

**BOARD OF SUPERVISORS
WORCESTER TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2004-196

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF WORCESTER TOWNSHIP TO REZONE A 4.32-ACRE PORTION OF A 55.8378-TOTAL ACRE TRACT OF LAND FURTHER IDENTIFIED AS MONTGOMERY COUNTY TAX MAP PARCEL 67-00-00661-001, TAX MAP BLOCK 17, UNIT 6 FROM ITS CURRENT CLASSIFICATION OF LI-LIMITED INDUSTRIAL DISTRICT TO A NEW CLASSIFICATION OF AGR-AGRICULTURAL DISTRICT SO THAT THE ENTIRE 55.8378-ACRE TRACT IS ZONED AGR-AGRICULTURAL DISTRICT

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

SECTION I – Zoning Map Amendment

The Official Zoning Map of Worcester Township is hereby amended to rezone a 4.32-acre portion of a 55.8378-acre parcel of land generally known as the Posen property and further identified as Tax Parcel No. 67-00-00661-001 from its current classification as LI-Limited Industrial District to the new classification of AGR-Agricultural District so that the entire 55.8378-acre tract is zoned AGR-Agricultural District.

SECTION II – Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.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 18th day of February, 2004.

WORCESTER TOWNSHIP

By:



FRANK L. DAVEY, Chairman
Board of Supervisors

Attest:



CHASE E. KNEELAND, Vice Chairman
Board of Supervisors

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester, at its public meeting on February 18, 2004 at 7:30 p.m. in the Worcester Township Building, 1721 Valley Forge Road, P. O. Box 767, Worcester, Pennsylvania, 19490, hold a public hearing on and could vote to adopt an ordinance amending the Official Zoning Map of Worcester Township to rezone a 4.32-acre portion of a 55.8378-acre tract of land, further identified as Montgomery County Tax Map Parcel 67-00-00661-001, Tax Map Block 17, Unit 6 from its current classification of LI-Limited Industrial District to a new classification of AGR-Agricultural District so that the entire 55.8378-acre tract is zoned AGR-Agricultural District.

Copies of the full text of the proposed Ordinance and Amendment to the Zoning Map are available for examination during normal business hours without charge at the offices of *The Times Herald*, 401 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania, 19401 and the Worcester Township Building, 1721 Valley Forge Road, Worcester, Pennsylvania, 19490 where a copy of the proposed Ordinance and Zoning Map may be obtained for a charge not greater than the cost thereof.

JAMES J. GARRITY, ESQUIRE

MARK A. HOSTERMAN, ESQUIRE
WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP

Solicitors for Worcester Township

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2004-197

"STORMWATER MANAGEMENT"

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, CHAPTER 130 (SUBDIVISION AND LAND DEVELOPMENT), ARTICLE V (DESIGN STANDARDS), SECTION 130-24 (STORMWATER MANAGEMENT) BY AMENDING SECTION 130-24 TO BRING THE SECTION INTO COMPLIANCE WITH THE NEW FEDERAL STORMWATER MANAGEMENT REGULATIONS INCLUDING DELETING THE EXISTING SECTION 130-24.A(5) IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION PROHIBITING NON-STORMWATER DISCHARGES AND CONNECTIONS; ADDING A NEW SECTION 130-24.A(7) TO INSTITUTE BEST MANAGEMENT PRACTICES FOR EROSION AND SEDIMENTATION CONTROL PLANS AND STORMWATER MANAGEMENT ACT PLANS; REVISING SECTION 130-24.B(4)(a) TO INSTITUTE BEST MANAGEMENT PRACTICES FOR RUNOFF CONTROL; ADDING A NEW SECTION 130-24.B(4)(d)[6] TO ALLOW TOWNSHIP CONSIDERATION OF ADDITIONAL ALTERNATIVE RUNOFF CONTROL MEASURES AND BEST MANAGEMENT PRACTICES; ADDING A NEW SECTION 130-24.B(7) TO REQUIRE BEST MANAGEMENT PRACTICES FOR POST-CONSTRUCTIVE STORMWATER RUNOFF CONTROLS FOR NEW DEVELOPMENT AND REDEVELOPMENT; ADDING A NEW SECTION 130-24.H TO MAKE ANY VIOLATION OF THE STORMWATER ORDINANCE A PUBLIC NUISANCE AND TO PROVIDE ENFORCEMENT MEASURES WHICH INCLUDE SUSPENSION AND REVOCATION OF PERMITS AND APPROVALS AND OTHER PENALTIES IN ACCORDANCE WITH LAW; DELETING SECTIONS 130-32.A, 130-32.B AND 130-32.C IN THEIR ENTIRETY AND REPLACING THEM WITH NEW SECTIONS TO REGULATE EARTH DISTURBANCE ACTIVITIES.

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

SECTION I. Amendment to the Code.

The Codified Ordinances of Worcester Township, Chapter 130 (Subdivision & Land Development), Article V, (Design Criteria), Section 130-24 (Stormwater Management) is hereby

amended by deleting certain sections and replacing them with new sections and adding additional sections as follows:

A. Delete Section 130-24.A(5) in its entirety and replace with the following revised Section 130-24.A(5):

(5) Prohibition Against Non-Stormwater Discharges.

(a) Prohibited Discharges.

[1] No person in the Municipality shall allow, or cause to allow, stormwater discharges into the Municipality's separate storm sewer system which are not composed entirely of stormwater, except (1) as provided in Subsection [2] below, and (2) discharges allowed under a state or federal permit.

[2] Discharges which may be allowed, based on a finding by the Municipality that the discharge(s) do no significantly contribute to pollution to surface waters of the Commonwealth, are as follows:

- Discharges from firefighting activities
- Potable water sources including dechlorinated water line and fire hydrant flushings
- Irrigation drainage
- Routine external building washdown (which does not use detergents or other compounds)
- Air conditioning condensate
- Water from individual residential car washing
- Springs
- Water from crawl space pumps
- Flows from riparian habitats and wetlands
- Lawn watering
- Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used
- Dechlorinated swimming pool discharges
- Uncontaminated groundwater
- Uncontaminated water from foundation or from footing drains

[3] In the event that the Municipality determines that any of the discharges identified in Subsection [2] significantly contribute to pollution of waters of the Commonwealth, or is so notified by The Pennsylvania Department of Environmental Protection (DEP), the Municipality will

notify the responsible person to cease the discharge.

[4] Upon notice provided by the Municipality under Subsection [3], the discharger will have a reasonable time, as determined by the Municipality, to cease the discharge consistent with the degree of pollution caused by the discharge.

[5] Nothing in this Section shall affect a discharger's responsibilities under state law.

(b) Prohibited Connections. The following connections are prohibited, except as provided in Section [2] above:

[1] Any drain or conveyance, whether on the surface or subsurface, which allows any non-stormwater discharge, including sewage, process wastewater, and washwater, to enter the separate storm sewer system, and any connections to the storm drain system from indoor drains and sinks; and

[2] Any drain or conveyance connected from a commercial or industrial land use to the separate storm sewer system which has not been documented in plans, maps, or equivalent records, and approved by the Municipality.

B. Add a new Section 130-24.A(7) as follows:

(7) Best Management Practices. All Stormwater Management Plans shall incorporate Best Management Practices (hereinafter, "BMPs") to comply with Federal and State stormwater management regulations. BMPs shall be defined as follows:

(a) Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, structural controls (e.g., infiltration trenches), design criteria (e.g., vegetated buffers), maintenance procedures, and other management practices to prevent or reduce pollution to the waters of the Commonwealth. BMPs include Erosion and Sedimentation Control Plans, Stormwater Management Act Plans and other treatment requirements, operating procedures and practices to control runoff, spillage or leaks, sludge or waste disposal, drainage from raw material storage, and methods to reduce pollutant loadings, to recharge groundwater, to enhance stream base flow and to reduce the threat of flooding and stream bank erosion.

C. Revise Section 130-24.B(4)(a) by adding the following to the end of the existing section:

In addition to Runoff Control, all Stormwater

Management Plans shall also incorporate BMPs in conjunction with the permitting, implementation, and operation and maintenance of the selected stormwater runoff controls.

D. Add a new Section 130-24.B(4)(d)[6], as follows:

[6] Additional alternative runoff control measures and BMPs may be considered by the Township in conjunction with Stormwater Management Plans. The Township and Township Engineer shall review all proposed alternatives, and shall determine specific design criteria, construction specifications, and operation and maintenance needs as required.

E. Add a new Section 130-24.B(7) entitled "Post Construction Stormwater Runoff Controls for New Development and Redevelopment, Including Operations and Maintenance of Stormwater BMPs as follows:

(7) Post-Construction Stormwater Runoff Controls for New Development and Redevelopment, Including Operations and Maintenance of Stormwater BMPs.

(a) A "Regulated Earth Disturbance Activity" shall be defined as an earth disturbance activity of one acre or more with a point source discharge to surface waters or the Municipality's storm sewer system, or five acres or more regardless of the planned runoff. This includes earth disturbance on any portion of , part, or during any state of, a larger common plan of development. This only includes road maintenance activities involving twenty-five acres or more of earth disturbance.

(b) No Regulated Earth Disturbance Activities within the Municipality shall commence until approval by the Municipality of a plan which demonstrates compliance with State Water Quality Requirements after construction is complete.

(c) The BMPs must be designed to protect and maintain existing uses (e.g., drinking water use; cold water fishery use) and maintain the level of water quality necessary to protect those uses in all streams, and to protect and maintain water quality in "Special Protection" streams, as required by statewide regulations at 25 Pa. Code Chapter 93 (collectively referred to herein as "State Water Quality Requirements").

(d) To control post-construction stormwater impacts from Regulated Earth Disturbance Activities, State Water Quality Requirements can be met by BMPs, including site design, which provide for replication of pre-construction stormwater infiltration and runoff conditions, so that post-construction stormwater discharges do not degrade the physical, chemical or biological characteristics of the

receiving waters. As described in the DEP Comprehensive Stormwater Management Policy (#392 0300 002, September 28, 2002), this may be achieved by the following:

- [1] Infiltration: replication of pre-construction stormwater infiltration conditions;
 - [2] Treatment: use of water quality treatment BMPs to ensure filtering out of chemical and physical pollutants from the stormwater runoff; and
 - [3] Streambank and Streambed Protection: management of volume and rate of post-construction stormwater discharges to prevent physical degradation of receiving waters (e.g., from scouring and erosion).
- (e) DEP has regulations that require municipalities to ensure design, implementation and maintenance of BMPs that control runoff from new development and redevelopment after Regulated Earth Disturbance Activities are complete. These requirements include the need to implement post-construction stormwater BMPs with assurance of long-term operations and maintenance of those BMPs.
 - (f) Evidence of any necessary permit(s) for Regulated Earth Disturbance Activities from the appropriate DEP regional office or County Conservation District must be provided to the Municipality. The issuance of an NPDES Construction Permit (or permit coverage under the statewide General Permit (PAG2)) satisfies the requirements of Subsection (a).

F. Add new Section 130-24.H, entitled "Stormwater Violation Sanctions" as follows:

H. Stormwater Violation Sanctions.

(1) Public Nuisance.

- (a) The violation of any provision of this Stormwater Management Ordinance is hereby deemed a Public Nuisance.
- (b) Each day that a violation continues shall constitute a separate violation.

(2) Enforcement.

- (a) In the event of a violation of this Stormwater Management Ordinance, the Municipality may order compliance by written notice to the responsible party. Such notice may

require without limitation:

- [1] The performance of monitoring, analyses, and reporting;
 - [2] The elimination of prohibited discharges;
 - [3] Cessation of any violating discharges, practices, or operations;
 - [4] The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - [5] Payment of a fine to cover administrative and remediation costs;
 - [6] The implementation of stormwater BMPS; and
 - [7] Operation and maintenance of stormwater BMPS.
- (b) Failure to comply within the time specified shall also subject such person to the penalty provisions of this Stormwater Management Ordinance. All such penalties shall be deemed cumulative and shall not prevent the Municipality from pursuing any and all other remedies available in law or equity.

(3) Suspension and Revocation of Permits and Approvals.

Any building, land development or other permit or approval for Regulated Earth Disturbance Activities issued by the Municipality may be suspended or revoked by the governing body for any of the following:

- (a) Noncompliance with or failure to implement any provision of the permit;
- (b) A violation of any provision of this Stormwater Management Ordinance; or
- (c) The creation of any condition or the commission of any act during construction or development which constitutes or creates a hazard, nuisance, pollution or which endangers the life or property of others.

(4) Penalties.

- (a) Any person, firm or corporation who or which shall violate or fail, neglect, or refuse to comply with any of the

provisions of this Stormwater Management Ordinance shall, upon conviction thereof, be sentenced as provided in Chapter 1, Article II, General Penalty. Each day's violation shall constitute a separate offense and notice to the offender shall not be necessary in order to constitute an offense.

- (b) In addition, the Municipality may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Ordinance. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus or other appropriate forms of remedy or relief.
- G. Delete Sections 130-32.A, 130-32.B and 130-32.C in their entirety and replace with new Sections 130-32.A, 130-32.B, and 130-32.C, as follows:
- A. No Regulated Earth Disturbance Activities within the Municipality shall commence until approval by the Municipality of an Erosion and Sediment Control Plan for construction activities. The Pennsylvania Department of Environmental Protection (DEP) has regulations that require an Erosion and Sediment Control Plan for any earth disturbance activity of 5,000 square feet or more, under 25 Pa. Code § 102.4(b).
 - B. In addition, under 25 Pa. Code Chapter 92, a DEP "NPDES Construction Activities" permit is required from DEP for any Regulated Earth Disturbance Activity.
 - C. Evidence of any necessary permit(s) for Regulated Earth Disturbance Activities from the appropriate DEP regional office or County Conservation District must be provided to the Municipality. The issuance of an NPDES Construction Permit (or permit coverage under the statewide General Permit (PAG 2)) satisfies the requirements of Subsection A. A copy of the Erosion and Sediment Control Plan and any required permit, as required by DEP regulations, shall be available at the project site at all times.

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 18th day of February, 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman,
Board of Supervisors

Attest: Chase E. Kneeland
CHASE E. KNEELAND, Vice Chairman

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on February 18, 2004, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance entitled "Stormwater Management" amending the Codified Ordinances of Worcester Township Worcester Township, Chapter 130 (Subdivision and Land Development), Article V (Design Standards). Section 130-24 (Stormwater Management) by amending Section 130-24 to bring the section into compliance with the new Federal Stormwater Management Regulations including deleting the existing Section 130-24.A(5) in its entirety and replacing it with a new section prohibiting non-stormwater discharges and connections; adding a new Section 130-24.A(7) to institute Best Management Practices for erosion and sedimentation control plans and Stormwater Management Act plans; revising Section 130-24.B(4)(a) to institute Best Management Practices for runoff control; adding a new Section 130-24.B(4)(d)[6] to allow Township consideration of additional alternative runoff control measures and Best Management Practices; adding a new section 130-24.B(7) to require Best Management Practices for post-constructive stormwater runoff controls for new development and redevelopment; adding a new Section 130-24.H to make any violation of the Stormwater Ordinance a public nuisance and to provide enforcement measures which include suspension and revocation of permits and approvals and other penalties in accordance with law; deleting Sections 130-32.A, 130-32.B and 130-32.C in their entirety and replacing them with new sections pertaining to Regulated Earth Disturbance Activities.

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*, 401 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1721 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.

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Solicitors for Worcester Township**

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2004- 198

"STOP INTERSECTIONS AND TRAFFIC CONTROL SIGNALS"

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, CHAPTER 145 (VEHICLES AND TRAFFIC) BY ADDING A NEW ARTICLE II ENTITLED "STOP INTERSECTIONS" TO IDENTIFY THE LOCATIONS OF STOP SIGNS WITHIN THE TOWNSHIP AND BY ADDING A NEW ARTICLE III ENTITLED "TRAFFIC CONTROL SIGNALS" TO IDENTIFY THE LOCATIONS OF TRAFFIC LIGHTS IN THE TOWNSHIP.

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

SECTION I. Amendment to the Code.

The Codified Ordinances of Worcester Township, Chapter 145 (Vehicles and Traffic) are hereby amended by adding a new Article II entitled "Stop Intersections" and a new Article III entitled "Traffic Control Signals" as follows:

ARTICLE II

Stop Intersections

Section 145-2. Stop Intersections.

The intersections described below are hereby established as stop intersections, and official stop signs shall be erected in such a position upon the first-named highway as to face traffic approaching the second-named highway in the direction or directions indicated. All vehicles and tractors approaching any such intersection upon the first-named highway, in the direction or directions indicated in each case, shall come to a full stop, within a reasonable distance, before entering any such intersection:

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Acorn Lane	North	Morris Road
Allebach Lane	Southerly	Fisher Road
Anders Road	East	Green Hill Road
Artmar Road	West	Valley Forge Road
Ayreshire Drive	West	Locust Drive
Ayreshire Drive	East	Sunny Ayre Drive
Barley Lane	Both	Wentz Church Road
Bayton Road	North	Landis Road
Bean Road	West	Berks Road
Bean Road	East	Whitehall Road
Berks Road	West	Potshop Road
Berwick Place	North	Mt. Kirk Avenue
Bethel Drive	South	Bethel Road
Bethel Road	Easterly	Morris Road
Beyer Road	Southerly	Bean
Blacksmith Road	West	Smith Road
Broadview Lane	Easterly	Potshop Road
Bustard Road	Southerly	Skippack Pike
Cedars Road	Northerly	Skippack Pike
Church Road	Northerly	Germantown Pike
Clyston Circle	East	Clyston Road
Clyston Road	Southerly	Landis Road
Cold Spring Road	Westerly	Bethel Road
Cold Spring Road	North	Countryview Lane
Conrad Way	North	Locust Drive
Countryview Lane	Easterly	Cold Spring Road
Credley Lane	Westerly	Water Street
Crestline Drive	South	Long Meadow Road
Crestline Drive	Easterly	North Wales Road
Custer Way	Easterly	Mill Road

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Defford Circle	Southerly	Defford Road
Dell Road	West	Hall Road
Dell Road	Easterly	Water Street
Doe Brook Lane	West	Frog Hollow Road
Dotts Way	Westerly	Mann Road
Drake Road	Northerly	Ayreshire Drive
Drake Road	Southerly	Locust Drive
East Adair Drive	Easterly	Germantown Pike
Ernest Lane	Westerly	Cedars Road
Fawn Road	Westerly	Kriebel Mill Road
Fieldcrest Way	Westerly	Valley Forge Road
Fisher Road	North	Bustard Road
Fisher Road	Both	Wentz Church Road
Fisher Road	Easterly	Valley Forge Road
Frog Hollow Road	Easterly	Skippack Pike
Frog Hollow Road	Both	Heebner Road
Frog Hollow Road	Both	Stump Hall Road
Frog Hollow Road	Both	Water Street
Frog Hollow Road	Westerly	Mill Road
Fry Road	Easterly	Bustard Road
Glenview Drive	Easterly	Morris Road
Grange Avenue	Both	Water Street

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Greenhill Road	Both	Stump Hall Road
Griffith Road	East	Park Avenue and Valley Forge Road
Griffith Road	West	Quarry Hall Road
Haines Way	South	Country View Lane
Hawk's Nest Lane	Easterly	Fawn Road
Hedwig Lane	Northerly	Kriebel Mill Road
Hedwig Lane	Easterly	Stump Hall Road
Heebner Road	West	Kriebel Mill Road
Heebner Road	Easterly	Valley Forge Road
Heritage Drive	Easterly	Germantown Pike
Hickory Hill Drive	West	Valley Forge Road
Hickory Hill Drive	Both	Landis Road
Highview Drive	West	Bayton Road
Highview Drive	Southerly	Merion Way
Hillcrest Drive	West	Bethel Road
Hillcrest Drive	East	Country View Lane
Hillside Circle	Southerly	Crestline Drive
Hollis Road	West	Bustard Road
Hollis Road	Easterly	Fisher Road
Hollow Road	Easterly	Skippack Pike
Hollow Road	Both	Heebner Road
Hollow Road	Both	Stump Hall Road

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Hollow Road	Both	Water Street
Hollow Road	Westerly	Mill Road
Haupt Way	South	Woodbridge Lane
Kriebel Mill Road	Both	Mill Road
Kriebel Mill Road	Both	Water Street
Kriebel Mill Road	Both	Stump Hall Road
Kriebel Mill Road	East	Fawn Road
Kriebel Mill Road	Easterly	Skippack Pike
Landis Road	Southerly	Potshop Road
Landis Road	East	Defford Road
Landis Road	East	Skippack Pike
Liberty Lane	Easterly	Valley Forge Road
Landis Road	Both	Hickory Hill Drive
Little Creek Lane	Northerly	Stump Hall Road
Locust Drive	Easterly	Morris Road
Longmeadow Road	Both	North Wales Road
Mann Road	Southerly	Ayreshire Drive
Markley Avenue	Southerly	Germantown Pike
Merrybrook Road	Southerly	Mill Road
Merrybrook Road	Northerly	Water Street
Methacton Avenue	Easterly	Quarry Hall Road
Mill Road	Westerly	Grange Avenue

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Mill Road	Easterly	Merrybrook Road
Mill Road	Easterly	Quarry Hall Road
Nyce Way	East	Locust Drive
Old Orchard Road	Southerly	Skippack Pike
Overhill Drive	Westerly	Berks Road
Pawlings Ford Road	Both	Locust Drive
Plumlyn Avenue	Southerly	Germantown Pike
Pondview Drive	Easterly	North Wales Road
Potshop Road	West	Valley Forge Road
Potshop Road	Southerly	Township Line Road
Quail Run	West	Crestline Drive
Quail Run	East	Longmeadow Road
Quarry Hall Road	Southerly	Germantown Pike
Quarry Hall Road	Easterly	Water Street
Reichenbach Road	North	Slough Drive
Saddle Wood Court	Westerly	Bustard Road
Scheid Way	North	Locust Drive
Schultz Road	West	Steelman Road
Schultz Road	Both	Schearer Road
Schultz Road	Both	Schultz Road
Shady Lane	West	Berks Road
Schearer Road	Easterly	Schultz Road

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Schearer Road	Westerly	Skippack Pike
Sheffley Lane	Southerly	Heebner Road
Shut Mill Road	Easterly	Skippack Pike
Sibel Circle	West	Bethel Road
Silo Mill Lane	West	Skippack Pike
Slough Drive	Westerly	Frog Hollow Road
Smith Road	North	Germantown Pike
Steelman Road	Easterly	Schultz Road
Steelman Road	Westerly	Valley Forge Road
Stony Creek Road	Both	Longmeadow Road
Stony Creek Road	West	Crestline Drive
Sunny Ayre Drive	Both	Locust Drive
Sunny Ayre Drive	West	Warner Road
Trooper Road	Easterly	Potshop Road
Trooper Road	Both	Township Line Road
Trooper Road	West	Woodlyn Avenue
Warner Road	Southerly	Sunny Ayre Drive
Warner Road	Southerly	Ayreshire Drive
Water Street	Easterly	Valley Forge Road
West Adair Drive	Westerly	Germantown Pike
Weber Road	Easterly	Skippack Pike
Weber Road	Easterly	Schultz Road
Weigner Road	Easterly	Morris Road

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Weigner Road	West	Locust Drive
Wentz Church Road	Easterly	Morris Road
Wentz Church Road	Westerly	Skippack Pike
Wheatsheaf Lane	Easterly	Church Road
Windy Hill Road	Westerly	Germantown Pike
Wister Court	East	Bethel Road
Woodbridge Lane	Easterly	Fawn Road
Woodlyn Avenue	Westerly	Valley Forge Road
Woodlyn Avenue	Westerly	Dell Road
Woodlyn Avenue	Westerly	Trooper Road

ARTICLE III

Traffic Control Signals

Section 145-3. Traffic Control Signals.

Traffic control signals shall be installed and operated at the intersection of the highways described below:

<u>Name of Highway</u>	<u>Intersecting Road</u>
Germantown Pike	Kriebel Mill Road
Germantown Pike	Mt. Kirk Avenue
Germantown Pike	Valley Forge Road
Germantown Pike	Trooper Road

<u>Name of Highway</u>	<u>Intersecting Road</u>
Morris Road	Schultz Road and Broad Street
Morris Road	Ford Entrance
Morris Road	Valley Forge Road
Morris Road	Berks Road
Morris Road	West Point Pike
Morris Road	North Wales Road
Skippack Pike	Valley Forge Road
Skippack Pike	Berks Road
Skippack Pike	Whitehall Road
Skippack Pike	Bethel Road
Skippack Pike	North Wales Road
Township Line Road	Valley Forge Road
Township Line Road	Whitehall Road
Township Line Road	North Wales Road

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.

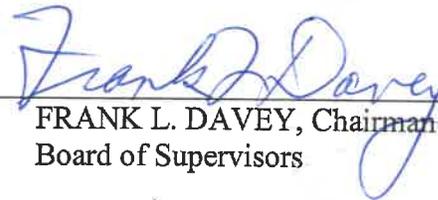
SECTION V. Effective Date.

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

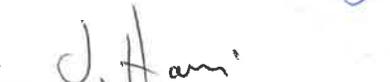
ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania this 17TH day of March, 2004.

WORCESTER TOWNSHIP

By: _____


FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: _____


JOHN R. HARRIS, Secretary

**BOARD OF SUPERVISORS
WORCESTER TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2004-199

UNIFORM CONSTRUCTION CODE

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, PART II (GENERAL LEGISLATION), CHAPTER 52 (BUILDING CONSTRUCTION) BY DELETING THE EXISTING CHAPTER 52 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 52 ENTITLED "PENNSYLVANIA UNIFORM CONSTRUCTION CODE" TO ADOPT THE UNIFORM CONSTRUCTION CODE ("UCC") AS THE OFFICIAL BUILDING CODE OF WORCESTER TOWNSHIP IN ACCORDANCE WITH PENNSYLVANIA ACT 45 OF 1999 WHICH ESTABLISHES PENNSYLVANIA'S STATEWIDE BUILDING CODE; ESTABLISHING ADMINISTRATION AND ENFORCEMENT OF THE UCC; ESTABLISHING A BOARD OF APPEALS; ADDRESSING THE EFFECT ON PROVISIONS OF THE PREVIOUS WORCESTER TOWNSHIP BUILDING CODE; SETTING FORTH AMENDMENTS TO THE STANDARDS OF THE UCC; PROVIDING FOR FEES FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UCC; ESTABLISHING A PENALTY PROVISION FOR VIOLATIONS OF THE UCC; AND ESTABLISHING JULY 8, 2004 AS THE EFFECTIVE DATE OF THE ORDINANCE.

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

SECTION I. - Amendment to Code

The Codified Ordinances of Worcester Township, Part II (General Legislation), Chapter 58 (Building Construction) is hereby amended by deleting the existing Chapter 58 in its entirety and replacing it with a new Chapter 58 as follows:

CHAPTER 52

PENNSYLVANIA UNIFORM CONSTRUCTION CODE

§52-1. Administration and enforcement of the Pennsylvania Construction Code Act, Act 45 of 1999.

Worcester Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations.

§52-2. Adoption of the Uniform Construction Code (UCC) by reference.

The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the building code of Worcester Township.

§52-3. Administration and enforcement of the UCC.

Administration and enforcement of the UCC within Worcester Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of Worcester Township from time to time by resolution:

- A. By the designation of an employee of the Township to serve as the Township code official to act on behalf of the Township;
- B. By the retention of one or more construction code officials or third party agencies to act on behalf of the Township;
- C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement;
- D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of the Township;

E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one family or two family dwelling units and utility and miscellaneous use structures.

§52-4. Establishment of Board of Appeals.

A Board of Appeals shall be established by resolution of the Board of Supervisors of Worcester Township in conformity with the requirements of the relevant provisions of the UCC, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.

§52-5. Effect on provisions of other ordinances, regulations and policies.

A. All building code ordinances or portions of ordinances which were adopted by Worcester Township on or before July 1, 1999, and which equal or exceed the requirements of the UCC shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the UCC, as amended from time to time.

B. All building code ordinances or portions of ordinances which are in effect as of the effective date of this ordinance and whose requirements are less than the minimum requirements of the UCC are hereby amended to conform with the comparable provisions of the UCC.

C. All relevant ordinances, regulations and policies of Worcester Township not governed by the UCC shall remain in full force and effect.

§52-6. Amendments to standards.

The following provisions were duly adopted by Worcester Township on or before July 1, 1999 and are specifically identified as equaling or exceeding the requirements of the UCC and shall continue in full force and effect until such time as the provisions fail to equal or exceed the minimum requirements of the UCC, as amended from time to time. The following provisions are not intended as an exhaustive list of provisions adopted by the Township before July 1, 1999 which equal or exceed the requirements of the UCC and the Township reserves the right to enforce, without limitation, all other building code provisions not specifically listed below which were adopted on or before July 1, 1999 which equal or exceed the requirements of the UCC, as amended from time to time.

A. The 2003 Edition of the International Building Code (IBC), which has been adopted by reference by the UCC, is hereby revised as follows:

(i) Section 101.1 of the IBC is hereby revised to provide as follows:

101.1 Title: These regulations shall be known as the "Building Ordinance of Worcester Township", hereinafter referred to as "this code."

(ii) Section 101.2 of the IBC is hereby revised and supplemented to provide as follows:

101.2 Scope: These regulations shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and shall apply to existing or proposed buildings and structures; and, further, these regulations shall include and require compliance with the provisions of Chapter 150, Zoning, regulating the use of land and structures within the boundaries of designated

floodplain districts which are part of the Official Zoning Map of Worcester Township.

(iii) Section 3303.7 of the IBC is hereby revised to add the following:

“Prior to the issuance of a demolition permit the applicant shall furnish to the township a certificate from a reputable rodent exterminator which states that the building or structure to be demolished has been inspected and found to be free of rodents or that the building or structure to be demolished has been properly treated for the eradication of all rodents in and about the premises.”

(iv) Section 108 of the IBC is hereby revised to provide as follows:

108 Fee schedule: Applicants for permits under this code shall pay at the time of application to the township the fees set forth on the then current fee schedule which shall have been adopted by resolution by the Board of Supervisors.¹ When a permit fee is based on cost of construction, the valuation of the subject work shall be the fair market value of all of the construction work. The Building Official shall be satisfied as to the accuracy of the estimate both initially and at final completion should changes occur as the work progresses.

(v) Section 108.7 of the IBC is hereby revised to provide as follows:

108.7 Accounting. All fees collected shall be received and accounted for by the Township Secretary; and such fees shall be deposited in the jurisdiction treasury or otherwise handled as required by law.

(vi) Sections 113.1 through 113.4 of the IBC are hereby replaced with the following:

¹ Editor's Note: The Fee Schedule is on file in the Township offices.

113.1 Violation penalties: Any person who shall violate a provision of this code or shall fail to comply with the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official or of a permit or certificate issued under the provisions of this code or shall continue any work in or about a building after having been served with a stop order, upon conviction thereof by summary proceedings brought in the name of Worcester Township before a District Justice having jurisdiction, shall be sentenced as provided in Chapter 1, Article II, General Penalty. Each day that a violation continues shall be deemed a separate offense.

(vii) Section 114.3 of the IBC is hereby deleted in its entirety.

(viii) Section 705 of the IBC is hereby revised to provide as follows:

705 Multifamily dwellings: Notwithstanding anything to the contrary in this chapter or code, the requirements for fire separations in multifamily dwellings shall be as follows: dwelling units located adjacent to other dwelling units shall be completely separated from the adjacent dwelling unit by an eight inch thick masonry wall extending from the foundation to at least sixteen (16) inches above the highest adjacent roof deck. Dwelling units located above other dwelling units shall be completely separated from the other dwelling unit by floor/ceiling assemblies of not less than two hour fire resistance rated construction.

(ix) Section 903.2 of the IBC is hereby revised to provide as follows:

903.2 Where required: Fire suppression systems shall be installed and maintained in full operating condition, as specified in this code, in the locations indicated in Sections 903.2.1 through 903.2.13; all buildings with a gross floor

area of more than two thousand (2,000) square feet, other than single family detached residences, shall be provided with a fully automatic fire suppression system.

(x) Sections 903.2.1 through 903.2.13 are hereby revised by deleting therefrom all references that are inconsistent with the requirements of Section 903.2 as hereby revised.

(xi) Section 3307.1 is hereby supplemented by adding the words "three (3) feet."

§52-7. Establishment of fees.

Fees assessable by Worcester Township for the administration and enforcement undertaken pursuant to this ordinance and the UCC shall be established by the Board of Supervisors by resolution from time to time.

§52-8. Penalties.

Any individual, firm or corporation that violates any provision of the UCC commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 and costs. Each day that a violation of the UCC continues shall be considered a separate violation.

SECTION II. – 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 Council 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 on July 8, 2004.

SECTION V. – Repealer

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

ORDAINED and **ENACTED** by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania, this 16th day of June, 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on June 16, 2004 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 Code of Ordinances of the Worcester Township, Part II (General Legislation), Chapter 52 (Building Construction) by deleting the existing Chapter 52 in its entirety and replacing it with a new Chapter 52 entitled "Pennsylvania Uniform Construction Code" to adopt the Uniform Construction Code ("UCC") as the official building code of Worcester Township in accordance with Pennsylvania Act 45 of 1999 which establishes Pennsylvania's statewide building code; establishing administration and enforcement of the UCC; establishing a Board of Appeals; addressing the effect on provisions of the previous Worcester Township Building Code; setting forth amendments to the standards of the UCC; providing for fees for the administration and enforcement of the UCC; establishing a penalty provision for violations of the UCC; and establishing July 8, 2004 as the effective date of the ordinance.

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*, 401 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1721 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, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township**

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2004-200

"SALES FROM NON-PERMANENT STRUCTURES"

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF WORCESTER TOWNSHIP, BY ADDING A NEW CHAPTER 119 ENTITLED "SALES FROM NON-PERMANENT STRUCTURES", SETTING FORTH DEFINITIONS, PROHIBITED ACTS, VIOLATIONS AND PENALTIES, AND EMPOWERING THE TOWNSHIP TO SEIZE GOODS DISPLAYED OR SOLD IN VIOLATION OF THIS CHAPTER, AND AMENDING CHAPTER 150 (ZONING), ARTICLE XXIV (GENERAL REGULATIONS), SECTION 150-177 (ACCESSORY USE; ACCESSORY STRUCTURES) TO ADD A NEW SUBPART C EXCLUDING NON-PERMANENT STRUCTURES FOR THE SALE OF GOODS

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

SECTION I. Amendment to the Code.

The Code of Worcester Township, Part II (General Legislation), is hereby amended by adding a new Chapter 119 entitled "Sales from Non-permanent Structures" as follows:

Chapter 119

SALES FROM NON-PERMANENT STRUCTURES

§ 119-1. Definitions.

A. As used in this chapter, the following term shall have the meaning indicated:

NON-PERMANENT STRUCTURE – Any temporary or movable structure, not permanently attached to the foundation of a building, including but not limited to, tents and carts.

§ 119-2. Sales prohibited.

No persons shall be permitted to offer or expose for display or sale any goods, including, but not limited to, Easter and Mother's Day flowers, fireworks and other seasonal or holiday related merchandise, in the open air or from a non-permanent structure, as defined by this chapter, unless authorized by the Worcester Township Board of Supervisors in conjunction with a special event sponsored or supported by the Township. This section shall not apply to permitted outdoor displays of merchandise being sold immediately adjacent to the principal structure by the owner or occupant of the principal structure. Furthermore, this section shall not apply to permitted sales of Christmas trees and related merchandise.

§ 119-3. Seizure of goods.

The Township may seize, take, remove or cause to be removed, at the expense of the owner, all stocks of goods offered or exposed for display or sale, used or held in violation of this Article.

§119-4. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall be subject to a penalty as provided in Chapter 1, Article II, General Penalty, to be collected by suit or summary proceeding brought in the name of Worcester Township before the District Justice having jurisdiction in accordance with the procedures authorized by Clause XLI of Section 702 of the Second Class Township Code, as amended by Act No. 88-20. All fines and penalties collected for violation of the provisions of this Chapter shall be paid to the township treasury.

SECTION II. Amendment to the Code.

The Code of Worcester Township, Chapter 150 (Zoning), Article XXIV (GENERAL REGULATIONS), Section 150-177 (Accessory Use; Accessory Structures) is hereby amended by adding a new Subpart C as follows:

§150-177. Accessory use; accessory structures.

C. Accessory uses authorized by this chapter shall not be interpreted to include non-permanent structures for the sale of goods, which are prohibited by Chapter 119, except as otherwise set forth therein.

SECTION III. Repealer.

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

SECTION IV. 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 V. 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 VI. 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 21st day of July, 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on July 21, 2004 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 by adding a new Chapter 119 entitled "Sales from Non-Permanent Structures ", setting forth definitions, prohibited acts, violations and penalties, and empowering the Township to seize goods displayed or sold in violation of this Chapter, and amending Chapter 150 (Zoning), Article XXIV (General Regulations), Section 150-177 (Accessory Use; Accessory Structures) to add a new subpart C excluding non-permanent structures for the sale of goods.

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*, 401 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1721 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, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township**

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**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 04-201

STANDARDS FOR PRIVATE GARAGES

AN ORDINANCE AMENDING THE CODE OF WORCESTER TOWNSHIP, PART II (GENERAL LEGISLATION), CHAPTER 150 (ZONING), ARTICLE III (TERMINOLOGY), SECTION 150-9 (DEFINITIONS) BY AMENDING THE DEFINITION OF "PRIVATE GARAGE" TO ELIMINATE THE THREE DOOR LIMITATION AND ADDING A NEW SUBPART C DEFINING "ATTACHED", AND BY AMENDING ARTICLE XXIV (GENERAL REGULATIONS), SECTION 150-177 (ACCESSORY USE; ACCESSORY STRUCTURES), BY ADDING A NEW SUBPARAGRAPH 1 TO SUBPART B SETTING FORTH RESTRICTIONS ON PRIVATE GARAGES.

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

SECTION I. Amendment to the Code.

The Code of Worcester Township, Part II (General Legislation), Chapter 150 (Zoning), Article III (Terminology), Section 150-9 (Definitions) is hereby amended by revising the definition of "private garage" and adding a definition for "attached" as follows:

GARAGE – Includes all principal and accessory use garages.

- A. **PRIVATE** – A private garage is a one story building used for the storage of automobiles or trucks owned and used by the owner, tenant or employees of the owner of the lot on which it is erected for a purpose accessory to the use of the lot.
- B. **PUBLIC** – A public garage is a building, other than a private garage, one or more stories in height, used for storage, repair and/or sale of automobiles, trucks or other commercial vehicles.
- C. **ATTACHED** – An attached garage shall mean a garage that shares a common wall with a principal building for a minimum of eight (8) feet. All other garages shall be deemed detached.

SECTION II. Amendment to the Code.

The Code of Worcester Township, Part II (General Legislation), Chapter 150 (Zoning), Article XXIV (General Regulations), Section 150-177 (Accessory Use; Accessory Structures) is hereby amended deleting Subparagraph 1 to Subpart B, adding new subparagraphs (1) and (2) and renumbering the existing subparagraphs (2), (3) and (4) as (3), (4) and (5). New subparagraphs (1) and (2) shall hereafter read as follows:

- (1) Private garages (whether attached or detached) may not encroach on any yard setbacks and must be located entirely within the building envelope of the lot on which they are located. Attached garages shall not exceed the height restriction for principal buildings in the applicable zoning district and detached garages shall not exceed twenty (20) feet in height to the peak of the roof.
- (2) All other accessory structures shall be located in the rear yard at least ten (10) feet behind the closest part of the main building and at least forty (40) feet from any side or rear property line, with the exception that said distances shall be reduced to ten (10) feet in R-150, R-125 and R-100 Residential Districts only.

SECTION IV. Effective Date.

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

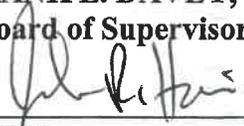
ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township,
Montgomery County, Pennsylvania, this 21st day of July, 2004.

WORCESTER TOWNSHIP

By: _____


FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: _____


JOHN R. HARRIS, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on July 21, 2004 at 7:30 P.M. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Pennsylvania, will hold a public hearing on and will consider for adoption an Ordinance amending Code of Worcester Township, Part II (General Legislation), Chapter 150 (Zoning), Article III (Terminology), Section 150-9 (Definitions) by amending the definition of "private garage" to eliminate the three door limitation and adding a new subpart C defining "attached", and by amending Article XXIV (General Regulations), Section 150-177 (Accessory Use; Accessory Structures), by adding a new Subparagraph 1 to Subpart B setting forth restrictions on private garages.

Copies of the full text of the proposed ordinance are available for public inspection and copying at the Worcester Township Building, 1721 Valley Forge Road, Fairview Village, the offices of the Reporter, 307 Derstine Avenue, Lansdale, Pennsylvania and the Montgomery County Law Library, Court House, Norristown, Pennsylvania during normal business hours.

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

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 2004-202**

“GRINDER PUMP REGULATIONS”

**AN ORDINANCE AMENDING PART II (GENERAL LEGISLATION),
CHAPTER 122 (SEWERS) BY ADDING A NEW ARTICLE IX ENTITLED
“GRINDER PUMPS” SETTING FORTH THE PURPOSE; DEFINITIONS;
PLANNING REQUIREMENTS; POWERS OF THE TOWNSHIP; DUTIES
AND RESPONSIBILITIES OF THE TOWNSHIP; DUTIES AND
RESPONSIBILITIES OF OTHERS; VIOLATIONS AND PENALTIES;
AND ABATEMENT OF NUISANCES AS REMEDY FOR VIOLATIONS.**

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

SECTION I. Amendment to the Code.

The Code of Worcester Township, Part II (General Legislation), Chapter 122 (Sewers) is hereby amended by adding a new Article IX entitled “Grinder Pump Regulations” as follows:

**ARTICLE IX
Grinder Pump Regulations**

§ 122-55 Purpose.

The purpose of this Ordinance is to establish procedures for the installation, use and maintenance of sewage grinder pumps and any associated force mains or low pressure laterals. It is hereby declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of Worcester Township.

§ 122-56 Definitions.

Unless the context specifically and clearly indicates otherwise, the meanings of terms used in this Article shall be as follows:

ACT 537 PLAN – Worcester Township's Official Plan as defined in the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535 (1965), No. 537, as amended, 35 P.S. §§750.1 750.20a ("Sewage Facilities Act" or "Act 537").

DEPARTMENT - The Pennsylvania Department of Environmental Protection.

GRINDER PUMP - Any electric motor driven, submersible, centrifugal pump capable of macerating all material found in normal domestic sanitary sewage, including reasonable amounts of objects such as plastics, sanitary napkins, disposable diapers, rubber and the like, to a fine slurry, and pumping this material through a small diameter discharge.

IMPROVED PROPERTY - Any property within Worcester Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

OFFICIAL PLAN REVISION - A change in Worcester Township's Act 537 Plan to provide for additional or newly identified future or existing sewage facilities needs, as defined fully in Section 1 of the Sewage Facilities Act, 35 P. S., §750.1.

PROPERTY OWNER - Any person vested with ownership, legal or equitable, sole or partial, of any property located in Worcester Township.

SEWAGE - Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation or any substance which constitutes pollution under the Clean Stream Law, 35 PS §§691.1 through 691.1001, as amended.

TOWNSHIP - Worcester Township, Montgomery County, Pennsylvania.

§ 122-57 Planning requirements.

The connection of existing properties or proposed new land development to an existing or proposed sewerage system through the use of sewage grinder pumps, their associated force mains, or low pressure laterals shall occur only after an Official Plan Revision to the Township's Act 537 Plan, approved by both the Township and Department, designates that the proposed properties be served by such a connection.

§ 122-58 Powers of the Township.

The Township is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to affect the purposes herein.

The Township is hereby authorized and empowered to take such other actions as are necessary, including, but not limited to, entering into agreements with property owners that assure proper operation and maintenance of sewage facilities within the Township's borders, including, but not limited to, sewage grinder pumps and any associated force mains or low pressure laterals.

§ 122-59 Duties and responsibilities of the Township.

A. The Township shall exercise its powers and legal authority set forth herein, and under all applicable statutes, ordinances, and other laws to affect the purposes of this ordinance.

B. The Township may enter into an agreement with each property owner proposing to install or who has installed a sewage grinder pump or low pressure sewage system to assure the short and long term operation and maintenance, use, service, repair or replacement of such systems.

C. All grinder pumps and low pressure sewer systems (and the installation, use, operation, maintenance, service, repair and replacement thereof) shall comply with the rules and regulations of the Township in effect from time to time.

D. All grinder pumps and low pressure sewer systems shall be connected to the sewage collection and conveyance system in full compliance with the rules and regulations of the Township in effect from time to time.

E. The Township shall establish minimum standards for the type of grinder pumps to be utilized within the Township. The standards shall include specific models and manufacturers in order to maintain a consistency of equipment so that maintenance and replacement parts will be easily obtainable.

F. Township shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of the grinder pump and/or its low pressure force main or lateral, except as otherwise set forth herein.

§ 122-60 Duties and responsibilities of others.

A. Each Property Owner served by a grinder pump shall bear full responsibility for providing, installing, using, operating, maintaining, servicing, repairing and replacing his/her grinder pump and/or its low pressure force main or lateral, unless otherwise set forth herein.

B. Each Property Owner served by a grinder pump shall have full responsibility for using the pump consistent with the manufacturer's instructions and shall avoid introducing into the sewerage system materials that may damage the impellers on the pump, including, but not limited to, items designated as biodegradable in septic tanks.

C. Each Property Owner served by a grinder pump shall cease operations during any period when the grinder pump and/or low pressure system serving a property is inoperable for more than 24 hours. Ceasing operations shall mean stopping all internal activities which would

generate water flows to the grinder pump including any activities which would utilize water. This includes, but is not limited to, showering, washing of clothes, and flushing toilets.

D. Where the low pressure force main or lateral is shared between Property Owners, they shall submit to the Township a Declaration of Easements, Covenants and Restrictions in recordable form setting forth the agreement of each benefited Property Owner with respect to the installation, use, operation, maintenance, service, repair and replacement of the low pressure sewer system, which agreement shall bind all future Property Owners. Following the approval of the low pressure system by all applicable agencies, the Township will not issue a permit for its installation until evidence is presented that the agreement has been recorded in the Recorder of Deeds Office of Montgomery County, Pennsylvania.

§ 122-61 Violations and penalties.

Any person who violates any provisions of this Ordinance, shall upon conviction thereof by summary proceedings, be sentenced as provided in Chapter 1, Article II, General Penalty. A new and separate offense shall be deemed to be committed for each day that such violation exists.

§122-62 Abatement of nuisances.

In addition to any other remedies provided in this ordinance, any violation of Sections 122-59 and 122-60 of this Ordinance shall constitute a nuisance and shall be abated by the Township by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

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 15th day of December, 2004.

WORCESTER TOWNSHIP

By: Frank L. Davey
FRANK L. DAVEY, Chairman
Board of Supervisors

Attest: John R. Harris
JOHN R. HARRIS, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on December 15, 2004, 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 entitled "Grinder Pump Regulations" amending the Codified Ordinances of Worcester Township, Part II (General Legislation), Chapter 122 (Sewers) by adding a new Article IX entitled "Grinder Pumps" setting forth the purpose; definitions; planning requirements; powers of the Township; duties and responsibilities of the Township; duties and responsibilities of others, violations and penalties; and abatement of nuisances as remedy for violations.

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, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township