

**WORCESTER TOWNSHIP  
BOARD OF SUPERVISORS**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2011-\_\_\_\_\_**

**"Home-Based Business Amendments"**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WORCESTER, CHAPTER 150 (ZONING), ARTICLE III (TERMINOLOGY), SECTION 150-9 (DEFINITIONS) TO ADD A DEFINITION FOR THE TERM "NO-IMPACT HOME-BASED BUSINESS" AND TO PERMIT A "NO-IMPACT HOME-BASED BUSINESS" IN ALL RESIDENTIAL ZONING DISTRICTS OF THE TOWNSHIP IN ACCORDANCE WITH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.**

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The Board of Supervisors of Worcester Township does hereby **ENACT** and **ORDAIN**:

**SECTION I. Amendment to the Code.**

The Code of the Township of Worcester, Chapter 150 (Zoning), Article III (Terminology), Section 150-9 (Definitions) is hereby revised to add the following new definition:

**NO-IMPACT HOME-BASED BUSINESS** -- A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

(4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

(5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

(6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

(7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.

(8) The business may not involve any illegal activity.

**SECTION II. Amendment to the Code.**

The Code of the Township of Worcester, Chapter 150 (Zoning) is hereby amended to add the following as a permitted use in all residential zoning districts of the Township:

No-Impact Home-Based Business, as defined in Section 150-9; provided, that the permission for such use granted herein shall not supersede any deed restriction, covenant or agreement restricting the use of land, nor any master deed, bylaw or other document applicable to a common interest ownership community.

**SECTION III. Repealer.**

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

**SECTION IV. Severability.**

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such

illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION V. Failure to Enforce Not a Waiver.**

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**SECTION VI. Effective Date.**

This Ordinance shall take effect and be in force from and after its approval as required by the law.

**ORDAINED AND ENACTED** by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**WORCESTER TOWNSHIP**

By: \_\_\_\_\_  
**ARTHUR C. BUSTARD, Chairman**  
**Board of Supervisors**

By: \_\_\_\_\_  
**SUSAN G. CAUGHLAN, Vice Chair**  
**Board of Supervisors**

By: \_\_\_\_\_  
**STEPHEN C. QUIGLEY, Member**  
**Board of Supervisors**

## NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on \_\_\_\_\_, at \_\_\_\_\_ .m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance entitled “No-Impact Home-Based Business Amendment” amending the Code of the Township of Worcester, Chapter 150 (Zoning), Article III (Terminology), Section 150-9 (Definitions) to add a definition for the term “No-Impact Home-Based Business”; and to permit a “No-Impact Home-Based Business” in all residential zoning districts of the Township in accordance with the Pennsylvania Municipalities Planning Code.

Copies of the full text of the proposed ordinance are available for examination during normal business hours at the offices of *The Times Herald*, 410 Markley Street, Norristown, Pennsylvania 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1421 Valley Forge Road, Worcester, Pennsylvania 19490 where a copy of the proposed ordinance may also be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE**  
**ANDREW R. FREIMUTH, ESQUIRE**  
**WISLER PEARLSTINE, LLP**  
Solicitors for Worcester Township