

MARION TOWNSHIP
BERKS COUNTY, PENNSYLVANIA
ORDINANCE NO. 2022 - 2

AN ORDINANCE OF MARION TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 2018-3 ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE TO AMEND SECTION 106.4 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE ENTITLED "VIOLATION PENALTIES", TO PROVIDE FOR PENALTIES FOR VIOLATION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS ADOPTED BY ORDINANCE NO. 2018-3 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Marion Township, Berks County, Pennsylvania (the "Township"), and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Township Ordinance No. 2018-3 adopting the 2018 Edition of the International Property Maintenance Code (the "IMPC") is hereby amended and supplemented to amend Section 106.4 of the IMPC entitled "Violation Penalties", as follows:

Section 106.4. Violation Penalties.

A. Any person who or which has violated or permitted the violation of any provision of this Ordinance shall, upon being found guilty thereof in a summary criminal proceeding commenced by the Township, pay a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) per violation, plus all court costs. For each day or portion thereof in which a violation is found to exist or for each section of this Ordinance, which is found to have been violated, said violation shall be treated as a separate offense subject to a separate fine. Enforcement of an action brought pursuant to this Ordinance shall be brought before a Magisterial District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.

B. Any person upon being found liable for civil penalties commenced by the Township in accordance with this Ordinance shall pay a fine of not less than One Hundred Dollars (\$100.00) and not more than Six Hundred Dollars (\$600.00) per violation, plus all court costs. For each day or portion thereof in which a violation is found to exist or for each section of this Ordinance, which is found to have been violated, said violation shall be treated as a separate offense subject to a separate fine.

C. Prosecution of matters hereunder and collection of all fines shall be pursuant to either the Pennsylvania Rules of Criminal Procedure or the Pennsylvania Rules of Civil Procedure.

D. All fines, costs and reasonable attorney's fees collected for the violation of this Ordinance shall be paid over to the Township Treasurer.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors of Marion Township, Berks County, Pennsylvania, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


SECTION 4. Nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on the earliest date permitted by law following the date of enactment

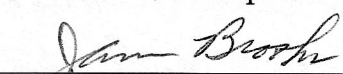
DULY ENACTED AND ORDAINED this 30th day of June, 2022.

MARION TOWNSHIP
Berks County, Pennsylvania

Peter McCarthy, Chairperson



Irene Sileski, Chairperson



James Brooks, Supervisor



MUNICIPAL CERTIFICATION

I, Susan M. Staaby, the Secretary of Marion Township, Berks County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 2022 - 2 was advertised in the *Reading Eagle*, a daily newspaper of general circulation in Marion Township, on Monday, June 20, 2022, and was duly enacted and approved as set forth at a regular meeting of the Board of Supervisors held on Thursday, June 30, 2022.

[SEAL]



Susan M. Staaby
Susan M. Staaby, Secretary