

**EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 215

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST COVENTRY, CHESTER COUNTY, PENNSYLVANIA, TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 2 (DEFINITIONS), SECTION 22-202 (DEFINITIONS), AND TO AMEND CHAPTER 27 (ZONING), PART 2 (DEFINITIONS), SECTION 27-202 (DEFINITIONS), TO DELETE THE EXISTING DEFINITIONS FOR “DRIVEWAY, PRIVATE” AND “STREET, PRIVATE” AND TO ADD NEW DEFINITIONS FOR “DRIVEWAY, PRIVATE” AND “STREET, PRIVATE” IN ORDER TO MORE CLEARLY DISTINGUISH BETWEEN PRIVATE STREETS AND PRIVATE DRIVEWAYS .

The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN**:

SECTION I. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 22-202 (Definitions) is hereby amended to delete the following terms and definitions: “Driveway, Private” and “Street, Private”.

SECTION II. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 22-202 (Definitions), is hereby amended to add the following new terms and definitions:

DRIVEWAY, PRIVATE – An access way located exclusively on a portion of one lot that is intended for vehicular use and access to the principal structure(s) located on such lot and which is privately owned.

STREET, PRIVATE – A street created by deed, easement or other formal recorded instrument, whether paved or unpaved, that is (i) located on and furnishes access to more than one lot, (ii) privately owned by the abutting landowners, whose

title shall abut or extend to the centerline thereof, (iii) not laid out on any Township plan of streets, and (iv) not offered or not required to be offered for dedication to the Township. Maintenance, repair and replacement of private streets are the responsibility of the abutting landowners.

SECTION III. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definitions), is hereby amended to delete the following terms and definitions: “Driveway, Private” and “Street, Private”.

SECTION IV. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definitions), is hereby amended to add the following new terms and definitions:

DRIVEWAY, PRIVATE – An access way located exclusively on a portion of one lot that is intended for vehicular use and access to the principal structure(s) located on such lot and which is privately owned.

STREET, PRIVATE – A street created by deed, easement or other formal recorded instrument, whether paved or unpaved, that is (i) located on and furnishes access to more than one lot, (ii) privately owned by the abutting landowners, whose title shall abut or extend to the centerline thereof, (iii) not laid out on any Township plan of streets, and (iv) not offered or not required to be offered for dedication to the Township. Maintenance, repair and replacement of private streets are the responsibility of the abutting landowners.

SECTION V. – Severability

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION VI. – Failure to Enforce not a Waiver

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VII. – Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the Second Class Township Code.

SECTION VIII. – Repealer

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

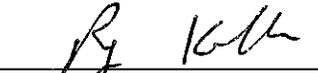
ORDAINED AND ENACTED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this 14th day of August, 2017.

EAST COVENTRY TOWNSHIP

Attest:


~~Bernard A. Rodgers~~, Secretary

By:


Ray A. Kolb, Chairman

NOTICE

NOTICE is hereby given that the Board of Supervisors of the Township of East Coventry, at its public meeting on August 14, 2017 in the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance amending The Code Of Ordinances of the Township of East Coventry, Chester County, Pennsylvania, to amend Chapter 2 (Subdivision and Land Development), Part 2 (Definitions), Section 22-202 (Definitions), and to amend Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definitions), to delete the existing definitions for “Driveway, Private” and “Street, Private” and to add new definitions for “Driveway, Private” and “Street, Private” in order to more clearly distinguish between private streets and private driveways .

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 24 North Hanover Street, Pottstown, Pennsylvania 19464, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP**

Solicitor for the Township of East Coventry