

**WEST MANHEIM TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2018-01**

**AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF TICKETS FOR THOSE OFFENSES AS DEFINED BY RESOLUTION RATHER THAN CITATIONS AS THE INITIAL FORM OF DUE PROCESS THEREBY PROMOTING THE BEST INTEREST OF THE RESIDENTS OF THE TOWNSHIP OF WEST MANHEIM BY PERMITTING THE RESOLUTION OF AN ALLEGED VIOLATION IN AN EXPEDITIOUS FASHION WITHOUT RESORTING TO THE COURTS TO RESOLVE THE MATTER.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors, West Manheim Township, York County, Pennsylvania, it is hereby enacted and ordained by the authority of the same as follows:

Section 1: General Provisions:

This ordinance shall be known and may be cited as the Quality of Life Ticketing Ordinance of the Township of West Manheim.

Section 1.1: The Purpose of the Ordinance is:

To provide for a mechanism by means of issuance of tickets rather than citations to permit a citizen who believes he may have been in violation to pay the ticket rather than cause the issuance of a citation and a hearing before a judge. The resolution in this manner permits the Township to maintain and enforce its laws and permits a citizen so accused to resolve the dispute without a court hearing. It also does not deprive the citizen the right to dispute the ticket and receive the full benefit of procedural and substantive due process of law.

Section 2: Definitions:

TOWNSHIP - The Township of West Manheim, York County, Pennsylvania

OWNER - Any individual person, agent, firm, association, partnership, corporation or entity having a legal or equitable interest in real property and/or holding title to said property as evidenced by records of the Commonwealth or Pennsylvania, County of York or Township of West Manheim.

PERSON – An individual, corporation, partnership or any other group acting as a unit.

VIOLATOR- Any owner who receives a Notice of Violation

Section 3: Enforcement:

- A. The provisions of any Chapter of the West Manheim Township Code of Ordinances listed in Section 3 B below may be enforced by West Manheim Township police officers, code enforcement officers and assistant code enforcement officers, zoning officers and assistant zoning officers, and the Township Manager.
- B. The following Chapters of the West Manheim Township Code of Ordinances are hereby deemed and ordained to be under the jurisdiction of this enforcement process:

- Chapter 82 – Brush, Grass, Weeds
- Chapter 89 – Numbering of Buildings
- Chapter 193—Property Maintenance
- Chapter 250 - Article VI – Snow Emergencies

- C. Any violation of the provisions of any article as enumerated in this chapter may be cause for a violation ticket to be issued to the violator.

Any notice of violation shall:

- a. Be issued in writing.
  - b. Shall include a brief description of the time, date and location of the violation alleged.
  - c. Specify the violation with reference to section or part of the West Manheim Township Code of Ordinances being violated.
  - d. State the amount of the fine.
- D. A Notice of Violation ticket shall be served upon the violator in one of the following manners:
    - a. By handing the notice of violation ticket to the violator.
    - b. By handing the notice of violation ticket to an adult resident of the subject residential property, or to the owner, tenant, or employee or agent of the owner or tenant of the subject non-residential or multi-family residential property.
    - c. By leaving or affixing the notice of violation ticket to the property where the violation exists.
    - d. By mailing the notice of violation ticket to the violator’s address of record by first class mail with a certificate of mailing.
  - E. Each day after the issuance of the violation ticket that a violation continues or is permitted to continue, constitutes a separate offense for which a separate fine may be imposed.

- F. If the Township causes a violation to be corrected, the cost thereof shall be charged to the owner of the property and enforced through the imposition of a municipal lien or any civil action available to the municipality.

Section 4: Disposition of Notice of Violation Ticket:

Any violator in receipt of a Notice of Violation Ticket shall have ten calendar (10) days from the date set forth on the notice of violation to pay the amount on the Notice of Violation Ticket. Payment must be received by the Township by the 10<sup>th</sup> day. Date of mailing shall not constitute the date of receipt by the Township. If the Notice of Violation Ticket is not paid within the ten (10) days, such failure shall result in the issuance of a Citation for the offense as enumerated on the Notice of Violation Ticket.

Section 5: Fines and Penalties:

- A. For the first offense dealt with under this article within a 12-month period, the Notice of Violation Ticket shall be issued in the amount of \$50.00.
- B. For the second offense dealt with under this article within a 12-month period, the Notice of Violation Ticket shall be issued in the amount of \$75.00.
- C. For the third offense dealt with under this article within a 12-month period, the Notice of Violation Ticket shall be issued in the amount of \$100.00.
- D. For the fourth and any additional offense article with under this Part within a 12-month period, the Notice of Violation Ticket shall be issued in the amount of \$300.00.

Section 6: Severability:

The provisions of this Ordinance are severable, and if any section, sentence, clause or part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of West Manheim Township that such ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 7: Miscellaneous

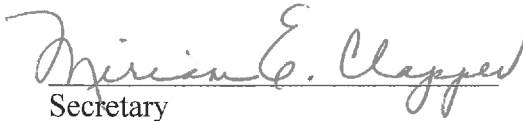
- A. Nothing contained in this ordinance shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any cause or action existing prior to the enactment of this Ordinance.
- B. The penalties imposed by this ordinance shall be in addition to the penalties imposed

for the violation of the ordinances set forth in Section 3 hereof, and nothing in this ordinance shall require the use of the procedures herein prior to taking other enforcement action as allowed by any ordinance, statute, regulation or law. Nothing in this ordinance shall reduce or limit the penalties that may be imposed for violation of any ordinance, statute, regulation or law, or the methods or means for enforcing any ordinance, statute, regulation or law.

**Enacted and Ordained** by the Board of Supervisors of West Manheim Township, County of York, Pennsylvania, this 17<sup>th</sup> day of August, 2018.

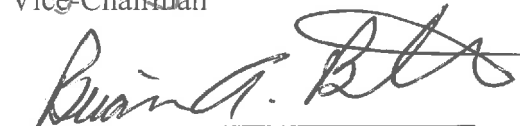
**WEST MANHEIM TOWNSHIP  
BOARD OF SUPERVISORS**

Attest:

  
Secretary

  
Chairman

  
Vice-Chairman

  
Supervisor

  
Supervisor

  
Supervisor