

No. 1994-64

AN ACT

SB 185

Providing for the general authorization of incorporated towns to adopt ordinances; providing for publication, fines and penalties; and making a repeal.

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

Section 1. General authorization to adopt ordinances.

The town council of an incorporated town may adopt ordinances prescribing the manner in which powers of the incorporated town shall be carried out and generally regulating the affairs of the incorporated town.

Section 2. Publication.

Except where otherwise specifically provided by statute, every proposed ordinance or resolution of an incorporated town of a legislative character shall be published once in one newspaper of general circulation in the town not more than 60 days nor less than seven days prior to passage. Publication of any proposed ordinance shall include either the full text thereof or the title and a brief summary prepared by the town solicitor setting forth all the provisions in reasonable detail and a reference to a place within the incorporated town where copies of the proposed ordinance may be examined. If the full text is not included, a copy thereof shall be supplied to a newspaper of general circulation in the town at the time the public notice is published. If the full text is not included, an attested copy thereof shall be filed in the county law library or other county office designated by the county commissioners who may impose a fee no greater than that necessary to cover the actual costs of storing said ordinances. In the event substantial amendments are made in the proposed ordinance or resolution, upon enactment, council shall, within ten days, readvertise, in one newspaper of general circulation in the town, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

Section 3. Fines and penalties.

The town council may also prescribe fines and penalties not exceeding \$1,000 for a violation of a building, housing, property maintenance, health, fire or public safety code or ordinance and for water, air and noise pollution violations and not exceeding \$600 for a violation of any other town ordinance, which fines and penalties may be collected by suit, brought in the name of the incorporated town in like manner as debts of like amount may be sued for.

Section 4. Summary offense.

Any person violating any of the ordinances adopted by the town council shall, upon conviction thereof in a summary proceeding, be sentenced to pay

such fine as may be prescribed in such ordinances by the town council but not in excess of \$1,000, to be paid to the use of the incorporated town, with costs of prosecution, or to be imprisoned for not more than ten days, or both.

Section 5. Repeal.

The act of April 14, 1949 (P.L.443, No.73), entitled "An act providing for the publication of ordinances and resolutions of a legislative character of incorporated towns," is repealed.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 1st day of July, A.D. 1994.

ROBERT P. CASEY