

ORDINANCE NO. 359

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF EAST NORRITON TOWNSHIP, SPECIFICALLY, THE EAST NORRITON TOWNSHIP CODE, PART II, GENERAL LEGISLATION, CHAPTER 129, NUISANCES ORDINANCE; BY ADDING CERTAIN DEFINITIONS UNDER SECTION 129-1; BY DELETING EXISTING SECTION 129-1(E) AND SUBSTITUTING A NEW SECTION 129-1(E) RESTRICTING THE PARKING AND STORAGE OF CERTAIN COMMERCIAL VEHICLES AND COMMERCIAL EQUIPMENT ON RESIDENTIALLY ZONED PROPERTY WITHIN THE TOWNSHIP OF EAST NORRITON.

THE BOARD OF SUPERVISORS OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, UNDER AND BY VIRTUE OF AUTHORITY GRANTED BY THE SECOND CLASS TOWNSHIP CODE, DOES HEREBY ENACT AND ORDAIN:

SECTION 1. **TITLE.** The Code of East Norriton Township, Chapter 129, being the East Norriton Township Nuisances Ordinance is hereby amended as follows:

Section 129-1 is amended by adding the following definitions as follows:

COMBINATION - Two or more vehicles physically inter-connected in tandem.

COMMERCIAL EQUIPMENT - An implement used in, engaged in or intended to be used in an operation or activity of commerce.

COMMERCIAL VEHICLE - A vehicle occupied with, engaged in or intended to be used in commerce.

FARM TRUCK - A truck determined by the Department to be used exclusively for agricultural purposes.

GROSS COMBINATION WEIGHT RATING - The value specified by the manufacturer as the loaded weight of a combination.

GROSS VEHICLE WEIGHT RATING - The value specified by the manufacturer as the loaded weight of a single vehicle.

GROSS WEIGHT - The combined weight of a vehicle or combination of vehicles and its load and driver.

MANUFACTURER - A person engaged in the business of constructing or assembling vehicles, motors or bodies of vehicles.

PAYLOAD - The revenue producing or useful load that a vehicle can carry.

VEHICLE - Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks.

Section 129-2(E) is hereby deleted and the following is substituted therefore:

It shall be unlawful to park or store any commercial vehicles, including, but not limited to, trucks, farm trucks, buses, combinations, tractor trailers and trailers more than nineteen (19) feet in length or eighty-five (85) inches in width or more than nine thousand (9,000) pounds gross weight, gross vehicle weight rating or gross combination weight rating as those terms are defined in the Motor Vehicle Code of Pennsylvania or having a manufacturer specified payload greater than two-thousand five-hundred (2,500) pounds or any vehicle equipped with exterior equipment, including but not limited to, a hoist, ladder or towing mechanisms (typically utilized in pursuit of a commercial endeavor) or to park or store any commercial equipment weighing more than five hundred (500) pounds upon any residentially zoned property within the Township of East Norriton, except for those commercial vehicles or commercial equipment being used for the delivery of goods or the rendering of services in the normal course of business or construction, unless the vehicle or equipment is parked or stored at all times in a fully enclosed garage. One (1) recreational vehicle per property is excluded from this restriction, provided that:

1. The vehicle belongs to the property owner;
2. The vehicle is currently licensed and inspected, if required, and it is operable; and
3. The vehicle is not be parked within twenty (20) feet of any property line except if parked in a driveway which is in accordance with Township ordinances or which has otherwise been approved by the Township.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent

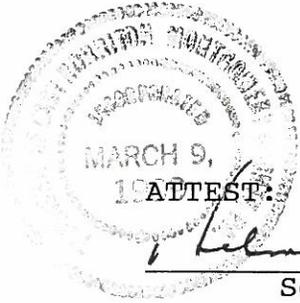
jurisdiction, such provision shall be separate, distinct, and independent and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. RATIFICATION. This Ordinance shall in no other way affect, amend or modify the said Nuisance Ordinance contained in Chapter 129 of the Code of East Norriton Township.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 13th day of November, 1995.

BOARD OF SUPERVISORS OF
EAST NORRITON TOWNSHIP

BY: *John B. Lawley*
Chairman



Kenneth J. Barwald
Secretary