

ORDINANCE NO. 160-2010

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF CHARLESTOWN, CHESTER COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Township of Charlestown hereby ordains:

Section 1. Adoption. The *Township of Charlestown Code of Ordinances*, as prepared and published for the said Township of Charlestown, is hereby adopted as a consolidation, codification and revision of the ordinances of the Township of Charlestown. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Township of Charlestown organized as follows:

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Chapter 1	Administration and Government
Chapter 2	Animals
Chapter 3	[Reserved]
Chapter 4	[Reserved]
Chapter 5	Code Enforcement
Chapter 6	Conduct
Chapter 7	Fire Prevention and Fire Protection
Chapter 8	[Reserved]
Chapter 9	[Reserved]
Chapter 10	Health and Safety
Chapter 11	Housing
Chapter 12	[Reserved]
Chapter 13	Licenses, Permits and General Business Regulations
Chapter 14	Map, Official
Chapter 15	Motor Vehicles and Traffic
Chapter 16	Parks and Recreation
Chapter 17	[Reserved]
Chapter 18	Sewers and Sewage Disposal
Chapter 19	[Reserved]
Chapter 20	Solid Waste
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 23	Stormwater Management
Chapter 24	Taxation; Special
Chapter 25	[Reserved]

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Chapter 26 Water
Chapter 27 Zoning

APPENDIX:

- A Adjustments to Township Boundaries
- B Debt and Bond Issues
- C Franchises and Services
- D Governmental and Intergovernmental Affairs
- E Plan Approval
- F Public Property
- G Sewers
- H Streets and Sidewalks
- I Water
- J Zoning; Prior Ordinances

Table to Disposition of All Ordinances

Table to Disposition of Significant Resolutions

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Township of Charlestown shall be authoritative.

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this ordinance shall be known and cited officially as the "Township of Charlestown Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective in accordance with law.

Section 3. Saving Clause. The provisions of the Township of Charlestown Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township of Charlestown Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation and Revision. As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. *Consolidations.*

Section	Subject	Ordinance No., Section
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15, Entire Chapter	Motor Vehicles and Traffic	13-1969; 27-1975; 42-1980; 43-1984; 52-1986; 61-1992; 86-2000; 92-2000; 97-2001; 106-2003
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B. *Revisions.*

Section	Subject	Ordinance Section	No.,
	[Reserved]		

Section 5. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

A. *New Enactments.*

Section	Subject
§§ 1-101—1-111	Preliminary Provisions
§§ 13-101—13-108	Transient Retail Merchants

B. *Amendments.*

Section	Subject	Ordinance No., Section
§ 1-502	Fire Loss Certificate	69-1995, § 2
§ 2-106	Enforcement	37-1979, § 6
§ 2-107	Penalties	37-1979, § 7
§ 7-103	Definitions	100-2002, § 3
§ 7-104	Bonfires, Open Fires and Outdoor Fireplaces	100-2002, § 4
§ 7-105	Fireworks	100-2002, § 5
§ 7-119	Enforcement; Penalties	100-2002, § 19
§ 10-102	Penalty	15-1970, § 2
§ 10-202	Violation	14-1970, § 2
§ 10-203	Abatement	14-1970, § 3
§ 10-304	Penalties	4-1965, § 4
§ 10-509	Violations and Penalties	141-2007, § 10
§ 11-102	Penalties	20-1974
§ 16-104	Violations and Penalties	148-2008, § 4
§ 16-204	Enforcement	138-2006, Art. IV
§ 18-107	Enforcement and Appeals	150-2008, § 7
§ 18-108	Violations and Penalties	150-2008, § 8
§ 18-206	Enforcement	119-2004, § 6; 155-2009, § 7
§ 20-112	Violation and Penalties	153-2009, § XII
§ 21-101	Permit Required	41-1979, § 1

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Section	Subject	Ordinance No., Section
§ 21-108	Penalties	41-1979, § 8
§ 21-206	Specifications	72-1996, § 6
§ 21-208	Violations and Penalties	72-1996, § 8
§ 23-505	Enforcement Remedies	120-2004, § 505
§ 24-110	Fines and Penalties for Violation	110-2003, § 10
§ 24-205	Administration and Enforcement	156-2009, § 5
§ 24-316	Violations and Penalties	140-2007, § 16
§ 24-403	Penalty	33-1975
§ 26-103	Penalty	62-1992

C. *Repeals.*

Ordinance/Resolution	Subject
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Section 6. Adoption of Standard Codes by Reference. As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

Section	Short Title
	[Reserved]

Section 7. Procedural Changes. The following minor procedural changes have been made to existing Township of Charlestown ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Second Class Township Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 8. Amending the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. Amendment or Revision - "Chapter __, Part __, Section __, Subsection __ is hereby amended [revised] to read as follows. . ."
- B. Additions - "Chapter __, Part __, Section __, Subsection __ is hereby amended by the addition of the following. . ."

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- C. Repeal - "Chapter __, Part __, Section __, Subsection __ is hereby repealed in its entirety."

Section 9. Responsibility for Code of Ordinances. It shall be the responsibility of the Township of Charlestown Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Charlestown Code of Ordinances and shall be available for public inspection.

Section 10. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of Charlestown. Whosoever shall violate this Section shall be guilty of an offense under § 4911, "Tampering with Public Records or Information," of the Crimes Code, 18 Pa.C.S.A. § 4911, and shall be prosecuted under that Section of the law.

Section 11. Severability of Parts of Codification. It is hereby declared to be the intention of the Township of Charlestown that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED this 4th day of October, 2010.

CHARLESTOWN TOWNSHIP
BOARD OF SUPERVISORS

/s/ Charles A. Philips
Charles A. Philips, Chairman

/s/ Hugh D. Willig
Hugh D. Willig, Vice Chairman

/s/ Kevin R. Kuhn
Kevin R. Kuhn, Member

/s/ Michael J. Rodgers
Michael J. Rodgers, Member

/s/ Frank A. Piliero
Frank A. Piliero, Member

ATTEST:

/s/ Linda M. Csete

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Linda M. Csete, Secretary