

TOWNSHIP OF SILVER SPRING
Cumberland County, Pennsylvania

ORDINANCE NO. 1 of 2008

AN ORDINANCE OF THE TOWNSHIP OF SILVER SPRING,
CUMBERLAND COUNTY, PENNSYLVANIA, TO PROVIDE
FOR THE COLLECTION OF AN ADMINISTRATIVE FEE
FOR SUMMARY OFFENDERS ENTERING AN ADJUDICATION
ALTERNATIVE PROGRAM

WHEREAS, Title 42 Pa.C.S.A. §1520 authorizes, at the discretion of the Magisterial District Judge, the placement of persons charged with certain summary offenses into an appropriate program involving community service and/or self-improvement (the “Program”) in lieu of making disposition; and

WHEREAS, in the event an offender successfully completes a Program authorized by the Magisterial District Judge, the charges against the offender are dismissed and the obligation to pay any fine is relieved; and

WHEREAS, the Township of Silver Spring (the “Township”), through the officers of its Police Department, expends time and resources bringing charges against individuals who are admitted into and successfully complete a Program; and

WHEREAS, the Magisterial District Judge may impose reasonable administrative charges associated with the Program authorized by Title 42 Pa.C.S.A. §1520; and

WHEREAS, Board of Supervisors believes it is in the best interest of the Township, its citizens and taxpayers to allow recovery of a reasonable administrative fee for the Township Police Department’s participation in the process leading to successful Program completion.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Township of Silver Spring, Cumberland County, Pennsylvania, as follows:

SECTION 1: The police officers of the Township Police Department are hereby authorized and directed to request the assessment and imposition of an administrative fee of \$25.00, payable to the Township, from the Magisterial District Judge for those offenders admitted to adjudication alternative programs pursuant to 42 Pa.C.S.A. §1520 (or any successor or amended section), with such administrative fee to be paid by the offender as part of the expense of administering the Program.

SECTION 2: The amount of the administrative fee charged and assessed as noted in Section 1 above, may be changed from time to time by resolution of the Board of Supervisors.

SECTION 3: Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.


SECTION 4: The provisions of this Ordinance shall be severable. If any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not effect the remaining provisions of this Ordinance.

SECTION 5: This Ordinance shall become effective in accordance with applicable law.


26th DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 1 of 2008 this day of March, 2008 by the Board of Supervisors of the Township of Silver Spring.

ATTEST:

BOARD OF SUPERVISORS
TOWNSHIP OF SILVER SPRING



Township Secretary



Chairman