

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2022-288

**AN ORDINANCE AMENDING THE TOWNSHIP CODE TO
INCLUDE A SPECIAL NEEDS CAMP, SCHOOL / DEVELOPMENTAL
CENTER USE, AND TO ESTABLISH REGULATIONS FOR SAID USE**

WHEREAS, Worcester Township will amend the Township Code to incorporate new uses, and to properly regulate the development and operation of said uses, so to protect the health, safety and general welfare of the community;

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 150, Zoning, Article III, Terminology, §150-9, shall be amended to include the below-noted definition:

Special Needs Camp, School / Developmental Center – Any premises operated for profit or not for profit that provides educational, vocational, recreational, social, cultural, health or like services or programs primarily for persons with intellectual, physical and/or developmental disabilities. An intellectual disability is a disability characterized by varying limitations in both intellectual functioning and adaptive behavior, impacting one or more social or practical ability, and a developmental disability is a disability characterized by impaired physical or cognitive functioning, impacting one or more physical, learning, language, or behavioral ability.

2. Chapter 150, Zoning, Article IV, AGR Agricultural Zoning District, §150-11, shall be amended to include the below-noted use:

§150-11.C. Special Needs Camp, School / Developmental Center

- (1) On tracts of sixty acres or more with frontage on at least two public roads, a Special Needs Camp, School / Developmental Center shall be permitted in accordance with the requirements of §150-12 through §150-17 of this article.
- (2) Special Needs Camp, School / Developmental Center may include the following uses and facilities:
 - a. Classrooms, vocational–technical classrooms and workspaces, offices, cafeterias, indoor recreation facilities, and other facilities typically associated with schools and developmental centers.

- b. Outdoor recreational facilities and uses including sports fields, playgrounds, play courts, swimming pools, tree houses, ropes courses, amphitheaters, and other similar facilities. Outdoor recreational facilities are primarily for the use of Special Needs Camp, School / Developmental Center students and staff, while also being available for rental and community use. The illumination of any outdoor recreational facility is permitted by conditional use approval of the Board of Supervisors, in accordance with §150-215.
 - c. Facilities for the operation of day camps and overnight camps including offices, cafeterias, indoor and outdoor recreational facilities, dormitories and cabins, tent camping, and horse-riding stables.
 - d. Agriculture including but not limited to agritainment, pick-your-own produce, a farm stand for the sale of products including products developed on the property such as agricultural produce, baked goods, and craft-type artisanal works.
 - e. A restaurant and café school that is open for public dining with a maximum indoor dining capacity of forty persons and a maximum outdoor dining capacity of thirty persons. The restaurant and café school shall be associated with a culinary or other vocational program of the Special Needs Camp, School / Developmental Center, and restaurant and café school staffing shall primarily consist of students enrolled in the Special Needs Camp, School / Developmental Center. The restaurant and café school shall not offer drive-through service or third-party food delivery.
 - f. Residential units for employees and clients of the Special Needs Camp, School / Developmental Center, but only as an accessory use to permitted uses listed above.
3. Chapter 150, Zoning, Article IV, AGR Agricultural Zoning District, §150-11, shall be revised so to renumber existing sections §150-11.C to §150-11.F to sections §150-11.D to §150-11.G.


SECTION II

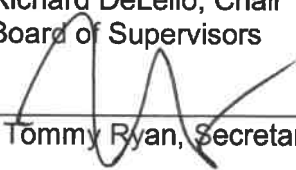
1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.
2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

3. 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.
4. This Ordinance shall become effective as provided by law.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of February, 2022.

FOR WORCESTER TOWNSHIP

By: 
Richard DeLello, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2022-289

**AN ORDINANCE ESTABLISHING A SPEED LIMIT
AT REINER ROAD AND SPRING HILL ROAD**

WHEREAS, from time to time, corrections and other revisions are required to be made to Township Code of Worcester Township;

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 145, Vehicles and Traffic, Article I, Speed Limits, Section §145-1, Speed Limits Established, shall be amended to add the below:

Name of Street:	Reiner Road
Speed Limit (mph)	30
Location:	entirety

Name of Street:	Spring Hill Road
Speed Limit (mph)	30
Location:	entirety

SECTION II

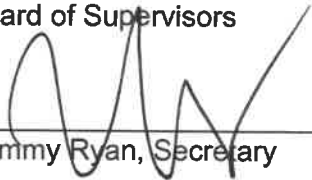
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2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
3. The failure of the Township to enforce any provision of this ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.
4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of February, 2022.

FOR WORCESTER TOWNSHIP

By: 

Richard DeLello, Chair
Board of Supervisors

Attest: 

Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2022-290

**AN ORDINANCE AMENDING VARIOUS
PROVISIONS OF THE TOWNSHIP CODE**

WHEREAS, from time to time, corrections and other revisions are required to be made to Township Code of Worcester Township; and,

WHEREAS, the Commonwealth of Pennsylvania mandates that municipalities have published in a newspaper of general circulation all proposed ordinances that make such corrections and revisions, at a great expense to municipalities; and,

WHEREAS, Worcester Township consolidates such corrections and revisions into one proposed ordinance, in lieu of individual ordinances, so to minimize the expense incurred by the taxpayers in meeting this unfunded advertisement mandate;

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 107, Parks and Recreation Areas, §107-2.Z shall be added, and shall read as follows:

All parks and recreation areas are designated "Tobacco/Nicotine-Free Areas", and as such the use of any and all tobacco and/or nicotine products, regardless of how the tobacco and/or nicotine is delivered, is prohibited. Tobacco and/or nicotine products include, but are not limited to, any product containing, made, or derived from tobacco and/or nicotine, in any form, that is intended for human consumption, or otherwise, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, vaped, sniffed, ingested, or used by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, electric cigarettes or e-cigarettes, and/or vape instrument; any electronic device that delivers tobacco and/or nicotine to the person using the device, including but not limited to e-cigarettes or electronic cigarettes, vape instruments, cigar, pipe, and/or hookah. Tobacco and/or nicotine products include any component, part, or accessory of a tobacco and/or nicotine product, whether or not sold separately. Tobacco and/or nicotine products do not include any product that has been approved by the United States Food and Drug Administration for the sale as a tobacco and/or nicotine cessation product, or for product or for other therapies specifically marketed and sold for such said purpose.

2. Chapter 113, Peddling and Soliciting, §113-3.A(8), shall be deleted in its entirety, and replaced as follows:

The applicant shall provide a criminal history record report from the Pennsylvania State Police. Applicants who are not residents of Pennsylvania must also provide a criminal history record report issued by the applicable law enforcement agency in their state or country of residence. All criminal histories shall be issued no more than seven days prior to the date of the application made for a solicitation permit. If an advanced permit(s) is issued in accordance with Section 113-5, an applicant shall furnish an updated criminal history record report no later than seven days before the effective date of each advanced permit.

3. Chapter 113, Peddling and Soliciting, §113-5, shall be deleted in its entirety, and replaced as follows:

The license granted pursuant to this chapter shall be valid for ninety days after the date of such license, and upon the expiration of any license, if the person holding the same shall desire to continue or renew soliciting or peddling, he shall be required to file a new application for a permit and pay a new license fee. Such licenses may be issued in advance, for consecutive ninety-day periods, not exceeding four in number, upon payment, in advance, of the license fee for each thirty-day period provided in § 113-4 hereof.

4. Chapter 113, Peddling and Soliciting, §113-7, shall be deleted in its entirety, and replaced as follows:

No person licensed as a solicitor or peddler under this chapter shall engage in soliciting or peddling on any day of the week before 8:30 a.m. or after 7:30 p.m. During the time of the year that Eastern standard time is effective, these hours shall be Eastern standard time. During the time of the year that daylight saving time is effective, these hours shall be daylight saving time.

5. Chapter 150, Zoning, Article III, §150-9, Section B of the term "Family" shall be deleted in its entirety and replaced as follows:

B. Any number of individuals living together, in the same structure, when all individuals are related by blood, marriage or legal adoption, as two nonprofit housekeeping units and doing separate cooking on the premises, provided that one of the housekeeping units shall contain only one member who has attained the age of 60 years, and provided that the owner of the property executes an agreement with the Township which shall be recorded with the Recorder of Deeds of Montgomery County and which provides for the immediate removal of

separate cooking facilities at such time as they are no longer being utilized by the person for whom they were originally installed. All provisions of the Worcester Township Building Code, specifically as they pertain to multifamily dwellings, must be met.

6. Chapter 150, Zoning, Section §150-25.5, shall be deleted in its entirety, and replaced to read:

- A. Residential. For each dwelling, no less than two all-weather off-street parking spaces, which may include attached garages, shall be provided in accordance with the applicable provisions of Article XXII of the Township Zoning Ordinance.
- B. Setbacks. At all single-family detached dwelling lots, no parking area or driveway shall be located within five feet of any property line except as required for normal ingress and egress.

7. Chapter 150, Zoning, Section §150-182.B, shall be deleted in its entirety, and replaced to read:

No fence or wall, excluding a retaining wall as permitted by this chapter, shall be installed within the required front yard setback, which shall include any area of overlap with a side or rear yard setback, on any property in any zoning district, provided, however, that (1) decorative walls or fences of any style not exceeding 30 inches in height, and (2) fencing that is of an open style – including post-and-rail fencing, horse fencing, aluminum fencing, and similar – and not exceeding 48 inches in height, shall be permitted in the front yard setback in any residential district.

8. Chapter 150, Zoning, Article XXIV General Regulations, shall be amended to include §150-205, Hours of Construction.

Unless otherwise approved by the Township, the permitted hours of construction activities at any property shall be Monday to Saturday, from 7:00am to 7:00pm.

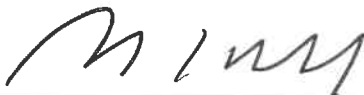
SECTION II

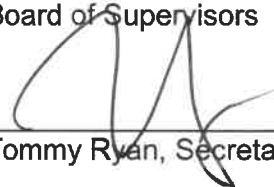
1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.

2. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
3. 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.
4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 15th day of June, 2022.

FOR WORCESTER TOWNSHIP

By: 
Richard DeLello, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2022-291

AN ORDINANCE OF THE BOARD OF SUPERVISORS PROVIDING FOR A QUESTION TO BE PLACED BEFORE THE VOTERS OF WORCESTER TOWNSHIP BY A REFERENDUM AT THE GENERAL ELECTION OF NOVEMBER 8, 2022, ASKING WHETHER THE ELECTORS OF THE TOWNSHIP FAVOR THE IMPOSITION OF AN INCREASE IN THE RATE OF THE PROPERTY TAX BY ONE-HALF MILL TO BE USED TO ACQUIRE REAL PROPERTY OR INTERESTS THEREIN OR TO PAY ANY ASSOCIATED TRANSACTIONAL OR MAINTENANCE COSTS FOR THE PURPOSE OF SECURING OPEN SPACE BENEFITS, AS AUTHORIZED BY THE OPEN SPACE LANDS ACT, AS AMENDED

WHEREAS, Worcester Township is a duly organized Township of the second class, existing and operating in accordance with the laws of the Commonwealth of Pennsylvania; and,

WHEREAS, the Worcester Township Board of Supervisors seeks to impose an increase in the real estate tax rate by one-half (0.5) mill for Worcester Township residents, beyond the current real estate tax rate of 0.05 mill previously adopted pursuant to the provisions of the Local Tax Enabling Act, with the revenues from the increase to be used for the purpose of (1) to acquire interests in real property in Worcester Township and/or to retire the indebtedness incurred in purchasing interests in real property for the purpose of securing an open space benefit; (2) to pay transactional fees incidental to such acquisitions; (3) to pay expenses necessary to prepare the required resource, recreation or land use plan for such property; and/or (4) to develop, improve, design, engineer or maintain such property; as authorized by the Open Space Lands Act; and,

WHEREAS, the Board of Supervisors acknowledges such a real estate tax rate increase pursuant to the Open Space Lands Act must be approved by the electors of Worcester Township via referendum prior to the passing of an ordinance enacting such a tax, and that such referendum shall be governed by the provisions of the Pennsylvania Election Code; and

WHEREAS, the Board of Supervisors must submit the referendum question to the Election Board of Montgomery County, Commonwealth of Pennsylvania, in accordance with the Pennsylvania Election Code, 25 P.S. § 2600 et seq..

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Worcester Township Board of Supervisors, as follows:

1. REFERENDUM QUESTION

The following referendum question shall be submitted to the Election Board of Montgomery County, Pennsylvania:

Do you favor the imposition of an increase in the real estate tax rate for Worcester Township residents from its current rate of 0.05 mill to 0.55 mill to be imposed by Worcester Township, with the revenues generated to be used: (1) to acquire

interests in real property in Worcester Township and/or to retire the indebtedness incurred in purchasing interests in real property for the purpose of securing an open space benefit; (2) to pay transactional fees that are incidental to such acquisitions; (3) to pay expenses necessary to prepare the required resource, recreation or land use plan for such property; and/or (4) to develop, improve, design, engineer or maintain such property?

YES or NO

2. SUGGESTED PLAIN LANGUAGE EXPLANATION

The following explanation of the ballot question as a suggestion for the statement in plain English indicating the purpose, limitations and effect of the ballot question on the residents of Worcester Township shall be submitted to the Election Board of Montgomery County in accordance with the requirements of 25 P.S. § 2621.1:

The ballot question asks the voters of Worcester Township to authorize an increase of the real estate tax in the amount of one-half (0.5) mill on residents of the Township under the authority of the Open Space Lands Act, as amended, for the conservation and/or preservation of land in the Township. A vote of "yes" to the referendum approves the increase in the real estate tax from 0.05 mill to 0.55 mill, effective January 1, 2023.

The revenue received from the proposed increase in the real estate tax shall be used exclusively for open space conservation and/or preservation in strict compliance with the Act. The Township could use the money to do any one or more of the following:

1. Acquire real estate interests for active and passive and recreational uses, including land that would provide and conserve open natural areas such as meadows, woodlands and stream corridors and provide trails linking areas of the Township to each other and to existing and future natural and recreational lands.
2. Acquire historically or culturally significant real estate interests to be used and maintained for public purposes.
3. Provide for land preservation through available measures including conservation easements to protect the natural resource, historic or cultural characteristics of land within the Township.

3. REPEAL AND RATIFICATION

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

4. SEVERABILITY

Should any section, sentence, clause or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and the offending provision shall be severable.

5. EFFECTIVE DATE

This Ordinance shall be effective five (5) days after enactment.

ORDAINED AND ENACTED this 20th day of July, 2022, by the Worcester Township Board of Supervisors.

FOR WORCESTER TOWNSHIP

By: _____

Richard DeLello, Chair
Board of Supervisors

Attest: _____

Tommy Ryan, Secretary

NOT ADOPTED

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2022-292

**AN ORDINANCE APPROVING REAPPOINTMENT OF SOLICITOR, AND
SETTING INTEREST ASSESSMENT, ATTORNEY FEES AND COLLECTION
FEES ADDED TO THE AMOUNT COLLECTED AS PART OF UNPAID REAL
ESTATE TAXES AND MUNICIPAL CLAIMS FOR DELINQUENT ACCOUNTS**

WHEREAS, to be fair to all taxpayers and other residents of Worcester Township (the "Township"), it is necessary for the Township to recover promptly unpaid, delinquent real estate tax accounts and unpaid, delinquent municipal fee accounts, if necessary, by legal proceedings; and

WHEREAS, the Municipal Claims and Tax Liens Act, 53 P.S. § 7101, *et seq.*, as amended (the "Act"; capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Act), provides a statutory framework for Municipalities to collect unpaid Tax Claims and Municipal Claims; and

WHEREAS, § 7101 of the Act authorizes a municipality levying Taxes, Tax Claims, Tax Liens, Municipal Claims and/or Municipal Liens that become delinquent (each, an "Unpaid Claim") to recover the Charges, Expenses, Commissions and Fees incurred in the collection of the Unpaid Claims (the "Collection Expenses") as Charges, Expenses and Fees included together with the applicable Unpaid Claim; *provided*, that such Collection Expenses are approved by Legislative Action of such municipality; and

WHEREAS, § 7106(a.1) of the Act requires that the applicable Municipality adopt by ordinance a schedule of Attorney Fees for any Attorney Fees incurred in connection with the filing, preservation and collection of any Delinquent Account, including any Unpaid Claim; and

WHEREAS, the Township has determined after due deliberation and investigation, that it is in the best interest of the Township to collect certain Unpaid Claims pursuant to the Act (such Unpaid Claims, "MCTLA Unpaid Claims") and, after careful review of the Attorney Fees and Collection Fees set forth in this Ordinance, to approve and adopt such Attorney Fees and Collection Fees pursuant to this Legislative Action in accordance with the Act.

NOW, THEREFORE, the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania hereby ordains and enacts as follows:

SECTION I

1. Chapter 135, Taxation, Article VI, §135-31 to §135-37, inclusive, shall be deleted in its entirety, and replaced as follows:

§135-31 Attorney Fees and Collection Fees to be Added to the MCTLA Unpaid Claims. The Attorney Fees and Collection Fees set forth below are hereby adopted, approved and determined to be reasonable, including, without limitation, as contemplated by § 7106 of the Municipal Claims and Tax Liens Act (MCTLA). The Attorney Fees and Collection Fees set forth below shall be included and added to the applicable MCTLA Unpaid Claim in an

amount equal to the amount set forth in herein.

(a) Attorney Fees.

Initial review and sending first legal demand letter	\$175.00
File Lien and prepare Satisfaction	\$250.00
Prepare Writ of Scire Facias	\$250.00
Prepare and mail letter under Pa. R.C.P. 237.1	\$ 50.00
Prepare Default Judgment	\$175.00
Research, prepare and obtain re-issued Writ	\$175.00
Prepare Praecipe to Amend	\$100.00
Prepare Motion to Amend	\$150.00
Prepare Motion for Alternate Service	\$250.00
Prepare Motion to Consolidate Claims	\$250.00
Amend claim to add United States as defendant	\$250.00
Prepare Writ of Execution	\$800.00
Preparation for sheriff's sale; review schedule of distribution and resolve distribution issues	\$400.00
Prepare Motion to Continue Sheriff's Sale	\$ 50.00
Prepare Petition for Free and Clear Sale	\$400.00
Preparation and service of Subpoena	\$100.00
Presentation of Motion or Petition	\$ 50.00
Services not covered above	at an hourly rate between \$75.00 - \$275.00 per hour

(b) Collection Fees.

Validation notice	\$ 25.00 per notice
Notice of delinquent claim and fee shifting	\$ 40.00 per notice, plus applicable postage

Bookkeeping fee for payment plan of 3 months or less	\$ 25.00
Bookkeeping fee for payment plan of more than 3 months	\$ 50.00
Handling fee for returned check	\$ 25.00

§135-32 Other Costs. In addition to the Collection Fees set forth under Subsection 1(b) above, the amount of out-of-pocket charges, costs, expenses, commissions and fees incurred in connection with the filing, preservation and collection of the MCTLA Unpaid Claims, including, but not limited to, prothonotary fees and charges, sheriff fees and charges, postage expenses, title search expenses, vehicle identification number (VIN) search expenses, skip tracing and/or other investigatory service expenses, and the costs, fees, charges and/or expenses arising out of any payment by any credit card, debit card or any other payment medium, are hereby approved and shall be included, upon incurrence, together with the applicable MCTLA Unpaid Claim.

§135-33 Interest. Interest will be assessed upon the Unpaid Claims at a rate of 10% per annum and added to the Unpaid Claims. The Township is permitted to waive any interest on any Unpaid Claim when the Township or any attorney and/or third-party collector collecting the Unpaid Claim believes, in its discretion, that such amount is *de minimis* or that the cost or burden of continuing collection outweighs the benefit of collecting the interest.

§135-34 Appointment of Solicitor. The Township appoints Michelle R. Portnoff, Esquire, as Solicitor for the limited purpose of collecting the Unpaid Claims and hereby authorizes her, and all attorneys employed by Portnoff Law Associates, Ltd., to sign any and all documents, including municipal claims and liens, on behalf of the Township.

SECTION II

1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts. It is hereby declared to be the intention of the Township that this Ordinance would have been adopted had such invalid section, clause, sentence, or provision not been included therein.
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3. 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.
4. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 20th day of July, 2022.

FOR WORCESTER TOWNSHIP

By: 
Richard DeLello, Chair
Board of Supervisors

Attest: 
Tommy Ryan, Secretary