

Code of Ordinances of the Township of East Nottingham

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Code of Ordinances
of the
Township of East Nottingham
Chester County, Pennsylvania

Published by Authority of the Township

Adopted by *Ord. 2009-21*, 11/16/2009

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Officials
of the
Township of East Nottingham
County of
Chester, Pennsylvania

ELECTED OFFICIALS

Board of Supervisors

Chairman	-	Leo M. Levandowski
Vice-Chairman	-	Michael P. Miller
	-	Gene Turns
	-	Percy Reynolds
	-	Charles D. Shelton
Auditors	-	Glenna Jordan
	-	Lynn Peterson
	-	Jerry Johnson

APPOINTED OFFICIALS

Secretary	-	Patricia Brady
Treasurer	-	Suzanne Hamlin
Code Enforcement Officer	-	PJ Scheese
Building Code Official/Inspector	-	Charlie Shock
Solicitor	-	Conrad O'Brien, P.C.
Engineer	-	Stantec Consulting

FOREWORD

*History*¹

Two of the duties assigned to the members of the East Nottingham Township Historical Commission (ENTHC) are to “research the history of the Township from the native Americans to the present day” and “prepare written documentation recording the history of the Township.”

While it is true that East and West Nottingham Townships trace their origins back to the “Nottingham lots” of late 1701, these “lots” were never recognized as such as a legal entity. The earliest extant tax record for Chester County is that of 1715 and New Garden the nearest identified Township. It is unclear where, or if, the Nottingham residents paid their taxes that year. The next extant tax list does not occur until 1718. It was not until February 28, 1715/16, (1715 old calendar, 1716 new calendar) that the area from the Nottingham lots north to New Garden Township was recognized as Nottingham Township. On this date, at the quarter session of Chester County (held February, May, August and November each year), Mercer Brown was designated the first constable of “Nottingham.” The name Nottingham does not appear in earlier records. Mercer Brown continued as constable until August 27, 1717, when replaced by John Bayls (Beals, Bales). John Bayls continued until the quarter session meeting of May 27, 1718.

Quarter session records of May 27, 1718, clearly indicate that John Bayls was expected to continue as constable of “Nottingham” Township as his name is written in as such. However, the name of John Bayls is crossed out and above is written Samuel Littler followed by the word East and below is written Hugh Sidwell followed by the word West. It appears that at this meeting some sort of request was brought forth calling for separate constables and recognition for the Townships of East and West Nottingham to assume separate identities. Nothing in the records indicates a reason for the separate designation. In the same year the two Townships are separated in the tax lists and have continued as such to this date. Historical records indicate a possible division in the Nottingham Quaker meeting during 1718 with recognition of West Nottingham meeting in early 1719 (History of Chester County by Cope and Futhey). Additional research is needed on this possibility.

Throughout at least the next 5 years the constables were drawn from the Calvert (East Nottingham) and Rising Sun (West Nottingham) regions.

Chester County currently identifies the date of origin for East and West Nottingham Townships as 1718 based solely on their first appearance in the tax lists (County archivist). It appears that something occurred at the May 27, 1718, meeting of the quarter session of Chester County calling for Nottingham Township to be divided in East and West. Based upon this evidence, the members of the East Nottingham Township Historical Commission proposed to the Supervisors of East Nottingham Township that they officially adopt the date of May 27, 1718, as East Nottingham Township’s date of establishment and separation from Nottingham Township established circa February 28, 1716. On May 10, 2005, the East Nottingham Township

¹Editor’s Note: Adapted from “History” as found at <http://www.eastnottingham.org/history.php>

Board of Supervisors adopted May 27, 1717, as the date of establishment for the Township.

The Code of Ordinances of the Township of East Nottingham was prepared by Keystone Publishers, Inc., and adopted by the Township of East Nottingham Board of Supervisors on November 16, 2009, by *Ord. 2009-21*.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Township of East Nottingham contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or “one time” nature, (3) the Table to the disposition of each ordinance ever enacted by the Township of East Nottingham, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Table to Disposition indicates what action has been taken by the Township of East Nottingham Board of Supervisors with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Table. The Table is a cross reference to the original ordinance books of the Township of East Nottingham, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 2009-21

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST NOTTINGHAM, 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.

Whereas, the Board of Supervisors of East Nottingham Township finds that an orderly and detailed collection of the ordinances enacted by East Nottingham Township is necessary for the proper function of government and the administration and enforcement of such ordinances.

Whereas, accordingly the Board of Supervisors has completed a review of all ordinances enacted by the East Nottingham Township and has determined that in order to insure the proper function of government and an effective administration and enforcement of the ordinances of East Nottingham Township, the Board of Supervisors desires to adopt the revision and/or repeal of certain ordinances and a consolidation and codification of all remaining ordinances.

Therefore, the Township of East Nottingham hereby ordains:

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

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Chapter 2 [Reserved]
Chapter 3 [Reserved]
Chapter 4 Buildings
Chapter 5 Code Enforcement
Chapter 6 [Reserved]
Chapter 7 Fire Prevention and Fire Protection
Chapter 8 [Reserved]
Chapter 9 [Reserved]
Chapter 10 Health and Safety
Chapter 11 [Reserved]
Chapter 12 [Reserved]
Chapter 13 Licenses, Permits and General Business Regulations
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 Solid Waste
 Chapter 21 Streets and Sidewalks
 Chapter 22 Subdivision and Land Development
 Chapter 23 [Reserved]
 Chapter 24 Taxation; Special
 Chapter 25 [Reserved]
 Chapter 26 [Reserved]
 Chapter 27 Zoning

APPENDIX:

A. Agricultural Security Areas
 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 East Nottingham 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 East Nottingham Code of Ordinances,” and all future ordinances shall make reference thereto. This ordinance shall become effective in accordance with law.

Section 3. Saving Clause. The provisions of the Township of East Nottingham 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 East Nottingham Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations. All existing ordinances of the Township of East Nottingham, to the extent that such ordinances are not revised, amended or repealed by this Ordinance, are hereby ratified and affirmed by the Board of Supervisors of East Nottingham Township.

Section 4. 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

B. *Amendments.*

Section	Subject	Ordinance No., Section
§4-107	Violations and Penalties	1996-2, §VII
§5-116	Penalties	Res. 51-2007, §6
§7-204	Enforcement	2005-5, §4
§10-105	Penalty	1988-1, §5
§13-106	License Fee	1967-1, §6
§13-109	Transfer Fee	1967-1, §9
§13-112	Regulations	1967-1, §12
§13-114	Violations	1967-1, §14
§13-305	Fees	2009-19, §5
§13-403	Registration Fee	2008-10, §3
§13-409	Violations and Penalties	2008-10, §9
§14-112	Penalties	2008-14, §12
§14-203	Applying for a Permit	1970-1, §3; 1970-2, §3; 1979-1, §I
§14-204	Penalties	1970-1, §4
§15-201	Stop Intersections	1999-1, §§I–III
§15-502	Additional Safe Maximum Speed Limits	2005-3, §§1–4
§18-110	Penalties	2008-16, §10
§18-211	Exclusiveness of Rights and Privileges	2008-15
§20-103	Penalty	1971-1, §3
§21-101	Permit Required	1974-2, §1
§21-106	Penalty	1974-2, §6
§21-206	Penalty	1975-1, §6
§21-303	Penalty	2008-9, §3
§24-101	Definitions	1974-1, §1
§24-109	Fines and Penalties	1974-1, §9
§24-112	Collection of Tax	1974-1, §11

Section	Subject	Ordinance No., Section
§24-213	Determination of Additional Tax Due or Redetermination	1986-6, §3
§24-216	Violations	1986-6, §16

C. *Repeals.*

Ordinance/Resolution	Subject
Ord. 1962-2	Disorderly Conduct
Ord. 1963-1	Disorderly Conduct
Ord. 1965-1	Curfew
Ord. 1965-1B	Curfew
Ord. 1980-1	Landlord Reports

Section 5. Procedural Changes. The following minor procedural changes have been made to existing Township of East Nottingham 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 Township Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 6. 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 7. Responsibility for Code of Ordinances. It shall be the responsibility of the Township of East Nottingham 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 East Nottingham Code of Ordinances and shall be available for public inspection.

Section 8. 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 East Nottingham. 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 9. Severability of Parts of Codification. It is hereby declared to be the intention of the Township of East Nottingham 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 16th day of November, 2009.

ATTEST:

Township of East Nottingham

/s/ Patricia Brady
Secretary

/s/ Leo M. Levandowski
Leo M. Levandowski, Chairman

/s/ Michael P. Miller
Michael P. Miller, Vice Chairman

/s/ Charles D. Shelton
Charles D. Shelton, Member

/s/ Percy Reynolds
Percy Reynolds, Member

/s/ Gene Turns
Gene Turns, Member

