

ORDINANCE NO. 157

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER VI, ENTITLED "CODE ENFORCEMENT" OF THE TOWNSHIP OF TILDEN CODE OF ORDINANCES TO REVISE THE UNIFORM CONSTRUCTION CODE TO REQUIRE A BUILDING PERMIT FOR ALL UTILITY AND MISCELLANEOUS USE STRUCTURES WITH A BUILDING AREA OF MORE THAN TWO HUNDRED SQUARE FEET

WHEREAS, the purpose of this Ordinance is to promote the general health, safety and welfare of the citizens of the Township of Tilden, Berks County, Pennsylvania and to conform to the requirements of the Pennsylvania Construction Code Act and regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the "Code"); and

WHEREAS, the Pennsylvania Construction Code Act 45 of 1999, as amended by Act 92 of 2004, authorizes municipalities to adopt stricter code requirements for utility and miscellaneous use structures.

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. Part 1, entitled "Uniform Construction Code" of Chapter VI, entitled "Code Enforcement" of the Code of Ordinances of the Township of Tilden is hereby amended to add the following new Section 103:

"Section 103. Revisions to the Uniform Construction Code. The following additions, insertions, deletions and changes are hereby made to the Uniform Construction Code:

(a) The Uniform Construction Code shall also apply to all residential utility and miscellaneous use structures with a building area of more than 200 square feet."

SECTION 2. The UCC section heretofore numbered Sections 103 through 108, of Part 1, entitled "Uniform Construction Code", of Chapter VI, entitled "Code Enforcement", of the Code of Ordinances of the Township of Tilden are hereby re-numbered to be Sections 104 through 109, respectively.

SECTION 3. 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 the 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 4. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 5. This Ordinance shall become effective thirty-five (35) days from the date of enactment.

SECTION 6. That nothing in this Ordinance or the Uniform Construction Code, as amended, hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 2nd day of April, 2005.

TOWNSHIP OF TILDEN
BOARD OF SUPERVISORS

Troy R. Watt

Russell H. Wulky

Marilyn K. Nelson

Attest:

Cheryl A. Haus
Secretary

ORDINANCE NO. 158, 2005

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING PART 3, ENTITLED "EARNED INCOME TAX", OF CHAPTER XXIX, ENTITLED "TAXATION, SPECIAL" OF THE TOWNSHIP OF TILDEN CODE OF ORDINANCES TO ADD A PROVISION FOR THE COLLECTION OF EARNED INCOME TAXES FROM NON-RESIDENTS

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 303, entitled "Imposition of Tax", of Part 3, entitled "Earned Income Tax", of Chapter XXIX, entitled "Taxation, Special", of the Code of Ordinances of the Township of Tilden is hereby amended and restated in its entirety as follows:

"Section 303. Imposition of Tax. A tax for general revenue purposes at the rate of one percent (1%) is hereby imposed on the following:

- (a) Earned income received by residents of the Township on and after January 1, 1967;
- (b) Net profits received by residents of the Township on or after July 1, 1967;
- (c) Earned income received by individual non-residents of the Township in the Township; and
- (d) Net Profits earned in the Township by non-residents of the Township."

SECTION 2. 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 the 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 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective thirty-five (35) days from the date of enactment.

SECTION 5. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 1st day of OCTOBER, 2005.

TOWNSHIP OF TILDEN
BOARD OF SUPERVISORS

Troy R. Hatt
Russell H. Wally

Attest: Cheryl A. Haus
Secretary