

BRADFORD TOWNSHIP, McKEAN COUNTY
BOARD OF SUPERVISORS
ORDINANCE NO. 2024-1

AN ORDINANCE CREATING AN ALTERNATIVE DISPUTE RESOLUTION METHOD FOR CERTAIN EXISTING ORDINANCES OF BRADFORD TOWNSHIP BY MEANS OF ISSUANCE OF TICKETS RATHER THAN CITATION TO PERMIT A CITIZEN WHO BELIEVES THAT HE OR SHE MAY HAVE BEEN IN VIOLATION TO PAY THE TICKET RATHER THAN CAUSE THE ISSUANCE OF A CITATION AND A COSTLY AND PROTRACTED LEGAL HEARING BEFORE A MAGISTERIAL DISTRICT COURT JUDGE.

NOW THEREFORE, BE IT ENACTED AND RESOLVED BY THE BOARD OF SUPERVISORS OF BRADFORD TOWNSHIP AS FOLLOWS:

1. **Title.**

This chapter shall be known and may be cited as the “Alternative Dispute Resolution Ordinance of the Township of Bradford, McKean County, Pennsylvania.”

2. **Purpose.**

The purpose of this chapter is to gain complete compliance with the Township’s Ordinances and to provide for a mechanism by means of issuance of tickets rather than citation to permit a citizen who believes that he or she may have been in violation to pay the ticket rather than cause the issuance of a citation and a costly and protracted legal hearing before a Magisterial District Court Judge and unnecessary appeals. The resolution in this manner is beneficial from a two-fold perspective in that it permits the Township to maintain and enforce its laws and permits a citizen so accused to resolve the dispute in a manner that does not unduly burden the resident by requiring the issuance of a citation and a court hearing. It also does not deprive the citizen the right to dispute the ticket and to receive the full benefit of procedural and substantive due process of law.

3. **Enforcement.**

- A. The provisions of any chapter so enumerated may be enforced by police officers, enforcement officers, or any public officer sworn to uphold and enforce the law of the Township (hereinafter referred to as “code

enforcement officer.”)

- B. The Township Supervisors may, from time to time, change, increase or decrease those chapters to be covered under this alternative dispute resolution chapter by resolution passed at a regularly monthly Township meeting.
- C. At the time of the adoption of this chapter, it shall apply to the following existing Township Ordinances.
 - (1) Chapter 2 Animals
 - (2) Chapter 4 Buildings
 - (3) Chapter 5 Code Enforcement
 - (4) Chapter 8 Flood Plans
 - (5) Chapter 10 Health and Safety
 - (6) Chapter 11 Housing
 - (7) Chapter 13 Licenses, Permits and General Business Regulations
 - (8) Chapter 18 Sewers
 - (9) Chapter 20 Solid Waste
 - (10) Chapter 21 Streets and Sidewalks
 - (11) Chapter 22 Subdivisions and Land Development
 - (12) Chapter 23 Stormwater Management
 - (13) Chapter 26 Water
 - (14) Chapter 27 Zoning
- D. Any violation of the provisions of any chapter as enumerated in the above-stated chapters may be cause for a notice of violation, violation ticket or citation to be issued to the violator.

4. PROCESS FOR ISSUING VIOLATION TICKETS.

- A. The notice of violation shall be in writing, shall identify the property address and shall include a statement of the violation(s). The notice of violation shall also specify the maximum time frame to take corrective action to bring the property into compliance with the relevant chapter(s) of the Township Code of Ordinances and any other laws of Bradford Township and the Commonwealth of Pennsylvania. The notice of violation shall also detail the fine for nonpayment of the ticket within the prescribed time frame.
- B. The code enforcement officer shall serve the notice of violation to the violator by one of the following methods:

- (1) By handing the notice of violation to the violator.
- (2) By handing the notice of violation to be served to an adult member of the household or other person in charge of the residence at the residence of the person to be served.
- (3) By leaving or affixing the notice or violation ticket to the property where the violation exists.
- (4) By handing the notice of violation to the violator's agent or to the person in charge thereof at any office of usual place of business of the violator.
- (5) By mailing the notice to the violator's address of record by First-Class Mail with a certificate of mailing.

- C. If the violation is not addressed to the satisfaction of the code enforcement officer within the allotted number of days from the issuance of the notice of violation, the code enforcement officer shall issue a violation ticket to the violator consistent with the service of process described above. The violation ticket shall be in writing and shall identify the property address, include a statement of the violation(s), specify the maximum time frame to take corrective action to bring the property into compliance with the relevant chapter(s) of the Township Code of Ordinances and other state and local codes, and detail the fine for the nonpayment of the ticket within the prescribed time frame.

5. VIOLATION TICKET DISPOSITION.

A person in receipt of a violation ticket shall have ten (10) days within which to pay the amount stated on the ticket. In the event the ticket is not paid within ten (10) days, such failure to pay may result in the issuance of a criminal citation for the offense with the local Magisterial District Court Judge.

6. VIOLATIONS AND PENALTIES.

- A. For the first offense of the violation of a chapter within a twelve-month period, the ticket shall be issued in the amount of \$35.00.
- B. For the second offense of the violation of the same chapter of the Township's Code within a twelve-month period, the ticket shall be issued in the amount of \$50.00.
- C. For the third offense of the violation of the same chapter of the Township's Code within twelve-month period, the ticket shall be issued in the amount of \$100.00.


D. For the fourth offense and all subsequent offenses of the violation of the same chapter of the Township's Code with a twelve-month period, the ticket shall be issued in the amount of \$300.00.

7. RESTITUTION.

In addition to imposing a fine and costs and/or imprisonment as enumerated under the section allegedly violated, the Magisterial District Court Judge may order the violator upon conviction, to make restitution to any aggrieved person.

DULY ENACTED AND RESOLVED THIS 8th day of July, 2024, by the Board of Supervisors of Bradford Township, McKean County, Pennsylvania, in lawful session duly assembled.

BRADFORD TOWNSHIP SUPERVISORS


MARK L. CLINE, SR., Chairman

Attested on this 8th day of July, 2024


SUSAN K. GIBISER, Secretary


LAREE SUE BEHAN, Vice-Chairman


EDWARD J. HAYDEN, Supervisor