

**BOARD OF SUPERVISORS  
WORCESTER TOWNSHIP**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2011-232**

**"Farm Market Ordinance"**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), ARTICLE IV (AGR AGRICULTURAL DISTRICT), SECTION 150-11 (USE REGULATIONS) TO DELETE EXISTING SUBSECTION D.(6)(b) IN ITS ENTIRETY AND REPLACE IT WITH A NEW SUBSECTION D.(6)(b) TO PERMIT THE OPERATION OF A FARM MARKET OR ROADSIDE STAND BY THE AGENT OF THE OWNER OR THE LESSEE OF THE FARM PROVIDED THAT SUCH PERSON OR ENTITY IS THE SAME PERSON OR ENTITY THAT ACTUALLY FARMS THE PROPERTY ON WHICH THE FARM MARKET OR ROADSIDE STAND IS LOCATED.**

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

**SECTION I. – Amendment to Code**

The Code of the Township of Worcester, Chapter 150 (Zoning), Article IV (AGR Agricultural District), Section 150-11 (Use Regulations) is hereby amended to delete existing subsection D.(6)(b) in its entirety and replace it with the following:

- (b) Operation By Farmer. The farm market or roadside stand shall be operated by the owner of the farm, the agent of the owner or the lessee of the farm (with the owner's permission), who shall, in all cases, be the same person or entity who actually farms the property on which the farm market or roadside stand is located.

**SECTION II. – Severability**

The provisions of this Ordinance are intended to be 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 III. – 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 IV. – Effective Date**

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

**SECTION V. – Repealer**

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

(Signature page follows)

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**ORDAINED AND ENACTED** by the Board of Supervisors of Worcester Township,  
Montgomery County, Pennsylvania, this 16<sup>th</sup> day of November, 2011.

**WORCESTER TOWNSHIP**

By: *Arthur C. Bustard*  
**Arthur C. Bustard, Chairman**  
Board of Supervisors

Attest: *F. Lee Mangan*  
**F. Lee Mangan, Secretary**

## NOTICE

**NOTICE** is hereby given that the Board of Supervisors of Worcester, at its public meeting on November 16<sup>th</sup>, 2011 at 7:30P.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 entitled "Farm Market Ordinance" amending the Code of the Township of Worcester, Chapter 150 (Zoning), Article IV (AGR Agricultural District), Section 150-11 (Use Regulations) to delete existing subsection D.(6)(b) in its entirety and replace it with a new subsection D.(6)(b) to permit the operation of a farm market or roadside stand by the agent of the owner or the lessee of the farm provided that such person or entity is the same person or entity that actually farms the property on which the farm market or roadside stand is located.

Copies of the proposed Ordinance are available for examination during normal business hours at the offices of *Times Herald*, 410 Markley Street, Norristown, Pennsylvania 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania 19401, and the Worcester Township Building, 1421 Valley Forge Road, Worcester, Pennsylvania 19490 where a copy of the proposed Ordinance may be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE  
WISLER PEARLSTINE, LLP**

Solicitors for Worcester Township