

ORDINANCE NO. _____

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING § 214, "OBSTRUCTIONS," OF PART 2, SIDEWALKS, OF CHAPTER 21, STREETS AND SIDEWALKS, IN ORDER TO CLARIFY THE ILLEGALITY OF ANY USE OF A PUBLIC SIDEWALK FOR ANY PURPOSE OTHER THAN PUBLIC PASSAGE UNLESS OTHERWISE AUTHORIZED BY COUNCIL.

NOW, THEREFORE, by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, it is hereby **ENACTED** and **ORDAINED** as follows:

SECTION 1. Section 214, "Obstructions," of Part 2, Sidewalks, of Chapter 21, Streets and Sidewalks, is hereby amended to read as follows:

§ 214 Impermissible Use of Public Sidewalks.

It shall be unlawful to use a public sidewalk in any way other than for public passage unless otherwise (1) authorized by the Borough's Code of Ordinances, including, but not limited to, Chapter 27, Zoning, or (2) pursuant to a permit authorized by Borough Council, upon recommendation of the Chief of Police Department, Borough Manager, and the Director of Licensing and Inspections, or their designees.

SECTION 2. Severability. 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 part of the remaining ordinance provisions, sentences, clauses, sections. It is the intent of the Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, had not been included herein.

SECTION 3. Reenactment. All other parts of Chapter 21, Streets and Sidewalks, of the Pottstown Borough Code of Ordinances, as amended, are hereby re-enacted and reordained and shall remain in effect as previously adopted.

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

ENACTED and **ORDAINED** this ____ day of _____, 2023.

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

BY:

Dan Weand, President

ATTEST:

Virginia L. Takach, Secretary

Approved this ____ day of
_____, A.D., 2023.

Stephanie Henrick, Mayor