**WORCESTER TOWNSHIP**
**BOARD OF SUPERVISORS**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2008-222**

**"PRIVATE VEHICLE SALES"**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, PART II (GENERAL LEGISLATION), CHAPTER 150 (ZONING) BY ADDING A NEW SECTION 150-194.1 ENTITLED "PRIVATE VEHICLE SALES" IN ORDER TO REGULATE THE SALE OF NON-COMMERCIALLY OWNED VEHICLES.**

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The Board of Supervisors of Worcester Township does hereby **ENACT and ORDAIN:**

**SECTION I. Amendment to the Code.**

The Codified Ordinances of Worcester Township, Part II (General Legislation), Chapter 150 (Zoning), is hereby amended by adding a new Section 150-194.1 entitled "Private Vehicle Sales" as more fully set forth below:

**§150-194.1 Private vehicle sales.**

A. The on-lot display for private sale of autos, motorcycles, trucks, other over-the-road vehicles, motorized recreational vehicles, all-terrain vehicles, campers and boats of all types is prohibited in all zoning districts except as specifically permitted in this section.

B. Property owners or occupants of properties are permitted to display one non-commercially owned auto, motorcycle, truck, other over-the-road vehicle, motorized recreational or all terrain vehicle, camper or boat for private sale on the property they occupy for a maximum period of thirty (30) days, no more than two times per calendar year, provided there is a minimum of sixty (60) days between such displays for sale and the item for sale is lawfully owned for non-commercial purposes by the owner or occupant of the property where the on-lot display is located.

C. The property owner or occupant shall file a registration statement with the Township on a form provided by the Township at least two (2) but not more than ten (10) business days prior to the commencement of the sale. The registration statement shall include the following information:

(1) The name, residence address and telephone number of the property owner or occupant conducting the sale.

(2) The make, model, license plate number and vehicle identification number of the vehicle intended to be sold.

(3) The commencement date of the sale and the date on which the sale will end.

(4) A certification signed by the property owner or occupant that he or a member of his immediate family is the registered owner of the vehicle to be sold.

(5) A copy of the certificate of title or registration for the vehicle shall be attached to the registration statement.

D. Any such displays shall not create a hazard for passing motorists by obstructing required views or causing a distraction. Signs for such displays shall be no larger than 18 inches by 24 inches, must be affixed to the item displayed for sale, and shall otherwise comply with the requirements contained in Article XXI (Signs).

**SECTION II. Repealer.**

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

**SECTION III. Severability.**

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

**SECTION IV. Failure to Enforce Not a Waiver.**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION V. Effective Date.**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

**ORDAINED AND ENACTED** by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania this 16th day of January, 2008.

**WORCESTER TOWNSHIP**

By: _____
**John R. Harris,** Chairman
Board of Supervisors

Attest: _____
**Arthur C. Bustard,** Secretary

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# NOTICE

**NOTICE** is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on January 16, 2008, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and could vote to adopt an ordinance amending the Codified Ordinances of Worcester Township, Part II (General Legislation), Chapter 150 (Zoning) by adding a new section 150-194.1 entitled "Private Vehicle Sales" in order to regulate the public display of vehicles for private sale.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Times Herald*, 410 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1421 Valley Forge Road, Worcester, Pennsylvania, 19490 where a copy of the proposed ordinance may also be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE**
**MARK A. HOSTERMAN, ESQUIRE**
**WISLER PEARLSTINE, LLP**
Solicitors for Worcester Township