

**TILDEN TOWNSHIP  
COUNTY OF BERKS, PENNSYLVANIA**

**ORDINANCE NO. 258-2025**

**AN ORDINANCE TO APPROVE, ADOPT AND ENACT AN ORDINANCE CODIFICATION FOR TILDEN TOWNSHIP, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA; TO PROVIDE FOR THE REPEAL OF CERTAIN LEGISLATION NOT INCLUDED THEREIN; TO SAVE FROM REPEAL CERTAIN OTHER LEGISLATION NOT INCLUDED THEREIN; AND TO PROVIDE PENALTIES FOR TAMPERING WITH THE CODE.**

Be it enacted and ordained by the Board of Supervisors of Tilden Township, County of Berks, Commonwealth of Pennsylvania, and it is enacted and ordained as follows:

**ARTICLE I  
Adoption of Code**

**§ 1-1. Enactment of Code; existing legislation continue.**

Pursuant to Section 1601(d) of the Second Class Township Code [53 P.S. § 66601(d)], the body of ordinances of a general and permanent nature and certain resolutions of Tilden Township as revised, codified and consolidated and consisting of Chapters 1 through 500 is hereby approved, adopted, ordained and enacted as a single ordinance of Tilden Township, which shall be known and is hereby designated as the "Code of Tilden Township," hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances and resolutions in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and resolutions and not as new enactments. This ordinance and the Code adopted hereby shall supersede and replace the 2004 Code of Ordinances of Tilden Township, as amended and supplemented.

**§ 1-2. Code on file; additions and amendments.**

- A. A copy of the Code has been filed in the office of the Township Secretary and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance such copy shall be certified to by the Township Secretary, as provided by law, and such certified copy shall remain on file in the office of the Township Secretary, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of Tilden Township" shall be understood and intended to include such additions and amendments.

### **§ 1-3. Notice; publication.**

The Township Secretary shall cause to be published in the manner required by law a notice of the introduction in a newspaper of general circulation in the Township. The enactment of this ordinance, coupled with the publication of the notice of introduction, the availability of a copy of the Code for inspection by the public and the filing of an attested copy of this ordinance with the county, as required by law, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

### **§ 1-4. Severability.**

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

### **§ 1-5. Repealer.**

Ordinances of a general and permanent nature, or parts thereof, that are inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Tilden Township which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

### **§ 1-6. Ordinances saved from repeal; matters not affected by repeal.**

The adoption of this Code and the repeal of ordinances provided for in § 1-5 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal; provided, however, that the repeal of ordinances pursuant to § 1-5 or the saving from repeal of ordinances pursuant to this section shall not be construed so as to revive any ordinance previously repealed, superseded or no longer of any effect:

- A. Any ordinance adopted subsequent to December 11, 2024.
- B. Any right or liability established, accrued or incurred under any legislative provision of the Township prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability or any cause of action acquired or existing.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the Township or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision of the Township.

- E. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Township or any lawful contract, obligation or agreement.
- F. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Township or other instruments or evidence of the Township's indebtedness.
- G. Any ordinance adopting an annual budget or establishing an annual tax rate.
- H. Any ordinance providing for the levy, imposition or collection of special taxes, assessments or charges.
- I. Any ordinance authorizing the purchase, sale, lease or transfer of property or acquiring property by acceptance of deed, condemnation or exercise of eminent domain.
- J. Any ordinance annexing land to the Township.
- K. Any ordinance providing for or requiring the construction or reconstruction or opening of sidewalks, curbs and gutters.
- L. Any ordinance or part of an ordinance providing for laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, sidewalk, park or other public place or property or designating various streets as public highways.
- M. Any ordinance establishing water, sewer or other special purpose districts and designating the boundaries thereof; providing for a system of sewers or water supply lines; or providing for the construction, extension, dedication, acceptance or abandonment of any part of a system of sewers or water supply lines.
- N. Any ordinance providing for the making of public improvements.
- O. Any ordinance providing for the salaries and compensation of officers and employees of the Township or setting the bond of any officer or employee.
- P. Any ordinance concerning changes and amendments to the Zoning Map.
- Q. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.
- R. Any ordinance or portion of an ordinance establishing a specific fee amount for any license, permit or service obtained from the Township.
- S. Any currently effective ordinance providing for intergovernmental cooperation or establishing an intermunicipal agreement.

**§ 1-7. Changes in previously adopted legislation; new provisions.**

- A. In compiling and preparing the ordinances and certain resolutions of the Township for adoption and revision as part of the Code, certain non-substantive grammatical and style changes were made in one or more of said ordinances and resolutions. It is the intention of the Board of Supervisors that all such changes be adopted as part of the Code as if the ordinances and resolutions so changed had been previously formally amended to read as such.
- B. Throughout the Code the following terms are updated as indicated:
  - (1) "Justice of the Peace," "District Justice," "District Magistrate" or "Magistrate" to "Magisterial District Judge."
  - (2) "Department of Community Affairs" to "Department of Community and Economic Development."
  - (3) U.S. Department of Agriculture's "Soil Conservation Service (SCS)" to "Natural Resources Conservation Service (NRCS)."
  - (4) "Department of Environmental Resources" to "Department of Environmental Protection."
  - (5) "Department of Public Welfare" to "Department of Human Services."
  - (6) "Department of Highways" to "Department of Transportation."

**§ 1-8. Titles and headings; editor's notes.**

- A. Chapter and article titles, headings and titles of sections and other divisions in the Code or in supplements made to the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

**§ 1-9. Altering or tampering with Code; violations and penalties.**

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, or to alter or tamper with the Code or any part or portion thereof in any manner whatsoever which will cause the law of the Township to be misrepresented thereby. Any person who violates or permits a violation of this section of this ordinance shall, upon being found liable therefor in a civil enforcement proceeding, pay a fine of not more than \$600, plus all court costs, including reasonable attorneys' fees, incurred by the Township in the enforcement of this ordinance. If the

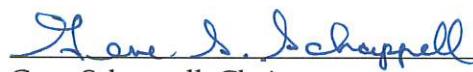
defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day a violation exists shall constitute a separate offense. Further, the appropriate officers or agents of the Township are hereby authorized to seek equitable relief, including injunction, to enforce compliance herewith.

**§ 1-10. When effective.**

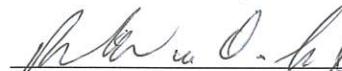
All provisions of this ordinance and of the Code shall be in force and effect upon adoption of this ordinance.

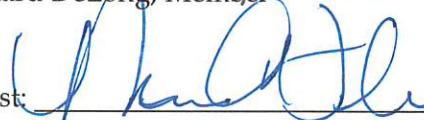
**ENACTED AND ORDAINED** by the Board of Supervisors of the Tilden Township this 8<sup>th</sup> day of October 2025.

**TILDEN TOWNSHIP**  
Berks County, Pennsylvania

  
\_\_\_\_\_  
Gene Schappell, Chairman

  
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Frederick Herman, Vice Chairman

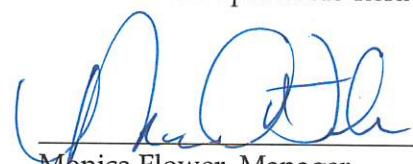
  
\_\_\_\_\_  
Richard DeLong, Member

Attest:   
\_\_\_\_\_  
Monica Flower, Manager / Secretary

## MUNICIPAL CERTIFICATION

I, Monica Flower, the Manager / Secretary of Tilden Township, Berks County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 258-2025 was advertised in the *Reading Eagle*, a daily newspaper of general circulation in Tilden Township and was duly enacted and approved as set forth at a regular meeting of the Board of Supervisors held on October 8, 2025.

[SEAL]



Monica Flower, Manager