

**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.

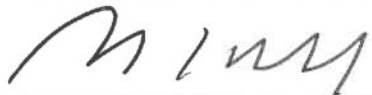
SECTION II

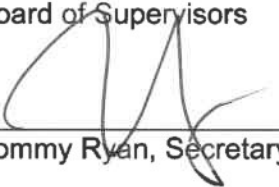
1. In the event that any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance. The invalidity of section, clause, sentence, 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