

**EAST PENN TOWNSHIP
CARBON COUNTY, PENNSYLVANIA
ORDINANCE NO. 2017-01**

**AN ORDINANCE OF THE TOWNSHIP OF EAST PENN, CARBON COUNTY,
PENNSYLVANIA, AMENDING ORDINANCE NO. 58 OF 1990 AND ESTABLISHING
SUPPLEMENTAL REGULATIONS FOR INSTALLATION OF BUILDING NUMBERS,
AND PENALTIES FOR VIOLATION THEREOF.**

Be it enacted and ordained by the Board of Supervisors of East Penn Township, Carbon County, Pennsylvania, the within Ordinance (hereinafter, the "Ordinance") is hereby enacted and ordained by the authority of the same to amend the prior Ordinance No. 58 of 1990, to establish supplemental regulations for the installation of building numbers, and penalties for violation thereof.

This ordinance is duly ordained and adopted as follows:

SECTION 1. SHORT TITLE.

This Ordinance shall be known and may be cited as Building Numbering Ordinance of East Penn Township.

SECTION 2. AUTHORITY.

This Ordinance is adopted pursuant to the provisions of the Pennsylvania Second Class Township Code, Act of May 1, 1933 (P.L.350, No.60), as amended November 9, 1995 (P.L.350, No.60), as amended.

SECTION 3. PURPOSE AND CONTENT.

The purpose of the Ordinance is to enhance public safety and security, and generally protect the public health, safety and welfare by improving the ability of emergency response personnel to navigate and locate dwellings and other structures located in East Penn Township (hereinafter, the "Township"), and to provide for the convenience of the general public.

SECTION 4. BUILDING NUMBER SIGNS.

- a. It shall be the responsibility of the owner of any occupied structure in the Township to permanently install, display and maintain a building number sign which conforms to the requirements of this Ordinance.
- b. Durable, weatherproof signage which permanently displays the building number designated by Carbon County for the 911 emergency call system for the corresponding structure shall be installed in a prominent location that is clearly visible from the street, not more than ten (10) feet from the point where the

driveway, parking lot, private road or other means of access to the structure intersects with a public or private road.

- c. Building numbers must be expressed in numerals only (e.g., the words “Fifty-Eight” shall not be permitted to designate a building designated by the number “58”).
- d. All numerals shall be of a color to distinctly contrast with the background color of the sign, and shall be made of a reflective material. White reflective numerals on a green background is mandatory.
- e. Numerals shall not be less than three (3) inches in height and one and one-half (1½) inches in width.
- f. Building number signs shall be attached to a post, mailbox or other appropriate structure on the same side of the nearest public or private road as the corresponding structure, at a point not less than three (3) feet above ground level.
- g. Building number signs shall be visible and reflective from both directions of travel from the public or private road.
- h. Obstructions (including snow) shall be removed to permit the sign to be visible for a distance of not less than fifty (50) feet from the sign in both directions.

SECTION 5. ENFORCEMENT.

- a. This Ordinance shall be enforced by any of the Township Zoning Officer, Code Enforcement Officer and/or any law enforcement officer having jurisdiction in the Township, or such other official(s) as may be designated by the Board of Supervisors by resolution from time to time.
- b. No zoning permit and no certificate of occupation shall be issued for any existing or proposed structure until a building number sign has been installed on the property in accord with this Ordinance.

SECTION 6. IMPLEMENTATION.

All property owners shall be responsible for the installation, display and maintenance of building number signs in strict compliance with this Ordinance within ninety (90) days from the date that written notice of non-compliance is mailed in accordance with Section 8, *infra*.

SECTION 7. WAIVER OR MODIFICATION OF REQUIREMENTS.

- a. The provisions of this Ordinance are intended as a minimum standard for the protection of public health, safety and welfare. If strict, literal compliance with any of the provisions of this Ordinance is shown by a property owner to be

unreasonable or to cause an undue hardship, the Board of Supervisors may, in its sole discretion, grant a waiver from, or modification of, such provision(s). However, the granting of such a waiver or modification shall be strictly limited to the subject property owner(s), and shall not reduce or otherwise affect the strict enforceability of this Ordinance as against any other property owners.

- b. All requests for waivers or modifications shall be in writing, and shall include the specific sections of the Ordinance in question, and provisions for alternatives to the requirements. The Board of Supervisors shall make a determination within thirty (30) days following the date of submission of such a written waiver or modification request, and may condition an approval on the property owner's acceptance of and compliance with reasonable conditions.

SECTION 8. VIOLATIONS, PENALTIES AND REMEDIES.

- a. A violation of this Ordinance shall constitute a summary offense, and any person who fails or refuses to strictly comply with any of the provisions of this Ordinance within ten (10) days following the mailing of a written notice of a violation in accordance with Section 9 herein shall, upon conviction before a Magisterial District Judge, be subject to a fine of Fifty Dollars (\$50.00). Any person who fails to pay the fine may be subject to a sentence of incarceration of a maximum of thirty (30) days. Each day of a continuing violation shall constitute a separate offense.
- c. In addition to fines and penalties prescribed in subparagraph a., above, the Township may enforce this Ordinance by equitable, injunctive and other remedies of law.
- d. The Township shall recover from the violator(s) any and all reasonable attorneys fees, court costs and other costs incurred by the Township in enforcing this Ordinance.

SECTION 9. NOTICE.

Upon receipt of notice of a violation of this Ordinance from any of the Township Zoning Officer, Code Enforcement Officer and/or any law enforcement officer having jurisdiction in the Township, or other designated official(s), the Township Secretary shall provide written notice of such violation to the subject property owner(s) at his, her or their last-known address(es) via certified mail, return receipt requested, and regular First-Class U.S. Mail. If any notice sent via certified mail, return receipt requested is returned as unclaimed, but the notice sent via regular First-Class Mail is not returned as undeliverable, such notice shall be deemed to have been properly served.

SECTION 10. SEVERABILITY.

The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application.

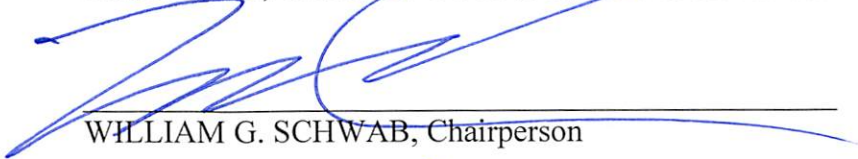
SECTION 11. REPEALER.

Any and all other Ordinances, Resolutions or parts thereof inconsistent herewith are expressly repealed by the adoption of this Ordinance.

SECTION 12. ENACTMENT.

This Ordinance is hereby adopted and enacted this 3rd day of April, 2017, and shall become effective five (5) days after enactment.

**BOARD OF SUPERVISORS OF THE TOWNSHIP OF
EAST PENN, CARBON COUNTY, PENNSYLVANIA:**



WILLIAM G. SCHWAB, Chairperson



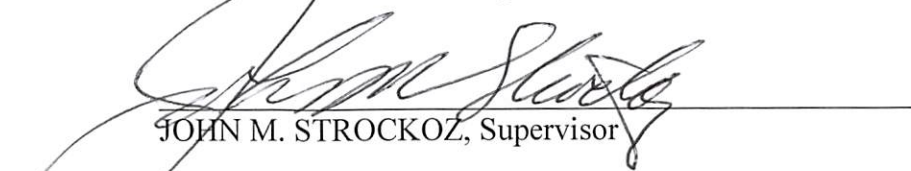
ALICE I. BERGER, Supervisor



DEANNA CUNFER, Supervisor



STEVEN HECKMAN, Supervisor



JOHN M. STROCKOZ, Supervisor

ATTEST:



JILLYAN A. STERLING, Secretary