

**LOWER POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NUMBER 366

**AN ORDINANCE OF LOWER POTTS GROVE TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING
SECTION 165-6(C) OF CHAPTER 165 OF THE CODE OF
ORDINANCES OF LOWER POTTS GROVE TOWNSHIP, KNOWN
AS THE LOWER POTTS GROVE TOWNSHIP PEDDLING AND
SOLICITING ORDINANCE OF 2023, AMENDING THE TIMES
AND DAYS IN WHICH PEDDLING AND SOLICITING CAN
OCCUR WITHIN LOWER POTTS GROVE TOWNSHIP.**

WHEREAS, the Board of Commissioners of Lower Pottsgrove Township may regulate for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of Lower Pottsgrove Township and the inhabitants thereof pursuant to Section 1502.XLIV of The First Class Township Code; and

WHEREAS, the Board of Commissioners of Lower Pottsgrove Township may further regulate for the proper management, care and control of Lower Pottsgrove Township, and the maintenance of peace, good government and welfare of Lower Pottsgrove Township pursuant to Section 1502.LII of The First Class Township Code; and

WHEREAS, the Board of Commissioners of Lower Pottsgrove Township enacted Chapter 165 of the Code of Ordinances of Lower Pottsgrove Township, known as the Lower Pottsgrove Township Peddling and Soliciting Ordinance of 2023, on July 6, 2023 by Ordinance No. 364 concerning peddling and soliciting within the Lower Pottsgrove Township; and

WHEREAS, the Board of Commissioners of Lower Pottsgrove Township desires to amend Section 165-6(C) of the Lower Pottsgrove Township Peddling and Soliciting Ordinance of 2023 concerning the days and times in which peddling and soliciting can occur within Lower Pottsgrove Township; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Lower Pottsgrove Township Board of Commissioners, Montgomery County, Pennsylvania, and it is hereby ***ENACTED*** and ***ORDAINED*** by the authority of same as follows:

SECTION 1. AMENDMENT. Section 165-6(C) of Chapter 165 of the Code of Ordinances of Lower Pottsgrove Township, known as the Lower Pottsgrove Township Peddling

and Soliciting Ordinance of 2023, is amended by deleting such section in its entirety and replacing it with the following:

C. The peddler or solicitor shall only engage in peddling or soliciting within the Township during the hours of 9:00 a.m. to dusk eastern standard time. For purposes of this Section only, the term “dusk” shall be defined as the time of day just before night when the daylight is almost gone but when it is not completely dark.

SECTION 2. SEVERABILITY. If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of this Ordinance shall continue to be separately and fully effective.

SECTION 3. RE-ENACTMENT AND REPEALER. The remaining provisions of the Code of Ordinances of Lower Pottsgrove Township, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent not inconsistent herewith, are hereby re-enacted and re-ordained; any Sections inconsistent with the amendments hereinbefore referenced are hereby repealed as referenced.

SECTION 4. EFFECTIVE DATE. This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

ORDAINED and ENACTED this 18th day of April, 2023.

**LOWER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS**

BY: Raymond W. Lopez
Raymond W. Lopez, President

ATTEST: Nicole Varady
Nicole Varady, Secretary