

TOWNSHIP OF UPPER PROVIDENCE
COUNTY OF DELAWARE
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE No. 552

AN ORDINANCE OF THE TOWNSHIP OF UPPER PROVIDENCE, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA AMENDING SECTION 440.99, OF THE CODE OF THE TOWNSHIP OF UPPER PROVIDENCE TO UPDATE THE PENALTY FOR VIOLATION OF PARKING LIMITATIONS AND TO PROVIDE FOR THE UPDATING OF FINE AMOUNTS BY RESOLUTION

WHEREAS, the Township of Upper Providence is a municipal corporation organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Legislature of the Commonwealth and the Home Rule Charter vests the Township of Upper Providence with the power and authority to make and adopt all such ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth, as is expedient or necessary for the proper management, care and control of, inter alia, the Township's finances, the maintenance of peace, good government, safety and welfare of the Township, its trade, commerce and manufactures; and

WHEREAS, from time to time, amendments to other sections of the Township Code and other State Statutes require the updating of ordinances and regulations within the Township.

NOW THEREFORE, BE IT ORDAINED, by the Township of Upper Providence Council that:

SECTION 1: Chapter 440, Section 440.99, of the Code of the Township of Upper Providence is hereby **amended** to read as follows:

440.99 Penalty.

Enforcement shall be by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of

Criminal Procedure. Any person who violates any provision of this Chapter shall, upon conviction thereof, be sentenced to pay a fine of \$20 or be imprisoned for not more than 30 days, or both. Any fine or levy shall be collectable, along with the cost of prosecution, by an action brought before the district justice of competent jurisdiction. The Township Council may amend the amount of the fine, not to exceed \$1,000 per violation, from time to time by resolution. Each day or part thereof that the violation occurs shall constitute a separate offense.

SECTION 2. Repealer.

All ordinances, resolutions and parts of ordinances and resolutions inconsistent herewith, are hereby repealed.

SECTION 3. Severability.

The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Township Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

SECTION 4. Adoption.

This ordinance shall become effective five (5) business days after passage.

ENACTED AND ORDAINED this 23rd day of January, 2024.

TOWNSHIP OF UPPER PROVIDENCE:

Christen Rexing
Council Chairperson

Attest: _____
Mareile Watson
Interim Township Secretary