

TOWNSHIP OF TILDEN
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 228, 2017

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 AMENDING THE DEFINITION FOR HOTEL, ADDING ADDITIONAL DEFINED TERMS AND AMENDING THE PERFORMANCE STANDARDS FOR MOTELS/HOTELS TO CREATE SEPARATE STANDARDS FOR EACH.

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 - Hotel.", 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 and restated in its entirety as follows unless otherwise noted:

Hotel. A building or group of buildings designed primarily as a transient abiding place containing individual rooms for rent, primarily for transient guests, with common hallways for all rooms on the same floor and where no provision is made for cooking facilities in any room or suite of rooms. Such establishment furnishes to the guests customary hotel amenities such as maid service and the furnishing and laundering of linen. Such establishments may include additional services, such as meeting rooms/banquet facilities, recreation facilities, and indoor entertainment. Eating and drinking places may be located within the same building or within one (1) separate principle structure on the lot.

SECTION 2. 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 to include the following terms:

Indoor Entertainment. Venues that offer musical, theatrical, dance, comedy, magic or similar performance arts for crowds up to 200 individuals with all activities ceasing by 11:00 PM.

Recreation Facilities. A place designed and equipped for the conduct of sports and leisure-time activities within an enclosed space including gymnasiums, arcades, health and fitness areas, indoor tennis and racquetball courts, bowling alleys, and indoor swimming pools for use by hotel guests only.

SECTION 3. Section 1719 entitled "Motels/Hotels", of Part 17, entitled "Performance Standards", 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 unless otherwise noted:

Section 1719.1 Hotels

- (a) Such use shall be located on a lot of not less than five (5) acres.
- (b) Such use shall have continuous road frontage of at least three hundred (300) feet.
- (c) No structure shall be located closer than one hundred (100) feet from the street line or thirty-five (35) feet from each side or rear property line, except as noted in subsection (e) below.
- (d) No hotel shall be permitted unless it is provided with public sanitary sewer facilities approved by the Pennsylvania Department of Environmental Protection.
- (e) The building height maximum contained in Section 1601 notwithstanding, the building height shall not exceed thirty-five (35) feet or three (3) stories unless additional side and rear yard setbacks are provided as outlined in this Section. Building heights of fifty (50) feet or four (4) stories (whichever is less) are permitted as long as one (1) additional foot of side and rear yard setback (from the setbacks contained in 1719(c) above) is provided for each one (1) vertical foot of height above thirty-five (35) feet. For example, a forty (40) foot height would be permitted if an additional five (5) feet of setback is provided along the side and rear property lines.

- (f) One (1) additional building is permitted on the same lot as long as there is a minimum distance of twenty-five (25) feet between the buildings and the building layout has been reviewed by a fire code official for access of emergency response equipment.

Section 1719.2 Motels

- (a) Such use shall be located on a lot of not less than five (5) acres.
- (b) Such use shall have continuous road frontage of at least two hundred (200) feet.
- (c) No structure shall be located closer than one hundred (100) feet from the street line or fifty (50) feet from each side or rear property line.
- (d) No motel shall be permitted unless it is provided with public sanitary sewer facilities approved by the Pennsylvania Department of Environmental Protection.
- (e) A buffer yard shall be required along all side and rear property lines in accordance with Section 1609.
- (f) All storage areas for trash and rubbish shall be completely screened.

SECTION 4. 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 include herein.

SECTION 5. 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 6 This Ordinance shall take effect five (5) days after its enactment.

SECTION 7. 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 part of the Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, upon adoption.

DULY ENACTED AND ORDAINED this 34th day of September, 2017.

TILDEN TOWNSHIP
BOARD OF SUPERVISORS

Gene D. Schappell
Chairman

Frank Alden
Vice Chairman

Carl Spill
Supervisor

SEAL

Attest:

Cheryl H. Kue
(Assistant) Secretary

MUNICIPAL CERTIFICATION

I, Cheryl Haus ~~(Assistant)~~ Secretary of the TOWNSHIP OF TILDEN,
BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing
Ordinance #228 was advertised in the Reading Eagle, a daily newspaper of
general circulation in Tilden Township, on August 23 + 30, and was
duly enacted and approved as set forth at a Regular Meeting of the Board of
Supervisors held on September 13, 2017.

(SEAL)

Cheryl Haus

~~(Assistant)~~ Secretary

Date: Sept. 13, 2017