

ORDINANCE NO. 19

AN ORDINANCE REGULATING THE PLACEMENT AND SIZE
OF POST ADDRESS ON MAILBOXES, HOUSES, AND OR
BUILDINGS IN BERWICK TOWNSHIP AND PRESCRIBED
PENALTIES FOR VIOLATION.

WHEREAS, the Board of Supervisors believes that to protect the health, safety, and welfare of the residents regulation is necessary to provide a uniform system throughout the Township regarding the methods by which mailboxes, houses, and buildings display their post address numbers.

WHEREAS, a uniform display of the post address will facilitate prompt identification by emergency personnel of those locations in need of there services when they are responding in emergency situations.

WHEREAS, Section 702 of the Second Class Township Code, 1933, May 1, P.L. 103, Art. VII Section 702 cl. XXXVII, as amended, 53 Subsection 65737 authorizes townships of second class to regulate the naming of streets, roads and highways, and require numbering of buildings.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained, by the Board of Supervisors of Berwick Township as follows:

Section 1. Definitions

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its most reasonable application.

- f1) "Township" is the Township of Berwick, Adams County, Pennsylvania.

- (2) "Board of Supervisors" is the Board of Supervisors of Berwick Township, Adams County, Pennsylvania.

- (3) "Owner" is a person owning, leasing, occupying, or having charge of any premises within the Township.

- (A) "Building" any building or other structure, including, but not limited to, those of residential, commercial, or industrial nature.

- (5) "House" any building used for the purpose of a dwelling.

- (6) "Mailbox" any receptacle used for the collection of the U.S. mails which identifies that particular

location.

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- (7) "Post Address" the numbered system which identifies particular location to the U.S. Postal Service.

Section 2. SIZE AND LOCATION OF POST ADDRESS NUMBERS.

All buildings and or homes that employ curbside mailboxes shall display their post addresses in the following manner:

(a) Post Address shall be clearly visible both day and night by using reflective numerals.

(b) Numerals shall be of contrasting color to the mailbox.

(c) Said numerals shall be placed on both sides of the mailbox and be three (3) inches in height, and be placed on the front of the mailbox and be one (1) inch in height.

Any other building or home that displays their post address on the structure shall do so in the following manner:

(a) Post address numbers shall be clearly visible from the street both day and night and numbers shall be illuminated by a light fixture during night time hours.

(b) Said numerals shall be at least three (3) inches in height.

(c) Said numerals shall be of contrasting color to the background upon which they are placed.

Section 3. WRITTEN NOTICE TO VIOLATIONS REQUIRED.

Whenever a condition exists constituting a violation of this ordinance, the Board of Supervisors shall cause written notice to be served upon the owner in one of the following ways:

(a) By making personal delivery to the notice of the owner.

(b) By handing a copy of the notice at the residence of the owner to an adult member of the family with which he resides; but if no adult member of the family is found, then to an adult person in charge of such residence.

(c) By fixing a copy of the notice to the door at the entrance of the premises in violation.

(d) By mailing a copy of the notice to the last known address of the owner by certified mail.

(e) By publishing a copy of the notice in the local newspaper once a week for three consecutive weeks.

(f) Such notice shall set forth in which respects such condition constitutes a violation of said ordinance and what is required for compliance. Such notice shall require the owner to commence action in accordance with the terms thereof within ten (10) days and thereafter to comply fully with its terms.

Section 5. PENALTY FOR VIOLATION.

If the owner after receiving due notice refused to comply with the terms of this ordinance:

(1) The fine and penalty for any violation of any of the provisions of Section 2 of this ordinance shall be not less than Twenty-Five (\$25.00) Dollars, or more than Three Hundred 00/100 (\$300.00) Dollars, and the costs of prosecution, which fine and penalty may be collected by suit or summary proceedings brought in the name of the Township before any District Justice. Upon judgment against any person by summary conviction or by proceedings by summons or default of the payment of the fine or penalty imposed, the Defendant may be sentenced and committed to the county jail for a period not exceeding then (20) days, provided, however, that each days continuation of a violation after the expiration of the time stated in the notice pertaining thereto shall constitute a separate offense.

Section F, SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct, and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

Section 7. REPEAL OF INCONSISTENT ORDINANCES.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 8. EFFECTIVE DATE.

This ordinance shall become effective five (5) days after the adoption hereof.

ENACTED AND ORDAINED this 11th day of February 1991, in lawful session duly assembled.

ATTEST:

BERWICK TOWNSHIP,
ADAMS COUNTY, PENNSYLVANIA

Secretary

By: Carl L. Leib
-airman,

Lyoard of Supervisors