

ORDINANCE NO. 161, 2006

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA AMENDING THE TILDEN TOWNSHIP ZONING ORDINANCE, CHAPTER XXXII OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF TILDEN BY ADDING THE DEFINITIONS RETAIL SHOWROOM, HIGHWAY INTERCHANGE COMMERCIAL CENTER AND OPEN SPACE; PROVIDING FOR RETAIL SHOWROOM AND HIGHWAY INTERCHANGE COMMERCIAL CENTERS TO BE PERMITTED BY RIGHT, PROVIDED THAT PUBLIC SEWER AND WATER IS AVAILABLE, IN THE C-2 HIGHWAY COMMERCIAL DISTRICTS; PROVIDING FOR PERFORMANCE STANDARDS FOR HIGHWAY INTERCHANGE COMMERCIAL CENTERS; PROVIDING FOR PERFORMANCE STANDARDS FOR RETAIL SHOWROOMS; PROVIDING FOR REQUIRED OFF-STREET PARKING SPACES FOR HIGHWAY INTERCHANGE COMMERCIAL CENTERS; PROVIDING FOR DESIGN STANDARDS FOR PARKING SPACES IN HIGHWAY INTERCHANGE COMMERCIAL CENTERS; PROVIDING REGULATIONS FOR SIGNS PERMITTED IN HIGHWAY INTERCHANGE COMMERCIAL CENTERS; PROVIDING REGULATIONS AND PROCEDURES FOR CONDITIONAL USE APPLICATIONS AND HEARINGS; AND AMENDING THE TILDEN TOWNSHIP ZONING MAP TO INCLUDE THE PROPERTIES KNOWN AS TAX I.D. #4485-03-32-9091, #4485-03-42-1096, #4485-03-32-7018, #4485-03-32-5309, #4485-03-23-7225, #4485-03-23-4464, #4485-03-23-2362, #4485-03-23-1211, #4485-03-13-9095, #4485-03-22-1910, #4485-03-22-2862, #4485-03-22-1795, #4485-03-22-3616, #4485-03-22-4542, #4485-03-22-5444, #4485-03-22-6317, #4485-03-22-7215, #4485-03-22-8115, #4485-03-22-8068, #4485-03-22-9012, #4485-03-21-9947, #4485-03-21-9993, #4485-03-31-0861, #4485-03-31-2833, #4485-03-31-3863, #4485-03-31-6308, #4485-03-41-0558 AND #4485-03-31-9279 IN THE C-2 HIGHWAY COMMERCIAL DISTRICT AND REMOVE THEM FROM THE R-2 RESIDENTIAL DISTRICT, WHICH AREA IS LOCATED IN THE VICINITY OF MOUNTAIN ROAD AND LOWLAND ROAD, HOLLY ROAD AND MOUNTAIN ROAD, LAUREL AVENUE AND HOLLY ROAD

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 105, entitled "Definition of Terms", of Part 1, entitled "Objective, Purposes, Interpretation, Short Title, Definition of Terms", of Chapter XXXII,

entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended by adding thereto the following in alphabetical order:

"Retail Showroom. A commercial enterprise contained in one building, including but not limited to , the display and sale of commodities to the general public and rendering services incidental to the sale of such goods.

Highway Interchange Commercial Center. A large scale, unified shopping center contained in one or more buildings and consisting of large type anchor stores, restaurants, indoor theatres, retail business, family entertainment facilities, financial institutions, and such other uses as permitted by the Board of Supervisors, and is located near a major highway interchange.

Open Space. Area of lot unoccupied by buildings, streets, driveways and/or parking lots, but including areas occupied by walkways, patios, outdoor recreation, gardens or trees."

SECTION 2. Subsection (b) of Section 802, entitled "Use Regulations", of Part 8, entitled "C-2 Highway Commercial Districts" of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended and restated in its entirety as follows:

"(b) The following uses are permitted provided that public sewer and water system is available:

- (1) Eating and drinking places, including drive-in service.
- (2) Laundry, dry cleaning or clothes pressing establishment.
- (3) Retail Showroom in accordance with Section 1727.
- (4) Highway Interchange Commercial Center in accordance with Section 1715."

SECTION 3. Part 17, entitled "Performance Standards", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden is hereby amended to add the following new section:

"Section 1715. Highway Interchange Commercial Center.

(a) The purpose of the Highway Interchange Commercial Center is to make appropriate provisions for large scale, unified shopping centers in proximity of the highway interchange located at S.R. 61 and S.R. 78.

(b) The following uses are permitted within a Highway Interchange Commercial Center: large type anchor stores in conformity with subparagraph (i) below, restaurants, indoor theatres, retail business, family entertainment facilities, financial institutions, convenience stores and gas stations.

(c) A Highway Interchange Commercial Center shall be of single ownership or under unified management control. Where the Board of Supervisors shall have approved plans of a development in accordance with the regulations herein, the subsequent division of that tract or part thereof into lots incident to the development of the overall development shall thereafter be exempted from the provisions of the Tilden Township Subdivision and Land Development Ordinance, provided, that the overall development as a whole remains subject to the provisions of the Tilden Township Subdivision and Land Development ordinance, and that the deeds conveying lots or parts of the tract shall contain covenants requiring the purchasers to, at all times, operate and maintain such lots or parts of the tract in good order and repair and in a clean and sanitary condition; that cross-easements for parking areas and all appurtenant ways, pedestrian access, and utilities shall be maintained between all lots, and that such deed covenants shall be subject to the approval of the Township Supervisors upon the advice of the Township Solicitor.

The purchases of any lot, parcel or other real estate in the Highway Interchange Commercial Center shall so covenant and agree thereby to be bound by such conditions as set forth in the paragraph above.

(d) All proposed structure(s) must relate harmoniously to the terrain and to existing buildings that have a visual relationship to the proposed structure(s). To achieve this favorable relationship between existing and proposed uses, create focal points with respect to avenues of approach, terrain features or other buildings and relate open space between all existing and proposed structure(s).

(e) For vehicular and pedestrian circulation, special attention must be given to the location and number of access points to public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of safe and convenient parking areas. Design vehicular and pedestrian areas to enhance the appearance of and access to the proposed building(s) and structure(s) and to the neighboring properties.

(f) The lot area shall not be less than thirty-five (35) acres.

(g) Not more than eighty percent (80%) of the lot area boundaries may be covered by impervious surface. Open space shall be maintained on thirty percent (30%) of the pervious area in parcels of at least fifteen thousand square feet (15,000

sq. ft.) with slopes of less than eight percent (8%). These areas shall not be utilized as part of the stormwater management facilities and shall be designed to enhance the rural setting of the area.

(h) A minimum of twenty percent (20%) total open space must be retained in the buildable lot area inside the setback boundaries. All parcels of open space must contain a minimum of five thousand square feet (5,000 sq. ft.) and have a slope of less than an eight percent (8%) grade.

(i) No building or structure shall exceed two hundred twenty-five thousand square feet (225,000 sq. ft.). Included in the square footage area shall be any permeate fenced open areas for garden centers or similar uses.

(j) Setbacks for front yards, side yards and rear yards shall be a minimum of fifty feet (50'). Parking and/or access ways shall be permitted within the setback areas, except when the setback adjoins a residential use.

(k) No building or structure shall exceed thirty-five feet (35') or two stories in height. This restriction shall not apply to architectural enhancements related to a building or structure, such as a decorative building façade or screening for refrigeration units.

(l) There shall be a minimum distance between buildings and structures of forty-five feet (45').

(m) All means of ingress and egress shall be located at least four hundred feet (400') from any other intersecting public street or streets.

(n) Loading and unloading areas shall be designed and located so as not to interfere with circulation and parking areas.

(o) Required Parking shall be in accordance with Section 1801(p).

(p) Lighting for buildings, structures, signs, access ways, and parking and loading areas shall be so designed and positioned as to not reflect upward or toward public streets or cause any annoyance to surrounding properties, and shall be limited in height to the maximum of twenty-four feet (24').

(q) Parking lot lighting shall be reduced to "security levels" within one hour after the close of each business.

(r) No overnight parking allowed.

(s) Truck deliveries, truck staging and trash pickup shall be prohibited within three hundred feet (300') of any existing residential unless conditional use approval is obtained from the Board of Supervisors.

(t) No temporary storage containers or trailers. No outside display of merchandise or outside vendors without a special permit pursuant to Township ordinances.

(u) Buffer yards adjacent to a residential use shall be in accordance with the provisions of Section 1609, but will, to the extent they do not conflict with the provisions of Section 1609, be required to have an effective height of at least eight feet (8') and may be comprised of a combination of (a) earthen berms and plantings and fencing or (b) plantings and fencing. All plantings shall be placed on the residential side of the screen. In all cases, the screens may be interrupted where necessary for pedestrian path crossings, to avoid obstructing safe distances, to allow for stormwater swale crossings, and to avoid wetland intrusions. If such interruptions occur, the screen shall be so arranged to maintain a visual barrier as if not interrupted. To the extent that this section conflicts with the provisions of section 1609, the provisions of Section 1609 shall apply.

(v) Storage areas for trash and rubbish shall be completely screened. All organic rubbish shall be stored within airtight, vermin-proof containers until such rubbish is collected. No such storage areas shall be permitted within any required buffer yard.

(w) No accessory uses shall be permitted. Permanently fenced open areas for garden centers or similar uses shall not be considered an accessory use.

(x) Signs shall be in accordance with Section 1914.

(y) Establishments furnishing shopping carts shall provide definite areas on the site for the storage of said carts. Storage areas shall be clearly marked and designated for the storage of shopping carts.

(z) Any proposed Highway Interchange Commercial Center shall be subject to the provisions of the Township's Subdivision and Land Development Ordinance."

SECTION 4. Due to adding the new section to Part 17 above, the current Sections 1715 through 1725 of Part 17 of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, are hereby renumbered to be Parts 1716 through 1726, consecutively.

SECTION 5. Part 17, entitled "Performance Standards", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new section:

"Section 1727. Retail Showroom.

- (a) Floor area must be in excess of 200,000 square feet.
- (b) Every lot area shall have a lot area of not less than fifty (50) acres, and such lot shall be not less than four hundred feet (400') in width at the building line.
- (c) There shall be a front yard setback on each street on which a lot abuts which shall not be less than one hundred feet (100') in depth.
- (d) For every building or use there shall be two (2) side yard setbacks, neither less than seventy-five feet (75') in depth.
- (e) There shall be a rear yard setback on each lot which shall not be less than fifty feet (50') in width.
- (f) No building shall exceed seventy-five feet (75') in height.
- (g) An access street shall be used for access to the lot. The access street shall be curbed with a minimum paved width of roadway of thirty-four feet (34'). The access street shall be constructed with a base of six inches (6") of Type 2A Aggregate for the full width of roadway and shoulders, six inches (6") of a bituminous base course and one and one-half inches (1 ½") of a bituminous wearing course. All materials and workmanship shall be in accordance with the latest specifications of the Pennsylvania Department of Transportation."

SECTION 6. Due to adding the new section to Part 17 above, the current Sections 1726 through 1730 of Part 17 of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, are hereby renumbered to be Parts 1728 through 1732, consecutively.

SECTION 7. Section 1801, entitled "Required Off-Street Parking Space", of Part 18, entitled "Off-Street Parking and Loading", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new subsection:

- "(p) Highway Interchange Commercial Center.

(1) All permitted uses, other than Restaurants and Indoor Theatres, shall require four (4.0) spaces per one thousand square foot (1000 sq. ft.). Outside storage areas, such as a garden center typically associated with a home improvement store, shall not be included in the area for the purpose of this calculation.

(2) Restaurants and indoor theatres shall require one (1) space per three (3) seats and one (1) space per employee on the largest shift."

SECTION 8. Due to adding the new sub-section to Part 18 above, the current Sub-Sections (p) through (ss) of Section 1801, entitled "Required Off-Street Parking Space", of Part 18, entitled "Off-Street Parking and Loading", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, are hereby renumbered to be Subsections (q) through (tt), consecutively.

SECTION 9. Section 1803, entitled "Area and Design Standards and Other Requirements Relating to Parking and Loading Spaces", of Part 18, entitled "Off-Street Parking and Loading", of Chapter XXXII, entitled "Zoning", of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following:

"(m) Notwithstanding the above regulations, in a Highway Interchange Commercial Center, the following will be permitted:

(1) Design Standards - Any aisle provided for maneuvering in or out of parking spaces that are angled at ninety (90) degrees shall be at least twenty-four feet (24') in width, measured perpendicular to the row of parking spaces it serves. Where parking spaces are angled at sixty (60) degrees, the aisle shall be at least eighteen feet (18') in width, measured perpendicular to the row of parking spaces it serves. All other criteria outlined in Section 1803(e) shall apply."

SECTION 10. Part 19, entitled "Signs", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new section:

"Section 1914. Signs Permitted in Highway Interchange Commercial Centers. When the use is designated as a Highway Interchange Commercial Center, the following shall apply:

(a) Building Signs

(1) Front Building Signs - maximum 400 Square Feet and shall be limited to one (1) sign per use

(2) Side Building Signs - maximum 300 Square Feet and shall be limited to two (2) signs per use

(b) "Center" Sign shall be a maximum of sixty feet (60') in height and four hundred fifty square feet (450 sq. ft.) on each side and shall be limited to one sign per road frontage.

(c) Roadside Sign shall be a maximum of eight square feet (80 sq. ft.) and shall be limited to a maximum of one sign at each entrance and/or exit to/from the Center.

(d) Directional Signs shall be a maximum of twenty square feet (20 sq. ft.).

(e) The remainder of the provisions of Part 19 shall apply."

SECTION 11. Part 20, entitled "Administration", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new sections:

"Section 2006. Conditional Uses.

(a) Four (4) copies of an application for permission to conduct a use permitted by condition shall be submitted to the Township Secretary. Such application shall include all information specified for a zoning permit application and any other information necessary to allow the Township Board of Supervisors to determine that all requirements of this Chapter have been met. The applicant shall be responsible for all pertinent costs incurred for the review of the application.

(b) Conditional uses shall meet the specific standard established for each use by this Chapter and all other applicable Zoning District requirements and general regulations established by this Chapter. In addition, the following standards shall be met:

(1) The use shall be one which is specifically authorized as a conditional use in the Zoning District wherein the applicant is seeking a conditional use.

(2) The use conforms with the goals, objectives and policies of the Township Comprehensive Plan.

(3) The use conforms with the spirit, purposes and intent of all other applicable provisions of all other Township ordinances.

(4) The use conforms with all pertinent State and Federal laws, regulations and requirements.

(5) Services and utilities shall be made available to adequately service the proposed use.

(6) The use will not generate traffic such that hazardous or unduly congested conditions will result.

(7) The use is appropriate to the site in question.

(8) The use shall not adversely affect the character of the general neighborhood, nor the health and safety of residents or workers on adjacent properties and in the general neighborhood.

(c) The Board of Supervisors shall either approve or disapprove the application within forty-five (45) days after the date of the last hearing by the Board of Supervisors.

(d) The Township Board of Supervisors may attach such additional reasonable conditions and safeguards as they deem necessary to implement the purpose of this Chapter and the Pennsylvania Municipalities Planning Code, as amended.

(e) The granting of permission to conduct a use permitted by condition does not exempt an applicant from acquiring all approvals required by the Township's Subdivision and Land Development Ordinance.

(f) The approval of a conditional use, if authorized by the Board, which anticipates construction or modification of a structure, creation of new or revised lot lines or dimensional standards for a property or structure situated thereon, shall be valid and remain in effect for a term of one (1) year from the date of said approval and shall thereafter expire and be void, unless said construction, modification, new or revised lot lines or dimensional standards or change of use or occupancy be initiated within said one (1) year term or said term is expressly extended as part of the initial approval. In the event that the activity anticipated by the conditional use should not be initiated within one (1) year of the approval or such additional term as may be expressed in the approval or should the activity which is the subject of the conditional use be discontinued, the premises or structure or structure situated thereon shall not thereafter be used except in conformity with the regulations of the district in which it is located.

Section 2007. Conditional Use Hearings by the Board of Supervisors. The board shall conduct hearings and make decisions in accordance with the following requirements:

(a) Public notice shall be given and written notice shall be given to the applicant, the zoning officer, the planning commission, and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by ordinance or, in the absence of ordinance provision, by rules of the board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.

(1) The governing body may prescribe reasonable fees with respect to hearings before the boards. Fees for said hearings may include compensation for the secretary and members, notice and advertising costs, legal expenses, engineering expenses, architectural and other technical consultants and expert witness costs, and necessary administrative overhead connected with the hearing.

(2) The first hearing before the board or hearing officer shall be commenced within 60 days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing before the board or hearing officer shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the board or hearing officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete his case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and municipality, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings.

(b) The hearings shall be conducted by the board or the board may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the board; however, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive decision or findings by the board and accept the decision or findings of the hearing officer as final.

(c) The parties to the hearing shall be the municipality, any person

affected by the application who has made timely appearance of record before the board, and any other person including civic or community organizations permitted to appear by the board. The board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the board for that purpose.

(d) The chairman or acting chairman of the board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

(e) The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

(f) Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

(g) The board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the board. The cost of the original transcript shall be paid by the board if the transcript is ordered by the board or hearing officer or shall be paid by the person appealing from the decision of the board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

(h) The board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement date of hearings with any party or his representative unless all parties are given an opportunity to be present.

(i) The board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is

conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the board shall make his report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the board prior to final decision or entry of findings, and the board's decision shall be entered no later than 30 days after the report of the hearing officer. Except for challenges filed under validity or substantive questions, where the board fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in Subsection (a)(2), the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the board to meet or render a decision as hereinabove provided, the board shall give public notice of said decision within ten days from the last day it could have met to render a decision in the same manner as provided in Subsection (A). If the board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

(j) A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the board not later than the last day of the hearing, the board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined."

SECTION 12. Due to adding the new sections to Part 20 above, the current Sections 2006 and 2007 of Part 20, entitled "Administration", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, are hereby renumbered to be Sections 2008 and 2009, consecutively.

SECTION 13. The Zoning Map of the Township of Tilden is hereby amended to include the properties known as Tax I.D. #4485-03-32-9091, #4485-03-42-1096, #4485-03-32-7018, #4485-03-32-5309, #4485-03-23-7225, #4485-03-23-4464, #4485-03-23-2362, #4485-03-23-1211, #4485-03-13-9095, #4485-03-22-1910, #4485-03-22-2862, #4485-03-22-1795, #4485-03-22-3616, #4485-03-22-4542, #4485-03-22-5444, #4485-03-22-6317, #4485-03-22-7215, #4485-03-22-8115, #4485-03-22-8068, #4485-03-22-9012, #4485-03-21-9947, #4485-03-21-9993, #4485-03-31-0861, #4485-03-31-2833, #4485-03-31-3863, #4485-03-31-6308, #4485-03-41-0558 and #4485-03-31-9279 in the C-2 Highway Commercial District and remove them from the R-2 Residential District as set forth on Exhibit "A" attached hereto and made a part hereof.

SECTION 14. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of

Supervisors of Tilden Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 15. All prior ordinances of the Township of Tilden, insofar as they deal with the regulation herein are repealed and declared unenforceable insofar as they are inconsistent with or identical to any provision of this Ordinance.

SECTION 16. This Ordinance shall take effect five (5) days after its enactment.

SECTION 17. The Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, shall be and remain unchanged and in full effect except as amended, supplemented and/or modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, upon adoption.

DULY ENACTED AND ORDAINED this 3rd day of January, 2006.

TILDEN TOWNSHIP
BOARD OF SUPERVISORS

Troy R. Hall
Supervisor

Russell H. Waly
Supervisor

Judy E. Romig
Supervisor

Attest: Cheryl A. Haus
Secretary



MUNICIPAL CERTIFICATION

I, CHERYL A. HAUS, Secretary of the TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance 161 was advertised in the Reading Eagle/Times, a daily newspaper of general circulation in Tilden Township, on Dec 12, 2005, and was duly enacted and approved as set forth at a Regular Meeting of the Board of Supervisors held on Jan. 3, 2006.

(SEAL)

Cheryl A. Haus
Secretary

Date: Jan. 3, 2006