

ORDINANCE NO. 335

AN ORDINANCE OF THE TOWNSHIP OF AMITY, BERKS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF AMITY BY: (1) AMENDING CHAPTER 6 ENTITLED "CODE ENFORCEMENT", PART 2 ENTITLED "INTERNATIONAL PROPERTY MAINTENANCE CODE", TO REFLECT THAT ALL REFERENCES TO "BUILDING CODE OFFICIAL" AND "CODE OFFICIAL" SHALL BE CHANGED TO "CODE ENFORCEMENT OFFICER"; AMENDING SECTION 202 ENTITLED "GENERAL DEFINITIONS", TO REVISE THE DEFINITION OF "INOPERABLE MOTOR VEHICLE"; AND AMENDING SECTION 302 TO REVISE SECTION 302.8 ENTITLED "MOTOR VEHICLES" TO ADD A NEW SUBSECTION 302.8.1 REQUIRING PARKING OF MOTOR VEHICLES ON PAVED AREAS; (2) REPEALING CHAPTER 14 ENTITLED "HEALTH AND SAFETY" IN ITS ENTIRETY, INCLUDING PART 1 ENTITLED "MOTOR VEHICLE NUISANCES", PART 2 ENTITLED "WEEDS", AND PART 3 ENTITLED "DISCHARGE OF FIREARMS"; (3) AMENDING CHAPTER 17 ENTITLED "LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS", PART 3 ENTITLED "BUSINESSES, REGISTRATION AND LICENSING", SECTION 17-303 ENTITLED "BUSINESS CHANGES", TO REFLECT THAT ALL REFERENCES TO "ZONING OFFICER" SHALL BE CHANGED TO "ZONING OFFICER OR CODE ENFORCEMENT OFFICER"; (4) AMENDING CHAPTER 26 ENTITLED "STREETS, SIDEWALKS, DRIVEWAYS AND CURBS", PART 3 ENTITLED "STREET EXCAVATIONS", SECTION 26-311 ENTITLED "INSTALLATION OF UNDERGROUND FACILITIES BY PUBLIC UTILITY COMPANIES", TO REFLECT THAT ALL REFERENCES TO "TOWNSHIP ROAD SUPERINTENDENT" SHALL BE CHANGED TO "THE TOWNSHIP" AND TO REMOVE REFERENCE TO SUPERVISION BY THE TOWNSHIP; AND AMENDING PART 4 ENTITLED "SIDEWALKS, CURBS AND GUTTERS", SECTION 26-409, ENTITLED "PERMITS", TO REMOVE THE TERM "BUILDING INSPECTOR".

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. §6-201 entitled "Adoption of Property Maintenance Code", of Part 2 entitled "International Property Maintenance Code" of Chapter 6, entitled "Code Enforcement", of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, is hereby amended, as follows:

- (a) All references throughout Part 2 to "Building Code Official" and "Code Official" shall be changed to "Code Enforcement Officer".
- (b) Section 202 entitled "General Definitions", is hereby amended to revise the following definition:

Inoperable Motor Vehicle. A vehicle that cannot be driven upon the public streets for reasons including, but not limited to, being wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

- (c) Section 302 entitled "Exterior Property Areas", is hereby amended to include the following revised Section 302.8 entitled "Motor Vehicles" and the following additional Subsection 302.8.1, as follows:

302.8 Motor Vehicles. Except as provided for in other regulations, inoperable and unregistered motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.8.1 Motor vehicles may only be parked on a paved area (as that term is defined in the Amity Township Zoning Ordinance §32-302).

SECTION 2. Part 1 entitled "Motor Vehicle Nuisances" and Part 2 entitled "Weeds" and Part 3 entitled "Discharge of Firearms" of Chapter 14 entitled "Health and Safety", of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, are hereby repealed in their entirety.

SECTION 3. §17-303 entitled "Business Changes" of Part 3 entitled "Businesses, Registration and Licensing", of Chapter 17 entitled "Licenses, Permits and General Business Regulations", of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, is hereby amended to reflect that all references to "Zoning Officer" shall be changed to "Zoning Officer or Code Enforcement Officer".

SECTION 4. §26-311 entitled "Installation of Underground Facilities by Public Utility Companies", of Part 3 entitled "Street Excavations", of Chapter 26 entitled "Streets, Sidewalks, Driveways and Curbs", of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, is hereby amended and restated as follows:

From and after the enactment of this Part, it shall be unlawful for any public service company, firm, person or corporation to install and lay underground conduits for carrying electric light, electric power, telephone, telegraph wires, gas and/or water under any street within the Township of Amity unless such installation and work is done under and subject to the approval of the Township and provided that such public service company or party making the installation shall and will obtain a permit and assume and pay any and all costs, expenses, damages and liability of every kind and nature incident to and arising out of such installation, and shall assume all liability as hereinbefore set forth in this Part and shall conduct the work in the manner therein set forth and shall and will, at its or their own proper cost and expense, restore such excavation in accordance with the specifications set forth herein.

SECTION 5. §26-409 entitled "Permits" of Part 4 entitled "Sidewalks, Curbs and Gutters", of Chapter 26 entitled "Streets, Sidewalks, Driveways and Curbs", of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, is hereby amended and restated as follows:

No Person or persons, firm or corporation shall construct or repair any sidewalk, curb or gutter without first applying for an obtaining a permit from the Township of Amity, Berks County, Pennsylvania. The application for such permit shall set forth:

- (a) The full name and address of the owners of the land affected;
- (b) The name and address of the contractor or the person to perform the work;
- (c) The precise location of the property upon which the work is to be done;
- (d) The length of the proposed project; and
- (e) Such other pertinent information as much be considered necessary.

SECTION 6. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 7. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 8. This Ordinance shall become effective (5) days following the date of adoption.

SECTION 9. Nothing in this Ordinance or the Property Maintenance Code hereby amended shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 10. The Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances of the Township of Amity, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 21st day of February, 2024.

TOWNSHIP OF AMITY
BOARD OF SUPERVISORS



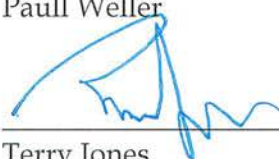
Kim McGrath, Chairperson



David Hackett, Vice-Chairperson



Kevin Keifrider

Paul Weller


Terry Jones

ATTEST:


Pam Kisch, Secretary