

TOWNSHIP OF SOUTH BEAVER
ORDINANCE NO. 52

AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, OF BEAVER COUNTY, PENNSYLVANIA, AMENDING ORDINANCES NOS. 1, 3, 4, 12, 13, 16, 17, 19, 21, 24, 25, 28, 35, 38, 43, 44, 45, 47, 49, and 51 OF THE TOWNSHIP PROVIDING FOR FINES, ASSESSMENT AND COLLECTION THEREOF FOR VIOLATIONS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of South Beaver Township, of Beaver County, Pennsylvania, and it is hereby enacted under the authority of the Second Class Township Code, the following:

Article I. Ordinance No. 1 captioned AN ORDINANCE PROHIBITING THE ACCUMULATION, DUMPING OR DEPOSITING OF ASHES, GARBAGE, RUBBISH AND OTHER REFUSE MATERIAL IN THE TOWNSHIP OF SOUTH BEAVER AND PRESCRIBING FINES AND PENALTIES FOR VIOLATION, is amended as to Section IV by replacement of said Section IV in its entirety with the following:

SECTION IV

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more subparagraphs of Section II and/or Section III are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (3) For the third and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of Section II and Section III, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, and/or the garbage, rubbish and ashes are not removed by the person or persons that violated this Ordinance, such continued condition shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine set hereby, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article II. Ordinance No. 3 captioned AN ORDINANCE OF SOUTH BEAVER TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA, IN RE PUBLIC NUISANCE, is amended as to Section V by replacement of said Section V in its entirety with the following:

SECTION V

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more subparagraphs of Section I and/or Section III are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (3) For the third and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of Section I and Section III, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, i.e. the condition of the nuisance existing not being removed by the person or persons that violated this Ordinance, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article III. Ordinance No. 4 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, REQUIRING AND REGULATING SANITARY DISPOSAL SYSTEMS AND DISPOSAL OF SEWAGE MATTER FOR THE PROTECTION OF THE HEALTH, CLEANLINESS, COMFORT AND SAFETY OF THE CITIZENS OF THE SAID TOWNSHIP; PROHIBITING CERTAIN UNSAFE AND UNSANITARY CONDITIONS; PROVIDING FOR THE REQUIRING AND ISSUING OF PERMITS; PROVIDING FOR INSPECTIONS; AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF, as previously amended by Township Ordinances Nos. 11 and 23, is further amended as to Section XII by replacement of said Section XII in its entirety with the following:

SECTION XII

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of One Thousand and No/100 (\$1,000.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of Two Hundred and No/100 (\$250.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Five Hundred and No/100 (\$500.00) Dollars is set; and
- (3) For the third and/or subsequent occurrence of a violation, a fine of One Thousand and No/100 (\$1,000.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article IV. Ordinance No. 12 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, REGULATING THE PLACING AND KEEPING OF TRAILER COACHES, MOBILE HOMES, TRAILER PARKS, TRAILER

COACH LOTS AND MOBILE HOME PARKS UPON LANDS WITHIN THE TOWNSHIP OF SOUTH BEAVER; PROVIDING FOR THE REQUIRING AND ISSUING OF PERMITS AND FIXING THE FEE THEREFOR; PROHIBITING UNSAFE AND UNSANITARY CONDITIONS: PROVIDING FOR INSPECTIONS: DEFINING CERTAIN TERMS: AND PROVIDING FINES AND PENALTIES FOR THE VIOLATIONS THEREOF, is amended as to Section XV by replacement of said Section XV in its entirety with the following:

SECTION XV

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, i.e. the condition of the nuisance existing not being removed by the person or persons that violated this Ordinance, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article V. Ordinance No. 13 captioned AN ORDINANCE IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED AND PAID ON OR AFTER JANUARY 1, 1971, BY RESIDENTS OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED AND PAID AFTER JANUARY 1, 1971, BY NON-RESIDENTS OF THE TOWNSHIP OF SOUTH BEAVER FOR WORK DONE OR SERVICES PERFORMED OR RENDERED IN THE TOWNSHIP OF SOUTH BEAVER, AND ON THE NET PROFITS EARNED ON OR AFTER JANUARY 1, 1971, OF BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE TOWNSHIP OF SOUTH BEAVER BY SUCH RESIDENTS, AND ON THE NET PROFITS EARNED ON OR AFTER JANUARY 1, 1971, OF BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN SAID TOWNSHIP BY NON-RESIDENTS; REQUIRING THE FILING OF RETURNS AND THE GIVING OF INFORMATION BY EMPLOYERS AND THOSE SUBJECT TO THE SAID TAX; IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE AND PAYING THE SAME TO THE TOWNSHIP OF SOUTH BEAVER; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; CONFERRING AND IMPOSING POWERS AND DUTIES ON THE EARNED INCOME TAX COLLECTOR AND IMPOSING PENALTIES, is amended as to Section 10 by replacement of said Section 10 in its entirety with the following:

SECTION 10

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated

during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set;
- (3) For a third occurrence or subsequent occurrence of violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, i.e. the local wage/earned income tax return not being filed, taxes paid or withheld as herein required, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article VI. Ordinance No. 16 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, ESTABLISHING A CURFEW FOR MINORS UNDER EIGHTEEN YEARS OF AGE: AND PROVIDING FINES AND PENALTIES FOR THE VIOLATIONS THEREOF, as previously amended by Township Ordinance No. 29, is further amended as to Section 6 by replacement of said Section 6 in its entirety with the following:

SECTION 6

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

(1) For the first occurrence of a violation, a fine of Twenty-five and No/100 (\$25.00) Dollars is set;

(2) For the second occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;

(3) For the third occurrence of a violation, a fine of Two Hundred and No/100 (\$200.00) Dollars is set;

(4) For the fourth occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) Dollars is set; and

(5) For the fifth and/or subsequent occurrence of a violation, a fin of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, i.e. the condition of a minor remaining in violation of the curfew requirements herein set, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article VII. Ordinance No. 17 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, FOR GENERAL REVENUE PURPOSES BY LEVYING A PER CAPITA TAX IN THE AMOUNT OF FIVE DOLLARS UPON ADULT RESIDENTS OF SOUTH BEAVER TOWNSHIP: PROVIDING FOR COLLECTION OF THE TAX; GRANTING DISCOUNT AND IMPOSING PENALTIES AND FINE FOR VIOLATION, as previously amended by Township Ordinance No. 18A, is further amended as to Section 4 by replacement of said Section 4 in its entirety with the following:

SECTION 4

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

(1) For the first occurrence of a violation, a fine of Twenty-five and No/100 (\$25.00) Dollars is set;

(2) For the second occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;

(3) For the third occurrence of a violation, a fine of Two Hundred and No/100 (\$200.00) Dollars is set;

(4) For the fourth occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) Dollars is set; and

(5) For the fifth and/or subsequent occurrence of a violation, a fin of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, i.e. the per capita tax remains unpaid, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so,

a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article VIII. Ordinance No. 19 captioned AN ORDINANCE OF SOUTH BEAVER TOWNSHIP, BEAVER COUNTY, PENNSYLVANIA, REGULATING CONSTRUCTION, EXPANSION AND MAINTENANCE OF ENTRANCES ONTO THE ROAD AND STREETS OF THE TOWNSHIP; REQUIRING PERMITS AND PROVIDING FOR FINES AND PENALTIES FOR VIOLATION THEREOF, is hereby amended as to Section 4 by replacement of said Section 4 in its entirety with the following:

SECTION 4

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred and No/100 (\$200.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) Dollars is set; and

(4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article IX. Ordinance No. 21 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, PROVIDING FOR REGULATION OF CONSTRUCTION, OPENINGS OR CUTS ON OR UNDER TOWNSHIP ROADS AND STREETS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF, is hereby amended as to Section IV by replacement of said Section IV in its entirety with the following:

SECTION IV

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of Two Hundred and No/100 (\$200.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) Dollars is set; and
- (3) For the third and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article X. Ordinance No. 24 captioned AN ORDINANCE IMPOSING A TAX UPON THE TRANSFER OF REAL PROPERTY, OR ANY INTEREST IN REAL PROPERTY, SITUATE WITHIN THE TOWNSHIP OF SOUTH BEAVER; REQUIRING THAT EACH DEED OR INSTRUMENT OF CONVEYANCE SHALL SHOW EVIDENCE THAT THE TAX HAS BEEN PAID; PROVIDING A METHOD OF COLLECTION; AND PROVIDING A PENALTY IF THE TAX IS NOT PAID, is amended as to Section 9 by replacement of said Section 9 in its entirety with the following:

SECTION 9

Any person who violates any provision of this Ordinance, and/or who shall falsify or participate in the falsification of the true value paid in exchange or transfer of any interest in real estate to avoid or reduce the transfer tax due and payable under this Ordinance, shall in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, is and shall be as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred Fifty and No/100 (\$150.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (3) For the third and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance is a separate offence, i.e. the failure to pay the transfer tax as to each deed or instrument of conveyance per this Ordinance shall constitute the occurrence of a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver or the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XI. Ordinance No. 25 captioned SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF SOUTH BEAVER TOWNSHIP, is hereby amended as to Article VIII by replacement of said Article VIII in its entirety with the following:

ARTICLE VIII

PENALTIES

Section 801. Any person that subdivides and develops land, and/or subdivides and conveys land contrary to the provisions of this Ordinance is in violation of this ordinance. Each day a violation continues shall constitute a separate violation.

Section 802. Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Five Hundred and No/100 (\$500.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred Fifty and No/100 (\$250.00) Dollars is set; and
- (3) For the third and/or subsequent occurrence of a violation, a fine of Five Hundred and No/100 (\$500.00) Dollars is set.

B. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so,

a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XII. Ordinance No. 28 captioned AN ORDINANCE PROVIDING FOR THE GRANTING OF A FRANCHISE TO A CABLE TELEVISION SYSTEM IN THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, SETTING FORTH CONDITIONS FOR THE OPERATION AND MAINTENANCE OF SUCH A SYSTEM ACCOMPANYING THE GRANT OF A FRANCHISE, is hereby amended by the addition thereto of Section 23 as follows:

SECTION 23

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred and No/100 (\$200.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) Dollars is set; and

(4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XIII. Ordinance No. 35 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, OF BEAVER COUNTY, PENNSYLVANIA, REQUIRING PROCUREMENT OF A BUILDING PERMIT PRIOR TO THE ERECTION OF A BUILDING OR STRUCTURE, ALTERATION OR REMODELING OF THE EXTERIOR OF AN EXISTING BUILDING OR STRUCTURE AT ANY LOCATION WITHIN THE TOWNSHIP; AND REQUIRING PROCUREMENT OF A FLOODPLAIN PERMIT OR A SPECIAL FLOODPLAIN PERMIT AS TO ANY DEVELOPMENT, SUBSTANTIAL IMPROVEMENT, CONSTRUCTION, USE OR ACTIVITY IN ANY IDENTIFIED FLOODPLAIN OR FLOOD PRONE AREA WITHIN THE TOWNSHIP; INCLUDING MINIMUM STANDARDS AND SPECIFICATIONS AS TO DEVELOPMENT, AND/OR THE PROHIBITION OF CERTAIN ACTIVITIES; REQUIRING COMPLIANCE WITH ANY RELATED AND APPLICABLE LAW, REGULATION AND/OR ORDINANCE OF THE COMMONWEALTH OF PENNSYLVANIA AND THE TOWNSHIP AS TO ANY DEVELOPMENT WITHIN THE TOWNSHIP; AND PROVISION FOR PENALTY FOR VIOLATION, is amended as to Section 602 by replacement of said Section 602 in its entirety with the following:

SECTION 602

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which penalty fine may be cumulative as to each occurrence of violation if one or more sections or subparagraphs hereof are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of One Thousand and No/100 (\$1,000.00) Dollars, provided however, each day a violation continues unabated is and shall be deemed a separate violation, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred Fifty and No/100 (\$250.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Five Hundred and No/100 (\$500.00) Dollars is set;
- (4) For the fourth occurrence of a violation, a fine of Seven Hundred Fifty and No/100 (\$750.00) Dollars is set; and
- (5) For the fifth and/or subsequent occurrence of a violation, a fine of One Thousand and No/100 (\$1,000.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated is and shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine set hereby, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XIV. Ordinance No. 38 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, OF BEAVER COUNTY, PENNSYLVANIA, REQUIRING LESSORS TO REPORT ON THE STATUS OF OCCUPANCY OF PARCELS OR UNITS OF REAL ESTATE WHICH THE LESSOR RENT OR HAVE AVAILABLE FOR RENT, INCLUDING REGISTRATION OF THE NAMES AND ADDRESS OF ALL OCCUPANTS; PROVIDING FOR REPORTS THEREON EACH TIME THERE IS VACANCY OR A NEW LESSEE OF A PARTICULAR PARCEL OR UNIT OF REAL ESTATE, INCLUDING REGISTRATION OF THE NAMES AND ADDRESS OF ALL OCCUPANTS; PROVIDING FOR REPORTS THEREON EACH TIME A LESSEE OR OCCUPANT VACATES A PARTICULAR PARCEL OR UNIT OF REAL ESTATE; PROVIDING METHODS OF ENFORCEMENT AND PENALTIES FOR VIOLATION HEREOF, is amended as to Section 6 by replacement of said Section 6 in its entirety with the following:

SECTION 6

Any person who violates any provision of this Ordinance or who knowingly makes an incomplete, false or fraudulent report or statement to avoid the provisions of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated

during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, i.e. the required report and information is not delivered to the Township of South Beaver, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

- (1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business;

or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XV. Ordinance No. 43 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, SETTING AND AUTHORIZING THE NAMING OF STREETS, ROADS AND HIGHWAYS WITHIN THE TOWNSHIP, WHETHER SAME BE PUBLIC OR PRIVATE; AUTHORIZING AND/OR REQUIRING THE ERECTION AND PLACEMENT OF STREET, ROAD AND HIGHWAY NAME SIGNS; AND TO REGULATE AND REQUIRE THE NUMBERING OF BUILDINGS; IMPOSING THE REQUIREMENT OF OWNERS AND/OR OCCUPIERS OF PREMISES TO POST AND DISPLAY BUILDING/PROPERTY ADDRESS IDENTIFICATION NUMBERS SO ASSIGNED, FOR AND INCLUDING THE PURPOSE OF, BUT NOT LIMITED TO, ENHANCEMENT OF THE BEAVER COUNTY 9-1-1 SYSTEM; AND PROVIDING FOR PENALTIES FOR FAILURE OR REFUSAL TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE, is amended as to Section 302 by replacement of said Section 302 in its entirety with the following:

SECTION 302

Fine/Penalty. Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Subject to the provisions of Section 301 of this Ordinance, Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XVI. Ordinance No. 44 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, REGULATING MUNICIPAL WASTE COLLECTION, TRANSPORTATION, STORAGE AND/OR DISPOSAL OF MUNICIPAL WASTE GENERATED, COLLECTED OR TRANSPORTED FROM WITHIN THE TOWNSHIP OR ELSEWHERE THROUGH THE TOWNSHIP, AND PROVIDING FOR PENALTIES AND REMEDIES FOR AND AS TO VIOLATIONS THEREOF, is amended as to Section 7 by replacement of said Section 7 in its entirety with the following:

SECTION 7

Penalties: Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated

during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of One Thousand and No/100 (\$1,000.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred Fifty and No/100 (\$250.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Five Hundred and No/100 (\$500.00) Dollars is set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of One Thousand and No/100 (\$1,000.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine as aforesaid.

Article XVII. Ordinance No. 45 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, REGULATING AND LICENSING OF JUNK DEALERS, JUNK YARDS AND/OR RECYCLABLE MATERIAL COLLECTION CENTERS AND/OR RECYCLABLE DROP-OFF CENTERS AND THE ESTABLISHMENT, MAINTENANCE AND OPERATION THEREOF, INCLUDING BUT NOT LIMITED TO MOTOR VEHICLE JUNK YARDS OR SCRAP YARDS, RECYCLABLE MATERIAL DROP-OFF CENTERS, AND/OR OTHER MATERIAL SALVAGE OPERATION CENTERS; PROHIBITING THE IMPROPER DUMPING, BURNING AND/OR STORAGE OF GARBAGE, REFUSE, HAZARDOUS WASTE MATERIALS/ITEMS OR OTHER UNUSABLE WASTE MATERIALS; PROVIDING HEARING AND APPEAL PROCEDURE AS TO DENIAL OF LICENSES OR IMPOSITION OF CONDITIONS OR REQUIREMENTS; AND PRESCRIBING PENALTIES AND REMEDIES FOR AND AS TO VIOLATION THEREOF, is amended as to Section 401 by replacement of said Section 401 in its entirety with the following:

SECTION 401

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation, with exception of Section 201, i.e. the engaging in the activity of junk dealer or operating/maintaining a recyclable drop-off center, without a license, shall not exceed the maximum fine amount of One Thousand and No/100 (\$1,000.00) Dollars; and with reference to said Section 201, the maximum fine amount per violation shall not exceed Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred Fifty and No/100 (\$250.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Five Hundred and No/100 (\$500.00) Dollars is set; and
- (4) For a fourth and/or subsequent occurrence of violation of any provision of this Ordinance with exception of Section 201, a fine of One Thousand and No/100 (\$1,000.00) Dollars is set, while and for a fourth and/or subsequent occurrence of violation of Section 201, a fine of Six Hundred and No/100 (\$600.00) is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation

occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XVIII. Ordinance No. 47 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA, REGULATING PEDDLING AND/OR DOOR TO DOOR SOLICITATION WITHIN THE TOWNSHIP, REQUIRING REGISTRATION AND APPLICATION FOR ISSUANCE OF A TOWNSHIP PERMIT, PAYMENT OF REQUIRED PERMIT FEE, AND PRESCRIBING PENALTIES FOR VIOLATIONS, is amended as to Section 7 by replacement of said Section 7 in its entirety with the following:

SECTION 7

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

- (1) For the first occurrence of a violation, a fine of Twenty-five and No/100 (\$25.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Two Hundred and No/100 (\$200.00) Dollars is set;
- (4) For the fourth occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) Dollars is set; and
- (5) For fifth and/or subsequent occurrence of violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and not abated, shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XIX. Ordinance No. 49 captioned AN ORDINANCE OF SOUTH BEAVER TOWNSHIP OF BEAVER COUNTY, PENNSYLVANIA, AUTHORIZING THE CHIPPEWA TOWNSHIP SANITARY AUTHORITY TO CONSTRUCT, MAINTAIN AND OPERATE A PUBLIC SANITARY SEWER SYSTEM WITHIN SOUTH BEAVER TOWNSHIP SEWER DISTRICT NO. 1, INCLUDING THE RIGHT, PRIVILEGE AND FRANCHISE TO ENTER, LAY, CONSTRUCT, INSTALL AND MAINTAIN SANITARY SEWER LINES WITHIN AND UNDER THE PUBLIC STREETS AND ROADS OF THE TOWNSHIP IN SAID SEWER DISTRICT NO. 1; REQUIRING AND COMPELLING PROPERTY OWNERS HAVING PRINCIPAL STRUCTURES WITHIN ONE HUNDRED FIFTY FEET OF SUCH SEWER SYSTEM, OR AS MAY OTHERWISE BE REQUIRED TO DO SO, ACCORDING TO THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, TO MAKE CONNECTION TO AND USE OF SUCH SEWER SYSTEM; REQUIRING SUCH PROPERTY OWNERS TO PAY UNTO THE CHIPPEWA TOWNSHIP SANITARY AUTHORITY ITS DULY ADOPTED FEES APPLICABLE TO CONNECTING TO AND USING SAID SEWER SYSTEM; PROVIDING FOR THE SETTING, ASSESSMENT, LEVY AND COLLECTION OF A TAX UPON PROPERTIES WITHIN SOUTH BEAVER TOWNSHIP SEWER DISTRICT NO. 1 IN

THE EVENT SOUTH BEAVER TOWNSHIP MUST BUDGET AND/OR PAY, OR RECOUP FOR ITS GENERAL FUND, ANY FUNDS NECESSARY TO BE PAID BY SOUTH BEAVER TOWNSHIP PER THE CHIPPEWA TOWNSHIP SANITARY AUTHORITY - 1994 PENNVEST GUARANTY AGREEMENT; FOR THE PURPOSE OF RECOUPMENT OR GENERAL FUNDS OF SOUTH BEAVER TOWNSHIP EXPENDED OR TO BE EXPENDED FOR THE LIMITED BENEFIT OF PROPERTIES WITHIN SOUTH BEAVER TOWNSHIP SEWER DISTRICT NO. 1, PROVIDING FOR AND SETTING AND COLLECTION OF A CHARGE TO BE ASSESSED, LEVIED, CHARGED AGAINST PROPERTIES, PROPERTY OWNERS AND/OR USERS OF THE SUCH SEWER SYSTEM WITHIN SAID SEWER DISTRICT NO. 1 TO REIMBURSE THE GENERAL FUNDS OF THE TOWNSHIP; INCLUDING GENERAL PROVISIONS AND PROVIDING FOR PENALTIES IN THE EVENT OF VIOLATION BY ANY PERSON OR ENTITY, is amended as to Section 602 and Section 603, by replacement of said Sections 602 and 603 in their entirety, as follows:

Section 602

In addition to being subject to civil citation for violation of this Ordinance, the Board of Supervisors of South Beaver Township, or the Chippewa Township Sanitary Authority with prior approval of the Board of Supervisors of South Beaver Township, may direct the instituting of a suit in equity to civilly compel compliance with this Ordinance, or to enjoin or restrain any violation of this Ordinance and/or to abate a public nuisance as herein declared as to the conduct or lack of conduct of any person, property owner or entity. In addition to an injunction or restraining order, or other civil action, the Township of South Beaver may impose fines or penalties as authorized in Section 603, separately or within any such civil proceeding filed as aforesaid.

Section 603

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation of any provisions of Article I and/or Article III of this Ordinance shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, and provided the aggregate of penalty fine per occurrence of violation of any provisions of Article II of this Ordinance shall not exceed the maximum fine amount of One Thousand and No/100 (\$1,000.00) Dollars, as follows:

As to Article I and Article III:

- (1) For the first occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Three Hundred and No/100 (\$300.00) Dollars is set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

As to Article II:

- (1) For the first occurrence of a violation, a fine of One Hundred and No/100 (\$100.00) Dollars is set;
- (2) For the second occurrence of a violation, a fine of Two Hundred Fifty and No/100 (\$250.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Five Hundred and No/100 (\$500.00) Dollars is set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of One Thousand and No/100 (\$1,000.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, is a separate offence, and further, each day a violation of this Ordinance is permitted to continue and/or not abated shall constitute a separate offense. Further, any person or entity that fails to comply with Article II of this Ordinance as to each Equivalent Dwelling Unit (EDU) as defined/established in meaning within Chippewa Township Sewage Facilities Pre-Design Study of June 1992 relative to expansion of the Chippewa Township Sanitary Authority public sewer system into the now South Beaver Township Sewer District No. 1, [i.e. each residential dwelling, and/or each apartment unit within an apartment building, each mobile home unit within a mobile home park, each office/commercial unit within a complex and/or building], shall be and is declared committing a separate violation for and as to each EDU not timely connected to said public sewage system in full compliance to said Article II and Article III, and each day such non-compliance continues as to each and any EDU owned or controlled by a person or entity as to or under either Article II or Article III, shall constitute a separate offence each subsequent day as to each EDU.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XX. Ordinance No. 51 captioned AN ORDINANCE OF THE TOWNSHIP OF SOUTH BEAVER, BEAVER COUNTY, PENNSYLVANIA ESTABLISHING PROCEDURE AND REGULATIONS GOVERNING ISSUANCE OF SPECIAL PERMITS FOR EXCESSIVE SIZE AND EXCESSIVE WEIGHT VEHICLES, EQUIPMENT, AND/OR LOADS UPON STREETS OR ROADS OF THE TOWNSHIP, is hereby amended by the addition thereto of Section 9 as follows:

SECTION 9

Any person who violates any provision of this Ordinance shall, in addition to any other fine or penalty as provided by law, be subject to a civil penalty fine and collection/payment of same, as follows:

A. The civil penalty fine set by the Board of Supervisors for violation of this Ordinance by a person or persons, per each person, and which may be cumulative as to each occurrence of violation if one or more provisions of this Ordinance is or are violated during an occurrence, provided the aggregate of penalty fine per occurrence per person cited for violation shall not exceed the maximum fine amount of Six Hundred and No/100 (\$600.00) Dollars, as follows:

(1) For the first occurrence of a violation, a fine of Fifty and No/100 (\$50.00) Dollars is set;

- (2) For the second occurrence of a violation, a fine of One Hundred Fifty and No/100 (\$150.00) Dollars is set;
- (3) For the third occurrence of a violation, a fine of Four Hundred and No/100 (\$400.00) is Dollars set; and
- (4) For the fourth and/or subsequent occurrence of a violation, a fine of Six Hundred and No/100 (\$600.00) Dollars is set.

B. Each event or occurrence of a violation of this Ordinance, even though occurring on the same date, i.e. the making of one or more trips or movements upon a Township Road or Street with one or more vehicles in violation of the provisions of this Ordinance, is a separate offence, and further, each day a violation of this Ordinance occurs and happens, and as aforesaid, the making of one or more trips or movements as aforesaid, is and shall constitute a separate offense.

C. Upon the occurrence of any violation of this Ordinance, any police officer of the Township of South Beaver, the Secretary of the Township of South Beaver, or such other person as hereafter designated by Resolution of the Board of Supervisors, may and shall issue a civil citation to the person or persons violating this Ordinance, which civil citation will identify the person by name, address if known, the date of the violation occurrence or occurrences, the place of the occurrence of the violation, a description of the violation or violations for which the civil citation is issued, and the amount of the civil fine hereby set, and payment/collection information as detailed in subparagraph (2) hereafter.

(1) Said civil citation may be hand delivered to the person being cited for violation of this Ordinance; or hand delivered and served upon an adult member of his or her residential household, or if a business, upon an adult person at said place of business; or same may be served by certified mail unto such person's residence and/or place of business, with return receipt requested.

(2) The person or persons cited for violation of this Ordinance as aforesaid shall be granted ten (10) days, unless further time is granted by the Board of Supervisors, to pay the civil fine in full unto the Township of South Beaver, and upon failure to do so, a civil enforcement proceeding shall be filed before the district magistrate of appropriate jurisdiction, to collect said civil fine as heretofore set by the Board of Supervisors, plus all court costs and reasonable attorney fees incurred by the Township of South Beaver in filing and processing such civil enforcement proceeding and collection of the civil fine.

Article XXI. Words as used in this Ordinance shall be interpreted and applied in accordance to the definition applicable to each as contained in a published Webster's Dictionary relative to the subject matter of this Ordinance, or as hereinafter specifically defined, unless a different meaning clearly appears from the context of this Ordinance.

CIVIL CITATION - The definition of "civil citation" is the form designed and approved by the Board of Supervisors for issuance relative to fines for occurrences of violation of any and/or all Ordinances of South Beaver Township.

PERSON - The definition of "person" is to constitute any individual, whether an citizen or not of South Beaver Township, and whether or not an employee of a sole-proprietorship, a partnership, or a public or private corporation, a firm, trust or estate, and if an employee of a sole-proprietorship, a partnership, or a public or private corporation, a firm, trust or estate, shall also include his or her employer whether a sole-proprietorship, a partnership, or a public or private corporation, a firm, trust or estate.

REASONABLE ATTORNEY FEES - The definition of "reasonable attorney fees" in this ordinance is the hourly rate paid by the Township of South Beaver Township as to its retained Solicitor.

Article XXII. The provisions of this Ordinance are severable and if any section, clause, sentence, word, part or provision shall be deemed illegal, invalid or unconstitutional, the decision of the Court shall not affect or impair any of the remaining sections, clauses, sentences, words, parts or provisions of this Ordinance nor the Ordinances which this Ordinance amends. It is hereby declared the intent of the Board of Supervisors of South Beaver Township that this Ordinance would have been adopted if such illegal, invalid or unconstitutional portion had not been included herein.

ENACTED this 9th day of July, 1996

SOUTH BEAVER TOWNSHIP

ATTEST:

Carol Miller
Secretary

Robert S Long
Supervisor

David Shave
Supervisor

Supervisor