

Article 12: Municipal Enactment

Section 1201: Validity and Severance

- (A) If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in this Joint Zoning Ordinance is declared for any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Joint Zoning Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of this Joint Zoning Ordinance.
- (B) Lower Alsace Township and Mount Penn Borough hereby declare that it would have adopted the Joint Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, and word thereof, irrespective of the fact that any one (1) or more of the articles, sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, or words may be declared illegal, unconstitutional or invalid.

Section 1202: Repealer

- (A) Except as otherwise required by law, this Joint Zoning Ordinance is intended as a continuation of, and not a repeal of, existing regulations governing the subject matter. To the extent that this Joint Zoning Ordinance restates regulations contained in ordinances previously enacted by the Lower Alsace Township and Mount Penn Borough shall be considered a restatement and not a repeal of such regulations.
- (B) It is the specific intent of Lower Alsace Township and Mount Penn Borough that all provisions of this Joint Zoning Ordinance shall be considered in full force and effect as of the date such regulations were initially enacted. Any municipal ordinances or parts of any municipal ordinances that are considered conflicting or inconsistent with the provisions of this Joint Zoning Ordinance are hereby repealed.
- (C) It is expressly provided that the provisions of this Joint Zoning Ordinance shall not affect any act done, contract executed or liability incurred prior to its effective date, or affect any suit or prosecution pending or to be instituted to enforce any rights, rule, regulation or ordinance, or part thereof, or to punish any violation which occurred under any prior zoning regulation or ordinance.
- (D) In the event any violation has occurred under any prior regulation or ordinance established by Lower Alsace Township or Mount Penn Borough, prosecution may be initiated against the alleged offender pursuant to the provisions of said prior zoning regulation or ordinance, and the provisions and penalties provided in said prior zoning regulation or ordinance shall remain effective as to said violation.

Section 1203: Effective Date

- (A) The Joint Zoning Ordinance of 2011 shall become effective five (5) days after municipal adoption by Lower Alsace Township and Mount Penn Borough.
- (B) An endorsed copy of this Joint Zoning Ordinance, including any subsequent amendments or revisions thereto, shall be retained by Lower Alsace Township, Mount Penn Borough and the Berks County Planning Commission.

Section 1204: Municipal Adoption by Lower Alsace Township

The Joint Zoning Ordinance for Lower Alsace Township and Mount Penn Borough of 2011 has been adopted by the Lower Alsace Township Board of Supervisors on November 22, 2011, as part of Lower Alsace Township Ordinance Number 219.

Lower Alsace Township Board of Supervisors

Chairman

Vice-Chairman

Supervisor

ATTEST:

Lower Alsace Township Secretary

Section 1205: Municipal Adoption by Mount Penn Borough

The Joint Zoning Ordinance for Lower Alsace Township and Mount Penn Borough of 2011 has been adopted by Mount Penn Borough Council on November 22, 2011, as part of Mount Penn Ordinance Number 796.

Mount Penn Borough Council

President

Vice-President

Member

Member

Member

Member

Member

ATTEST:

Mayor

Mount Penn Borough Secretary