

ORDINANCE NO. 107, 1996

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING THE FOLLOWING ORDINANCES BY REVISING VIOLATIONS AND PENALTIES TO CIVIL VIOLATIONS RATHER THAN CRIMINAL VIOLATIONS IN ORDER TO CONFORM WITH AMENDMENTS TO THE TOWNSHIP CODE MANDATED BY ACT 60 OF 1995: NO. 2-1964, NO. 31-1972 AND NO. 82-1991 REGARDING JUNK YARDS AND JUNK DEALERS; NO. 2-1966 REGARDING EARNED INCOME TAX; NO. 2-1967 REGARDING REALTY TRANSFER TAX; NO. 3-1967 REGARDING AMUSEMENT TAX; NO. 1-1969 AND NO. 42-1979 REGARDING CONSTRUCTION, RECONSTRUCTION, ERECTION, IMPROVEMENT, PAVING OR BLACKTOPPING OF DRAINS, CULVERTS, FOOTWALKS, DRIVEWAYS OR OTHER MEANS OF INGRESS OR EGRESS TO PROPERTY CONNECTING WITH TOWNSHIP ROADS; NO. 27-1970 REGARDING DISORDERLY CONDUCT, CONCEALED WEAPONS, LOAFING, LITTERING, FALSE ALARMS AND OBSTRUCTION OF OFFICERS; NO. 30-1970 AND NO. 58-1986 REGARDING MOBILE HOME PARKS; NO. 36-1974 AND NO. 37-1974 REGARDING STREET OPENINGS; NO. 43-1979 REGARDING PARKS, PLAYGROUNDS AND RECREATION AREAS; NO. 48-1980 REGARDING LISTINGS OF TENANTS; NO. 53-1984 REGARDING VEHICLE MAINTENANCE ON PUBLIC RIGHT-OF-WAYS; NO. 4-1965 AND NO. 57-1986 REGARDING THE TOWNSHIP REFUSE FACILITY; NO. 59-1986 REGARDING OCCUPATIONAL PRIVILEGE TAX; NO. 76-1990 REGARDING FRANCHISES TO OPERATE AND MAINTAIN COMMUNITY TELEVISION SYSTEMS AND CLOSED CIRCUIT TELEVISION SYSTEMS; NO. 79-1990 REGARDING GRASS, WEEDS AND VEGETATIVE GROWTH; NO. 88-1992 REGARDING WATER CONSERVATION; NO. 94-1993 REGARDING TRANSIENT RETAIL BUSINESSES; NO. 99-1994 REGARDING FIRE INSURANCE PROCEEDS AS SECURITY; NO. 100-1994 REGARDING DANGEROUS STRUCTURES; AND NO. 104-1994 REGARDING STREET OBSTRUCTIONS

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 10, entitled "Violations", of Ordinance 2-1964, as amended by Section 10, entitled "Violations", of Ordinance 31-1972, as further amended by Section 10,

entitled "Violations", of Ordinance 82-1991, regarding junk dealers and junk yards, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 10. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than One Thousand Dollars (\$1,000.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 2. Section 901 Ordinance 2-1966, regarding earned income tax, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 901. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has failed, neglected or refused to make any declaration or return required by this Ordinance, refused to permit the Income Tax Officer or any

agent designated by him to examine its books, records and papers, knowingly made any incomplete, false or fraudulent return, attempted to do anything whatsoever to avoid the full disclosure of the amount of its net profits or earned income in order to avoid the payment of the whole or any part of the tax imposed by this Ordinance, or violated or permitted the violation of the provisions of this Ordinance, or any employer who has failed, neglected or refused to register or to pay the tax deducted from his employees or failed, neglected or refused to deduct or withhold the tax from his employees, shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 3. Section 902 of Ordinance 2-1966, regarding earned income tax, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 902. Penalties for Divulging Confidential Information. Any Person, partnership, corporation or other entity who or which has divulged any information

which is confidential under the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation of this Section has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 4. Section 12 Ordinance 2-1967, regarding realty transfer tax, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 12. Penalties. Any Person, partnership, corporation or other entity who or which has failed, neglected or refused to comply with any of the terms or provisions of this Ordinance or of any regulation or requirement pursuant hereto and authorized hereby, or has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 5. Section 13 of Ordinance 3-1967, regarding amusement tax, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 13. Penalties. Any Person, partnership, corporation or other entity who or which has failed, neglected or refused to comply with any of the terms or provisions of this Ordinance or of any regulation or requirement pursuant thereto and authorized thereby or has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified

mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 6. Section 5 of Ordinance 1-1969, as amended by Section 5 of Ordinance 42-1979, regarding construction, reconstruction, erection, improvement, paving or blacktopping of drains, culverts, footwalks, driveways or other means of ingress or egress to property connecting with Township roads, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 105. Violations; Penalties. Upon the construction, erection, reconstruction, improvement, pavement or blacktopping of any such drain, culvert, drive or footwalk which does not comply with any conditions imposed by the Township Supervisors as aforesaid, or any erection, construction, reconstruction, improvement, pavement or blacktopping of any such drain, culvert, drive or footwalk made without the prior approval of the Township Supervisors, and which does not meet with the approval of the Township Supervisors after construction, erection, reconstruction, improvement, pavement or blacktopping, 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 proceeding to be brought before a District Justice in the Township.

Any Person, partnership, corporation or other entity who or which has erected, constructed, reconstructed, improved, paved or blacktopped a drain, culvert, driveway or footwalk without first having made application and received a permit therefor as aforesaid, or has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced

by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 7. Section 9, entitled "Penalties" of Ordinance 27-1970, regarding disorderly conduct, concealed weapons, loafing, littering, false alarms and obstruction of officers, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 9. Penalties. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance.

Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 8. Section XXII, entitled "Penalty" of Ordinance 30-1970, regarding mobile home parks, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section XXII. Penalties. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 9. Section 1 of Ordinance 58-1986, regarding mobile home parks, which ordinance amends Ordinance No. 30-1970, is hereby amended so as to delete Subsection 20.3, entitled "Fines and Penalties", and Subsection 20.4, entitled "Collection of Fines" contained in Section 1 of Ordinance 58-1986 and to renumber Subsection 20.5, entitled "Other Civil Remedies", contained in Section 1 of Ordinance 58-1986 to now read Subsection 20.5.

Section 10. Section Six of Ordinance 36-1974, as amended by Sections 1 and 2 of Ordinance 37-1974, regarding street openings, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section Six. Penalties. Any Person, partnership, corporation, utility or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation, utility or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 11. Section III of Ordinance 43-1979, regarding parks, playgrounds and recreation areas, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 10. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person,

partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 12. Subsection 1(c) of Ordinance 48-1980, regarding listing of tenants and addresses, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"(c). Every owner of real estate in the Township who or which has failed to comply with the requirements of this Ordinance or has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that an owner of real estate is late in filing said certified list as required by this Ordinance shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the owner of real estate violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 13. Section 2 of Ordinance 53-1984, regarding vehicle maintenance upon or within public rights-of-way, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 2. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 14. Section 9 of Ordinance 4-1965, as amended by Section 12 of Ordinance 57-1986, regarding the collection, transportation, processing and disposal of refuse to and at the Township refuse collection facility, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 12. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance or any of the rules and regulations adopted pursuant hereto shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

In addition to the remedies set forth above, the Township shall also retain the right to bring a suit in equity to restrain any violations of this Ordinance."

Section 15. Section 9, entitled "Penalties", of Ordinance 59-1986, regarding occupational privilege tax, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 9. Penalties for Violation. Any employer, taxpayer, Person, partnership, corporation or other entity who or which has made a false or untrue statement on any return required by this Ordinance, refused inspection of its records in its custody and control setting forth its employees subject to this tax, failed or refused to file a return required by this Ordinance, or violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the employer, taxpayer, Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 16. Section 9, entitled "Payment to Township", of Ordinance 76-1990, regarding franchises to operate and maintain community television systems and closed circuit

television systems, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 9. Payment to Township. Any qualifying company holding a franchise pursuant to the terms of this Ordinance shall pay to the Township for the privilege of operating its community television system under such franchise the sum of five percent (5%) of the annual gross basic cable television service receipts each year thereafter.

The qualifying company shall make payment to the Township of such fees within thirty (30) days following the anniversary date of the grant of its franchise. Such payments shall be accompanied by written proof of the factual basis for computation of the payment.

Any qualifying company which has failed to make such payments in a timely manner pursuant to the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that such payment continues to be late shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the qualifying company violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

In addition to the remedies set forth above, the Township shall also retain the right to institute civil proceedings against the qualifying company for collection of the delinquent fees in the Court of Common Pleas or at the District Justice Magisterial District having jurisdiction within the Township."

Section 17. Section 5, entitled "Penalty for Violation", of Ordinance 79-1990, regarding grass, weeds and vegetative growth, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 5. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has failed, neglected or refused to comply with any of the provisions of this Ordinance or violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 18. Section Five, entitled "Penalties", of Ordinance 88-1992, regarding water conservation, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section Five. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than One Thousand Dollars (\$1,000.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 19. Section 9, entitled "Penalties", of Ordinance 94-1993, regarding transient retail businesses, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 9. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding

commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 20. Section V of Ordinance 99-1994, regarding fire insurance proceeds as security, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section V. Penalties for Violation. Any owner of property, named insured, Insuring Agent, Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than One Thousand Dollars (\$1,000.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i)

determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 21. Section 9, entitled "Penalties", of Ordinance 100-1994, regarding dangerous structures, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 9. Penalties. Any Person, partnership, corporation or other entity who or which has failed to comply with any notice or order to repair, vacate or demolish any dangerous building, which notice is served by any person authorized to do so by the Board of Supervisors, shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than One Thousand Dollars (\$1,000.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

Any Person, partnership, corporation or other entity who or which has removed the notice provided for in Section 8(e) of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i)

determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

All judgments provided for in this section shall be in addition to costs.

Any Person, partnership, corporation or other entity who or which has an interest in any building and has failed to comply with any notice or order to repair, vacate or demolish any dangerous building within sixty (60) days of the receipt of such notice, by such failure, does empower the Board to cause such building or structure to be repaired, vacated or demolished by the Township and to cause the costs of such repair, vacation or demolition together with a penalty of ten percent (10%) to be charged upon the land upon which the building exists as a municipal lien, and to recover such costs and penalty in a suit at law against the owner or owners but failing to recover same to have the judgment therefor to be charged upon the land as a municipal lien; and, this paragraph is separate from and in addition to any judgment which may be imposed by this Section."

Section 22. Section 3, entitled "Penalty for Violation", of Ordinance 104-1994, regarding hinderance, interference, blocking or obstruction of streets, roads, alleys or other public ways, of the Township of Tilden, Berks County, Pennsylvania is hereby amended in its entirety so as to hereafter read as follows:

"Section 3. Penalties for Violation. Any Person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of

this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

The officer(s) of the Township authorized to do so by the Board of Supervisors shall determine in each instance whether a violation has occurred under this Ordinance. Upon determining that a violation has occurred, the authorized officer shall (i) determine the amount of such judgment, not to exceed the limitations set forth herein, and (ii) serve written notice upon the violator in person or by registered or certified mail, return receipt requested, postage prepaid, identifying the applicable section of this Ordinance which has allegedly been violated and the time and place of the scheduled civil enforcement proceeding before the district justice.

No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a 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. Each day that a violation continues shall constitute a separate violation, unless the district justice in determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) 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. All judgments, costs and reasonable attorneys' fees collected for the violation of this Ordinance shall be paid over to the Township.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this Section."

Section 23. 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 Tilden 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 24. 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 25. This Ordinance shall become effective five (5) days from the date of enactment.

DULY ENACTED AND ORDAINED this 2nd day of July, 1996.

BOARD OF SUPERVISORS
TOWNSHIP OF TILDEN,
BERKS COUNTY, PENNSYLVANIA

By: Ray W. Borky
Chairman

By: James W. Haley
Supervisor

By: Eugene D. Schlegel
Supervisor

Attest: Anna Shollenberger
Anna Shollenberger, Secretary

CERTIFICATION

I hereby certify that the foregoing ordinance was advertised on June 19, 1996 in the Reading-Eagle Times, a newspaper of general circulation in the Township of Tilden, Berks County, Pennsylvania, and was duly enacted and approved as set forth at a regular scheduled meeting of the Township of Tilden on July 2, 1996 at 7:00 P.M., prevailing time, in the Township Municipal Building, Tilden Township, Berks County, PA

ATTEST:

Anna M. Shollenberger
Anna M. Shollenberger, CMC
Secretary