

**EAST NORRITON TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 570

AN ORDINANCE OF THE EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 205, ZONING, AND CHAPTER 110, GARAGE SALES, OF THE EAST NORRITON TOWNSHIP CODE TO AMEND CERTAIN PROVISIONS THEREOF; REPEALING PRIOR INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE.

WHEREAS, Section 1516 of the Second Class Township Code, as amended, and found at 53 P.S. 66516, entitled "Land Use Regulations", authorizes the Township Board of Supervisors to plan for development of the Township through zoning, subdivision, and land development regulations; and

WHEREAS, the Board of Supervisors is vested with the authority to enact amendments to the Township Zoning Ordinance, as set forth under the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Board of Supervisors is vested with the authority to enact amendments to Ordinances duly enacted, as set forth under the Second Class Township Code; and

WHEREAS, the Board desires to amend The Code of Ordinances of East Norriton Township (the "Code") by adopting certain amendments to Chapter 205, Zoning, and Chapter 110, Garage Sales; and

WHEREAS, the Board has determined that the health, safety, and general welfare of the residents of East Norriton will be served by providing for the following amendments and enacting provisions related thereto.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors that Code of East Norriton Township, be and hereby is amended as follows:

SECTION I, ARTICLE XIII, EC Executive Campus District, § 205-63.5(F)(1), **Parking**, is hereby deleted in its entirety and restated to read as follows:

- (1) For all permitted uses, off-street parking shall be provided for and located within the development at the rate of not less than 3.25 parking spaces per every 1,000 square feet of floor area, except in the case for an apartment house or group of apartment houses and related amenities, which shall

require 1.5 parking spaces for each apartment or unit, and except in the case of a hotel, which shall require 1.25 parking spaces for each hotel room or suite, which shall include all ancillary services of the hotel. In the event that a hotel provides for rooms or suites only and may include common dining facilities limited to hotel overnight guests only, such as a coffee or breakfast shop, then parking may be permitted at the ratio of one parking space per room or suite when authorized as a conditional use.

SECTION II. ARTICLE XIX, Signs, § 205-115, Ground Signs, is hereby amended by adding Shopping Center (SC) to the permitted Zoning Districts.

SECTION III. CHAPTER 110, Garage Sales, is hereby deleted in its entirety and restated to read as follows:

§ 110-1. Purpose; Scope.

- A. The purpose of this chapter is to regulate and license sales of Tangible Personal Property in residentially zoned districts for up to only 72 hours.
- B. This Chapter does not permit unlimited commercial sales on a residentially zoned property, nor can a Garage Sale license be construed as a zoning change for the property involved. The provisions of this chapter shall not apply to persons selling goods pursuant to an order or process of a court of competent jurisdiction or persons acting in accordance with their powers and duties as public officials.

§ 110-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

GARAGE SALE

Includes all sales entitled "garage sale," "yard sale," "lawn sale," "attic sale," "rummage sale," "flea market" or any similar casual sale of at least five items of Tangible Personal Property which is advertised by any means whereby the public at large is or can be made aware of said sale.

PERSON

Includes individuals, families, groups of individuals or families, voluntary associations and corporations.

TANGIBLE PERSONAL PROPERTY

Personal property that has not been especially obtained for the purpose of the Garage Sale.

§ 110-3. Licensing.

Two Garage Sales per property shall be permitted each calendar year without license; however, a Garage Sale license shall be required for all subsequent sales. Application for a Garage Sale license shall be made on a form provided by the East Norriton Township Zoning Officer. No Garage Sale may be conducted for more than three consecutive calendar days; 72 hours. The fee for each license shall be \$10.

§ 110-4. Signs.

- A. On-site: Only one sign measuring four square-feet shall be allowed.
- B. Off-site: Only two signs each measuring two square-feet shall be allowed. All off-site signs are to be removed within 48 hours of the event. If off-site signs are not removed within 48 hours, they may be removed by the Zoning Officer.

§ 110-5. Permitted hours.

Garage Sales may be conducted during daylight hours only.

§ 110-6. Responsibility of traffic control.

Traffic control of vehicles and attendees shall be the responsibility of the Person holding the Garage Sale.

§ 110-7. Violations and penalties.

- A. Any Person who shall violate a provision of this Chapter or who shall fail to comply with any of the requirements thereof shall be guilty of a summary offense, punishable by a fine not to exceed \$250 or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- B. In addition to the above penalties, any Person who shall violate a provision of this Chapter, or fail to comply therewith, or with any of the requirements thereof, shall be subject, in addition to the penalties imposed above, to monetary penalties for all court costs, legal costs, attorneys' fees and other miscellaneous costs incurred by East Norriton Township during successful prosecution of that Person by East Norriton Township.

SECTION V. REPEALER

Any and all terms, conditions, and provisions of any Ordinance or Resolution of East Norriton Township in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION VI. SEVERABILITY

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Chapter shall continue to be separately and fully effective.

SECTION VII. EFFECTIVE DATE

This Ordinance shall be effective immediately upon adoption by the Board of Supervisors of East Norriton Township.

ORDAINED AND ENACTED, by the Board of Supervisors of the Township of East Norriton, Montgomery County, Commonwealth of Pennsylvania, this 13th day of December, 2016.



**EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS**


Tina Howell, Chairwoman

ATTEST:


Robert R. Hart, Secretary