

CODE OF ORDINANCES

of the

TOWNSHIP OF CLAY

Published by Authority of the Clay Township Board of Supervisors

Shirk & Mejia, LLP Attorneys

Solicitor

Adopted August 12, 2002

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OFFICIALS

TOWNSHIP OF CLAY

Supervisors

Timothy E. Lausch, Chairman

Justin Harnish, Vice Chairman

Jonathan Price, Secretary

Officials

Kenelm L. Shirk, III, Shirk & Mejia, LLP, Solicitor

Robert Lynn, P.E., Hanover Engineering, Inc., Engineers

February 2007

## FOREWORD

### History

The Code of Ordinances of the Township was prepared by Shirk & Ermolovich, LLP, n/k/a Shirk & Mejia, LLP, and adopted by the Township Supervisors on August 12, 2002 by Ordinance number \_\_\_\_\_.

### Organization

The code is divided into the following Sections: (1) the Valid Current Ordinances of the Township of Clay located in chapters 1 through 27, (2) the Appendix which lists by abstracted title all Ordinances of a temporary or “one time” nature, (3) the Key to the disposition of each Ordinance ever enacted by the Township, and (4) the Index which is an alphabetical arrangement of subjects.

In Section 1, each chapter is separated by a divider tab, and specific Ordinances can be located by subject on the content page at the beginning of each chapter. The index may also be used to search for a subject when one is looking for general information on a Ordinance or subject, or if it is not known in which chapter the subject might be found. The appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original Ordinance and its date of enactment if known.

The key to disposition indicates what action has been taken by the codifiers and the Township Supervisors with regard to every Ordinance ever enacted. An Ordinance has either been (1) specifically repealed, (2) superseded by another Ordinance, (3) is located in a chapter of the codebook, or (4) is located in the appendix. The key is a cross-reference to the original Ordinance books of the Township, and to the location within the code of each Ordinance by number.

**TOWNSHIP OF CLAY  
LANCASTER COUNTY, PENNSYLVANIA  
ORDINANCE NO. \_\_\_\_\_**

**“AN ORDINANCE APPROVING, ADOPTING AND ENACTING A CONSOLIDATION, CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWNSHIP OF CLAY, COUNTY OF LANCASTER, COMMONWEALTH OF PENNSYLVANIA; PROVIDING FOR THE CONTINUATION OF PREVIOUS ORDINANCES; PROVIDING FOR CERTAIN CHANGES MADE TO PREVIOUSLY ADOPTED ORDINANCES AND FOR THE ADOPTION OF CERTAIN NEW ORDINANCES; AND PROVIDING FOR THE PROPER MAINTENANCE OF THE CODE”**

Section 1. Adoption. The “Code of Ordinances of the Township of Clay”, as prepared for the said Township of Clay by Shirk & Ermolovich, LLP, Ephrata, Pennsylvania, is hereby adopted as a consolidation, codification and revision of the Ordinances of the Township of Clay. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory Ordinances of the Township of Clay. The Appendix lists Ordinances of a temporary or “one time” nature. The document is organized as follows:

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Section 2. Citation. The Codification referred to in Section 1 of this Ordinance shall be known as and cited officially as the “Code of Ordinances of the Township of Clay”.

Section 3. Saving Clause. The provisions of the Township of Clay Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and not as a new enactment. The provisions of the Township of Clay Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Ordinances Preserved. The amendments thereto are not part of this codification at this time, but are in all respects preserved.

Section 5. Amendments. The following changes and amendments have been made to existing Township ordinances:

- A. Minor changes have been made to correct obsolete terms and usages; and
- B. Where necessary, the penalty sections have been revised to comply with the Pennsylvania Crimes Code or Motor Vehicle Code.

Section 6. Responsibility for Code Ordinances. It shall be the responsibility of the Township Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Clay Code of Ordinances and shall be available for public inspection.

Section 7. Amending of the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the chapter, part, section, and subsection to be amended, revised, repealed, or added as follows:

- A. Amendment or Revision - “Chapter \_\_\_\_ Part \_\_\_\_, Section \_\_\_\_, Subsection \_\_\_\_ is hereby amended (revised) to read as follows...”
- B. Additions - “Chapter \_\_\_\_ Part \_\_\_\_, Section \_\_\_\_, Subsection \_\_\_\_ is hereby amended by the addition of the following...”
- C. Repeal - “Chapter \_\_\_\_ Part \_\_\_\_, Section \_\_\_\_, Subsection \_\_\_\_ is hereby repealed in its entirety.”

Section 8. Penalties. It shall be unlawful for anyone to change, alter, or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township. Whosoever shall violate this section shall, be subject to a civil enforcement proceeding and may be fined an amount no more than Six Hundred Dollars (\$600.00).

Section 9. Severability of Ordinances of Codification. It is hereby declared to be the intention of the Board of Supervisors that the chapters, parts, sections, paragraphs, sentences, clauses, and phrases of this codification are severable. If any section, paragraph, sentence, clause, or phrase of this Code of Ordinances is declared unconstitutional, illegal or otherwise invalid by the judgement or decree of a court of competent jurisdiction, that invalidity shall not affect any remaining chapters, parts, sections, paragraphs, sentences, clauses, or phrases of this codification.

ENACTED AND ORDAINED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2002.

**BOARD OF SUPERVISORS  
OF CLAY TOWNSHIP**

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