

**GREENWICH TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA**

ORDINANCE NUMBER 2022-01

AN ORDINANCE OF GREENWICH TOWNSHIP, BERKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROHIBITING AND IMPOSING PENALTIES FOR VEHICLE PARKING ALONG THE PUBLIC RIGHT-OF-WAY FOR THE NORTH AND SOUND BOUND LANES OF KRUMSVILLE ROAD, A/K/A STATE ROUTE 737, BETWEEN THE NORTHERN-MOST AND SOUTHERN-MOST POINTS OF 52 ZETTLEMOYER ROAD, GREENWICH TOWNSHIP, PA, PROPERTY I.D. NO. 45544501183596.

WHEREAS, Harmike Investments LLC (“Developer”) is a Pennsylvania limited liability company owning real property situated at 52 Zettlemoyer Road, Greenwich Township (“Township”), Berks County, Pennsylvania, Property I.D. No. 45544501183596 (“Property”), which abuts Krumsville Road, also known as State Route 737 (“S.R. 737”);

WHEREAS, on November 4, 2019, the Board of Supervisors of the Township conditionally approved the Developer’s Final Land Development Plan dated May 6, 2019 and last revised October 4, 2019 seeking to improve the Property by erecting a gas station and convenience store with parking, utilities, and stormwater management facilities (“Development”);

WHEREAS, the Pennsylvania Department of Transportation (“PennDOT”), pursuant to regulations within Subpart B of Chapter 67 of Pennsylvania’s Administrative Code, has imposed numerous conditions upon that Development before issuing a Highway Occupancy Permit for the Development’s access to S.R. 737, including the Developer’s construction of a left-hand turn lane and the related infrastructure thereto on S.R. 737 (“Left-Hand Turn Lane”) at its sole obligation, cost and expense, as well as the erection and maintenance of no-parking signage along S.R. 737;

WHEREAS, the Township and Developer entered into a State Highway Infrastructure Maintenance and Indemnification Agreement executed December 7, 2021 and recorded December 9, 2021 at Instrument No. 2021061266 wherein, amongst other responsibilities, the latter agreed to erect and maintain the no-parking signage along S.R. 737 at its sole obligation, cost and expense; and

WHEREAS, the Township, pursuant to Section 2328, titled "Regulation of Parking," of the Second Class Township Code, 53 P.S. § 65101, *et seq.*, has the discretion to regulate parking on streets within its jurisdiction for public convenience and protection and thereby prohibits vehicular parking along the public right-of-way for the north and south bound lanes of S.R. 737 between the Property's northern-most and southern-most points.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Greenwich Township, Berks County, Pennsylvania, and it is hereby **ENACTED AND ORDAINED** by the authority of the same as follows:

SECTION 1: Prohibition. Neither a vehicle nor any portion thereof shall at any time whatsoever be parked along the public right-of-way for the north and south bound lanes of Krumsville Road, also known as S.R. 737, between the northern-most and southern-most points of 52 Zettlemyer Road, Greenwich Township, PA, Property I.D. No. 45544501183596.

SECTION 2: Penalties. Any person who violates this Ordinance shall, upon conviction by a Magisterial District Judge in an action brought in the same manner for summary offenses as set forth in the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine not less than fifty dollars (\$50.00) but no more than five hundred dollars (\$500.00), plus the costs of prosecution, and in default of payment thereof, may be imprisoned for not more than five (5) days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist under this Ordinance.

SECTION 3: Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid then the same shall neither affect nor impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance.

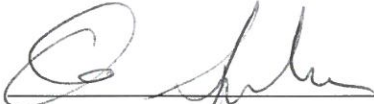
SECTION 4: Repealer. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 5: Enactment. This Ordinance shall become effective on the earliest date allowable under applicable law.

[Remainder Intentionally Left Blank
with Signature Page to Follow]

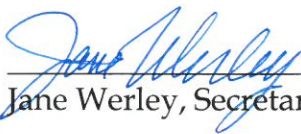
DULY ENACTED AND ORDAINED this 7th day of March, 2022.

**GREENWICH TOWNSHIP,
BERKS COUNTY, PENNSYLVANIA**



Dean Spohn, Chairman

ATTEST:



Jane Werley, Secretary / Admin.



Victor Berger, Supervisor

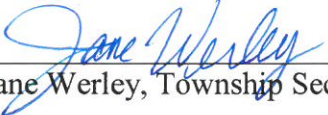


Alice Flyte, Supervisor

MUNICIPAL CERTIFICATE OF ENACTMENT

I, Jane Werley, hereby certify that the foregoing is a true and correct copy of the Ordinance No. 2022-01 enacted by the Board of Supervisors of Greenwich Township, Berks County, Pennsylvania at a duly advertised meeting held March 7, 2022 pursuant to law.

Date: 03/07/2022



Jane Werley, Township Secretary