

ORDINANCE NO. 1199

AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 207, SECTION 207-6 OF THE CODE OF THE BOROUGH OF WAYNESBORO TO INCREASE THE PENALTY FOR TAMPERING WITH OR REMOVING THE PUBLIC PROPERTY OF THE BOROUGH OF WAYNESBORO

WHEREAS, Section 1202(5) of the Borough Code, 8 Pa.C.S.A. § 1202(5), authorizes the Borough of Waynesboro (the “Borough”) to make regulations as may be necessary for the health, safety, morals, general welfare and cleanliness and beauty, convenience, comfort, and safety of the Borough; and

WHEREAS, Borough Council has established in Chapter 207 of the Code of the Borough of Waynesboro (the “Code”) regulations prohibiting the tampering, defacing, or removal of any public property of the Borough of Waynesboro; and

WHEREAS, Borough Council desires to increase the penalty amount for violations of Chapter 207 of the Code.

NOW THEREFORE BE IT ENACTED AND ORDAINED, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION 1: Chapter 207, Section 207-6 of the Code of the Borough of Waynesboro, entitled “Violations and penalties”, is hereby replaced with the following:

§207-6 Violations and penalties.

Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, costs of prosecution, restitution, and reasonable attorneys’ fees, or, upon default of payment of fines, costs, and restitution, to imprisonment for a period not to exceed ten (10) days. Each day that a violation of this chapter shall continue shall be deemed a separate violation.

SECTION 2: Repealer. All provisions of previous ordinances of the Code, which are contrary to this Ordinance, are expressly repealed.

SECTION 3: Savings Clause. In all other respects, the Code shall remain as previously enacted and ordained.

SECTION 4: Severability. If any word, phrase, sentence, part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable and the

remaining provisions of this ordinance and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5: Effective Date. This Ordinance shall take effect immediately.

ENACTED, ORDAINED and APPROVED this 17th day of August, 2022.

Waynesboro Borough Council

By C. Harold Mumma
C. Harold Mumma, President

ATTEST:

Melinda Knott
Melinda Knott, Secretary

Richard Starliper
Richard Starliper, Mayor

