

**EAST FALLOWFIELD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2010 - ____

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST FALLOWFIELD, 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.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of East Fallowfield Township as follows:

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

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Chapter 1	Administration and Government
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Chapter 9	[Reserved]
Chapter 10	Health and Safety
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Chapter 12	[Reserved]
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Chapter 19	[Reserved]
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Chapter 23	Stormwater Management
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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
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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 East Fallowfield 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 East Fallowfield Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective 5 days from the date of enactment.

Section 3. Saving Clause. The provisions of the Township of East Fallowfield 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 East Fallowfield 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
15, Entire Chapter	Motor Vehicles and Traffic	7; 10; 12; 15; 22; 23; 26; 30; 32; 38; 39; 48; 67; 71; 72; 11/7/1984; 1988-2; 1988-4; 1989-3; 12/6/1989; 2003-4; 2005-1; 2005-03; 2005-05; 2006-03; 2006-06; 2009-01; 2009-03

B. *Revisions.*

Section	Subject	Ordinance No., Section
	[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
§§6-101–6-105	Open Alcoholic Beverage Containers
§§6-201–6-202	Disorderly Conduct
§§13-501–13-510	Public Gatherings
15, Entire Chapter	Motor Vehicles and Traffic
§§24-401–24-417	Realty Transfer Tax

B. *Amendments.*

Section	Subject	Ordinance No., Section
§2-102	Penalty	5/7/1986, §3-202
§2-204	Penalty	27; 5/7/1986, §3-103
§4-106	Size and Location of Numbers	1993-13, §VI
§4-107	Violations and Penalties	1993-13, §VII
§4-209	Violations and Penalties	2005-4, §10
§5-213	Fees	2009-02, § 13

Section	Subject	Ordinance No., Section
§5-218	Violations and Penalties	2009-02, §18
§7-102	Fire Loss Certificate	99-01, §2
§10-101	Prohibited Nuisances Enumerated	5/7/1986, §10-101
§10-105	Violations and Penalties	5/7/1986, §10-301; 5/17/1989
§10-106	Duty to Remove	5/7/1986, §10-302; 5/17/1989
§10-207	Violations and Penalties	5/7/1986, §18-106; 1989-1
§10-303	Penalties for Violations	2000-3, §2.03; 2003-03, III
§13-104	Fees	5/7/1986, §11-104
§13-106	Sunday Sales Prohibited; Hours of Sale Restricted	5/7/1986, §11-106
§13-110	Violations and Penalties	5/7/1986, §11-110
§13-206	License Fee	5/7/1986, §8-106; 5/20/1991
§13-209	Transfer Fee	5/7/1986, §8-109
§13-214	Violations	5/7/1986, §8-114
§13-216	Fire Prevention Code	5/7/1986, §8-116; 5/20/1991
§18A-104	Inspection Fee	97-1, §4
§18A-105	Penalties and Violations	97-1, §5
§18A-206	Miscellaneous Provisions	1990-91, Art. VI
§18B-110	Violations and Penalties	2003-0-2, §101-10
§18B-201	Permits, Regulations, and Fee Schedule	2003-0-2, §101-31
§18B-405	Penalties	2003-0-2, §101-47
§18B-611	Temporary Paving	2003-0-2, §101-93
§18B-626	Supplemental Requirements	2003-02, §101-108
§21-201	Permits Required for Installation of Roads, Driveways, Culverts, Drains, and Bridges; Penalty for Violations	34
§21-309	Penalty	2005-6, §9
§23-804	Penalties	2004-04, §804
§24-209	Violations and Penalties	1992-4, §5
§24-305	Administration and Enforcement	2007-08, §5

C. *Repeals.*

Ordinance/Resolution	Subject
Ord.1995-04	Board of Administrative Appeals
Ord. 2003-0-2, §§101-13–101-30, 101-37–101-40, 101-42	Municipal Sewer Systems

Section 6. Land Use Amendments. The Township of East Fallowfield Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by ~~strike through~~ and additions shown by underline, all of which is briefly summarized hereinafter.

A. *New Provisions.* The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Section	Subject
	[Reserved]

B. *Revised Provisions.* The following provisions of the Code are revised, the text of which indicates deletions by ~~strike through~~ and additions shown by underline, and are summarized as follows:

Section	Subject	Ordinance No., Section
§22-202	Definitions of Terms	76, §201;2000-2, §2
§22-405	Submission of Preliminary Plan	76,§404
§22-408	Review of Final Plan	76,§407;35,§1;36,§1
§22-414	Permits	76,§413
§22-503	Final Plan	76,§502
§22-504	Content of Application for Planned Residential Developments	76,§503
§22-620	Sanitary Sewers	76,§619
§22-621	Water Supply	76,§620
§22-629	Design Standards for Planned Residential Developments	76,§628
§22-708	Sanitary Sewage Disposal	76,§707
§22-712	Fuel Systems	76, §711
§22-904	Enforcement Remedies	76,§903
§22-905	Preventive Remedies	76
§27-1733	Wireless Communications Facilities	2002-06, §1733
§27-2101	Establishment and Membership	2002-06, §2101

C. *Repealed Provisions.* The following provisions of the Code are repealed, the text of which indicates deletions by ~~strike through~~, and are as follows:

Section	Subject	Ordinance No.
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[Reserved]

Section 7. Procedural Changes. The following minor procedural changes have been made to existing Township of East Fallowfield 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..."
- 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 East Fallowfield 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 East Fallowfield 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 East Fallowfield. 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 East Fallowfield 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 ____ day of _____, 2010.

East Fallowfield Township
Board of Supervisors

Chris Amentas, Chairman

Chris Makley, Vice Chairman

George Broadbent, Jr., Member

Gary Barach, Member

Mark Toth, Member

Attest:

Denise Miller, Secretary