

No. 47

## AN ACT

HB 1621

Amending the act of July 28, 1953 (P.L.723), entitled, as amended, "An act relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto," changing penalties for violation of smoke control resolutions or ordinances.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2197, act of July 28, 1953 (P.L.723), known as the "Second Class County Code," is amended to read:

Section 2197. Violation of Regulations.— *(a) Summary Offense.* Any person who shall violate any regulation so resolved upon or ordained [the same not being inconsistent with any law of this Commonwealth or the Constitution thereof, or with any law of the United States of America or the Constitution thereof, shall be guilty of a misdemeanor, and, upon conviction thereof, shall pay such fine, not exceeding one hundred dollars (\$100), as may be prescribed by such resolution or ordinance, to be recovered before any alderman or justice of the peace of the county, which fines shall be paid into the county treasury, and in default of payment of such fine, the defendant shall be imprisoned in the county jail for a period not exceeding thirty (30) days.] shall, for each offense, upon conviction thereof in a summary proceeding before a magistrate, alderman or justice of the peace, be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30) nor more than three hundred dollars (\$300), and, in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.


*(b) Misdemeanors.* Any person who shall violate any regulation so resolved upon or ordained, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), or to undergo imprisonment not exceeding one (1) year, or both, in the discretion of the court.

*(c) Separate Offenses.* For the purpose of this section, violations on separate days shall be considered separate offenses.

APPROVED—The 4th day of March, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly  
No. 47.

A handwritten signature in cursive script, appearing to read "Joseph P. Kelly, Jr.", written in black ink.

*Secretary of the Commonwealth.*