

ORDINANCE NO. 122-2006

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HONEY BROOK, 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.

The Township of Honey Brook hereby ordains:

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

TABLE OF CONTENTS

Chapter 1	Administration and Government
Chapter 2	[Reserved]
Chapter 3	[Reserved]
Chapter 4	Buildings
Chapter 5	Construction Code
Chapter 6	Conduct
Chapter 7	[Reserved]
Chapter 8	[Reserved]
Chapter 9	[Reserved]
Chapter 10	Health and Safety
Chapter 11	[Reserved]
Chapter 12	[Reserved]
Chapter 13	[Reserved]
Chapter 14	Mobile Homes and Mobile Home Parks
Chapter 15	Motor Vehicles and Traffic
Chapter 16	[Reserved]
Chapter 17	[Reserved]
Chapter 18	Sewers and Sewage Disposal
Chapter 19	[Reserved]
Chapter 20	Permanent Stormwater Management Controls
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 23	[Reserved]
Chapter 24	Taxation; Special
Chapter 25	[Reserved]
Chapter 26	Water
Chapter 27	Zoning

APPENDIX:

A	Adjustment 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
- J Zoning; Prior Ordinances

Table to the Disposition of All Ordinances
 Table to the 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 Honey Brook 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 Honey Brook Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the Township of Honey Brook 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 Honey Brook 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	22, 32, 61, 63, 72, 76, 81, 82, 95, 106-2004, 112-2004

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
§1-331	Planning Commission
15, Entire Chapter	Motor Vehicles and Traffic
§§18-201 - 18-210	Holding Tanks

B. *Amendments.*

Section	Subject	Ordinance No., Section
§1-302	Jurisdiction of the Board	92, §2
§1-305	Construction of Board of Administrative Appeals	92, §5
§1-308	Decision of Board of Administrative Appeals	92, §8
§1-315	Acceptance of Gifts	30, §5
§1-317	Appropriation of Funds	30, §7
§1-318	Annual Report	30, §8
§1-319	Powers	30, §9
§1-320	Issuance of Bonds	30, §10
§1-321	Personnel Employees	30, §11
§1-322	Budget	30, §12
§4-103	Assignment of Numbers	64-1995, §III
§4-105	Number of Subdivision Lots	64-1995, §V
§4-106	Size and Location of Numbers	64-1995, §Vi
§4-107	Violations and Penalties	64-1995, §VII
§6-104	Violations and Penalties	108-2004, §100.4
§10-102	Purpose	87-2000, §II
§10-103	Definitions	87-2000, §III
§10-104	Regulations and Controls for Junkyards	87-2000, §IV
§10-105	License, Requirements	87-2000, §V
§10-106	Violations and Penalties	87-2000, §VI
§14-101	Definitions	98-79, §1
§14-102	Mobile Home Park Required	98-79, §2
§14-103	Mobile Home Park Permit Application Procedure	98-79, §3
§14-104	Inspections	98-79, §4
§14-105	Register of Occupants	98-79, §5
§14-107	Maintenance	98-79, §7

Section	Subject	Ordinance No., Section
§14-108	Fuel Supply and Storage	98-79, §8
§14-109	Solid Waste Collection and Disposal	98-79, §9
§14-110	Miscellaneous Structural Requirements	98-79, §10
§14-111	Supervision	98-79, §11
§14-113	Violations	98-79, §13
§18-302	Rules and Regulations of Authority	65, §2
§18-304	Procedure for Enforcement	65, §4
§18-402	Use of Public Sewers Required	24, §II
§18-406	Penalties, Disconnecting	24, §VI
§21-101	Applicability	84, §I
§21-104	Driveway Standards	84, §IV
§21-201	Permit Required	19, §1
§21-206	Penalty	19, §6
§24-101	Tax Levied; Title	33-1986, §1
§24-109	Real Estate or Interest Therein Partially Located in the Township	33-1986, §9
§24-111	Recorder of Deeds as Agent for the township	33-1986, §11
§24-113	Determination of Addition Tax Due or Redetermination	33-1986, §13
§24-114	Township Secretary as Enforcement Officer	33-1986, §14
§24-116	Violations	33-1986, §16
§26-102	Provision for Water Service by Authority	90, Art. II
§26-106	Enforcement	90, Art. VI

C. *Repeals.*

Ordinance/Resolution	Subject
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[Reserved]

Section 6. Adoption of Standard Codes by Reference. As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

Section	Short Title
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[Reserved]

Section 7. Land Use Amendments. The Township of Honey Brook Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapter 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
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[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.
§22-202	Definitions of Specific Terms	109-2004, §202
§22-502	Preliminary Plan	109-2004, §502
§22-503	Final Plan	109-2004, §503
§22-615	Driveways	109-2004, §615
§22-622	Sewage Treatment and Disposal	109-2004, §622
§22-627	Stormwater Management	109-2004, §627
§22-713	Fuel Supply and Storage	109-2004, §713
§22-905	Penalties	109-2004, §905
§27-202	Definitions	104-2003, §201; 105-2003; 110-2004; 113-2004; 121-2006
§27-2103	Enforcement Remedies	104-2003, §2102

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 8. Procedural Changes. The following minor procedural changes have been made to existing Township of Honey Brook 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 9. 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 10. Responsibility for Code of Ordinances. It shall be the responsibility of the Township of Honey Brook 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 Honey Brook Code of Ordinances and shall be available for public inspection.

Section 11. 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 Honey Brook. 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 12. Severability of Parts of Codification. It is hereby declared to be the intention of the Township of Honey Brook 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 13th day of December, 2006.

ATTEST:

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS

Secretary

Gregory M. Cary, Chairman

Donald Johnson, Vice-Chairman

D. Weston Darby, Member