

RUSH TOWNSHIP, SCHUYLKILL COUNTY  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 175

AN ORDINANCE OF RUSH TOWNSHIP, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CERTAIN PORTIONS OF RUSH TOWNSHIP ORDINANCE NO. 46, SPECIFICALLY AMENDING SECTION 4 OF SAID ORDINANCE DEALING WITH PENALTIES AND ADDING A SEVERABILITY CLAUSE.

WHEREAS, on September 6, 1974, the Rush Township Board of Supervisors adopted Ordinance No. 46, dealing with the removal, trimming or cutting of grass, weeds and other vegetation; and

WHEREAS, the current Rush Township Board of Supervisors believes that the potential fines imposed as set on September 6, 1974 have become outdated and that certain other portions of said Ordinance need to be updated;

NOW, THEREFORE, be it ORDAINED as follows:

1. Section 4 of Rush Township Ordinance No. 46 is amended to read as follows:

Section 4. Enforcement of this Ordinance may be by action brought before a Magisterial District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, firm, corporation or other legal entity violating any provisions of this Ordinance, upon conviction, shall pay court costs, shall pay a fine of not less than One Hundred (\$100.00) Dollars nor more than Three Hundred (\$300.00) Dollars per violation, and/or be sentenced to a term of imprisonment upon conviction or for failure to pay a fine or costs for a time not exceeding ninety (90) days per violation. Each day on which a violation of this Ordinance occurs shall be considered a separate violation. No notice to the offender is necessary prior to a citation being issued. Nothing stated above shall prevent Rush Township from seeking equitable relief in its discretion to abate any violation of this Ordinance.

2. Rush Township Ordinance No. 46 is amended to add a Section 5 to read as follows:

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is found to be unconstitutional, illegal or unenforceable, such section, subsection, sentence, clause, phrase or portion of this Ordinance shall be deemed separate, distinct and independent from the remainder of this Ordinance, and the Rush Township Board of Supervisors declares the remainder of this Ordinance shall have full force and effect.

3. This Ordinance shall be effective upon enactment or on the first day allowed by law thereafter, whichever occurs first.

ORDAINED and ENACTED, this 21<sup>st</sup> day of June, 2012.

ATTEST:

Darlene Fenstermacher  
Secretary

RUSH TOWNSHIP  
BOARD OF SUPERVISORS

Alan Craig Lillie  
[Signature]  
Joseph Motroni