

**ORDINANCE NO. 2014-818**  
**UPPER MERION TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

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**AN ORDINANCE AMENDING THE CODE OF UPPER MERION TOWNSHIP BY REVISING CHAPTER 1, ARTICLE III ENTITLED "GENERAL PENALTY PROVISIONS," IN ACCORDANCE WITH NEW CODE SECTIONS PERTAINING TO SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS.**

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**WHEREAS**, the Board of Supervisors has met the procedural requirements of the Second Class Township Code, 53 P.S. § 65101, et seq., for the adoption of the proposed Ordinance pertaining General Penalty Provisions; and

**WHEREAS**, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors for Upper Merion Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

**SECTION 1. CODE AMENDMENT.** The Upper Merion Township code is hereby amended by revising Chapter 1, Article III entitled "General Penalty Provisions," in accordance with new Code sections pertaining to Small Municipal Separate Storm Sewer Systems, adding the following new penalties in numerical order:

Chapter 140A, Stormwater, Grading and Erosion Control (Residential)  § 140A-26.E  First Offense Second Offense	Not less than \$10 nor more than \$100 Not less than \$100 nor more than \$1,000
Chapter 140B, Stormwater, Grading and Erosion Control (Commercial)  § 140B-27.E	Not less than \$100 nor more than \$1000

**SECTION 2. REPEALER.**

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**SECTION 3. REVISIONS.**

The Upper Merion Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

**SECTION 5. EFFECTIVE DATE.**

This amendment shall become effective five (5) days after date of adoption.

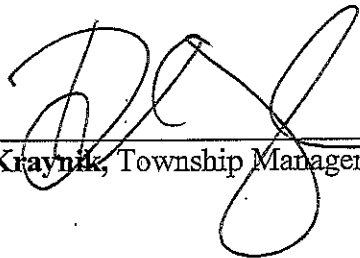
**SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.**

The failure of Upper Merion Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

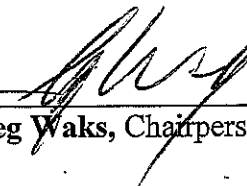
**ORDAINED AND ENACTED** by the Board of Supervisors for Upper Merion Township, Montgomery County, Pennsylvania, this 20<sup>th</sup> day of February, 2014.

**ATTEST:**

**UPPER MERION TOWNSHIP  
BOARD OF SUPERVISORS:**



David Kravnik, Township Manager

By: 

Greg Waks, Chairperson

Advertised Proposed Ordinance in Times Herald: February 13, 2014  
Proof of Publication Dated: February 14, 2014  
Hearing Held: February 20, 2014  
Ordinance Adopted: February 20, 2014  
Ordinance Entered: February 20, 2014 as Township Ordinance 2014-818