

**Independence Township
Washington County**

ORDINANCE NO. 14-01

AN ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE, WASHINGTON COUNTY, PENNSYLVANIA, REPEALING THE CURRENT REAL ESTATE REGISTRY REQUIREMENTS FOUND IN CHAPTER 309 OF THE TOWNSHIP CODE AND REPLACING SAID CHAPTER WITH NEW RULES AND REGULATIONS FOR RESIDENTIAL RENTAL PROPERTIES. THIS SHALL INCLUDE THE ESTABLISHMENT OF PROPERTY MAINTENANCE DUTIES FOR RENTAL OWNERS AND OCCUPANTS; PERMIT REQUIREMENTS AND INCREASING THE PENALTIES FOR VIOLATIONS OF THIS CHAPTER OF THE INDEPENDENCE TOWNSHIP CODE.

WHEREAS, the Municipalities Planning Code, 53 P.S. §10101 *et seq.* (the “MPC”), authorizes the Township of Independence (the “Township”) to regulate land uses in the Township and to enact laws that help promote the general welfare and safety of Township residents; and

WHEREAS, pursuant to its authority under the MPC, the Board of Supervisors of the Township (the “Board”) established regulations for real estate owners and its occupants to be properly registered within the Township; and

WHEREAS, the provisions of said Ordinance will be located in §309, *et seq.* in the Independence Township Code; and

WHEREAS, there is a growing concern in the community with the appearance and physical condition of many residential rental units; and

WHEREAS, violations of maintenance codes are generally less severe and more quickly corrected at owner-occupied units as compared to residential rental units; and

WHEREAS, a residential rental inspection program can reduce safety issues and concerns; and

WHEREAS, after careful consideration, the Board desires to repeal the current provisions of Chapter 309 of the Township Code and replace with newly established rules and regulations for residential rental properties within the Township.

NOW THEREFORE, the Board hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1. NAME.

This Ordinance shall be known as the Independence Township “Residential Rental, Property Maintenance and Permitting Ordinance.”

SECTION 2. PURPOSE.

The purpose of this Ordinance is to help address the growing concern in the community with the appearance and physical condition of many residential rental units. In addition to the concerns about the exterior conditions of residential rental properties, the Supervisors also believe that creating a residential rental inspection program can avoid life-threatening problems, such as lack of functioning smoke detectors, faulty mechanical equipment and inadequate or unsafe electrical equipment. By addressing the interior safety issues and exterior appearance issues, this Ordinance is designed to improve the health, safety and welfare of the residents and general public in Independence Township.

SECTION 3. DEFINITIONS.

AGENT

Any person designated by the owner of a residential rental unit who has charge, care or control of said residential rental unit.

CERTIFICATE OF COMPLIANCE

The certificate issued by the Code Enforcement Officer which evidences a satisfactory inspection under the provisions of this chapter.

CODE ENFORCEMENT OFFICER

The person or persons authorized by the Township to determine compliance with the provisions of this chapter and to enforce the same. The Code Enforcement Officer shall include the Township Zoning and/or Property Code Officer as appointed or employed from time to time by the Township Board of Supervisors.

CODES

Any applicable parts of this chapter, other codes or ordinances as adopted by the Township from time to time, statutes and any rules and regulations promulgated thereunder.

COMMON AREA(S)

In multiple-unit dwellings, space which is not part of a residential rental unit and which is shared with other occupants of the premises whether they reside in residential rental units or not. Common areas shall be considered as part of the premises for purposes of this chapter.

DWELLING UNIT

A unit including but not limited to a single residence, double houses, row houses, townhouses, condominiums, apartment houses, hotel units, motel units and conversion apartments.

FEE

The fee required to be submitted with the permit application as set by resolution of the Township Board of Supervisors from time to time.

HOTEL UNIT or MOTEL UNIT

Any room or group of rooms located within a hotel or motel forming a single habitable unit used or intended to be used on a transient basis.

MULTIPLE-UNIT DWELLING(S)

A building containing two or more independent dwelling units, including, but not limited to, double houses, row houses, townhouses, condominiums, apartment houses hotels, motels, and conversion apartments.

NOTICE OF VIOLATION ("NOV")

A violation notice issued by the Code Enforcement Officer (and or Police Department) under this chapter.

OCCUPANT

An individual who resides in, but is not the owner of, a residential rental unit.

OWNER

Any person, agent, operator, firm, corporation, partnership, limited liability company, limited liability partnership, association, other entity, property management group, or fiduciary holding or having legal, equitable or other interest in any real property or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of such person's estate. When used in this chapter in a clause proscribing any activity or imposing a penalty, the term as applied to corporations, partnerships, limited liability companies, limited liability partnerships, associations, other entities, or property management groups shall include each and every member, shareholder, partner (limited or general), director, officer and other individual having an interest in the entity, controlling or otherwise.

PERMIT APPLICATION

The rental occupancy permit application as required by this chapter.

PREMISES

The real property on which a dwelling unit is located.

RESIDENTIAL RENTAL UNIT

A dwelling unit not occupied by the owner thereof.

TOWNSHIP

Independence Township, Washington County, Pennsylvania.

UNIT

A living area comprised of one or more rooms used for living, sleeping and habitation purposes and having its own kitchen and sanitation facilities, all arranged for occupancy by one or more persons.

RENTAL OCCUPANCY PERMIT

A permit issued in accordance with the provisions of this chapter.

SECTION 4. OWNER(S) DUTIES.

- A. Each owner of a residential rental unit shall obtain a zoning permit pursuant to this chapter in order to validly rent the residential rental unit.
- i) Existing Rentals. Rentals currently in existence at the time of adoption shall have (90) days to submit the information required under this Chapter.
 - ii) New Rentals. From the effective date of this Ordinance, any owner wishing to rent out a property must file the requisite application and receive permit approval prior to the rental property being occupied.
 - iii) Change in Renters. Prior to a change in the occupant(s) of the residential rental unit and/or at least 60 days prior to the expiration of the then current permit.
- B. The owner of each residential rental unit shall maintain the residential rental unit and all common areas used by the occupants of the residential rental unit and all facilities servicing the residential rental unit and the premises on which the residential rental unit is located in compliance with all applicable codes and regulations at all times.
- C. The duties of the owner shall be to receive notices and correspondence, including service of process from the Township; to arrange for the inspection of the residential rental unit(s) in accordance with this chapter or in the event that the Code Enforcement Officer has identified a need for inspection due to alleged violations at that residential rental unit(s); to do or arrange for the performance of maintenance, cleaning, repair, pest control, etc. and insure continued compliance of the residential rental unit(s) with the current codes, and other ordinances in effect in the Township.
- D. No unit shall be occupied, knowingly by the owner, by a number of persons that is in excess of the requirements provided for herein.
- E. To protect the health, safety, and welfare of the residents of the Township, it is hereby declared that the Township shall require hazard and general liability insurance for all property owners, letting residential rental units for occupancy in the Township shall contain minimum coverage of \$50,000 in general liability insurance and hazard and casualty insurance in amounts sufficient to either restore or remove the building in the event of a fire or other casualty. Further, in the event of a fire or loss covered by such insurance, it should be the obligation of the owner to use such insurance proceeds to cause the restoration or demolition or other repair of the property in adherence to the Township Code and all applicable ordinances. Owner shall be required to place their insurance company name, policy number and policy expiration date on their permit application, or in the alternative, to provide the Code Enforcement Officer with a copy of the said certificate of insurance.

F. The owner shall certify in the permit application that the residential rental unit(s) is currently compliant with all of the applicable rules and regulations and Codes of the Township.

G. Every owner, or agent shall provide each occupant with a copy of this chapter, the current zoning permit for the residential rental unit and the certificate of compliance for his/her residential rental unit.

H. It shall be the responsibility of every owner or agent to employ policies and to manage the residential rental units under his/her control in compliance with the provisions of this chapter, codes and applicable laws of the Commonwealth of Pennsylvania.

I. Designation of agent.

(1) If the owner is not a full-time resident of the Township or does not reside within a sixty-mile radius of the Township, then the owner shall designate a person to serve as agent, who does reside or work on a daily basis within a sixty-mile radius of the Township. If the owner is a corporation, a separate agent shall be appointed unless an officer of the corporation is appointed as the agent and such officer lives within a sixty-mile radius of the Township. If the owner is a partnership, an agent shall be required if a partner does not reside within a sixty-mile radius of the Township. The agent shall be the agent of the owner for service of process and receiving of notices and demands, as well as for performing the obligations of the owner under this chapter.

(2) The legal name, mailing address, daytime physical address (not a post office box), and daytime and evening telephone numbers of a person who is designated as the agent shall be provided in writing by the owner to the Township, and such information shall be kept current and updated within five business days after it has changed.

(3) The Agent shall be authorized to accept service of process on behalf of the owner.

J. The owner shall comply with all provisions of the Pennsylvania Landlord-Tenant Act. See 68 P.S. § 250.101 et seq.

K. The owner shall not permit the residential rental unit to be occupied without a valid zoning permit issued pursuant to this chapter.

L. Each owner of a residential rental unit shall notify the Code Enforcement Officer in writing within 30 days after any change in ownership of the premises or of the number of residential rental units on the premises, and to submit new contact information. Failure to so notify the Code Enforcement Officer shall be considered a violation of this chapter.

M. The owner shall notify the Code Enforcement Officer in writing within 30 days after the changing of a unit from owner-occupied to being a residential rental unit for purposes of this chapter. Failure to so notify the Code Enforcement Officer shall be considered a violation of this chapter.

SECTION 5. OCCUPANT(S) DUTIES

A. The occupant shall comply with all obligations imposed upon occupants by this chapter, applicable codes and regulations of the Township, and all applicable provisions of laws of the Commonwealth of Pennsylvania.

B. A residential rental unit shall not be occupied by more than three unrelated persons, as defined herein, unless a waiver is granted by the Township Board of Supervisors and/or specifically permitted otherwise by the Township Zoning Ordinance. *A residential rental unit

shall also comply with the occupancy limits of other applicable commonwealth and local codes and regulations.

C. Occupants shall collect and dispose of all rubbish, garbage and other waste in a clean and sanitary manner, and occupants shall comply with Township solid waste, sanitation and recycling regulations. Occupants shall keep the part of the premises which occupant occupies or controls in a clean and sanitary manner.

D. Occupants shall not engage in, nor tolerate, nor permit guests on the premises to engage in, any conduct declared illegal under any federal statute, and/or under the Pennsylvania Crimes Code (18 Pa.C.S.A. § 101 et seq.) or Liquor Code (47 P.S. § 1-101 et seq.), or the illegal sale or distribution of controlled substances under the Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. § 780-101 et seq.) or their successor laws.

E. Occupants shall permit the Code Enforcement Officer to conduct inspections of the residential rental unit during Township business hours, after receiving notice from the owner, agent and/or the Township.

F. The occupant shall comply with all provisions of the Pennsylvania Landlord-Tenant Act. See 68 P.S. § 250.101 et seq.

G. Regardless of the duties outlined in any Rental Agreement (between owners and tenants) or provisions of this Chapter, owner shall ultimately be responsible for compliance with the conditions imposed by this Ordinance and the Township may assert non-compliance and notice of violation to both occupant(s) and property owner.

SECTION 6. OCCUPANT(S) DUTIES

A. The owner(s) of the premises where a residential rental unit is located is/are responsible, jointly and severally, for filing a permit application to the Township for the zoning permit, which permit application must comply with all the requirements, established pursuant to this chapter, and any applicable regulation, for such applications. A new permit application must be submitted every three years and/or upon a change in the occupant of a residential rental unit.

B. All permit applications shall be in writing, shall use the form adopted by the Township Board of Supervisors, shall provide all the information required pursuant to this chapter and shall be accompanied by the required fee. The Township shall have no duty to process any permit application without the required fee.

C. The information to be provided, by the owner, with the application, shall include:

- (1) Parcel identification number and zoning district;
- (2) Property address;
- (3) Applicant name and phone number;
- (4) Agent name, address and phone number;
- (5) Owner name, address and phone number;
- (6) Type of dwelling, number of bedrooms, type of water, type of sewer and number of dwelling units;
- (7) Proof of insurance; and
- (8) Occupant names and contact information.

D. The Code Enforcement Officer shall issue the zoning permit for the residential rental unit when:

- (1) The required permit application has been filed with the Township;
- (2) All the required fees have been paid in full; and

(3) A certificate of compliance has been issued by the Code Enforcement Officer set forth in this chapter.

E. Denial of permit. If, there is an inspection by the Code Enforcement Officer and, as a result of which, the Code Enforcement Officer has determined that the certificate of compliance should not be granted, due to any condition(s) that does/do not comply with applicable regulations, the Code Enforcement Officer shall issue, to the owner, a written notice of violation (NOV) in accordance with the provisions contained herein and identifying the noncompliant condition(s) and ordering that compliance be achieved in a timely manner.

F. Fees. At the time of submission of the permit application, owner shall pay the fee as defined above. The fee does not include or supersede any fees required by the Township Property Maintenance Code or any fees that may be imposed in accordance with any other Township code or ordinance.

G. Hotels and motels. The permit application required by this section shall only be required for a hotel unit or motel unit located in a hotel or motel which permits occupancy on a weekly or monthly basis, upon the request of and at the sole discretion of the Code Enforcement Officer. No permit application shall be required of hotel units or motel units located in hotels or motels principally providing overnight lodging.

SECTION 7. CERTIFICATE OF COMPLIANCE.

No residential rental unit shall be occupied, and no zoning permit shall be issued in accordance with this chapter, unless a certificate of compliance evidencing compliance with this chapter has been issued by the Code Enforcement Officer. Issuance of a certificate of compliance shall represent compliance with the inspection requirements of this chapter but shall not denote compliance with any other applicable part, chapter, other code, ordinance or statute. A certificate of compliance shall be valid for a period of 36 months and/or until there is a change in the occupant of the residential rental unit. Every certificate of compliance shall be displayed in a conspicuous place in the interior of the residential rental unit.

SECTION 8. INSPECTIONS.

A. No certificate of compliance shall be issued except as follows:

(1) Inspections required. Prior to occupancy and prior to issuance of a certificate of compliance, each residential rental dwelling unit shall be inspected by the Code Enforcement Officer or other authorized inspector, and for such purpose and for any reinspection required hereunder, the owner shall provide access to the Code Enforcement Officer or authorized inspector. A residential rental unit where inspection access is denied may not be issued a certificate of compliance until inspection access is provided.

(2) All inspections conducted under the authority of this chapter shall determine compliance with this chapter and all Codes of the Township and the laws of the Commonwealth of Pennsylvania. This inspection shall include the exterior and interior of the premises on which the residential rental unit is located.

(3) Whenever permission for access to a residential rental unit cannot be obtained for any reason, or whenever the Code Enforcement Officer shall determine or have a reasonable belief that such residential rental unit is being occupied in violation of the provisions of this

chapter, he may seek to obtain a search warrant as set forth herein from a competent authority in accordance with applicable law.

(4) Exemption from inspection.

(a) In any instance where the Code Enforcement Officer shall lawfully issue a certificate of occupancy for a rental residential unit as a result of new construction or alterations, he shall concurrently issue a certificate of compliance.

(b) In any instance where proper evidence is submitted to the Code Enforcement Officer to demonstrate compliance with a current inspection by a federal or a state authority pursuant to a maintenance standard equivalent or more strict than the provisions required under this part, the Code Enforcement Officer shall issue a certificate of compliance dated as of the date of such inspection.

(5) The Township reserves the right at any time to inspect any premises to verify compliance with the provisions of this chapter, which Township inspection shall be made without charge. If, as a result of such Township inspection, violations of the provisions of this chapter are determined, additional inspections necessitated by such noncompliance shall be at the expense of the owner.

B. Search warrants.

(1) If entry to any premises, common area or residential rental unit, for the purpose of inspection, is denied to the Code Enforcement Officer, the Code Enforcement Officer may apply to the appropriate authority for an administrative search warrant. Without limitation, when denied access, the Code Enforcement Officer may request a warrant for the following reasons:

(a) The inspection is part of a systematic inspection, permitting and enforcement program;

(b) The affiant has knowledge of or probable cause to believe that there is an existing or potential violation of applicable Township regulations, in the residential rental unit; and/or

(c) The entry is necessary for the purpose of reinspecting a violation of a Township regulation previously observed by the Code Enforcement Officer and which the Code Enforcement Officer ordered to be corrected.

(2) No search warrant is required if an imminent danger to health and safety exists, or the Code Enforcement Officer has probable cause to believe that dangerous conditions exists and an inspection is required to determine if an inherent danger to health or safety exists.

C. If the Code Enforcement Officer determines that, within any residential rental unit, premises or common area, an emergency condition exists which requires immediate action to protect the public health, safety and/or welfare, the Code Enforcement Officer may issue a determination declaring the existence of such emergency condition and a NOV requiring the action necessary to be undertaken by any owner to correct such condition effectively and immediately.

D. The issuance of a certificate of compliance shall not be deemed, nor construed as, a representation, guaranty or warranty of any land by the Township, or its officials, agents or employees, and shall create no liability upon the Township, its officials, agents or employees.

E. The issuance of a certificate of compliance shall not preclude or otherwise affect the authority of the Code Enforcement Officer from the enforcement of any other part of the Code, applicable statute, ordinance, rule or regulation at any time.

SECTION 9. NONCOMPLIANCE.

A. If the inspection of a residential rental unit discloses noncompliance with the provisions of this chapter, the Code Enforcement Officer shall issue a notice of violation. The notice of violation shall set forth the following:

- (1) The street address or appropriate description of the premises;
- (2) The date of the inspection;
- (3) The identity of the inspector;
- (4) A list of the Code deficiencies;
- (5) The number of days in which the owner and/or occupant is to accomplish repairs and/or otherwise cure the violation; and

- (6) Notice that if the conditions are not repaired or the premises are not otherwise brought into compliance with the provisions of this part within the time specified, the occupant and/or the owner may be prosecuted and/or the residential rental unit may be placarded as unfit for human occupancy, in which event the occupants shall promptly vacate the residential rental unit, only the Code Enforcement Officer shall have authority to institute prosecutions under the provisions of this chapter.

B. Notifications.

- (1) Notices of violation shall be sent to the owner, and agent if applicable, by certified mail.

- (a) In the event that the notice of violation is returned by the postal authorities marked "unclaimed" or "refused," then the Code Enforcement Officer shall attempt delivery by personal service on the owner or agent if applicable. The Code Enforcement Officer shall also post the notice of violation at a conspicuous place on the premises.

- (2) The Township shall not be responsible for failing to provide a notice of violation where the owner has not provided an up-to-date name and address for the owner or the agent for the residential rental unit.

- (3) There shall be a presumption that any notice of violation required to be given to the owner under this chapter shall have been received by such owner if the notice of violation was given to the owner in the manner provided by this chapter.

- (4) A claimed lack of knowledge by the owner of any violation hereunder cited shall not be a defense to nonissuance or nonrenewal of a rental occupancy permit.

C. Notices of violation.

- (1) The Code Enforcement Officer shall provide a written notice of violation to the owner within 10 days of the completion of an inspection of a residential rental unit. A copy of said notice of violation shall likewise be provided to the occupants of the residential rental unit.

- (2) The owner shall be permitted 30 days from the date of the written notice of violations to cure all violations enumerated therein. The only exceptions to this thirty-day cure period are as follows:

- (a) In the event the Code Enforcement Officer determines a residential rental unit is unfit for human habitation, and/or that the continued occupation of the residential rental unit poses an imminent threat to the health, safety and welfare of the occupants or to the neighboring occupants/owners, the Code Enforcement Officer shall order said residential rental unit to be vacated immediately, and to remain vacated until conditions are corrected to the satisfaction of the Code Enforcement Officer.

(b) For serious violations that do not require the premises to be vacated, the Code Enforcement Officer may require said violations be cured within 24 hours, or any other time period as determined by the Code Enforcement Officer.

(c) For violations requiring more than 30 days to cure, the Code Enforcement Officer may grant, in his discretion, the additional time required to effect a cure, and this period shall be noted in writing and provided to the owner.

D. Nonrenewal.

(1) A Code Enforcement Officer may delay and/or deny the renewal of a rental occupancy permit if there are outstanding violations of Codes for that residential rental unit that have not been corrected at the time of rental occupancy permit renewal.

(2) If the violations are not a threat to the safety of occupants or other members of the public, a Code Enforcement Officer may permit the current occupants to continue to reside in the residential rental unit for a reasonable period of time established by a Code Enforcement Officer in the notice of nonrenewal, with the time limit removed when the violations of codes are corrected. A Code Enforcement Officer may issue a temporary rental occupancy permit that is conditioned upon certain actions being taken within a maximum time period.

E. Revocation. The immediate revocation of the rental occupancy permit to rent a residential rental unit shall occur if a Code Enforcement Officer determines that violations of Township codes present a threat to the safety of occupants or other members of the public. Such revocation shall continue until violations of Township codes are corrected and the property has been reinspected. Upon revocation, the owner shall take immediate steps to locate alternative housing for the occupants.

F. Suspension.

(1) A Code Enforcement Officer may suspend the rental occupancy permit to rent a residential rental unit until violations of Township codes have been corrected within a time limit established by a Code Enforcement Officer. Such suspension shall continue until such time as the violation(s) of Township codes are corrected.

(2) If the violations are not a threat to safety of occupants or other members of the public, a Code Enforcement Officer shall permit the current occupants to continue to reside in the premises for a reasonable period of time established by a Code Enforcement Officer in the notice of suspension.

(3) A Code Enforcement Officer may suspend the rental occupancy permit to rent a residential rental unit if the owner of his/her designated agent are not available or do not respond to contacts by a Code Enforcement Officer, or if the name and contact information for the owner or agent are no longer valid, or if the agent no longer represents the owner.

G. Reinstatement. A rental occupancy permit shall be reinstated if the owner of a residential rental unit corrects the reason for the nonrenewal, suspension or revocation of the rental occupancy permit.

H. Procedure for nonrenewal, suspension or revocation of rental occupancy permit. Following a determination that grounds for nonrenewal, suspension or revocation of a rental occupancy permit exist, a Code Enforcement Officer shall notify the owner or agent of the action to be taken and the reason therefore. Such notification of violation shall be in writing, addressed to the owner or agent, and shall contain the following information:

(1) The address of the premises and identification of the affected residential rental unit(s).

(2) A description of the violation which has been found to exist.

(3) A statement that the rental occupancy permit for said residential rental unit(s) shall be suspended, revoked, or will not be renewed for the next period unless the violation is corrected within the time deadline provided in the notice of violation. In the case of a revocation, the notice shall state the date upon which such revocation will commence.

(4) A statement that during the rental occupancy permit nonrenewal or revocation, the property shall not be rented for occupancy except for any temporary conditional license extension that a Code Enforcement Officer may issue.

SECTION 10. VIOLATIONS

A. Any person or owner who violates or permits a violation of any provision of this chapter shall, upon conviction of a summary proceeding brought before a Magisterial District Judge, be guilty of a summary offense and shall be punishable by a fine of not less than \$100 nor more than \$1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violations continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall constitute a separate offense.

B. In addition to the above, the Township may institute, in the name of the Township, any appropriate action or proceeding to prevent, restrain, correct or abate violations of this chapter.

C. If the occupant of a residential rental unit shall provide a written complaint regarding the condition of a residential rental unit such that the Code Enforcement Officer, on the basis of such complaint, conducts an inspection of a residential rental unit pursuant to the authority of this chapter, and such written complaint is determined to be without any basis in fact, then the occupant shall be in violation of this chapter and shall be required to pay the expenses of the Township in conducting the inspection at issue or, for failing to do so, shall be charged with a first offense subject to the penalties identified above.

SECTION 11. MISCELLANEOUS.

A. The Township Supervisors or other such employee/agent as may be designated shall have the duty to notify the Tax Collector at least quarterly of the notifications filed under this chapter so the tax Collector may revised his/her records of taxable individuals within the Township.

B. Stricter standards to apply. In the event any provision of this chapter is inconsistent with the provisions of any other ordinance in effect in the Township, the provision applying the stricter standard shall apply.

C. Owners separately responsible. If any residential rental unit is owned by more than one person, in any form of joint tenancy, as a partnership, or otherwise, each person shall be jointly

and separately responsible for the duties imposed under the terms of this chapter, and shall be separately subject to prosecution for the violation of this chapter.


SECTION 12. REPEALER. Any ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of any such inconsistency.

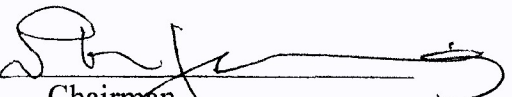
SECTION 13. SEVERABILITY. The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.


ENACTED this 17th day of September, 2014, by the Board of Supervisors of the Township of Independence, Washington County, Pennsylvania; and shall become effective five (5) days after enactment.

ATTEST:

TOWNSHIP OF INDEPENDENCE
WASHINGTON COUNTY, PA


Secretary

By: 
Chairman

By: 
Supervisor

By: 
Supervisor