

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that during their previously advertised meeting scheduled to begin at 7:00pm on Monday, March 13, 2023, to be held at Borough Hall in Council's Meeting Room, located on the Third Floor of Pottstown Borough Hall, 100 E. High Street, Pottstown, Montgomery County, Pennsylvania, **THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN** intends to adopt an ordinance which will create a regulatory scheme for the registration and inventorying of commercial units within Pottstown Borough in order to allow for the creation and maintenance of a database of businesses operating within Borough limits for the purpose of informing and aiding economic revitalization and redevelopment, as well as to aid police, fire, and emergency responders during emergency events.

The following is a synopsis of the proposed ordinance:

Section 1. This section amends Chapter 5, Code Enforcement, of the Code of Ordinances of the Borough of Pottstown, as amended, to provide for a new Part 17, Registration of Occupied Commercial Units, which shall consist of the following:

§ 1701. Purpose. This section outlines the purpose of the ordinance, which is to (1) create a regulatory scheme in which every commercial unit within the Borough is either registered as actively used or vacant; (2) promote active, productive use of all properties within the Borough; and (3) allow for the creation and maintenance of a database of businesses operating within the Borough for the purpose of informing and aiding economic revitalization and redevelopment, as well as to assist police, fire, and emergency responders during emergency events.

§ 1702. Definitions. This section defines the following terms: Business, Code, Commercial Unit, Enforcement Officer, Industrial, Institutional, Occupied, Owner (of a Unit), Permanent Basis, Residential, Temporary, and Unit.

§ 1703. Registration Required. This section requires that occupied commercial units be registered with the Licensing and Inspections Department at all times and therein establishes the duration of a registration, the information to be provided at the time of registration, the obligation to update any changes in that information, and a registration fee.

§ 1704. Violations and Penalties. This section provides that each violation of a section or subsection of this ordinance shall constitute a separate violation. Each day the violation persists shall then constitute a separate summary offense for which the maximum criminal fine of \$1,000 and/or a maximum term of imprisonment of ninety (90) days may be imposed upon conviction. For the enforcement of this ordinance or to correct any violation thereof, the Borough may also, or in the alternative, institute appropriate action or proceeding at law or equity. The offender shall also be assessed all court costs and be required to reimburse all attorneys' fees reasonably incurred by the Borough in association with securing a conviction and/or related to any other proceedings instituted pursuant hereto.

Section 2. Severability.

Section 3. Reenactment.

Section 4. Effective Date. This ordinance is effective immediately upon enactment.

A complete copy of the proposed ordinance has been provided to the Montgomery County Law Library and the Pottstown Mercury, and is available at those locations for inspection. The proposed ordinance is also available for inspection without charge at Borough Hall during normal business hours. Please be advised, however, that the Borough may charge a fee to obtain a copy of the proposed ordinance so long as the fee is not greater than the cost thereof.

**THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN**

Justin Keller, Manager

Prepared by:

Matthew T. Hovey, Esquire
High Swartz, LLP
Assistant Solicitor