

TOWNSHIP OF TILDEN

ORDINANCE NO. 121, 1998

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA AMENDING AND RESTATING IN ITS ENTIRETY THE TILDEN TOWNSHIP MOBILE HOME PARK ORDINANCE, AS AMENDED, REGULATING THE LOCATION, CONSTRUCTION, EQUIPMENT, MAINTENANCE AND OPERATION OF MOBILE HOME PARKS IN THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA

WHEREAS, the Township of Tilden, Berks County, Pennsylvania (the "Township") had adopted the Tilden Township Mobile Home Park Ordinance, Ordinance No. 30-1970, as amended by Ordinances 58-1986, 107-96 and 113-97 (collectively, the "Mobile Home Park Ordinance"); and

WHEREAS, the Township now desires to amend the Mobile Home Park Ordinance amending and/or supplementing the following provisions: (a) recreation area requirements, and (b) the amount of fines and penalties; and

WHEREAS, the Township now desires to amend as aforesaid and restate in its entirety the Mobile Home Park Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

**SECTION 1. DEFINITIONS**

(a) Dependent Mobile Home. A mobile home which does not have a toilet or which does not have a bathtub or shower.

(b) Dependent Mobile Home Space. A mobile home space which is designed to accommodate a dependent mobile home and does not have sewer and water connection to accommodate the toilet and bath or shower in a mobile home.

(c) Garbage. All putrescible wastes, except sewage and body waste, including animal and vegetable offal.

(d) Independent Mobile Home. A mobile home that has a toilet and a bathtub or shower.

(e) Independent Mobile Home Space. A park space which has power and water connections assigned to accommodate the toilet and bath or shower contained in an independent mobile home.

(f) Mobile Home. A single-family dwelling which is designed, after assembly and fabrication, for transportation on streets and highways on its own running gear, and which may be temporarily or permanently affixed to real estate used for nontransient, residential purposes and constructed with the same, or similar, electrical, plumbing and sanitary facilities as immobile housing.

(g) Mobile Home Park. Any site, lot, field or tract of land, privately or publicly owned or operated, upon which two (2) or more mobile homes, used for living, eating or sleeping quarters are, or are intended to be, located, whether operated for, or without, compensation, by whatsoever name or title it is colloquially or commercially termed.

(h) Park or Camp. Mobile Home Park.

(i) Persons. Any natural individual, partnership, corporation or business venture whatsoever.

(j) Permanent Mobile Home. Any mobile home which will remain in a Mobile Home Park for a period in excess of two (2) months.

(k) Refuse. All nonputrescible wastes generally regarded and classified as rubbish, trash, junk and similar designations which have been rejected by the owner or possessor thereof as useless or worthless to him.

(l) Sanitary Officer. The person appointed and designated by the Board of Supervisors of the Township as the Sanitary Officer, or if no such person is so appointed and designated, then a sanitation or similar officer employed by the Pennsylvania Department of Health.

(m) Service Building. A building housing toilet facilities with a stop water closet and laundry facilities, and with separate bath and shower accommodations.

(n) Sewage. Any substance that contains any of the waste products or excrements or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic supply or recreation.

(o) Sewerage System. Any system, whether community or individual, publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of such sewage or industrial wastes.

(p) Space. That plot of ground upon which one (1) mobile home is or is to be located.

(q) Township. The Township of Tilden, Berks County, Pennsylvania.

(r) Transient Mobile Home. Any mobile home which will remain in a Mobile Home Park for a period of time not to exceed two (2) months.

## **SECTION 2. LICENSE REQUIRED**

2.1 Any two (2) or more inhabited mobile homes shall be located in a licensed mobile home park.

2.2 It shall be unlawful for any person to maintain or operate within the limits of the Township any mobile home park containing two (2) or more mobile homes unless such person shall first obtain a license therefor. All mobile home parks in existence on December 27, 1970 shall within three (3) months thereafter, obtain such license, and in all other respects comply fully with the requirements of this Ordinance within nine (9) months thereafter, except that mobile home parks existing on December 27, 1970 need not comply with the usable open space requirements set forth in Section 6 hereof, and further, that mobile home parks existing on December 27, 1970 may retain mobile home spaces and roadways and wiring, which spaces and roadways were actually constructed prior to December 27, 1970, and which wiring was actually installed prior to December 27, 1970, without changing the size or location of the same, even though said mobile home spaces and/or roads do not conform as to size, width and/or locations to the requirements of this Ordinance, nor have the required off-street parking spaces, and even though such wiring does not conform to the requirements of this Ordinance, and even though such wiring is not underground, so long as said wiring is safe and adequate in fact.

## **SECTION 3. LICENSE FEES**

The annual license fee for each mobile home park shall be Five Hundred Dollars (\$500.00) plus Twenty Dollars (\$20.00) for each occupied, dependent or independent mobile home space in the park in excess of ten (10) as of the first of January of each year.

## SECTION 4. APPLICATION FOR LICENSE

4.1 The application for the mobile home park license shall be filed in triplicate with the Township Secretary on a form to be provided by the Township. The application shall be in writing, signed by the owner, and shall include the following:

- (a) The name and address of the applicant;
- (b) The location and legal description of the mobile home park;
- (c) A complete plan of the park showing compliance with Section 6 of this Ordinance, including plans for sewage and water facilities;
- (d) Plans and specifications of all buildings and other improvements constructed to enable the issuing authority to determine if the proposed park will comply with legal requirements;
- (e) Such further information as may be requested by the various municipal agencies to enable them to determine if the proposed park will comply with legal requirements.

4.2 The application shall be reviewed by the Township Planning Commission to insure that the applicant's plans and proposed park comply with the Township Zoning Ordinance, the Township Subdivision and Land Development Ordinance, and all other ordinances and statutes. If the applicant has complied with said ordinances and statutes, the Planning Commission, within sixty (60) days of filing, shall refer the application to the Township Board of Supervisors with a recommendation that such application be approved. The Board of Supervisors, with the assistance of the Township Zoning Officer, Engineer, Solicitor, Sewage Enforcement Officer, and any other designated municipal official or representative shall review the application for compliance with all ordinances and statutes as aforesaid and render its decision on the application within sixty (60) days of receipt from the Planning Commission. In the absence of a decision within sixty (60) days, the application shall be deemed approved as filed.

4.3 Before the plan, size or area of any licensed mobile home park is altered, and before any roadway, street, water facility, sewer facility, service building or service facility in the licensed mobile home park is relocated or materially altered, a new application setting forth such alteration and/or relocation shall be first filed and approved in accordance with Section 4.2. Any new construction, alteration or extension of an existing mobile home park shall comply with the provisions of the Township Subdivision and Zoning Ordinances.

4.4 Except when a new application is required under the provisions of Section 4.3, a license shall be reissued annually upon payment of the license fee and

upon the applicant's furnishing proof that his or her park continues to meet the standards prescribed by this Ordinance.

## **SECTION 5. PARKING PROHIBITED**

5.1 Mobile homes shall not be parked on any public thoroughfare, street, alley or public place in the Township for longer than twelve (12) hours when no legitimate emergency for repairs exists.

## **SECTION 6. MOBILE HOME PARK PLAN**

A mobile home park shall conform to the following requirements:

6.1 The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water. Walks, driveways and retaining walls shall be constructed as not to interfere with drainage. Drainage shall be away from mobile home spaces, service buildings and recreational areas. Storm water shall not drain into sanitary sewers.

6.2 Mobile home spaces for permanent mobile homes shall be provided consisting of a minimum of six thousand (6,000) square feet for each space, which shall be at least sixty feet (60') wide and at least one hundred feet (100') in length, and clearly defined. Spaces for transient mobile homes may also be provided consisting of a minimum of four thousand (4,000) square feet for each space which shall be at least forty feet (40') wide and one hundred feet (100') in length, and clearly defined. Mobile homes shall be so parked on each space that there shall be at least twenty-five feet (25') clearance between mobile homes. No mobile home shall be located closer than one hundred feet (100') from a permanent building existing at the time the plan for the mobile home park is approved and located on property owned by a person or entity other than the owner of the mobile home park, or closer than twenty-five feet (25') from any property line bounding the park, or closer than forty feet (40') from the cartway areas of any public street or public highway, or closer than twenty feet (20') from a private driveway or private roadway.

6.3 All mobile home spaces shall abut upon a roadway of not less than thirty-three feet (33') in width, with a surfaced macadam area of not less than eighteen feet (18') in width.

6.4 Each mobile home park containing dependent mobile home spaces shall provide service buildings to house toilet facilities, bath facilities and other sanitary facilities, as hereinafter more particularly prescribed.

6.5 Safety and convenience shall be the major considerations in the layout of roadways, walks and parking areas within the mobile home park, and roadways shall be continuous insofar as possible.



6.6 Two (2) paved or gravel-surfaced off-street parking spaces shall be provided for each mobile home. Each such off-street parking space shall not be less than nine feet (9') wide and not less than twenty feet (20') long.

## **SECTION 7. ELECTRICITY AND LIGHTING**

7.1 Every mobile home park shall be provided with electric power. An electric outlet supplying 220-230 volts shall be provided for every mobile home space. The outlets shall be waterproof and in easy reach of parked mobile homes. All water lines and wiring shall be underground, and shall be at least forty inches (40") underground for secondary lines. No above-ground power lines or wiring shall be permitted. All electric wiring in the mobile home park shall be in accordance with the Township and Pennsylvania Codes or in the absence of local Codes, then in accordance with the National Electrical Code. Adequate over-current protection shall be provided on all circuits. Service lines to each mobile space shall be weatherproof, insulated and not smaller than two (2) number two (#2) copper wires and one (1) number four (#4) copper wire, or aluminum wires of equal capacity.

7.2 Street and yard lights sufficient in number and intensity to permit the safe movement of vehicles and pedestrians shall be provided. Lights shall be at least equal to 7100 lumens, each spaced at intervals of not more than two hundred feet (200'), or 3400 lumens, each spaced at intervals of not more than one hundred feet (100'), in either case located not less than twelve feet (12') nor more than thirty feet (30') from the ground, and shall be effectively related to buildings, walks, trees, steps and ramps. Lights shall be kept burning from sunset until sunrise.

## **SECTION 8. WATER SUPPLY**

8.1 All mobile home parks shall be connected with a public water supply approved by the Pennsylvania Department of Environmental Resources or other authorities having jurisdiction over water supply systems where such public water supply is available, and water shall be supplied from such public water supply to each mobile home space by type.

8.2 Where a public water supply is not available, a suitable private water supply shall be developed that meets standards prescribed by the Pennsylvania Department of Health as safe for drinking purposes. Water shall be piped to each mobile home space.

8.3 Water distribution and storage facilities shall be adequate to supply a continuous year-round frost-free water supply of at least one hundred twenty-five (125) gallons per day per mobile home space, at a rate of six (6) gallons per minute, with residual pressure of twenty (20) pounds per square inch. Wells shall be at least ten feet (10') deep and located at least one hundred feet (100') from any privy, septic tank or cesspool, and approved by the Pennsylvania Department of Health.

8.4 Dependent mobile home spaces shall be provided with sanitary facilities in service buildings not less than twenty-five feet (25') nor more than two hundred feet (200') from any dependent mobile home, as outlined in Section 9 below. Such service buildings shall provide a hot water supply at all times for bathing, washing and laundry facilities.

## **SECTION 9. SERVICE BUILDINGS**

9.1 Each mobile home park containing one or more dependent home spaces shall be provided with toilets, baths or showers, slop sinks and other sanitation facilities which shall conform to the following requirements:

9.2 Toilet facilities of men and women shall be either in separate buildings at least twenty feet (20') apart, or shall be separated, if in the same building, by a soundproof wall.

9.3 Flush toilets shall be placed in conveniently located buildings not more than a distance of two hundred feet (200') from any dependent mobile home. The buildings shall be well-lighted at all times, ventilated with screened openings, and constructed of moisture-proof materials, permitting satisfactory cleaning. The floors shall be concrete or similar material, slightly pitched to a floor-drain. Toilets shall be enclosed in separate compartments with doors that have the minimum width of two feet eight inches (2'8"). Toilet facilities for women shall consist of not less than one (1) flush toilet for every ten (10) dependent mobile home spaces, one (1) shower or bath for every ten (10) dependent mobile home spaces, and one (1) lavatory with hot and cold running water for every ten (10) dependent mobile home spaces. Each toilet and bathtub shall be in a private compartment. For independent mobile homes, toilet, shower and bathtub facilities shall be in compliance with the Pennsylvania State Regulations pertaining thereto.

9.4 Toilet facilities for men shall consist of not less than one (1) flush toilet for every ten (10) dependent mobile home spaces, one (1) shower or bathtub for every ten (10) dependent mobile home spaces, and one (1) lavatory with hot and cold running water for every ten (10) dependent mobile home spaces. Each toilet, shower and bathtub shall be in a private compartment. For independent mobile homes, toilet, shower and bathtub facilities shall be in compliance with the Pennsylvania State Regulations pertaining thereto.

9.5 An independent mobile home may be parked on a dependent mobile home space, but the requirements of Subsections 9.2, 9.3 and 9.4 immediately hereinabove specified shall not thereby be affected.

9.6 A dependent mobile home may be parked on an independent mobile home space, but in such event such space shall be regarded as being a dependent mobile

home space for the purposes of determining compliance with the provisions of Subsections 9.2, 9.3 and 9.4 of this Section.

9.7 Service buildings housing toilet facilities shall be permanent structures, complying with all applicable ordinances and statutes regulating buildings, electrical and plumbing and sanitation systems, and shall be located not closer than twenty-five feet ( 25') nor farther than two hundred feet (200') from any dependent home space.

9.8 Each service building shall contain at least one slop sink located in a separate compartment.

9.9 The service building shall be well-lighted at all times of the day and night, shall be well-ventilated with screened openings, shall be constructed of such moisture-proof material, including painted woodwork, as shall permit repeated cleaning and washing, and shall be maintained at a temperature of at least sixty-eight degrees Fahrenheit (68°F) during the period from October 1 to May 1. The floors of the service building shall be of water-impervious material and shall slope to a floor-drain connected with the sewerage system.

9.10 All service buildings, mobile homes, mobile home spaces and the grounds of the park shall be maintained in a clean, sightly condition and kept free from any conditions that will menace the health of any occupant or the public, or constitute a nuisance.

## **SECTION 10. SEWAGE DISPOSAL**

10.1 A system of sanitary sewerage shall be provided in mobile home parks and all waste and soil lines discharging from buildings and mobile homes shall be connected thereto. Each mobile home space shall be provided with a trapped sewer below front lines at least four inches (4") in diameter. The grade of all sanitary sewer lines shall be at least one-eighth inch (1/8") per foot. However, the ten feet (10') of sewer line immediately preceding the septic tank shall not exceed one-fourth inch (1/4") per foot. The sewer shall be provided with suitable fittings so that a water and gas-tight connection can be made between the mobile home drain and the sewer connection. Such individual home connections shall be so constructed so that they can be closed when not linked to a mobile home and shall be trapped in such a manner as to maintain them in an odor-free condition.

Sufficient clean-outs, hand-holes and manholes shall be installed in sewer systems so as to maintain serviceable conditions. Sewer lines shall be located in a separate trench from water-mains.

10.2 All sewers shall discharge into a public sewage system where possible. In the absence of a public sewage system, adequate private sewage disposal and treatment facilities shall be installed to treat the minimum average of one hundred



twenty-five (125) gallons per day per mobile home space of ultimate capacity of the park. The treatment facility shall be located so that it shall not create a health or odor nuisance to the park or adjacent property occupants, or discharge untreated effluents into any Commonwealth body of water or stream. No privies or cesspools shall be permitted in a mobile home park.

10.3 All sewage systems shall meet applicable local plumbing and sanitary codes, shall be approved by the Sewage Enforcement Officer and/or other appropriate officials, and shall meet the standards of the Pennsylvania Department of Environmental Resources and other authorities having jurisdiction over sewage disposal.

## **SECTION 11. REFUSE DISPOSAL**

11.1 A fly and water tight metal garbage can shall be provided for each mobile home space adequate to permit disposal of all garbage and rubbish. Garbage shall be collected at least once a week.

11.2 Racks and holders shall be provided for all refuse containers. Such container racks shall be designed so as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them.

11.3 Where collection service is not available, the mobile home park operator shall dispose of the refuse by transporting to an approved disposal site.

11.4 No garbage shall be buried within the mobile home park.

## **SECTION 12. INSECT AND RODENT CONTROL**

12.1 Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Pennsylvania Department of Health regulations governing mobile home parks.

## **SECTION 13. FIRE PROTECTION**

13.1 Fire Alarms and Instructions. Provisions shall be made giving a general alarm in case of fire. A bell, iron hoop or similar manually operated device may be used for this purpose. It shall be the duty of the mobile home park operator or owner to instruct all tenants annually of means of summoning fire fighting apparatus, police and medical help, and of proper operation of fire extinguishers.

13.2 Fire Extinguishers. The license of every mobile home park shall require all mobile homes in the park to be equipped with at least one (1) approved hand-operated fire extinguisher of a type suitable for use on oil fires, preferably the foam type. The

extinguisher shall be installed on the inside of the mobile home, in a fixed location, preferably near a door, but in no case in close proximity to the cooking or heating stove.

In the absence of a system of yard hydrants and hose, a complement of approved fire extinguishers on wheels for every twenty (20) mobile home spaces shall be provided, housed not farther than one hundred fifty feet (150') from any mobile home.

Each complement of extinguishers shall contain one (1) foam-type extinguisher (with anti-freeze) of two and one-half (2-1/2) gallon rated capacity, for Class "A" type fires; and at least one (1) approved carbon dioxide dry chemical or vaporizing liquid extinguisher of at least twenty-five (25) pound capacity for Class "B" oil type fires. All extinguishers shall be kept in good operating condition and checked yearly by an appropriate authority.

13.3 Mobile home park areas shall be kept free from litter, rubbish and other flammable material.

#### **SECTION 14. OIL BURNING HEATING AND COOKING STOVES**

14.1 Oil burning cooking and heating stoves shall be provided with flue connections to the outside of the mobile home. Flues shall penetrate the roof of the mobile home through a weather-right sheet metal shield or roof jack which shall provide a clearance of at least two inches (2") between the flue and combustible roof material if approved outlet flues are provided. A clearance of at least six inches (6") shall be provided if metal flues are used. Down-draft diverters shall be provided on all vents from oil-burning stoves.

14.2 Oil-burning stoves for heating purposes may provide for attachment to fuel tanks located outside and separate from the mobile home. Auxiliary oil storage tanks, when provided, shall be so located as to require filling and drainage on the outside of the mobile home and shall be securely fastened in position in a place readily available for inspection. When installed in closed compartment, outside the mobile home, such compartment can be ventilated at the bottom.

14.3 No gasoline or portable stove equipment shall be permitted. Fires shall be made only in approved stoves, incinerators and other equipment intended for such purposes.

#### **SECTION 15. FUELS**

15.1 Cylinders containing liquified petroleum gas or oils to be used as fuel by mobile home occupants should be connected to the stove by leak-proof connections.

The cylinders should be securely fastened in place, not less than five feet (5') from any mobile home. State and local codes applicable shall be followed.

## **SECTION 16. ANIMALS AND PETS**

16.1 No owner or person in charge of any dog, cat or other pet animal shall permit it to run at large.

## **SECTION 17. CERTAIN INDEPENDENT MOBILE HOMES PROHIBITED**

17.1 No independent mobile home shall be permitted in a mobile home park for use as an office or for human habitation unless such independent home is equipped with toilet, shower and/or bathtub and lavatory, fully complying with all applicable ordinances and regulations of the Township pertaining thereto, or in the absence of such local regulations, then in full compliance with the regulations of the Pennsylvania State Department of Health pertaining thereto.

## **SECTION 18. RECREATION AREAS**

18.1 Each mobile home park shall maintain an area of usable open space or recreation area of not less than ten percent (10%) of its overall area. Eighty percent (80%) of the area provided shall be continuous to itself.

18.2 The area provided shall have a grade not exceeding eight percent (8%) and shall not be located in a wetland or other restrictive use area.

## **SECTION 19. REGISTER OF OCCUPANTS**

19.1 It shall be the duty of the licensee to keep a register containing a record of all mobile homes, owners and occupants located within the park. The register shall contain the following information:

- (a) The name and address of each occupant, and age, if under twenty-one (21) years.
- (b) The make, model and year of all automobiles and mobile homes.
- (c) The license or title number and owner of each mobile home and the vehicle by which it was towed.
- (d) The State issuing such license.
- (e) The date of arrival and departure of each mobile home.
- (f) The place of previous residence.

(g) The permanent address.

(h) The forwarding address.

The park operator shall keep the register available for inspection by Township officials at all times. The register records pertaining to any mobile home shall not be destroyed for a period of three (3) years following the date of departure of the mobile home in question.

## **SECTION 20. REVOCATION OF LICENSE**

**20.1 Notice and Hearing.** Whenever a suspected violation of this Ordinance comes to the attention of the Board of Supervisors, the Board may cause an examination or investigation to be made of the park. If such examination or investigation fairly indicates that a violation may exist, the investigating official will submit a report to the Township Secretary, setting forth the existing circumstances of such violation. The Board, upon its determination that sufficient evidence of violation exists to warrant a hearing, will schedule a hearing upon such alleged violation. The hearing will be held by the Board upon advertisement and ten (10) days notice to the property owner, and shall otherwise be in accordance with the Local Agency Act. At the conclusion of the hearing, if the Board determines that a violation exists, it shall enter a written adjudication within thirty (30) days of the conclusion of the hearing by filing the same with the Township Secretary and delivering a copy to the landowner by mail or personal service.

**20.2 Revocation of License.** The adjudication as set forth in Section 20.1 may provide for revocation of an owner's license for a period not to exceed five (5) years from the date of the adjudication. The running of such five (5) year period will be tolled during the time in which the owner continues to operate the park during pendency of appeal, if such operation is allowed by the Court of Common Pleas, or during such time in which the owner operates the park in disregard of the adjudication. In the case of an owner's first adjudication as to a particular violation of this Ordinance, the owner shall be allowed a thirty (30) day grace period within which to remedy the violation. If the owner does, to the satisfaction of the Township Engineer upon his inspection, remedy that violation, the license will be reinstated upon resolution at the next regularly scheduled or special meeting of the Board. If the violation is not remedied within the thirty (30) day period, the license will be revoked in accordance with the adjudication and the owner may appeal to the Board in accordance with the Local Agency Act.

**20.3 Fines and Penalty.** The adjudication of violations set forth above may also provide for a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) for each instance of noncompliance with this Ordinance, provided that each day of such noncompliance shall constitute a separate violation.

20.4 Collection of Fines. Upon adjudication, the Township may maintain a suit in a district court or Berks County Court of Common Pleas for the collection of a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) for each day of each continued violation of this Ordinance. A certified copy of the written adjudication may serve as conclusive evidence of the existence and duration of each violation.

20.5 Other Civil Remedies. In addition to other remedies set forth herein, the Township may enforce an adjudication entered pursuant to the provisions of this Ordinance by seeking judicial relief in equity or otherwise in the Court of Common Pleas. In addition to any other remedy available to the Township, the Township may seek any other civil remedy as provided in the Second Class Township Code."

## **SECTION 21. POSTING OF LICENSE AND CODE**

21.1 The license certificate and a copy of this Ordinance shall be conspicuously posted in the office or on the premises of the mobile home park at all times.

## **SECTION 22. PENALTIES**

Any person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon conviction thereof in an action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of at least One Hundred and 00/100 Dollars (\$100.00) and not more than One Thousand and 00/100 Dollars (\$1,000.00) and costs of prosecution and/or to undergo imprisonment to the extent permitted by law for the punishment of summary offenses. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa. R.C.P. No. 83(c) (relating to trial in summary cases). Each day that a violation continues shall constitute a separate offense.

## **SECTION 23. SEVERABILITY OF PROVISIONS**

23.1 If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.



## SECTION 24. CONFLICT OF ORDINANCES

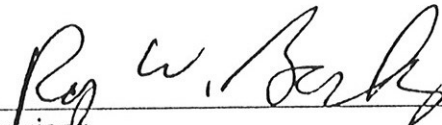
24.1 In case a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety or health Ordinance of this Township, or State Law Regulation, existing on the effective date of this Ordinance, the provisions which establish the higher standard for the promotion and protection of the health and safety of the people shall prevail.

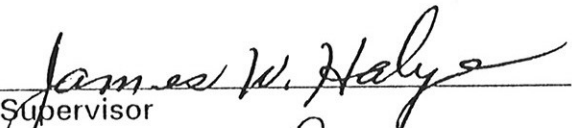
## SECTION 25. EFFECTIVE DATE OF ORDINANCE

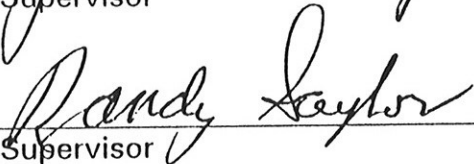
25.1 This Ordinance shall become effective five (5) days after enactment.


ENACTED and ORDAINED this 5th day of May, 1998.

TOWNSHIP OF TILDEN

By:   
Supervisor

By:   
Supervisor

By:   
Supervisor

Attest:   
Secretary