

LOWER MILFORD TOWNSHIP

--BOARD OF SUPERVISORS--

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Board Members:

Donna L. Wright, Chair

Ellen L. Koplin, Vice-Chair

John C. Quigley, Supervisor

July 28, 2020

PUBLIC NOTICE

LOWER MILFORD TOWNSHIP

The Board of Supervisors of Lower Milford Township will hold a public meeting on Thursday, August 20, 2020 at 6:30 PM in the Municipal Building, 7607 Chestnut Hill Church Road, Coopersburg, PA 18036 to consider the enactment of proposed ordinances, the titles and summaries of which are as follows:

AN ORDINANCE REGULATING CANVASSING, PEDDLING AND/OR SOLICITING

SECTION 1: DEFINITIONS

A Definition of Canvassing, Peddling and/or Soliciting as used within this Ordinance.

SECTION 2: PERMIT REQUIRED

A. No person shall engage in canvassing, peddling and/or soliciting for commercial purposes without a permit.

SECTION 3: APPLICATION, ISSUANCE OF PERMIT

A. Written applications shall be submitted to the Township Zoning Department stating information as requested on the application.

B. A non-refundable fee is to be paid per the current fee schedule.

C. A background check shall be submitted for the applicant.

D. Permits will be issued by the Zoning Department and must be made visible at all times.

E. Permits are valid for a time period as determined on the application.

SECTION 4: CONDITION OF PERMIT

A. The applicant shall conduct themselves in accordance with Laws of the Commonwealth of PA, Township Ordinances and only during the hours of 9:00AM – 7:00PM, excluding Sundays.

SECTION 5: EXCEPTIONS

A. Not applicable to boys or girls under the age of eighteen taking orders for or delivering newspaper, greeting cards, candy, cookies, fundraising items or representing Boy Scouts, Girl Scouts, Schools, Churches or similar organizations.

SECTION 6: ENFORCEMENT

A. The Zoning Department is responsible for enforcing the provisions of this Ordinance.

SECTION 7: VIOLATIONS AND PENALTIES

A. This Ordinance shall be enforced as a summary offense under the Pennsylvania Rules of Criminal Procedure.

B. Violations of this Ordinance may result in the payment of not less than \$50.00 and nor more than \$600.00.

SECTION 8: SEVERABILITY

A. The provisions of this Ordinance shall be severable, and if any provision hereby shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

SECTION 9: REPEALER

A. This ordinance shall repeal and replace Ordinance No. 113.

FIRE SAFETY, PROTECTION AND PREVENTION ORDINANCE

ARTICLE I: DEFINITIONS

A Definitions and interpretations of certain terms and words used in this Ordinance.

ARTICLE II: OPEN BURNING

A. Open burning shall be permitted for yard waste (with the exception of poisonous vegetation), recreational or ceremonial purposes, clearing or grubbing wastes, domestic refuse and agricultural fields

B. Notification of open burning shall be provided for the Lehigh County Communications Center prior to open burning

C. Open burning shall comply with terms as stated within the Ordinance.

ARTICLE III: SPECIAL FIRE EQUIPMENT

A. It shall be unlawful for any person to operate, use, or open any fire hydrant without written permission from the Board of Fire Department.

B. It shall be unlawful for any person to obstruct, deface, or restrict access to a fire hydrant

ARTICLE IV: FIREWORKS

A. It shall be unlawful to any person to have or hold display fireworks without a permit from the Enforcement Officer.

B. A permit shall be made at least thirty (30) days in advance and include a copy of the operator's license, a copy of the operator's current certificate of liability insurance in the amount of \$2,000,000 per occurrence for payment of all damagers

C. Every display shall be handled by a licensed operator.

D. A person may not ignite or discharge consumer fireworks on public or private property without express permission of the owner, from within a motor vehicle or building, into or at a motor vehicle, building or other person, while under the influence of drugs or alcohol and within 150 feet of an occupied structure

E. The use of consumer fireworks shall only be permitted within the hours of 9:00PM and 11:00PM.

ARTICLE V: DECLARATION OF AN OPEN BURNING BAN

A. The Board of Supervisors, with recommendation of the Fire Department, may declare an open burning ban within the Township

B. If the Fire Chief is of the opinion conditions warrant and emergency ban, one member of the Board of Supervisors shall declare an emergency ban. Ratification of the declaration shall take place at the next public meeting.

C. Notification of the burn ban shall be posted on the Township website, Township Building entrance and by publication in a newspaper generally circulated within the Township. Notification of the expiration will be advertised similarly.

D. Burning of domestic refuse in an entirely enclosed container, recreational fire pit or for cooking purposes shall be exempt from the burn ban.

ARTICLE VI: ENFORCEMENT

A. Any person who violates this Ordinance shall upon conviction thereof before a District Justice be sentenced to pay a fine of not less than \$50.00 and nor more than \$500.00.

ARTICLE VII: SEVERABILITY

A. The provisions of this Ordinance shall be severable, and if any provision hereby shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

ARTICLE VIII: REPEALER

A. All Ordinances or parts of Ordinance conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

ARTICLE IX:

A. This Ordinance shall become effective five (5) days after its enactment.

AN ORDINANCE PROHIBITING NUISANCES

PURPOSE AND INTENT:

A. The purpose of this Ordinance is to prohibit certain public nuisances that would be prejudicial to health or safety, deprive residents of the lawful enjoyment of their property, be unusually annoying or that would cause damage to the property of the general public.

B. Nothing in this Ordinance is to be interpreted as a prohibition of any normal or necessary activity in farming or animal husbandry.

NUISANCES DECLARED ILLEGAL AND PROHIBITED:

A. The physical condition or use of any premises regarded as public nuisance at common law, which is manifestly unsafe or insecure, which are unsanitary, or which are littered with garbage and rubbish.

B. The maintaining or allowing the maintenance of a dangerous building.

C. The burning of garbage out-of-doors at any time of day or night provided the term garbage shall not include vegetative matter such as yard waste or household paper waste.

D. Any permitting or allowing of animals to habitually roam at large, disturb the peace and quiet of the neighborhood by habitually barking, howling or otherwise making a noise that is cast upon properties in the vicinity

E. Any generation of noise, sound or music which is unnecessarily loud and occurs on a habitual basis.

COMPLAINTS AND ENFORCEMENTS:

A. Any person endangered, disturbed, interfered with or who sustains property damage by another person in the Township violating this Ordinance may file a complaint and enforce the Ordinance against that person with the District Magistrate.

PENALTIES:

A. Upon entry of a finding of guilty of the owners and/or occupants of the property upon which a nuisance exists, such owner shall be liable to pay a fine not exceeding One Thousand Dollars (\$1,000) and upon default of payment of the same, shall be subjected to imprisonment of not more than thirty (30) days.

B. Each day a person fails to remove or abate a nuisance shall be considered a separate offense.

SEVERABLE PROVISIONS:

A. The provisions of this Ordinance shall be severable, and if any provision hereby shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

INCONSISTENT ORDINANCE REPEALED:

A. This Ordinance shall repeal and replace Ordinance No. 106.

EFFECTIVE DATE:

A. This Ordinance shall become effective five (5) days after its adoption.

July 28, 2020

The complete draft SOLICITATION ORDINANCE; FIRE SAFETY, PROTECTION AND PREVENTION ORDINANCE; AND NUISANCE ORDINANCE may be examined at no cost or copies may be obtained at the actual of cost of reproduction, at the Lower Milford Township Municipal Building, 7607 Chestnut Hill Church Road, Coopersburg, PA 18036 on Monday-Friday, 8:00AM to 4:00PM. The complete Draft SOLICITATION ORDINANCE; FIRE SAFETY, PROTECTION AND PREVENTION ORDINANCE; AND NUISANCE ORDINANCE may also be viewed on the Township website: www.lowermilford.org and at the Morning Call Newspaper office in Allentown.

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