

**WALKER TOWNSHIP
HUNTINGDON COUNTY, PENNSYLVANIA
ORDINANCE NO. 2021- 1**

**AN ORDINANCE OF THE TOWNSHIP OF WALKER, COUNTY OF HUNTINGDON,
PA TO PERMIT THE ISSUANCE OF A TICKET IN ADVANCE OF A CITATION FOR
VIOLATION OF APPLICABLE WALKER TOWNSHIP ORDINANCES.**

WHEREAS, Walker Township by and through its Township Code Enforcement Officer can seek legal fines through citations for citizens who are alleged to be in violation of various Walker Township ordinances;

WHEREAS, Walker Township Board of Supervisors desires that the Township Code Enforcement Officer have the flexibility to first issue a ticket rather than a citation, thereby permitting a citizen who agrees that he or she may have been in violation of a Walker Township ordinance to pay the ticket rather than engage in a costly and protracted legal hearing before a Magisterial District Justice.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Walker, County of Huntingdon, and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

Section 1: PURPOSE AND TITLE

The purpose of this Ordinance is to provide a mechanism by means of the issuance of a ticket setting forth a specific penalty for violation of certain Ordinances of the Township of Walker instead of the issuance of a citation. This shall permit a citizen who agrees he or she may have been in violation of an applicable Township Ordinance to pay the ticket rather than cause the issuance of a citation and a costly and protracted legal hearing before a District Magistrate. This allows Walker Township to enforce its laws, and permits individuals or businesses so accused to resolve the dispute in a manner that does not cause undue burden by requiring the issuance of a citation and a court hearing. If the citizen believes he or she are not in violation of a Township Ordinance, that citizen shall retain the ability to dispute the ticket and a citation will be issued. This Ordinance shall be known and may be cited as the “Walker Township Ticket Ordinance.”

Section 2: MUNICIPAL POWER TO ASSESS FINES AND PENALTIES

The Township of Walker has been granted powers to assess fines and penalties for violations of Township Ordinances pursuant to 53 P.S. § 66601. The statute provides that “for an ordinance regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution, the board of supervisors shall provide that its enforcement shall be by action brought before a district justice in the same manner provided for

the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.” The Township of Walker shall be issuing tickets constituting penalties for violating certain Ordinances. The individual receiving a ticket may elect to dispute the ticket and thereafter, the Township may institute action as set forth in § 66601.

Section 3: CODE VIOLATIONS WHICH MAY RESULT IN THE ISSUANCE OF TICKETS

Any violation of the following Ordinances of the Walker Township Code may be cause for a violation ticket to be issued to a violator: The Pennsylvania Construction Code as adopted by Ordinance No. 2004-01; The Walker Township Zoning Ordinance; the Subdivision and Land Development Ordinance; the Development Permit Ordinance; Ordinance No. 2004-2 *No Parking Zone on Trey Road*; Ordinance No. 041210-1 *Renters Registration*; Ordinance No. 2013-1 *Sluice Pipe and Driveway*; and Ordinance No. 2016-1 *Nuisance*.

Section 4: PROCESS FOR ISSUING VIOLATION TICKETS

- a. The violation ticket shall only be issued by the Township Code Enforcement Officer and shall identify the name of the violator, the property address (if applicable), a statement of the violation(s), the code section(s) violated, and the amount of the penalty for the violation(s). In accordance with 53 P.S. § 66601 no penalty shall exceed \$600.00 per violation or as otherwise limited in accordance with Pennsylvania law.
- b. The Township Code Enforcement Officer shall serve the violation ticket to the violator by any one of the following methods: 1) by handing the violation ticket to the violator; 2) by handing the violation ticket to the owner of the property or spouse of the owner; 3) by affixing the violation ticket to the door of the property where the violation exists (if applicable); or 4) by mailing the violation ticket to the violator’s address of record via first class mail with a certificate of mailing.

Section 5: VIOLATION TICKET DISPOSITION

The violator shall have 10 days to pay the violation ticket by paying the full face amount of the ticket at the Walker Township Municipal Building. If the violator fails to pay the ticket, or otherwise disputes the violation ticket, the Township Code Enforcement Officer shall issue a citation to the violator and shall proceed to a hearing before the District Magistrate.

Section 6: REPORTS OF VIOLATION TICKETS TO BOARD OF SUPERVISORS

The Township Code Enforcement Officer shall be responsible for providing a monthly report to Walker Township Board of Supervisors of all violation tickets issued in the Township of Walker. This report shall provide the names of all violators, the various code sections alleged to have been violated, the amount of each ticket, whether the ticket was paid, and whether a citation was issued due to non-payment or dispute.

Section 7: DUTIES OF WALKER TOWNSHIP CODE ENFORCEMENT OFFICER

It shall be the duty of the Township Code Enforcement Officer to issue violation tickets in a non-discriminatory and non-arbitrary way. The Walker Township Board of Supervisors shall set the Walker Township policy for issuance of violation tickets, including whether warnings should first be issued to potential violators, and the graduated penalties for each violation.

Section 8: SEVERABILITY

If any section or provision of this Ordinance is declared by any court of competent jurisdiction to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect the constitutionality, legality, or validity of this Ordinance as a whole nor the constitutionality, legality, or validity of any other section or provision of this Ordinance other than the one so declared to be unconstitutional, illegal, or invalid.

Section 9: REPEAL OF CONFLICTING ORDINANCES

All existing Ordinances of the Township or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.


Section 10: EFFECTIVE DATE

This Ordinance shall take effect five days after the date enacted and ordained by the Walker Township Board of Supervisors.

ENACTED AND ORDAINED at a meeting of the Board of Supervisors of the Township of Walker held this 19th day of October, 2021.

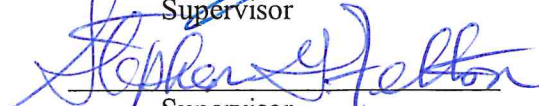
ATTEST:

TOWNSHIP OF WALKER


Secretary


Chairman


Supervisor


Supervisor