

ORDINANCE NO. 183,2007

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER AMENDING AND RESTATING IN ITS ENTIRETY SECTION 205, ENTITLED "PENALTIES", OF PART 2, ENTITLED "OUTDOOR FIRES", OF CHAPTER IX, ENTITLED "FIRE PREVENTION AND FIRE PROTECTION" OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF TILDEN TO ESTABLISH THE PENALTIES FOR VIOLATION THEREOF AS SUMMARY OFFENSES

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 205, entitled "Penalties", of Part 2, entitled "Outdoor Fires", of Chapter IX, entitled "Fire Prevention and Fire Protection", of the Code of Ordinances of the Township of Tilden is hereby amended and restated in its entirety as follows:

"Section 205. Penalties. Any person, firm, corporation or other entity who shall violate any provision of this Part may, upon conviction thereof before a District Justice, have prescribed by the Board of Supervisors criminal fines not to exceed one thousand dollars (\$1,000.00) per violation, plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof, and all fees and costs incurred by the Township, fire department or forest service to extinguish the fire in violation of this Part, and may have prescribed imprisonment to the extent allowed by law for the punishment of summary offenses. Each day that a violation of this Part continues after notice shall constitute a separate offense."

SECTION 2. 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 of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective in accordance with law.

SECTION 5. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 1st day of December 2007.

TOWNSHIP OF TILDEN  
BOARD OF SUPERVISORS

Troy R. Hatt

Russell H. Kelly

Judy E. Romig

Attest: Cheyl A. Haus  
Secretary