

**TOWNSHIP OF RESERVE  
ALLEGHENY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 701**

**AN ORDINANCE AMENDING THE RESERVE TOWNSHIP CODE OF ORDINANCES, PART II, CHAPTERS 135, 142, 145, 157, 177, 184, 198, 219, 225, 232, 254, 261, 272, 278, 294, 300, 313, 327, 335, 341, 348, 357, 363, 368, 382, 390, AND 417, TO ESTABLISH THAT CONTINUING VIOLATIONS OF SAID CHAPTERS SHALL BE TREATED AS SEPARATE OFFENSES, AND THAT FINES AND PENALTIES MAY BE ASSESSED FOR EACH DAY OR PORTION THEREOF THAT A VIOLATION CONTINUES.**

WHEREAS, the Township of Reserve, Allegheny County, Pennsylvania (the “Township”) is a township of the first class, authorized and created under the Pennsylvania First Class Township Code, 53 P.S. §§ 55101, *et seq.*; and

WHEREAS, Section 58321-A of the First Class Township Code permits the imposition of fines and penalties for violations of ordinances, and further allows for continuing ordinance violations to be treated as separate violations, for purposes of prescribing fines and penalties; and

WHEREAS, the Board desires to amend all relevant Sections of the Code of Ordinances, to provide that each day or part thereof that an ordinance violation continues will be treated as a separate offense subject to the imposition of fines and penalties for violation.

NOW, THEREFORE, the Board hereby ordains that the following Sections of Chapters 135, 142, 145, 157, 177, 184, 198, 219, 225, 232, 254, 261, 272, 278, 294, 300, 313, 327, 335, 341, 348, 357, 363, 368, 382, 390, and 417 of the Reserve Township Code of Ordinances, be amended, as follows:

**SECTION 1.** The following Chapters and Sections of the Reserve Township Code of Ordinances:

<b>Chapter Number</b>	<b>Chapter Title</b>	<b>Section Number</b>	<b>Section Title</b>
135	Advertising Material	§ 135-2	Violations and Penalties
142	Aircraft	§ 142-5	Violations and Penalties
177	Buildings, Numbering of	§ 177-7	Violations and Penalties
184	Burning, Open	§ 184-8	Violations and Penalties
198	Disorderly Conduct	§ 198-3	Violations and Penalties
219	Firearms	§ 219-3	Violations and Penalties
261	Junk Dealers	§ 261-11	Violations and Penalties
272	Mechanical Amusement Devices	§ 272-7	Violations and Penalties
278	Motorcycles & Motorized Bicycles	§ 278-2	Violations and Penalties
294	Noise	§ 294-7	Violations and Penalties

<b>Chapter Number</b>	<b>Chapter Title</b>	<b>Section Number</b>	<b>Section Title</b>
300	Parks & Recreation Areas	§ 300-3	Violations and Penalties
313	Peddling & Soliciting	§ 313-13	Violations and Penalties
382	Swimming Pools	§ 382-8	Violations and Penalties

are hereby amended to read, in their entirety, as follows:

This Chapter shall be enforced by a criminal action in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, partnership, corporation or other entity who or which violates or permits a violation of the provisions of this Chapter shall, upon conviction in a summary proceeding, pay a fine of not more than \$1,000, plus the costs of prosecution, and in default of the payment of the fine and costs of prosecution, shall be imprisoned for a period not exceeding 90 days. Each day, or part thereof, that a violation continues shall constitute a separate violation.

SECTION 2. The following Chapters, Articles and Sections of the Reserve Township Code of Ordinances:

<b>Chapter Number</b>	<b>Chapter Title</b>	<b>Article Number</b>	<b>Article Title</b>	<b>Section Number</b>	<b>Section Title</b>
157	Animals	I	Keeping of Animals	§ 157-3	Violations and Penalties
157	Animals	II	Dangerous Animals	§ 157-11	Violations and Penalties
157	Animals	III	Farm Animals & Chickens	§ 157-17	Violations and Penalties
225	Fire Prevention	II	Conduct at Fires	§ 225-11	Violations and Penalties
327	Property Maintenance	I	Environmental Protection	§ 327-12	Violations and Penalties
335	Real Estate Sale or Transfer	I	Lots in Unrecorded Plans	§ 335-3	Violations and Penalties
348	Sewers and Sewage Disposal	I	Privies and Cesspools	§ 348-7	Violations and Penalties
357	Solid Waste	I	Collection and Disposal	§ 357-9	Penalties
357	Solid Waste	II	Recycling	§ 357-22.B	Enforcement and Administration
357	Solid Waste	III	Dumpsters	§ 357-32.E	Violation of this Article
363	Stormwater Management	VIII	Enforcement and Penalties	§ 363-37.A	Penalties

<b>Chapter Number</b>	<b>Chapter Title</b>	<b>Article Number</b>	<b>Article Title</b>	<b>Section Number</b>	<b>Section Title</b>
368	Streets and Sidewalks	I	Laying Pipes and Conduit in Highways	§ 368-5	Violations and Penalties
368	Streets and Sidewalks	II	Use of Public Rights-of-Way by Telecommunications Providers	§ 368-20	Violations and Penalties
368	Streets and Sidewalks	III	Openings and Excavations	§ 368-35	Violations and Penalties
368	Streets and Sidewalks	IV	Obstructions in Streets	§ 368-40	Violations and Penalties
390	Taxation	I	Amusement Tax	§ 390-12	Violations and Penalties
390	Taxation	III	Sanitary Landfill Operations Tax	§ 390-28	Violations and Penalties
417	Water	II	Turning on Curb Cocks and Fire Hydrants	§ 417-21	Violations and Penalties
417	Water	IV	Discharge of Concentrated Water onto Streets	§ 417-29	Violations and Penalties

are hereby amended to read, in their entirety, as follows:

This Article shall be enforced by a criminal action in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, partnership, corporation or other entity who or which violates or permits a violation of the provisions of this Article shall, upon conviction in a summary proceeding, pay a fine of not more than \$1,000, plus the costs of prosecution, and in default of the payment of the fine and costs of prosecution, shall be imprisoned for a period not exceeding 90 days. Each day, or part thereof, that a violation continues shall constitute a separate violation.

SECTION 3. Chapter 145, Alarm Systems, Article I, False Alarm Fees, Section 145-6, Violations and Penalties, of the Reserve Township Code of Ordinances is hereby amended to read, in its entirety, as follows:

Any person, firm or corporation who shall violate any provision of this Article or who shall fail to pay a charge for a false alarm shall, upon conviction before the Magisterial District Judge thereof, be sentenced to pay a fine not more than \$500 per violation, which amount shall be in addition to any charges pursuant to § 145-2. Each false alarm issued, or failure to pay a charge for a false alarm, shall constitute a separate violation.

SECTION 4. Chapter 232, Floodplain Management, Article II, Administration, Section 232-15, Enforcement, of the Reserve Township Code of Ordinances is hereby amended to read, in its entirety, as follows:

Penalties. Any person who fails to comply with any or all of the requirements or provisions of this chapter or who fails or refuses to comply with any notice, order of direction of the floodplain administrator or any other authorized employee of the municipality shall be guilty of a summary offense and, upon conviction, shall pay a fine of not more than \$1,000, plus the costs of prosecution, and in default of the payment of the fine and costs of prosecution, shall be imprisoned for a period not exceeding 90 days. Each day, or part thereof, that a violation continues shall constitute a separate violation. In addition to the above penalties all other actions are hereby reserved, including an action in equity for the proper enforcement of this chapter. The imposition of a fine or penalty for any violation of, or noncompliance with this chapter shall not excuse the violation or noncompliance or permit it to continue. All such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this chapter may be declared by the Board of Commissioners to be a public nuisance and abatable as such.

SECTION 5. Chapter 254, Insurance, Article I, Fire Insurance Claims, Section 254-10, Violations and Penalties, of the Reserve Township Code of Ordinances is hereby amended to read, in its entirety, as follows:

Any owner of property, and named insured or any insurer who violates this Article shall be subject to a penalty of up to \$1,000 per violation. Each day, or part thereof, that a violation continues shall constitute a separate violation.

SECTION 6. Chapter 327, Property Maintenance, Article II, Adoption of Standards, Section 327-19, Revisions, additions, and deletions to Property Maintenance Code, Paragraph H, of the Reserve Township Code of Ordinances is hereby amended to read, in its entirety, as follows:

Section 106.4 – Violations and Penalties. This code shall be enforced by a criminal action in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, partnership, corporation or other entity who or which violates or permits a violation of the provisions of this Article shall, upon conviction in a summary proceeding, pay a fine of not more than \$1,000, plus the costs of prosecution, and in default of the payment of the fine and costs of prosecution, shall be imprisoned for a period not exceeding 90 days. Each day, or part thereof, that a violation continues shall constitute a separate violation. Nothing contained herein shall be deemed to preclude the Township to seek other relief or avail itself of any remedy that may be at law or in equity to prevent continuing violations of the terms of this code.

SECTION 7. Chapter 341, Rental Property, Article I, Rental Occupancy Reports, Section 341-8, Violations and Penalties, of the Reserve Township Code of Ordinances is hereby amended to read, in its entirety, as follows:

This Article shall be enforced by a criminal action in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Any person, partnership, corporation or other entity who or which violates or permits a violation of the provisions of this Article shall, upon conviction in a summary proceeding, pay a fine of not more than \$1,000, plus the costs of prosecution, and in default of the payment of the fine and costs of prosecution, shall be imprisoned for a period not exceeding 90 days. Each day, or part thereof, that a violation continues shall constitute a separate violation. Nothing contained herein shall be deemed to preclude the Township to seek other relief or avail itself of any remedy that may be at law or in equity to prevent continuing violations of the terms of this ordinance.

SECTION 8. This Ordinance shall take effect upon its enactment by the Township Board of Commissioners.

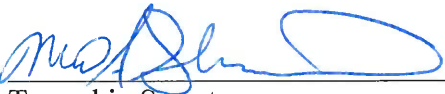
SECTION 9. This Ordinance shall repeal any prior ordinance inconsistent herewith to the extent of such inconsistency.

SECTION 10. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts thereof.

This Ordinance ORDAINED AND ENACTED INTO LAW by the Board of Commissioners of the Township of Reserve at a duly assembled public meeting this 16th day of December, 2024.

ATTEST:

TOWNSHIP OF RESERVE


  
Township Secretary

By:   
President, Board of Commissioners

CERTIFICATION OF RECORDING

This Ordinance recorded in the Township Ordinance book on December 16, 2024, by the undersigned.



  
Township Secretary