

**TOWNSHIP OF SHENANGO  
LAWRENCE COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2 OF 2017**

AN ORDINANCE PROHIBITING ANY PERSON, EXCEPT THOSE SPECIFICALLY AUTHORIZED, FROM OPENING, TAMPERING WITH, COVERING, DISGUIISING, OR INTERFERING WITH ANY FIRE HYDRANT WITHIN THE TOWNSHIP OF SHENANGO; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

**Section 1. Title**

This Ordinance shall be known and cited as the "Shenango Township Fire Hydrant Ordinance" (hereinafter referred to as "Ordinance").

**Section 2. Authority**

This Ordinance is enacted pursuant to the Second Class Township Code.

**Section 3. Definitions**

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given in this Section. When not inconsistent with the context, words used in the present tense included the future, words in the plural number include the singular number, and words in the singular number include the plural number and the word "shall" is always mandatory and not merely directory.

- A. As used in this Ordinance, "tamper", "cover", or "disguise" shall mean any activity near, or alteration of, a fire hydrant or its immediate surroundings that covers, hides or hinders the visibility of the hydrant from the road. These terms include but are not limited to forms of planting, painting, defacement, landscaping, decoration, leaves, grass, ornaments or snow accumulation by plowing.
- B. "Owner" shall mean any person owning, leasing, occupying or having charge of any premises within the Township.
- C. "Person" shall include an individual, firm, association, organization, partnership, trust, company, corporation or any other similar entity.
- D. "Township" shall mean the Township of Shenango, Lawrence County, Pennsylvania.

## **Section 4. Prohibition**

### **A. Interfering with Fire Hydrants**

It shall be unlawful for anyone other than the Shenango Township Board of Supervisors, its designee by Resolution, or the Shenango Township Volunteer Fire Department, to tamper with, cover, or disguise or in any manner interfere with fire hydrants within Shenango Township.

### **B. Opening, Drawing Water**

It shall be unlawful for anyone but the Shenango Township Board of Supervisors, its designee by Resolution, or the Shenango Township Volunteer Fire Department to open or draw water from any hydrants except for the purpose of firefighting without a written consent of the Shenango Township Board of Supervisors or the Shenango Township Volunteer Fire Department.

## **Section 5. Notice**

- A. Prior to determination of a violation under Section 4(A) above, written notice of such violation must be provided:
  - 1. to the Owner of the property on which the hydrant is located, or
  - 2. to an adult individual who resides at the residence if such property is a residence, or
  - 3. by fixing a copy of the notice to the door at the entrance of the premises in violation.
- B. Notice shall be given on a form prescribed and provided by the Township, and shall be served by the Shenango Township Police.
- C. Enforcement proceedings will be instituted upon expiration of 30 days from the issuance of Notice in accordance with this Section.
- D. After the expiration of the Notice required by this Section, if any such activity constituting a violation of Section 4(A) above is not removed, the Shenango Township Volunteer Fire Department shall proceed to remove the same. Costs incurred in the performance of necessary work shall be paid from the Township and with the approval of the Board of Supervisors, and the Solicitor shall institute appropriate action for the recovery of such costs.
- E. No notice shall be required prior to instituting enforcement proceedings for a violation under Section 4(B) above.

## **Section 6. Penalty for Violation**

Any person, firm, or corporation who fails to comply with any of the provisions of this ordinance shall be guilty of a summary offense, and, upon conviction in a proceeding before a District Justice, shall be sentenced to pay a fine of not less than \$100.00 and

no more than \$1,000.00, plus the cost of prosecution, and in default of such fine and costs, shall be imprisoned for not more than thirty (30) days. Each day that a violation continues shall constitute a separate offense.

**Section 7. Enforcement**

The provisions of this Ordinance shall be enforced by the Shenango Township Police Department. 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.

**Section 8. Severability**

If any section of specific provision or standard of this Ordinance is found by a court to be invalid, the decision of the court shall not affect the validity of any other section, provision, or standard of this Ordinance.

**Section 9. Repealer**

All prior Ordinances are hereby repealed and rescinded in whole or in part to the extent inconsistent herewith.


**Section 10. Effective Date**

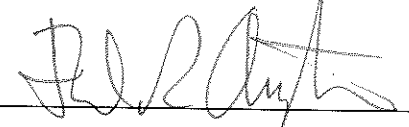
This Ordinance shall take effect thirty (30) days following the said date of enactment.

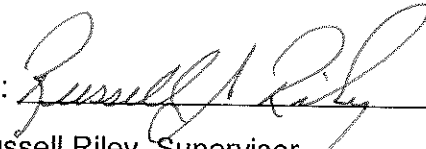
ORDAINED AND ENACTED INTO LAW, this 10<sup>th</sup> day of August, 2017, by the Shenango Township Board of Supervisors.


Attest:

TOWNSHIP OF SHENANGO

  
Albert Burick, III, Secretary

By:   
Frank Augustine, Chairman

By:   
Russell Riley, Supervisor

By:   
Albert Burick, III, Supervisor