many Ordinances in full force and effect governing a wide variety of activities; and,

WHEREAS, many of the ordinances provide for enforcement by either the police department or the code enforcement department; and,

WHEREAS, the Township Supervisors deem it necessary in certain instances to be able to provide for enforcement of the ordinances by both the police department and/or the code enforcement department; and,

WHEREAS, the Board of Supervisors has determined that it is necessary and in the best interests of the Township to amend the following ordinances; and,

IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of West Mahanoy, Schuylkill County, Pennsylvania and it is ordained and enacted:

1. Amendment. The following ordinances are amended to provide for enforcement by both the police department and the code enforcement department:
  - a. Chapter III, Article 2 Peddlers and Solicitors License
  - b. Chapter III, Article 3 Excavating
  - c. Chapter III, Article 4 Storage and Use of Heating Fuel
  - d. Chapter III, Ordinance 94-3 Regulating Junk Yards
  - e. Chapter III, Ordinance No. 81 Wood/Coal Burning Stove Installation
  - f. Chapter III, Ordinance No. 98-4 Regulating Contracting and Building
  - g. Chapter III, Ordinance No. 2005-3
  - h. Chapter V, Article 1 Public Health
  - i. Chapter V, Ordinance No. 1990-3
  - j. Chapter V, Ordinance No. 2004-5
  - k. Chapter V, Ordinance No. 1991-5

1. Chapter VI, Article 1 Nuisances
- m. possibly Chapter VI, Ordinance No. 66 if it is a valid West Mahanoy Township Ordinance.
- n. Chapter VI, Ordinance No. 94-2.
- o. Chapter VI, Ordinance No. 2001-01
- p. Chapter VI, Ordinance No. 2002-02
- q. Chapter VII, Street, Ordinance No. 2001-03

2. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person, property or circumstances is for any reason held invalid or unconstitutional by any court, such holding shall not be construed to affect the validity of any of the remaining provisions of this Ordinance or its application, for such portion shall be deemed as a separate, distinct and independent provision from the remaining provisions which shall be and remain in full force and effect. It is hereby declared the legislative intent that this Ordinance would have been adopted had such valid or unconstitutional provision of its application not been included herein.

3. Repealor. All Ordinances, parts of any Ordinances, or sections of Ordinances, including the Ordinances, parts of any Ordinances, or sections of Ordinances referenced in paragraph 1, inconsistent herewith are hereby repealed.

BE IT ENACTED this 17<sup>th</sup> day of July, 2007.

BOARD OF SUPERVISORS OF  
TOWNSHIP OF WEST MAHANAY

By:

  
Chairman

  
Vice chairman

  
Supervisor

ATTEST:

Secretary

