

ORDINANCE NO. 77

AN ORDINANCE TO AMEND AN ORDINANCE ORDAINED AND ENACTED ON MARCH 23, 1953, KNOWN AS "THE WORCESTER TOWNSHIP ZONING ORDINANCE OF 1953" AS AMENDED AND REVISED JULY 29, 1972, TO PROVIDE FOR A MOBILE HOME DEVELOPMENT DISTRICT AND TO PROVIDE FOR REGULATIONS AND RESTRICTIONS THERETO

BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Worcester Township, Montgomery County, Commonwealth of Pennsylvania, and it is hereby Ordained and enacted by the authority of the laws of the Commonwealth of Pennsylvania, as follows:

Ordinance No. 61, approved on March 23, 1953, known as "The Worcester Township Zoning Ordinance of 1953, as amended, July 29, 1972, be further amended as follows:

I. ARTICLE II ESTABLISHMENT OF DISTRICTS

"SECTION 200 Classes of Districts. For the purpose of this Ordinance, the Township shall be divided into twelve (12) districts which shall be designated as follows:

| | |
|----------|------------------------------------|
| R-Ag-175 | Residential-Agricultural Districts |
| Agr | Agricultural District |
| R-200 | Residential District |
| R-175 | Residential District |
| R-150 | Residential District |
| R-125 | Residential District |
| R-100 | Residential District |
| R-O | Residential-Office District |
| S-C | Shopping Center District |
| C | Commercial District |
| LI | Limited Industrial District |
| MHD | Mobile Home Development District |

II. ARTICLE XVI GENERAL PROVISIONS

A. "SECTION 1630 House Trailers" shall be amended to read as follows:

Section 1630 House Trailers and Mobile Homes. House trailers and mobile homes of a size authorized and permitted pursuant to the Uniform Standards Code for Mobile Homes, Act of May 11, 1972, P.L. 69, and rules and regulations adopted thereunder by such state agencies including the Department of Community Affairs and Department of Transportation, shall be permitted in an MHD District pursuant to Article of the Worcester Township Zoning Ordinance."

B. "SECTION 1631 Trailer Camps" shall be amended to read:

"Section 1631 Trailer camps or Mobile Home Parks. Trailer Camps and Mobile Home Parks shall be permitted in Worcester Township pursuant to Article IX-A in the MHD District," or as a temporary accessory use on a form when authorized as a special exception.

C. "Section 2100 N-1 Trailer Park" shall be superseded and revoked by the definitions set forth in Article IX-A MHD - District.

D. "Section 2100 D-1 Trailer House" shall be superseded and revoked by definitions set forth in Article IX-A MHD District.

III ARTICLE IX-1 is hereby created to set forth a Mobile Home Development District (MHD District) and to set rules and regulations and definitions therefor, as follows:

ARTICLE IX-A

MHD - Mobile Home Development District

Section 900A Declaration of Legislative Intent.

In addition to the "Purpose set forth in Section 101, of this ordinance, it is hereby declared to be the specific intent of this Article with respect to the MHD - Mobile Home Development District to establish standards of performance and promote the desirable benefits which planned, mobile home developments may have upon the community. It is further the intent of this Article to ensure the interdependency and compatibility of proposed mobile home developments with essential utilities and surrounding land uses in the township. It shall further be the intend of this district:

1. To reflect the changes in the technology of home building and land development so that resulting economies may enure to the benefits of those who need homes;

2. To further the general welfare by extending greater opportunities for better housing to all citizens and residence of Worcester Township.

3. To provide for better quality and greater variety in type, design, and layout of mobile home developments by enforcing uniform standards;

4. To provide for a diversity in housing types; and

1. The tract of land to be developed shall be in one ownership, or shall be the subject of an application filed by the owners of the entire tract, and it shall be agreed that the tract shall be developed under single direction and in the manner approved.

2. Any area to be used as a Mobile Home Development must have a minimum gross area of ten (10) contiguous acres of land.

3. Every area to be used as a Mobile Home Development must be served by the municipal sanitary waste disposal system or a method of disposal approved by the Pennsylvania Department of Environmental Resources.

4. Any site proposed for a Mobile Home Development shall be free from adverse influence by swamps, marshes, garbage or rubbish disposal area or other potential breeding places for insects or rodents.

5. Any site proposed for a Mobile Home Development shall not be subject to flooding.

6. Any site proposed for a Mobile Home Development shall not be subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor, or glare.

7. Any site proposed for a Mobile Home Development shall be accessible to essential community facilities and services such as employment centers, shopping centers, schools, and police and fire protection.

8. Access. Plans evidencing provision for safe and efficient ingress and egress to and from the public streets and highways servicing the mobile home development district without causing undue confusion or interference with the normal traffic flow shall be submitted to the Board of Supervisors and must be approved by the township engineer, who shall make the determination by concerning himself with the adequacy of the thoroughfare to carry the additional traffic generated by the mobile home development, as well as to the street frontage of the proposed district.

Section 903-A Public Hearing.

Prior to deciding to allow or deny a mobile home development, the Board of Supervisors shall hold a public hearing thereon pursuant to public notice. At least thirty (30) days prior to the date of hearing, one copy of the development proposal shall be transmitted to the township planning agency and one to the Montgomery County Planning Commission to provide these agencies an opportunity to submit recommendations.

Section 904-A Accessory Uses.

1. Accessory uses and structures customarily incidental to the maintenance, servicing and well-being of mobile home development residents shall be permitted only as part of an approved development plan for the site.

2. Accessory uses on individual mobile home lots, customarily incidental to mobile homes, shall be permitted on the individual mobile home lots provided the provisions of Sections 1703.4, 1703.5, 1703.6 and other applicable sections of this ordinance are complied with.

Section 905-A Areas for non-residential uses.

No part of any mobile home development shall be used for non-residential purposes, except such uses that are required for the direct servicing and well-being of the residents and for the management and maintenance of the development. However, nothing in this Article shall be deemed as prohibiting the sale or resale of a mobile home located on a mobile home stand and connected to the pertinent utilities.

Section 906-A Site Design.

1. Lot Size. Mobile home lots in a mobile home development shall have a minimum lot size of five thousand (5000) square feet.

2. Density. The total number of lots in a mobile home development shall not exceed a maximum density of five (5) per developable acre. All area not contained in developable acreage (as defined in Section 1701.1.3.) shall be excluded from density calculations.

3. Distance Between Structures

A. Mobile homes shall be separated from each other and from other buildings and structures at their closest points by a minimum of twenty (20) feet, provided, however, that said distance may be reduced to fifteen (15) feet in the event that a wall on one unit faces a wall of an adjacent unit which contains no principal window in a living area.

B. In order to allow clustering of lots designed to encourage flexibility in site design, preservation of natural features, and to maximize creation of accessibility of recreation area, distance between structures and minimum lot size may be reduced up to a maximum of twenty (20%) percent at the discretion of the Board of Supervisors.

4. Setback from Park Boundary. No mobile home or accessory use may be located closer than fifty (50) feet to a boundary of a mobile home development. In the event a mobile home development abuts another such development, this provision will not apply; however, all other applicable setbacks prescribed herein shall apply.

5. Setback from Streets. No mobile home or accessory use shall be located closer than twenty-five (25) feet to the ultimate right-of-way line of any public street, or to the edge of the cartway of private interior roadways in a mobile home development.

6. Setback from Parking Facilities. No mobile home or accessory use shall be located within twenty-five (25) feet of any parking area with space for ten (10) or more automobiles.

7. Buffers. The mobile home development shall have a permanent landscaped planting area of at least fifteen (15) feet in depth designed for screening residential, commercial and industrial uses which are adjoining and contiguous. The buffer shall be a minimum of six (6) feet and a maximum of ten (10) feet in height. The use of mounding shall be encouraged as a means of providing screening, provided their slope shall be a maximum of 3 to 1. In cases where an edge(s) of a mobile home development borders natural features which function as buffers, including but not limited to, mature woodland, severe grade changes or stream valleys, buffering may not be required along that edge(s), at the discretion of the Board of Supervisors. A landscaping plan shall be submitted, with the final plans, showing all pertinent information including the location, size and specie of all trees and shrubs to be preserved or planted.

8. Groups of Clusters of units, so placed as to create interior spaces and courtyards, shall be incorporated whenever feasible.

9. Site design shall discourage direct end-to-end exposure of mobile home units wherever possible.

10. Gridiron layouts and street patters, unrelated to the topography of the site, are to be avoided.

11. The location of all mobile home developments shall be protected against any undesirable off-site views or any adverse influence (such as heavy commercial or industrial use, heavy traffic, or brightly lighted activities) from adjoining streets and areas.

12. Common Areas:

a. At least twenty (20) percent of the usable site area of the mobile home development must be in common space, including recreation space, space for laundry and storage facilities.

b. The common space shall be designed as a contiguous area with paved pedestrian, and visual accessibility to all residents of the mobile home development.

c. Recreation areas and facilities shall be provided to meet the anticipated needs of the residents of the development. Not less than ten (10) percent of the usable site area exclusive of lands within the required setback area, shall be devoted to recreation. Recreation areas should be of a size, shape and relief that is conducive to active and passive recreation.

d. Service Buildings: The structure or structures containing the management office and other common facilities shall be conveniently located for the use intended. Consolidation of laundry, recreation, management, and other common facilities in a single building and location is encouraged, if the single location will adequately serve all mobile home lots.

e. Maintenance: After the successful completion of the development, provision acceptable to the township Board of Supervisors and Solicitor for the maintenance and/or ownership of the common open space, service and recreational facilities shall be established.

13. Arrangement of Structures and Facilities. The tract, including mobile home stands, patios, structures, and all tract improvements shall be organized in relation to topography, the shape of the plot, and the shape, size, and position of structures and common facilities. Special attention shall be given to new mobile home designs and to common appurtenances that are available.

14. Adaptation to tract assets. The mobile home unit shall be fitted to the terrain with a minimum disturbance of the land. Existing trees and shrubs, rock formations, stream courses and banks, and other natural features of the tract, shall be preserved to the maximum extent practical. Favorable views of outlooks shall be emphasized by the plan.

15. Drainage Considerations: The following site drainage requirements shall apply to all mobile home developments:

a. The ground surface in all parts of every development shall be graded and equipped to drain all surface water in a safe, efficient manner. The velocity of run-off during and after development shall not exceed 1.5 feet per second as required by Chapter 102, Section 102.22 (c) of the Erosion Control Rules and Regulations published by the Pennsylvania Department of Environmental Resources, July 1, 1973 and as subsequently amended.

b. Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be eliminated or controlled in a manner approved by the Pennsylvania Department of Environmental Resources.

c. Wastewater from any plumbing fixtures or sanitary sewer line shall not be deposited upon the ground surface in any part of a mobile home development.

d. All applicable regulations and permit requirements to prevent accelerated soil erosion and resulting sedimentation as stipulated in the Pennsylvania Department of Environmental Resources Soil Erosion and Sedimentation Control Manual, July 1, 1973, and as subsequently amended, shall be followed by all parties engaged in establishment of a Mobile Home Development. The manual is available at the office of the Montgomery County Soil and Water Conservation District, Court House, Norristown, Pennsylvania.

16. Ground Cover Requirement. Exposed ground surfaces in all parts of every mobile home development shall be paved, or covered with stone screening, or other solid material or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

17. Lighting Facilities. Lighting facilities shall be provided as needed and arranged in a manner which will protect the mobile home development residents, neighboring properties and adjacent highways from unreasonable direct glare or hazardous interference of any kind. Lighting facilities shall be required where deemed necessary by the Board of Supervisors for the safety and convenience of the mobile home development and shall be installed by the developer in areas developed subsequent to the enactment of this ordinance.

Section 907-A Roadways.

1. Standards. All applicable standards for streets and roads contained in "The Worcester Township Land Subdivision Regulations, and as subsequently amended, shall be adhered to in mobile home developments. In those developments wherein the roads are to be maintained by the developer as private internal roadways, cartway construction and width standards shall be enforced.

2. Access Limitations. No mobile home lot shall have direct access to any public street, except in those mobile home developments wherein the lots are for sale. In such cases, mobile homes may have direct access only onto minor internal streets. In no case shall direct access from a mobile home be permitted onto the street(s) off which the mobile home development gains primary access.

Section 908-A Parking

1. Spaces Required. Two (2) paved off-street parking spaces shall be provided for each mobile home. Such spaces may be in a common parking facility, provided that parking areas contained therein are within one hundred (100) feet of the mobile homes lots for which they are intended.

2. Landscaping. Required Green Areas. Ten percent (10%) of all paved parking areas on each lot shall be devoted to green areas which must be interspersed within the paved parking areas to channel traffic or divide parking areas. The green areas required by this section shall not constitute a portion of any green area otherwise required by this Ordinance or any other Ordinance or regulation of the Township. The exact design and location of the green areas required by this section shall be disclosed on a development or subdivision or other similar plan and be permanently maintained as such.

SECTION 909-A Utilities.

1. Water Supply. An adequate supply of water shall be provided for mobile home development, service building, and other accessory facilities as may be required by this ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply shall be used exclusively.

2. Underground Utilities. All electric, natural gas, telephone and any other utility lines shall be placed underground in all mobile home developments.

3. The Pennsylvania Department of Environmental Resources is required to review and approve any plan for construction, alteration, or remodeling of a mobile home development.

SECTION 910-A Mobile Home Stands.

A concrete pad, properly graded, placed and compacted so as to be durable and adequate for the support of the maximum anticipated loads during all seasons shall be used for all mobile homes. All mobile homes units shall be anchored to the pad to withstand gusts of wind up to 95 miles per hour.

SECTION 911-A Severability.

If any portion of this Article IX-A or its accompanying amendments shall be declared invalid by any court of competent jurisdiction, those other portions hereof not in direct conflict thereto, shall be considered in full force and effect.

SECTION 912-A Repealer.

This ordinance an its accompanying amendments shall repeal any prior enactments of any Ordinances within the Township inconsistent herewith.

ORDAINED AND ENACTED this 20th day of April 1976.

BOARD OF SUPERVISORS OF
WORCESTER TOWNSHIP

BY: ALLAN C. MYER, CHAIRMAN

ATTEST: RUSSELL H. PLACE, SECRETARY

WORCESTER TOWNSHIP

ORDINANCE NO. 78

The Board of Supervisors of Worcester Township does hereby Ordain and Enact an Ordinance amending Ordinance No. 43, as amended, and known as the Worcester Township Zoning Ordinance of 1953, as amended as follows:

SECTION 1. A new section is added to Article XVI to read as follows:

SECTION 1644. School busses when parked or stored on private property shall be screened from off-lot viewing.

Enacted and Ordained by the Board of Supervisors this 20th day of April 1976 A.D.

Russell H. Place
Secretary

ORDINANCE #79

WORCESTER TOWNSHIP

AN ORDINANCE PROHIBITING THE CONDUCT OF YARD SALES AND GARAGE SALES IN RESIDENTIAL ZONING DISTRICT WITHOUT A PERMIT AND EMPOWERING THE TOWNSHIP SUPERVISORS TO MAKE REGULATIONS THEREFORE, AND PROVIDING PENALTIES FOR VIOLATIONS

The Board of Supervisors of Worcester Township, County of Montgomery, Commonwealth of Pennsylvania, DO HEREBY ENACT AND ORDAIN:

SECTION 1: SHORT TITLE, DEFINITIONS AND PURPOSE

A. Short Title. This Ordinance shall be known as "The Yard Sale and Garage Sale Ordinance of Worcester Township".

B. Purpose. The purpose of this Ordinance, consistent with the Act of May 1, 1933, P.L. 103, as amended, and known as The Second Class Township Code, is to license, regulate and control yard sales or garage sales within residential and industrial districts within Worcester Township.

C. Definitions. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings herein set forth:

1. Board - Shall mean the Board of Supervisors of Worcester Township.
2. Person - Shall include natural person, individuals, corporations, eleemosynary, philanthropic, or religious institutions, home owner associations, unincorporated associations, partnerships and joint ventures, who are owners of real estate within the Township of Worcester, their equitable owners, or any agents, servants, workmen or employees thereof or independent contractors thereof.
3. Yard Sale - The sale, barter or auction by public display and/or advertisement by any signs, handbills, circulars, or word of mouth, of any items of personalty shown on the premises of the owner, with said sale being conducted on said premises.
4. Garage Sale - The sale, barter, or auction, by public display and/or advertisement by any signs, handbills, or circulars, or word of mouth, of any items of personalty shown on the premises of the owner, with said sale being conducted on said premises.
5. Auction - The sale, barter or auction, by public display and/or advertisement by signs, handbills, circulars or word of mouth, of any items of personalty shown on the premises of the owner with said sale being conducted on said premises.
6. License - The document secured from Township, upon execution of application and payment of appropriate filing fee.
7. Sale - The word sale as used in this Ordinance, shall include "yard sale, garage sale or sidewalk sale, or any other activity by which a person shall display items or personalty to persons and invite the bidding or purchase thereof by persons.

SECTION 2: LICENSE REQUIREMENTS

A. License. No person shall conduct a yard sale, garage sale or auction upon his premises or the premises of another within the Township of Worcester without first obtaining a license from the Board except that no Township license is required by a person having a current auctioneer's license from the Commonwealth of Pennsylvania.

B. License Fee. The fee for a license pursuant to this Ordinance shall be \$5.00 which shall be paid, in advance of the proposed sale, to Township Treasurer.

C. Application. For the purposes of this Ordinance, any person desiring to secure a license to conduct a yard sale, garage sale or auction shall, at least two weeks prior to the time and date set for the sale or auction, execute with the Township office, an application to issue the license and pay the fee aforesaid.

1. Form of Application - The application shall contain the following information:

- a. Place of Sale or Auction;
- b. Time of Sale or Auction;
- c. Name of owner of property;
- d. Name or names of persons other than owner, if any, who will be conducting sale or auction;
- e. Description of signs, if any, and the location thereof, within the Township;
- f. Date or dates of prior sales or auctions;
- g. Name or names to whom license shall be issued;
- h. Placement of signs or landfills, if any.

2. Application under Oath - The person requesting said license and executing said application, shall affix their signature, under oath, swearing or affirming that the facts set forth therein are true and correct.

3. Processing of Application - The Board of Supervisors of Worcester Township shall designate an employee of Worcester Township as follows:

- a. To receive and review the applications;
- b. If in compliance with the requirements of the Ordinance, to issue the license;
- c. To number the applications and licenses issued by year first and then consecutively thereafter from the beginning of each calendar year.

4. Payment of License Fee - The payment of the license fee shall be due at the time the Application is filed with the Township and shall be due and payable for the purpose of processing the Application, irrespective of the granting or denial of the License.

D. Limitation of License. No person licensed under this Ordinance shall conduct more than one yard sale, garage sale or auction on a specific property within residentially zoned district in Worcester Township, during any calendar year. Each day that a sale is conducted shall be considered and counted as

1. Rescheduling of Sale or Auction - In the event of inclement weather or for some other reason the sale or auction shall be cancelled on the day upon which it was to occur, for the additional fee of \$5 paid to the Treasurer of the Township, the sale or auction can be rescheduled at the option of the license holder.

2. Transfer of License - No license issued by the Board shall be transferrable by the licensee to any other person, nor shall the place of the sale or auction be changed without cancellation of the license and issuance of a new license, upon application, to the new location.

SECTION 3: PUBLIC ADVERTISEMENT

A. Posting of Handbills or Signs. In the event any licensee proposes to post signs or handbills with Worcester Township to advertise the sale or auction, said licensee shall, in addition to the licensing fee filed aforesaid, said licensee shall also post with the Treasurer of Worcester Township, cash or other surety in the sum of \$50, which sum shall be returned to licensee as soon as the Township, through its duly directed employee aforesaid, satisfy himself that the handbills and/or signs have been removed from the place or places where posted.

1. Restrictions on Handbills or Signs - Any signs or handbills placed within the Township of Worcester by a licensee or by persons on his behalf, shall be subject to the following restrictions:

a. Time of Placement - The handbills or signs shall not be publicly placed within the Township any earlier than two (2) weeks prior to the date scheduled for sale or auction.

b. Place of Placement - No handbills or signs shall be placed upon private property of another without written consent having first been had or secured and no sign or handbill may be posted upon the private property of another on more than one occasion per year.

c. List of Locations - In the event signs or handbills are employed by the licensee or placed by the licensee or by or on his behalf, simultaneously with the execution of the application for license and payment of the license fee, the licensee shall provide a list of all locations within Worcester Township where the handbills or signs were placed.

d. Manner of Affixing - No handbills or signs shall be permitted which (i) shall be nailed to poles of P.E., P.P. & L., Bell Telephone or other utility poles; (ii) are secured by glue making their removal impossible.

SECTION 4: VIOLATIONS AND REMEDIES

A. Penalty. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, by summary proceeding, be sentenced to pay a fine of not more than \$300 and the costs of prosecution; provided, however, that each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

B. Equity. In addition to the penalty provisions aforesaid, nothing herein contained shall preclude the Board of Supervisors of Worcester Township from commencing, in the name of Worcester Township, an action within the Court of Common Pleas of Montgomery County, or such other court as may be deemed appropriate, seeking to enjoin any person from violating the terms of this Ordinance or any portion thereof, or seeking to abate a nuisance.

SECTION 5: MISCELLANEOUS

A. Construction. Nothing herein contained shall be construed to enlarge the uses permitted within the Zoning Ordinance of Worcester Township, as it may be amended.

B. Interpretation. In the case of all other Ordinances of Worcester Township, with the exception of the Zoning Ordinance aforesaid, where there is determined to be a conflict between this Ordinance and other Ordinances, by any Court of competent jurisdiction, this Ordinance shall prevail and be controlling.

1. Plural and Singular and Gender - As used herein, the masculine singular shall include the plural and the feminine and neuter, singular and plural.

C. Severability. If any clause, paragraph provision, regulation or restriction of this Ordinance be determined by any court of competent jurisdiction to be invalid, such action shall not affect the validity of any other clause, provision or requirement hereof.

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township on the ninth day of August 1976, A.D.

Russell H. Place, Secretary