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AUG 20 2004  
BERKS COUNTY  
PLANNING COMMISSION

ORDINANCE NO. 237

AN ORDINANCE OF THE TOWNSHIP OF LOWER HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, AMENDING SECTION 278, ENTITLED "USES PERMITTED BY CONDITION", OF SUBPART B, ENTITLED "ZONING DISTRICT REGULATIONS", OF PART 1, ENTITLED "ZONING ORDINANCE OF THE TOWNSHIP OF LOWER HEIDELBERG", OF CHAPTER XXXI, ENTITLED "ZONING", OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF LOWER HEIDELBERG, BERKS COUNTY, PENNSYLVANIA BY AMENDING USES PERMITTED BY CONDITION IN THE I-1 GENERAL INDUSTRIAL DISTRICT TO INCLUDE AUTOMOBILE DEALERSHIPS

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

Section 1. Section 278, entitled "Uses Permitted by Condition", of Subpart B, entitled "Zoning District Regulations", of Part 1, entitled "Zoning Ordinance of the Township of Lower Heidelberg", of Chapter XXXI, entitled "Zoning", of the Township of Lower Heidelberg Code of Ordinances is hereby supplemented by adding thereto the following new Subsection (b):

"(b) Automobile dealerships, subject to:

(1) Fuel pumps, if any, shall be at least twenty feet (20') from any Right-of-Way line.

(2) All automobile parts, dismantled vehicles and similar articles shall be stored within a building."

Section 2. 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 Lower Heidelberg Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

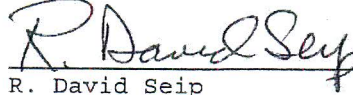
Section 4. This Ordinance shall become effective five (5) days from the date of enactment.

Section 5. The Code of Ordinances of the Township of Lower Heidelberg, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance.

This Ordinance shall become a part of the Code of Ordinances of the Township of Lower Heidelberg, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 16<sup>th</sup> day of August, 2004.

TOWNSHIP OF LOWER HEIDELBERG

  
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R. David Seip

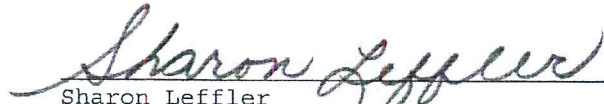
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Ronald L. Dentzer

  
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Russell Swinehart

CERTIFICATION

I, Sharon Leffler, Township Secretary of the TOWNSHIP OF LOWER HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 237 enacted at a regular meeting of the Board of Supervisors of the Township of Lower Heidelberg, Berks County, Pennsylvania held on August 16, 2004.

  
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Sharon Leffler  
Township Secretary

Dated: August 16, 2004