

Article 8: Municipal Enactment

Section 801: Validity and Severance

- (A) If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in this Subdivision and Land Development 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 Subdivision and Land Development Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of this Subdivision and Land Development Ordinance.
- (B) Lower Alsace Township hereby declare that it would have adopted the Subdivision and Land Development 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 802: Repealer

- (A) Except as otherwise required by law, this Subdivision and Land Development Ordinance is intended as a continuation of, and not a repeal of, existing regulations governing the subject matter. To the extent that this Subdivision and Land Development Ordinance restates regulations contained in ordinances previously enacted by the Lower Alsace Township shall be considered a restatement and not a repeal of such regulations.
- (B) It is the specific intent of Lower Alsace Township that all provisions of this Subdivision and Land Development 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conflicting or inconsistent with the provisions of this Subdivision and Land Development Ordinance are hereby repealed.
- (C) It is expressly provided that the provisions of this Subdivision and Land Development 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, prosecution may be initiated against the alleged offender pursuant to the provisions of said prior regulation or ordinance, and the provisions and penalties provided in said prior regulation or ordinance shall remain effective as to said violation.

Section 803: Effective Date

- (A) The Subdivision and Land Development Ordinance of 2011 shall become effective five (5) days after municipal adoption by Lower Alsace Township.
- (B) An endorsed copy of this Subdivision and Land Development 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 804: Municipal Adoption by Lower Alsace Township

The Lower Alsace Township Subdivision and Land Development Ordinance 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 220.

Lower Alsace Township Board of Supervisors

Chairman

Vice-Chairman

Supervisor

ATTEST:

Lower Alsace Township Secretary