

**BEDMINSTER TOWNSHIP  
Bucks County, Pennsylvania**

**Ordinance # 246  
(Duly Adopted \_\_\_\_\_)**

**AN ORDINANCE OF BEDMINSTER TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA ENACTING RULES AND REGULATIONS CONCERNING PARKING DURING WINTER STORMS; REQUIRING THE MAINTENANCE, CONSTRUCTION, AND REPAIR OF SIDEWALKS, CURBS, AND GUTTERS; REQUIRING THE CONSTRUCTION AND REPAIR OF SIDEWALKS, CURBS, AND GUTTERS, AND SUPPORTS THEREOF, IN CONFORMITY TO TOWNSHIP-ESTABLISHED LINES AND GRADES; REQUIRING MAINTENANCE OF PROPERTIES UP TO THE EDGE OF ADJACENT STREETS; PROVIDING SNOW AND ICE REMOVAL REGULATIONS; PRECLUDING THE REMOVAL OF HEALTHY STREET TREES, AND REQUIRING THE REPLACEMENT OF STREET TREES WHICH ARE REMOVED; AUTHORIZING NOTICES TO DO WORK AND INSPECTIONS; PROVIDING FOR EMERGENCY REPAIRS BY THE TOWNSHIP; REQUIRING SNOW REMOVAL BY PROPERTY OWNERS; AND PRESCRIBING PENALTIES FOR VIOLATIONS.**

WHEREAS, curbs, sidewalks, bikepaths, pedestrian walkways, and storm drainage ways, otherwise sometimes known as gutters or swales, have become integral parts of much of the developed portion of Bedminster Township ("Township"); and

WHEREAS, as such amenities age, it becomes necessary to create a mechanism to assure their proper maintenance, care, and if necessary, replacement; and

WHEREAS, the Township has experienced situations in which property owners attempt to avoid their obligations to maintain their properties to the edge of adjacent cartways; and

WHEREAS, the Second Class Township Code, including, but not limited to Articles 22, 23, 24, and 27, provides that abutting property owners shall bear responsibility for such maintenance, care, and replacement.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Supervisor of Bedminster Township, as follows:

**ARTICLE I     **STORM EMERGENCIES****

**§101. Definitions.**

- A.     The following words, terms and phrases used in this Article I shall have the meanings given herein. All other words and phrases when used in this Article shall have the meanings ascribed to them in the most current amendment of the Vehicle Code of Pennsylvania, except in those instances where the context clearly indicates a different meaning.

**CARTWAY** - The portion of a street, alley, access drive, or driveway, whether paved or unpaved, intended for vehicular use.

**CURB** - A raised line of concrete, stone, or asphalt at and/or forming the edge of the paved cartway.

**EMERGENCY STORM** - Any storm, including a winter storm, that creates a significant danger to life and/or property in Bedminster Township or portion thereof as determined by the Township.

**OWNER** - A person in whom legal title to property or premises is vested.

**PARKING** - The standing of a vehicle, except a police or fire vehicle, ambulance or official vehicle of the Township or Commonwealth, whether occupied or not, upon a street other than temporarily for the purpose of, and while actually engaged in, loading or unloading, or in obedience to traffic regulations or traffic signs and signals.

**PERSON** - A natural person, partnership, corporation, association, or any other legal entity.

**POLICE DEPARTMENT** - Bedminster Township Police Department, and its Chief, sworn officers, and civilian employees.

**SHOULDER** - The unpaved, improved portion of any street that runs adjacent to and parallel with the cartway.

**SIDEWALK** - A pedestrian public path for public use located within the right-of-way or easement of any public or Township-maintained street, usually constructed of asphalt, concrete, stone, or brick.

**STREET** - The entire width between the boundary lines of any public highway, road, or roadway within the Township, including the cartway, curb, and shoulder of such highway, road, or roadway, that is open to the use of the public for purposes of vehicular and pedestrian travel.

**TOWNSHIP** - The Township of Bedminster, Bucks County, Pennsylvania.

**VEHICLE** - Any self-propelled motorized vehicle licensed to travel upon the streets, roads, and highways of the Township.

**WINTER STORM** - Precipitation in the form of sleet, ice, freezing rain, snow, or any combination thereof that results in the deposit or accumulation of ice of one quarter (¼) of an inch or greater in depth or of snow or a combination of precipitation of one (1) inch or greater in depth.

2. Words used in the singular include the plural; words used in the plural include the singular; and words used in the present tense include the future. Personal pronouns, his, her, their, are gender neutral. The words "must" and "shall" are mandatory. The words "may", "advised", and "advisory" are discretionary:

**§102. Special Parking Regulations During Emergency Storms.**

A. **Special Powers.** The Chairman and Vice Chairman of the Board of Supervisors, the Township Manager, and/or the Township Emergency Management Coordinator, hereinafter "Designated Officials", are hereby granted the following special powers to regulate parking:

1. Any Designated Official may establish temporary parking regulations effective during the period of an emergency storm.
2. Such emergency and/or temporary regulations shall be enforced by the Police Department in the same manner as permanent regulations.
3. No person shall park a vehicle in violation of any such regulations.

B. **Parking During Winter Storms.**

1. Within one (1) hour of the commencement of a winter storm, it shall be the duty of the owner and/or operator of any vehicle which has been parked on any street to remove said vehicle from the street.
2. It shall be unlawful to park, abandon, or leave unattended or allow to be parked, abandoned, or left unattended any vehicle on any street during a winter storm and for the 48-hour period following the cessation of precipitation from such a storm or until the snow and/or ice has been cleared and all plowing, salting, cindering, and other snow removal operations undertaken in response to such a storm have ceased, whichever period of time is longer.

**§103. Towing of Vehicles.**

- A. Whenever any vehicle is found to be parked or stopped in violation of the restrictions of this Article I, the Chief of Police, and/or Superintendent of Public Works may issue instructions to an authorized towing service to remove the vehicle from the street to a place of safety, or other location as may be designated by the Township concerning the towing and impoundment of vehicles.
- B. Within 24 hours after the removal of such vehicle, notice of the fact that such vehicle has been impounded shall be sent by the Bedminster Township Police Department to the owner of record. The notice shall designate the place from which the vehicle was removed, the reason for its removal and impounding and advising where the vehicle has been impounded. Such notice shall state that the payment of such towing and storage charges, unless such payment is made "under protest," shall be final and conclusive, and shall constitute a waiver of any right to recover the money so paid. The notice shall contain the words "if the towing and storage charges are paid under protest the owner or operator shall be entitled to a hearing on the matter before the Magisterial District Judge."
- C. In addition to the fines provided herein, the owner of any towed and/or impounded vehicle shall be responsible for paying any and all towing and storage charges before taking possession of the vehicle.

**§104. Penalties.**

- A. Any person who shall violate or permit violation of any provision of this Article I shall pay a civil penalty of not more than One Thousand Dollars (\$1,000.00) together with all court costs and reasonable attorneys' fees actually incurred by the Township. Each day that a violation continues shall constitute a separate offense.
- B. In addition to or in lieu of the civil enforcement action set forth in subsection 1. above, the Township may enforce this Article I by filing an equity action against the violator to abate the violation and correct any damage done.

**ARTICLE II     RIGHT-OF-WAY MAINTENANCE**

**§201. Definitions.**

- A. Unless otherwise expressly stated, the following words shall, for the purpose of this Article II, have the meaning herein indicated. The present tense shall include the future; the singular number shall include the plural; words used in the masculine gender shall include the feminine and the neuter; the word "shall" is always mandatory; the word "may" is always permissive.

**CLEAR SIGHT TRIANGLE** - An area of unobstructed vision at street intersections which is between two (2) feet and eight (8) feet from the ground and is defined by lines of sight between points at a given distance from the intersection of the street right-of-way lines.

**CARTWAY** - The portion of a street, alley, access drive, or driveway, whether paved or unpaved, intended for vehicular use.

**CURB** - A raised line of concrete, stone, or asphalt at and/or forming the edge of the paved cartway.

**DAILY MAINTENANCE** - Any and all activities necessary to generally preserve and maintain (including, but not limited to, structural integrity and normal functioning) a piece of property, a facility, or a structure; including the clearing and/or removal of obstructions (such as debris, sediment, leaves, vegetation, snow, ice, etc.); mowing; weeding; raking; and sweeping, but not including replacement, repairs, or long-term maintenance activities.

**GUTTER** - A paved, concrete, or stone ditch constructed along the edge of a cartway or between the cartway and the curb used to carry surface water runoff.

**OWNER** - The legal owner or owners of land within the Township including a lessee, if he/she is authorized under the lease to exercise the rights of the legal owner, or other person having a proprietary interest in the land.

**PERSON** - A natural person, partnership, corporation, association, or any other legal entity.

**RESERVE STRIP** - A parcel of land whose primary function is to separate a right-of-way from adjacent properties or a cartway from sidewalks, bikepaths, or pedestrian walkways, while not being used or capable of being used as a building lot, open space, or recreation area, or for legitimate environmental protection purposes.

**RIGHT-OF-WAY** - A strip of land over which rights are provided for various purposes, including, but not limited to, pedestrian and vehicular access and travel, storm drainage, and utilities.

**RIGHT-OF-WAY LINE** - A line that forms the boundaries of a right-of-way.

**SIDEWALK** - A path for pedestrians alongside a street or alley, usually constructed of concrete, stone, or brick.

**BIKEPATH/PEDESTRIAN WALKWAY** - a paved path for pedestrians/bicycles, usually constructed of asphalt.

**STREET** - The entire width between the boundary lines of any public highway, road, or roadway within the Township, including the cartway, curb, and shoulder of such highway,

road, or roadway, that is open to the use of the public for purposes of vehicular and pedestrian travel.

**STREET TREE** - A tree installed or maintained in or near the right-of-way in accordance with approved subdivision or land development plans and/or in compliance with the Township's Zoning Ordinance and Subdivision and Land Development Ordinance (those trees adjacent to sidewalks and roadways).

**SWALE** - A lineal or curvilinear depression in the ground that channels surface water runoff.

**TENANT** - A person in sole possession and control of any dwelling unit, building unit, lot, or parcel of land in the Township.

**TOWNSHIP** - Bedminster Township, Bucks County, Pennsylvania.

**VEHICLE** - Any self-propelled motorized vehicle licensed to travel upon the streets, roads, and highways of the Township.

**WINTER STORM** - Precipitation in the form of sleet, ice, freezing rain, or snow, or combination thereof, creating the need for snow or ice removal, salting or cindering operations, or creating hazardous driving conditions. Any precipitation that results in the deposit or accumulation of ice of one quarter (1/4) of an inch or greater in depth or of snow or a combination of precipitation of one (1) inch or greater in depth shall be presumptively deemed to create hazardous driving conditions, and this Article II shall go into effect when any precipitation first accumulates to such a depth.

- B. Any word or term not defined herein shall be used with a meaning of standard usage.

**§202. Care, Maintenance, Repair, and Replacement.**

- A. The provisions of this Section 202 apply to all properties within the R-3, C-1, and C-2 Zoning Districts and all residential properties located within subdivisions containing more than fifteen (15) lots in all zoning districts. All other properties are exempt from these provisions
- B. Owners shall conduct all daily maintenance upon any curb, sidewalk, bikepath, pedestrian walkway, swale, or gutter, within their property or within any right-of-way adjacent to their property, necessary to keep such facilities in good repair, passable, and unobstructed.
- C. Owners shall keep any curb, sidewalk, bikepath, pedestrian walkway, or gutter, within their property or within any right-of-way adjacent to their property, free of refuse, debris and vegetation. Owners shall keep any swale, within their property or within any right-of-way adjacent to their property, free of refuse and debris and shall properly maintain vegetation in the swale. Such care and maintenance shall be undertaken to ensure that all sidewalks,

bikepaths, and pedestrian walkways remain passable by pedestrians, and that all swales and gutters permit the unrestricted flow of storm water.

- D. Owners of unwooded, developed real property shall maintain their properties and adjacent rights-of-way up to the edge of the cartway with well-maintained gardens or properly trimmed grass and shall conduct all daily maintenance on all reserve strips adjacent to their property.
- E. Owners shall maintain all curbs, sidewalks, bikepaths, and pedestrian walkways, within their property or within any right-of-way adjacent to their property, without breaks, irregular surfaces, or missing parts, and shall promptly repair or replace curbs, sidewalks, bikepaths, and pedestrian walkways, when such breaks, irregular surfaces or missing parts occur.
- F. With the exception of salting or cindering sidewalks/walkways during a winter storm or trash receptacles within the right-of-way on trash pickup day, no debris or objects (such as trash receptacles, basketball hoops, chairs, cones, etc.) may be placed or thrown onto or into public streets, sidewalks, bikepaths, pedestrian walkways, swales, gutters, or storm sewer facilities.
- G. Except for daily maintenance, owners are not responsible for the maintenance, repair, replacement, or upkeep of swales and gutters located within any right-of-way adjacent to their property
- H. As a part of daily maintenance, owners are responsible for ensuring that no structures, soil, rocks, vegetation, shrubs, trees, and the like intrude onto, or into the vertical space above, any cartway, sidewalk, bikepath, or pedestrian walkway.
- I. As a part of daily maintenance, owners are responsible for ensuring that no structures, soil, rocks, vegetation, shrubs, trees, and the like intrude into any clear site triangle.
- J. The Township may require owners of property adjacent to any street or alley, including state highways, to construct, pave, repave, and repair sidewalks, curbs, swales, and gutters within such street's or alley's right-of-way, at such grades as may be prescribed by the Township, and under such regulations as may be prescribed by the Board of Supervisors. Prior to conducting such work, an owner shall apply for and receive a permit from the Township for this work.

**§203. Maintenance/Removal of Vegetation and Trees.**

- A. Owners shall maintain all vegetation and trees upon their property or within any right-of-way adjacent to their property, to ensure that they are properly mowed, pruned, and trimmed; free of damage and disease; and shall not create a risk of harm to passersby. Owners mowing, trimming, and/or maintaining vegetation and/or trees must take all proper precautions to protect the public from these activities. Where such vegetation/tree

maintenance activities will possibly affect the safe use of a public street, sidewalk, bikepath, and/or pedestrian walkway, the area affected shall be cordoned off and the Township's approval of such work and street closure shall be obtained.

- B. No street trees shall be removed by an owner unless such trees are fallen, dead, damaged, diseased, at risk of collapse, a danger to the public, and/or causing or anticipated to cause damage to public property/improvements; and only then upon receipt of a tree removal permit from the Township. Owners shall replace any street tree removed from their property or within any right-of-way adjacent to their property, if so directed by the Township within the timeframe set by the Township. All replacement trees shall be of a size and species required by the Township Subdivision and Land Development Ordinance for street trees and shall be approved by the Township. Prior to removing or replacing street trees, an owner shall apply for and receive a permit from the Township for this work. There shall be no fee for this permit.
- C. The Township may require owners of property adjacent to any street or alley, including state highways, to maintain, remove, and/or replace street trees within such street's or alley's right-of-way that are missing, fallen, dead, damaged, diseased, at risk of collapse, a danger to the public, and/or causing or anticipated to cause damage to public property/improvements, at the sole cost of such owners.
- D. The Township may require owners of property adjacent to any street or alley, including state highways, to maintain and/or remove trees within such street's or alley's right-of-way that are fallen, dead, damaged, diseased, at risk of collapse, a danger to the public, and/or causing or anticipated to cause damage to public property/improvements, at the sole cost of such owners.

**§204. Winter Storms.**

- A. Ice and Snow Removal.
  - 1. Any and every person in charge or control of any building or real estate fronting, abutting, or improved with a paved sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, shall keep any sidewalk within their property or within any right-of-way adjacent to their property, free of ice and snow such that all sidewalks shall have a path of at least 30 inches in width cleared of snow and ice and passable by pedestrians within forty-eight (48) hours of the cessation of any precipitation from a winter storm.
    - a. Where the premises are owner-occupied, unoccupied, or vacant, or where there are multiple-business and/or dwellings on the property, the owner shall be responsible for complying with the requirements of this Section 204.



- b. Where the premises are fully occupied by a tenant, then the tenant shall be responsible for complying with the requirements of this Section 204.
  - c. In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person responsible for clearing the sidewalk shall, within forty-eight (48) hours of completion of the winter storm, place enough sand or other abrasive on the sidewalk to make travel reasonably safe and shall, as soon thereafter as weather permits, clear a path in said sidewalk of at least thirty (30) inches in width.
- 2. Any and every person in charge or control of any building or real estate fronting, abutting, or improved with a swale or gutter, whether as owner, tenant, occupant, lessee, or otherwise, shall keep any swale, or gutter, within their property or within any right-of-way adjacent to their property, free of ice and snow such that all swales and gutters shall be unobstructed within forty-eight (48) hours of the cessation of any precipitation from a winter storm.
  - 3. Any and every person in charge or control of any building or real estate fronting, abutting, or improved with a fire hydrant, whether as owner, tenant, occupant, lessee, or otherwise, shall be required to uncover any fire hydrant located on their property or within any right-of-way adjacent to their property, to the extent that at least a three (3) foot radius of clear space shall be maintained around the outside of fire hydrants and so that at least one half (½) of the hydrant is visible from the cartway within twenty-four (24) hours of the cessation of any precipitation from a winter storm.
  - 4. No owner or other person shall be responsible, however, for cleaning snow and ice from Township bikepaths and pedestrian paths which do not abut streets or alleys or are completely physically separated from the remainder of the owner's property by a buffer and/or berm.
- B. **Improper Ice and Snow Removal**
- 1. No snow or ice shall be plowed, pushed, thrown, or cleared from private property onto a public street, sidewalk, bikepath, pedestrian path, gutter, or swale.
  - 2. No snow or ice shall be plowed, pushed, thrown, or cleared from private property onto a neighboring property without the express permission of the owner of the neighboring property.
  - 3. No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant
- C. **Removal of Ice and Snow by Township.**

1. Ice or snow on sidewalks, bikepaths, or pedestrian walkways or in swales or gutters is hereby decreed a public nuisance, and may be removed by Township without prior notice to the owner.
2. Should the Township remove ice or snow on sidewalks, bikepaths, or pedestrian walkways or in swales and gutters in the interest of public safety, the cost of such work may be levied upon the owner, and upon non-payment for a period in excess of thirty (30) days, the cost thereof may be assessed as a municipal lien, together with the cost of collection, and a reasonable administrative charge, and may be collected from the owner as provided by law.
3. Ice and/or snow may be piled by the Township onto or into sidewalks, bikepaths, pedestrian walkways, swales, gutters, or streets incident to the clearing of cartways and other public improvements by the Township.

**§205. Prohibition, Removal, and Impoundment of Obstructions.**

- A. It shall be unlawful for any person to park, place, or allow to remain any object, other than a vehicle, in any street from November 1<sup>st</sup> of each year through April 1<sup>st</sup> of the following year. It shall be unlawful for any person to park, place, or allow to remain any object, other than a non-motorized mode of transportation, on a sidewalk, bikepath, or pedestrian walkway from November 1<sup>st</sup> of each year through April 1<sup>st</sup> of the following year.
- B. The Township shall have the authority to remove and impound, or to order the removal and impounding of any object found in a street or on a sidewalk, bikepath, or pedestrian walkway in violation of this Article II. If, however, at the time of the intended removal by the Township, the owner or the person in charge of such object is present and expresses a willingness and intention to remove this object immediately and does so, then the Township shall not have the authority to remove and impound.
- C. Removal and impounding of objects under this Article II shall be done only by Township personnel or approved agents. Every such approved agent shall submit evidence to the Township that it is bonded or has acquired liability insurance in an amount satisfactory to the Board of Supervisors as sufficient to indemnify owners of impounded objects against loss or damage to those objects in the custody of the approved agent. The approved agents shall have an approved storage area and shall submit to the Township a schedule of charges for removal and storage of objects under this Section. When the schedule is approved by the Board of Supervisors, those charges shall be adhered to by the approved storage agent, and no different schedule of charges shall be demanded of or collected from any person whose object is removed or impounded under this Section by any approved storage agent. The Board of Supervisors shall delete from its list of approved storage agents and areas any such agent that makes any unapproved charge in connection with any objects removed or impounded under this Section. In order to reclaim an object removed pursuant to the provisions hereof, the owner, lessee, or other person having an interest therein shall pay such removal and storage costs according to the approved schedule.

**§206. Supports under Sidewalks and Curbs.**

Where sidewalks, curbs, bikepaths, or pedestrian walkways are to be constructed, paved, repaved, or repaired over swales, gutters, or excavations of any kind, such curbs, sidewalks, bikepaths, and/or pedestrian walkways shall be supported by iron or steel beams, girders, stone, or concrete arches or as otherwise approved by the Township. Any supports constructed of wood or other material prone to decay, rot, or erosion shall be prohibited.

**§207. Conformity to Line and Grade.**

All curbs, sidewalks, bikepaths, pedestrian walkways, swales, and gutters shall be constructed, paved, repaved, or repaired, upon the line and grade as required by the Township, following application by the owner to the Township for all necessary permits.

**§208. Notice to Do Work.**

- A. Any notice from the Township to an owner to construct, pave, repave, or repair curbs, sidewalks, bikepaths, pedestrian walkways, swales, or gutters; or to replace street trees shall grant the owner at least ninety (90) days to comply with said notice in conformity with any construction specifications prescribed by the Township, and the ADA, as applicable. No work shall be conducted without a permit.
- B. Any notice from the Township to an owner to maintain and/or remove vegetation, trees, and/or street trees shall grant the owner at least ten (10) days to comply with said notice. No work shall be conducted without a permit.

**§209. Inspection.**

At any time during the performance of the required work, a Township employee/agent/representative may inspect the work to determine whether construction specifications are being observed.

**§210. Township May Do Work and Collect Costs.**

- A. Upon the failure or refusal of any owner to timely construct, pave, repave, or maintain any curb, sidewalk, bikepath, pedestrian walkway, swale, or gutter, in compliance with a Township notice to do so, the Township may do the same or cause the same to be done, and may levy the cost of this work, together with the cost of collection and a reasonable administrative charge, on the owner as a municipal lien to be collected as provided by law.

- B. Upon the failure or refusal of any owner to timely maintain, remove, and/or replace vegetation, trees, and/or street trees upon their property or within any right-of-way or reserve strip adjacent to their property, in compliance with a Township notice to do so, the Township may do the same or cause the same to be done, and may levy the cost of this work, together with the cost of collection and a reasonable administrative charge, on the owner as a municipal lien to be collected as provided by law.

**§211. Emergency Repairs.**

Where, in the opinion of the Township, a dangerous condition exists that must be immediately repaired, remedied, and/or removed, the Township shall send the owner of the property containing this condition a notice by personal delivery, registered mail, or certified mail stating emergency work is required. Upon failure of such owner to comply with the notice within forty-eight (48) hours after receiving it, the Township may undertake the required emergency work and repairs, and levy the cost of this work/repairs, together with the cost of collection and a reasonable administrative charge, on the owner as a municipal lien to be collected as provided by law.

**§212. Construction and Repair Done on Owner's Initiative Without Notice.**

Any owner not required by notice to construct, pave, repave, or keep in repair curbs, sidewalks, bikepaths, pedestrian walkways, swales, or gutters; or to maintain or replace missing, dead, damaged, or diseased street trees, may construct, pave, repave, or repair the curb, sidewalk, bikepath, pedestrian walkway, swale and gutter and maintain or replace dead, damaged, or diseased street trees abutting his/her property; provided such owner shall make application to the Township for a permit before commencing work; shall provide property grades to the satisfaction of the Township before commencement of work; shall conform to the provisions of this Article II and other regulations as to specifications for construction and repair work; and shall notify the Township no less than forty-eight (48) hours before commencement of said work.

**§213. Exemptions.**

- A. Owners of parkland, farm fields, undeveloped properties larger than five (5) acres, and residential properties larger than ten (10) acres are exempt from complying with the maintenance, repair, and replacement requirements of this Article II concerning curbs, sidewalks, bikepaths, pedestrian walkways, swales, and gutters and are exempt from complying Subsections 204.A.1 & 2 of this Article.
- B. All property owned by Bedminster Township containing sidewalks, bikepaths and pedestrian walkways is exempt from Section 204 of this Article.

**§214. Penalties.**

- A. Any person who shall violate or permit violation of any provision of this Article II shall pay a civil penalty of not more than One Thousand Dollars (\$1,000.00) together with all court costs and reasonable attorneys' fees actually incurred by the Township. Each day that a violation continues shall constitute a separate offense. This penalty may be levied upon the owner, any tenant, and any other occupant of the real property containing the violation subject to the provisions hereof.
- B. In addition to or in lieu of the civil enforcement action set forth in subsection 1. above, the Township may enforce this Article II by filing an equity action against the violator to abate the violation and correct any damage done.

**ARTICLE III Repealer.**

Ordinance 171 is hereby repealed and replaced in its entirety by this Ordinance. All other ordinances or parts of ordinances which are inconsistent herewith are hereby repealed, but only to the extent of such conflict.

**ARTICLE IV Severability.**

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 Bedminster Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**ARTICLE V Effective Date.**

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

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**BEDMINSTER TOWNSHIP**  
**Ordinance # 246**  
(Duly Adopted \_\_\_\_\_)

**ENACTED AND ORDAINED** this 14<sup>th</sup> day of April, A.D., 2021,  
by the Board of Supervisors of Bedminster Township in lawful session, duly assembled.

**BEDMINSTER TOWNSHIP**  
**BOARD OF SUPERVISORS**

  
Morgan Cowperthwaite, Jr.

  
Glenn A. Wismer

  
Mark W. Schmidt