TOWNSHIP OF INDIANA
ORDINANCE NO. 401

AN ORDINANCE OF THE TOWNSHIP OF INDIANA, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, REPEALING ORDINANCE NO. 205, ENACTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF INDIANA ON MARCH 27, 1984, REGULATING OBSCENITY AND PORNOGRAPHY

WHEREAS, on March 27, 1984, the Board of Supervisors of the Township of Indiana enacted Ordinance No. 205, codified at Chapter 670 ("Obscenity and Pornography Regulations") of the Codified Ordinances of the Township of Indiana, which declared obscenity and pornography to be public nuisances and set forth procedures, rules, and regulations to abate them; and

WHEREAS, to the extent an activity related to obscenity and pornography is criminal, such activity is defined in and regulated by the criminal statutes of the Commonwealth of Pennsylvania; and

WHEREAS, activities and commerce relating to lawful sexually oriented businesses are currently regulated under the Zoning Ordinance of the Township of Indiana; and

WHEREAS, the Board of Supervisors finds that all provisions of Ordinance No. 205 are satisfactorily regulated by other laws and ordinances and Ordinance No. 205 is therefore duplicative and unnecessary; and

WHEREAS, the Board of Supervisors wishes to repeal Ordinance No. 205 in its entirety.

NOW THEREFORE, it is hereby ordained and enacted by the Board of Supervisors of the Township of Indiana, Allegheny County, Pennsylvania, as follows:

Section 1.

Ordinance No. 205, codified at Chapter 670 ("Obscenity and Pornography Regulations") of the Codified Ordinances of the Township of Indiana, is hereby repealed in its entirety. This repeal shall not be construed to affect any proceeding or suit pending in any court or any rights acquired, or liability incurred or any causes of action acquired or existing, under Ordinance No. 205.

Section 2. Severability.

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If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect.

Section 3. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed, but only to the extent of said inconsistency.

Section 4. Effective Date.

This Ordinance shall become effective upon enactment.

ORDAINED AND ENACTED this _____ day of _____, 2025.

ATTEST: TOWNSHIP OF INDIANA

_____ _____
Township Manager Mayor, Board of Supervisors

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