

ORDINANCE 2020-06

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF LOWER ALLEN TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF LOWER ALLEN, CHAPTER 187, STREETS AND SIDEWALKS, AT ARTICLE VIII, TEMPORARY RIGHT-OF-WAY OBSTRUCTIONS, AND ARTICLE IX, VIOLATIONS AND PENALTIES.

BE IT ENACTED AND ORDAINED by the Board of Commissioners ("Board") of Lower Allen Township ("Township"), Cumberland County, Pennsylvania, and it is hereby enacted and ordained by the same as follows:

SECTION I

- a. Section 187-64, Prohibited conduct,** shall be amended by adding Subsection D as follows:

D. It shall be unlawful for any person to discharge, detonate, ignite, or otherwise use any fireworks, as defined in Section 147-2, in the cartway or sidewalk within any public right-of-way.

- b. Section 187-67, Violations and penalties,** shall be amended as follows:

Subsection A shall be deleted in its entirety and replaced with the following Subsection 187-67(A):

A. Any police officer or law enforcement officer of the Township is hereby authorized to place a violation notice for any traffic and/or parking violation, under the provisions of any ordinance of the Township or for any of the traffic or parking prohibitions contained in this chapter, in a visible place on any vehicle found to be in violation thereof in the Township, commanding the person to remit fines as specified in Section 209-9, Parking and traffic violations, to the Township office within 48 hours.

Subsection E shall be deleted in its entirety and replaced with new Subsection 187-67(E) as follows:

E. Any person who violates any provision of any Article of this Chapter shall, upon summary conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$300, and costs of prosecution, and in default thereof, such violator shall be imprisoned not more than 90 days. Each day the violation exists shall constitute a separate offense.

SECTION II

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

SECTION III

The provisions of this Ordinance are severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

SECTION IV

This Ordinance shall take effect immediately.

Enacted and Ordained this 26th day of October 2020.

Attest:
(Corporate Seal)

BOARD OF COMMISSIONERS
LOWER ALLEN TOWNSHIP

(Assistant) Secretary

(Vice) President