

**TOWNSHIP OF LOWER MAKEFIELD
BUCKS COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF LOWER
MAKEFIELD, BUCKS COUNTY, PENNSYLVANIA,
ESTABLISHING THE LOWER MAKEFIELD TOWNSHIP
HUMAN RELATIONS COMMISSION AND PROHIBITING
DISCRIMINATION IN HOUSING, EMPLOYMENT,
PUBLIC ACCOMMODATIONS AND ACCESS TO
EDUCATIONAL INSTITUTIONS**

WHEREAS, the Township of Lower Makefield is a municipality organized and existing under the Second Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §§ 65101 *et. seq.* (1995, Nov. 9, P.L. 350, No. 60, § 1); and

WHEREAS, the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of the Township of Lower Makefield (the “Board of Supervisors”) includes the authority to enact regulations necessary for the health and welfare of the citizens of the Township of Lower Makefield, 53 P.S. § 66506; and

WHEREAS, the population of the Township of Lower Makefield consists of people possessing a number of different personal characteristics regarding their actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids; and

WHEREAS, the direct negative and secondary effects of discriminatory practices involving the personal characteristics described above in matters of housing, employment, public accommodations and access to educational institutions in this country are well known and have been extensively studied and demonstrated; and

WHEREAS, the practice or policy of discrimination against such individuals or groups is a matter of public concern that threatens the rights and privileges of the inhabitants, guests and visitors of the Township; and

WHEREAS, the Board of Supervisors of the Township of Lower Makefield desires to establish and adopt an official policy of non-discrimination in the Township in all matters involving housing, employment, public accommodations and access to educational institutions; and

WHEREAS, the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L. 744, as amended, 43 P.S. §§ 951-963 (the “Act”), does not preclude the Township from enacting and

enforcing its own Anti-Discrimination Ordinance which prohibits additional categories of discrimination; and

WHEREAS, Section 12.1(a) of the Act specifically authorizes political subdivisions to establish a local Human Relations Commission which shall have powers and duties similar to those executed by the Pennsylvania Human Relations Commission under the Act; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of the health and welfare of the residents and businesses of the Township of Lower Makefield to establish the Lower Makefield Township Human Relations Commission pursuant to Section 962.1(a) of the Act and to prohibit discrimination within the Township of Lower Makefield;

NOW THEREFORE, the Board of Supervisors of the Township of Lower Makefield, County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain the following:

I. Township of Lower Makefield Code of Ordinances is hereby amended and supplemented by adding new Chapter 12, Human Relations Commission, as follows:

Chapter 12 HUMAN RELATIONS COMMISSION

§ 12-1 Purpose and Declaration of Policy.

1. In order to ensure that all persons, regardless of actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and the use of public accommodations, and to have equal access to postsecondary educational institutions, it is necessary that appropriate legislation be enacted.

2. It is hereby declared to be the public policy of Lower Makefield Township to foster the employment of all individuals in accordance with their fullest capacities regardless of actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids, and to safeguard their right to obtain and hold employment without such discrimination, to assure equal opportunities to all individuals and to safeguard their rights to public accommodation and to secure housing accommodation and commercial property without regard to actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids, and to have equal access to educational institutions without regard to actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids.

3. Nothing in this subpart shall be construed as supporting or advocating any particular doctrine, position, point of view, lifestyle or religious view. To the contrary, it is the intention of this subpart that all persons be treated fairly and equally, and it is the express intent of this subpart to guarantee fair and equal treatment under the law to all people of the Township.

4. This subpart shall be deemed an exercise of the police power of Lower Makefield Township for the protection of the public welfare, prosperity, health and peace of the Lower Makefield community.

§ 12-2 Definitions.

1. The following words and phrases when used in this subpart shall have the meanings given to them in this subsection:

BOARD OF SUPERVISORS

The Board of Supervisors of Lower Makefield Township.

CONVERSION THERAPY

- A. Any practices or treatments that seek to change an individual's sexual orientation and/or gender identity or expression, including but not limited to efforts to change behaviors or gender expressions, or to reduce or eliminate sexual or romantic attractions or feelings toward individuals of the same gender.
- B. Conversion therapy shall not include counseling that:
 - (1) Provides assistance to a person undergoing gender transition; and/or
 - (2) Provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual orientation-neutral and gender identity or expression-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation and/or gender identity or expression.

DISCRIMINATION

Any discriminatory act(s) taken by any person, employer, employment agency, labor organization, public accommodation or educational institution on the basis of actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids.

DISCRIMINATORY ACTS

All acts defined in the Pennsylvania Human Relations Act (“PHRA”), 43 P.S. §§ 951 *et seq.*, as unlawful discriminatory practices or by the subpart as unlawful practices. The fact that the Pennsylvania Human Relations Act would not define a practice as unlawful when that practice is taken on the basis of actual or perceived race, color, sex, religion, ancestry, genetic information, national origin, sexual orientation, gender identity or expression, familial status, marital status, age, veteran status, mental or physical disability, use of guide or support animals and/or mechanical aids shall not exempt such practice from being considered a discriminatory act under this subpart.

EDUCATIONAL INSTITUTION

Those programs defined as educational institutions pursuant to the Pennsylvania Fair Educational Opportunities Act, 24 P.S. §§ 5001 *et seq.*

EMPLOYEE

Does not include any individuals who, as a part of their employment, reside in the personal residence of the employer.

EMPLOYER

Any person who employs one or more employees, including the Township, its departments, boards and commissions, and any other government agency within its jurisdiction.

GENDER IDENTITY OR EXPRESSION

Self-perception, or perception by others, as male, female, nonbinary or another gender, and shall include an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or sex assigned at birth, and shall include, but is not limited to, persons who are undergoing or have completed sex reassignment, are transgender, intersex, genderqueer, gender fluid, gender nonconforming or gender variant.

GENETIC INFORMATION

That information which is defined as genetic information in the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff.

HOUSING

Includes:

- A. Any building, structure, mobile home site or facility, or portion thereof, which is used or occupied or is intended, arranged or designed to be used or occupied as the home residence or sleeping place of one or more individuals, groups or families whether or not living independently of each other; and

- B. Any vacant land offered for sale, lease or held for the purpose of constructing or locating thereon any such building, structure, mobile home site or facility.

The term "housing" shall not include any personal residence offered for rent by the owner or lessee thereof or by his or her broker, salesperson, agent or employee.

LOWER MAKEFIELD TOWNSHIP HUMAN RELATIONS COMMISSION

Human Relations Commission of Lower Makefield Township established pursuant to this subpart.

MENTAL HEALTH PROFESSIONAL

A person who is licensed to provide professional mental health care or counseling under Pennsylvania law, or a person who performs mental health care or counseling as part of the person's professional training for any of such licensed professions.

ORDINANCE

This Ordinance, which shall also be known as the "Lower Makefield Township Human Relations Ordinance."

PERSON

Any natural person, fraternal, civic or other membership organization, corporation, general or limited partnership, proprietorship, limited liability company, or similar business organization, including the Township, its departments, boards and commissions, and other for-profit and nonprofit organizations.

PUBLIC ACCOMMODATION

Any accommodation, resort or amusement which is open to, accepts or solicits the patronage of the general public or offers goods or services, including loans, to the general public or is listed in Section 4(1) of the Pennsylvania Human Relations Act, 43 P.S. § 954(1), but shall not include any accommodations which are in their nature distinctly private.

SEXUAL ORIENTATION

Actual or perceived sexual and/or romantic and/or feelings toward other individuals. This term includes but is not limited to homosexual, heterosexual, bisexual, gay, lesbian, queer, asexual, aromantic, and/or questioning.

TOWNSHIP

The Township of Lower Makefield.

2. To the extent words and phrases appearing in this subpart are not expressly defined herein, the meaning of this subpart shall be construed consistently with the PHRA.

§ 12-3 Unlawful Practices.

1. Discrimination in housing, employment, public accommodations or access to educational institutions is prohibited under this Ordinance.

2. Retaliation against any individual because such individual has opposed any practice forbidden by this subpart, or because such individual has made a charge, testified or assisted in any manner in any investigation, proceeding or hearing under this subpart, is prohibited under this subpart.

3. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this subpart to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this subpart, is prohibited under this subpart.

4. It shall be unlawful to prohibit a breastfeeding mother from, or segregate a breastfeeding mother within, any public accommodation.

5. It is a prohibited form of discrimination under this section for a mental health professional to engage in conversion therapy with a person under 18 years of age.

§ 12-4 Exception.

1. Notwithstanding any other provision of this subpart, it shall not be an unlawful employment practice for a religious corporation or association, not supported in whole or in part by governmental appropriations, to commit any of the acts as defined in Section 4 of this Ordinance ("Unlawful Practices"), or to refuse to hire or employ an individual on the basis of religion.

2. Nothing in this subpart shall be interpreted to prohibit a religious organization, religious denomination, or association of religious organizations or denominations that is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code, or any organization affiliated with that religious organization, religious denomination, or association of religious organizations or denominations, from engaging in any conduct or activity that is required by, or that implements or expresses its religious beliefs or tenets of faith. Nor shall anything in this subpart be interpreted to require any such religious organization, religious denomination, or association of religious organizations or denominations, or any organization affiliated with that religious organization, religious denomination, or association of religious organizations or denominations to engage in any conduct or activity that is prohibited by its religious beliefs or tenets of faith.

§ 12-5 Establishment of Human Relations Commission.

1. Pursuant to 43 P.S. § 962.1 of the Pennsylvania Human Relations Act, there is hereby established a Human Relations Commission in and for Lower Makefield Township (hereinafter referred to as the "Lower Makefield Township Human Relations Commission" or the "Commission").

2. The Lower Makefield Township Human Relations Commission shall consist of five (5) voting members, who shall serve overlapping terms of three (3) years each. The terms of the members of the Commission shall be staggered, such that the terms of one third (1/3) of the members of the Commission shall expire each year. At all times there shall be an odd number of members, although the Commission may continue to operate with an even number of members pending appointment of new members as necessary. All members of the Commission shall be appointed by the Board of Supervisors. The Commission may elect up to three nonvoting, ex officio members to broaden the diversity that serves on the Commission. Members shall be residents of the Township or individuals who work full-time within the Township. No voting member of the Township Human Relations Commission shall hold any office in any political party. Members of the Commission shall serve without salary but may be paid expenses incurred in the performance of their duties, as approved by the Board of Supervisors. Paid staff may be hired, as approved by the Board of Supervisors, to assist in the performance of the duties of the Commission.

The Commission shall also have one nonvoting student member. The student member so appointed shall, at the time of appointment, be between 15 and 18 years old and shall at all times be a resident of the Township and be enrolled in and actively attending an accredited high school program and be a freshman, sophomore or junior in such high school program. The student member so appointed shall serve for a term of one year extending, if appointed as a freshman, from the month of May in the student's freshman year through the month of April in the student's sophomore year; if appointed as a sophomore, from the month of May of the student's sophomore year through the month of April in the student's junior year; or, if appointed as a junior, from the month of May in the student's junior year through the month of April in the student's senior year. The student member shall be permitted to attend all meetings of the Commission and shall be permitted to participate fully in those proceedings.

3. One of the Commission's members shall be appointed as the Chairperson of the Commission by the Board of Supervisors. The Chairperson will be responsible for setting Commission meetings, coordinating with the Township Manager regarding received complaints and answers, and generally ensuring that the duties of the Commission are fulfilled. The Chairperson may delegate responsibility for Commission duties to specific Commissioners or to paid staff, if applicable. The Chairperson shall also report, from time to time, to the Chairperson of the Board of Supervisors regarding the activities of the Commission.

4. Members of the Commission shall, as soon after their appointment as practicable, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the functioning of the Lower Makefield Township Human Relations Commission under this Ordinance, as well as the terms, conditions and provisions of the PHRA, and the operation of the Pennsylvania Human Relations Commission. Such training and education shall be as directed by the Chairperson, and shall be performed in conjunction with the state Human Relations Commission.

5. The Board of Supervisors hereby grants to the Township Human Relations Commission all of the powers necessary to the execution of its duties (as set forth below), provided that those powers shall not exceed those exercised by the Pennsylvania Human Relations Commission under the PHRA.

6. The Commission shall operate within the scope of funds which may be annually allocated by the Board of Supervisors and shall not exceed the annual allocation in any year, except upon prior approval by the Board of Supervisors. It is the intention of the Board of Supervisors that the Commission's actions shall be supported by volunteers and unpaid staff and shall be as close to "zero-cost" to Lower Makefield Township as reasonably feasible.

§ 12-6 Procedure for Complaints; Expanded Procedures.

1. Filing a Complaint.

A. Any person(s) claiming to be aggrieved by an unlawful practice may make, sign and file a verified complaint alleging violations of this subpart, which shall include the following information:

- (1) The name and address of the aggrieved person(s);
- (2) The name and address of the person(s) alleged to have committed the prohibited practice;
- (3) A concise statement of the facts, including pertinent dates, constituting the alleged discriminatory practice;
- (4) If applicable, the address and a description of the housing accommodation, dwelling unit, commercial property, or business which is involved; and
- (5) Such other information as may be required by the Lower Makefield Township Human Relations Commission.

B. Complaints may be filed in person at the Township Manager's office or by mailing such complaints to the Township Manager's office or to the Chairperson of the Human Relations Commission. All complaints must be received by the Township Manager's office or by the Human Relations Commission within 180 days of the alleged act of discrimination to be considered timely. If the alleged act of discrimination is of a continuing nature, the date of the occurrence of the act will be deemed to be any date subsequent to the occurrence of the act up to and including the date upon which the alleged act of discrimination shall have ceased. Equitable principles such as waiver, estoppel, and equitable tolling shall apply to the time limitations for the filing of any complaint or other pleading under this article.

C. The Township Manager's office shall record the date and time of receiving the complaint and shall then convey all original complaints received by that office to the Chairperson of the Human Relations Commission within 10 days of the office's receipt of such complaints.

2. Notification and Answer.
 - A. Within 30 days of its receipt of a complaint, the Lower Makefield Township Human Relations Commission shall:
 - (1) Send a copy of the complaint to the person(s) charged with a discriminatory practice [the "respondent(s)"]; and
 - (2) Send a notice to the person(s) aggrieved, informing them that the complaint has been received.
 - (3) The respondent(s) shall file a written verified answer to the complaint within 60 days of receipt of the complaint. An answer to a complaint may be filed in the same manner as an original complaint. If the answer is filed with the Township Manager's office, it shall be conveyed by the Township Manager to the Chairperson of the Human Relations Commission within 10 days of the Township Manager's office's receipt thereof. The Commission shall promptly send a copy of the answer to the person(s) aggrieved.
 - B. Within 30 days of its receipt of a complaint, the Lower Makefield Township Human Relations Commission shall determine if the complaint alleges discrimination on a basis proscribed by the Pennsylvania Human Relations Act, or any other county, state or federal law for which a deferral agency has enforcement powers and, if so, the notice sent to the person(s) aggrieved may advise them that the Lower Makefield Township Human Relations Commission will not accept the complaint for filing but that they have the right to file with the Pennsylvania Human Relations Commission, the United States Equal Employment Opportunity Commission or the United States Department of Housing and Urban Development, and/or any other county, state or federal deferral agency within 180 days of notice of the prohibited act.
3. Fact-Finding Conference.
 - A. Thirty (30) days after an answer has been received, or 60 days after the filing of the complaint if no answer is received, the Lower Makefield Township Human Relations Commission shall invite the parties to voluntarily participate in a fact-finding conference concerning the dispute. The parties shall respond to the invitation to participate in a fact-finding conference within 30 days of being invited to participate.
 - B. If the parties agree to participate in a fact-finding conference, the parties shall meet with a minimum of two (2) Lower Makefield Township Human Relations Commission members at a location mutually agreeable to the parties within 30 days of the agreement to participate. Each party will be invited at the fact-finding conference to present evidence and documents relevant to the complaint. The fact-finding conference will not be a public

event, and no record of the conference will be created, excepting the findings of fact detailed in Subsection 3C.

C. The parties shall notify the Lower Makefield Township Human Relations Commission of whether the fact-finding conference resulted in a resolution of the complaint.

(1) In the event the complaint is resolved, the Lower Makefield Township Human Relations Commission shall notify the parties that the complaint has been dismissed and shall record the result of the fact-finding conference in a notice of dismissal.

(2) In the event the complaint is not resolved through the fact-finding conference, then the Commissioner, within 30 days, shall prepare findings of fact and a conclusion as to whether the Commissioner finds probable cause that an unlawful practice has occurred.

4. Disposition of the Complaint. In the event that the fact-finding conference has been declined by either party, or that the complaint has not been resolved following the fact-finding conference, the Commission shall either:

A. Elect to proceed with the expanded procedures outlined under Subsection 5 of this section; or

B. Consider the findings prepared by the Commissioners who conducted the fact-finding conference at the second Commission meeting following the fact-finding conference. The Commission shall accept or reject the findings by public vote, and shall then provide the parties with the findings of fact and conclusion, the outcome of the vote, and information as to whether the person aggrieved has a right to pursue the matter in court by filing a lawsuit.

(1) If expanded procedures are not elected and the complaint alleges discrimination not covered by the PHRA, the Commission shall inform the aggrieved party that s/he is entitled to proceed with filing a complaint in the applicable Pennsylvania Court of Common Pleas of Bucks County.

(2) If expanded procedures are not elected and the complaint alleges discrimination covered by the PHRA, the Commission shall inform the aggrieved party that s/he may not file a complaint in the Pennsylvania Court of Common Pleas of Bucks County until the administrative remedies outlined in the PHRA are exhausted by filing with and proceeding before the Pennsylvania Human Relations Commission. If the matter was already dual filed with the Pennsylvania Human Relations Commission, the Commission shall refer the matter to the Pennsylvania Human Relations Commission for further action consistent with the administrative remedies outlined in the PHRA.

5. Option of the Commission to Elect for Expanded Procedures. The Commission shall have the authority to elect to adopt expanded procedures as set forth in Subsections 6 through 11 of this section subject to approval by the Board of Supervisors and appropriation of funding for such procedures. A majority of Commission members must vote in favor of adopting expanded procedures in order for such procedures to be adopted. In the event that such procedures are adopted, they must, while in effect, be applied to all complaints that are not resolved through a fact-finding conference. If the Commission has adopted expanded procedures, it may also, by majority vote and in its sole discretion, eliminate such procedures.

6. Expanded Procedures: Dismissal or Nondismissal of the Complaint. If the fact-finding conference was successful in resolving the complaint, the Commission shall follow the procedures set forth in Subsection 3.C.(1) of this section for dismissing the complaint. If the fact-finding conference was not successful in resolving the complaint, the Commission shall not dismiss the complaint but shall instead undertake the procedures set out in Subsections 7 through 11 of this section.

7. Expanded Procedures: Investigation. The Commission shall, in a timely fashion, investigate the allegations of discrimination set forth in the complaint. The Commission may, in the conduct of such investigation, issue subpoenas to any person charged with an unlawful practice to furnish information, records or other documents, or to give sworn testimony, as necessary to assist in its investigation.

8. Expanded Procedures: Finding of No Cause. If the Commission's investigation determines that there is no basis for the allegations of the complaint, the Commission shall cause to be issued and served upon the parties written notice of such determination. This notice shall inform the person aggrieved that he/she has the right to pursue the matter in court by filing a complaint in the Pennsylvania Court of Common Pleas of Bucks County, or, if the matter is covered by the PHRA, inform the aggrieved party that he/she may not file a complaint in court until the administrative remedies outlined in the PHRA are exhausted by filing with and proceeding before the Pennsylvania Human Relations Commission. If the matter was already dual filed with the Pennsylvania Human Relations Commission, the Commission shall refer the matter to the Pennsylvania Human Relations Commission for further action consistent with the administrative remedies outlined in the PHRA.

9. Expanded Procedures: Conciliation; Public Hearing.

- A. If the Commission, after investigation, determines that probable cause exists for the allegations of the complaint, the Commission shall immediately endeavor to eliminate the unlawful practice complained of by persuasion, conference and conciliation.
- B. If the Commission, in its discretion, finds it is not possible to eliminate the unlawful practices by persuasion, conference or conciliation, the Commission shall cause to be issued and served a written notice, together with a copy of the complaint, which informs the respondent(s) that the

respondent(s) must answer the charges of such complaint at an en banc hearing before the Commission at a time and place to be specified in such notice.

- C. At the public hearing, the case in support of the complaint shall be presented to the Commission by pro bono counsel, by Commission staff, or by the Township Solicitor's office. The case in support of the complaint may instead be presented by the complainant's attorney, if the complainant is represented. Both the complainant and the respondent(s) may appear at the hearing with or without counsel and provide testimony. In addition, both the complainant and the respondent(s) may introduce the testimony of additional witnesses and may submit documentary evidence. The Commission and the parties shall not be bound by the strict rules of evidence at the hearing.

10. Expanded Procedures: Findings. If upon all the evidence at the hearing the Commission shall find that respondent(s) has engaged in or is engaging in any unlawful discriminatory practice as defined in this subpart, the Commission shall state its findings of fact and shall issue and cause to be served on such respondent(s) an order requiring such respondent(s) to cease and desist from such unlawful discriminatory practice and to take such additional action as the Commission deems appropriate. The Commission shall have the authority to order any remedies available to the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act.

11. Expanded Procedures: Finding of No Discrimination. If upon all the evidence the Commission shall find that respondent(s) has not engaged in any unlawful discriminatory practice, the Commission shall state its findings of fact and shall issue and cause to be served on the parties an order dismissing the complaint as to such respondent(s).

§12-7 Private Right of Action and Nonlimitation of Remedies.

1. Any person(s) aggrieved by a violation of this subpart shall have a right of action in the Bucks County Court of Common Pleas or any other court of competent jurisdiction and may recover for each violation the following remedies:

- A. Back pay, front pay and other actual damages, as those remedies are defined in the Pennsylvania Human Relations Act and case law interpreting the same;
- B. Emotional distress damages;
- C. Exemplary damages;
- D. Reasonable attorney's fees and court costs; and
- E. Such other relief, including injunctive relief, as the court may deem appropriate.

2. The right of action created by this subpart may be brought upon receipt by the aggrieved person(s) of notice that the Commission has dismissed the complaint or, if no such notice is received, after one year from the date of the filing of the complaint. If the person aggrieved has received notice that the Commission has dismissed the complaint, an action under this subpart must be brought by the aggrieved person within one year from the date of receipt of said notice or it will be barred. Equitable principles such as waiver, estoppel and equitable tolling shall apply to the time limitations for the filing of any complaint or other pleading under this subpart.

3. Nothing in this subpart limits the right of an aggrieved person to recover under any other applicable law or legal theory.

II. Partial Repealer

All other provisions of the Township’s Code of Ordinances, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Township’s Code of Ordinances inconsistent herewith or in conflict with any of the terms hereof are hereby, to the extent of said inconsistencies or conflicts, specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

**ENACTED AND ORDAINED BY THE TOWNSHIP OF LOWER MAKEFIELD
THIS _____ DAY OF _____, 2024.**

**BOARD OF SUPERVISORS
TOWNSHIP OF LOWER MAKEFIELD**

BY: _____
JOHN B. LEWIS, Chair

ATTESTED TO:

DAVID W. KRATZER JR., Township Manager