

CODE OF ORDINANCES

of the

TOWNSHIP OF AMITY

Berks County, Pennsylvania

Published by Authority of

The Board of Supervisors

Adopted: May 7, 2001

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of the
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Berks County, Pennsylvania

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FOREWORD

History of the Township

The history of Amity Township is distinctive in several respects. It is the oldest incorporated township in Berks County, Pennsylvania. Berks County's oldest structure, The Mouns Jones House, is located in Amity Township, as well as St. Gabriel's Church which was the first congregation to be organized in Berks County. Records indicate that the first house of worship and the first cemetery were established in Amity Township.

Amity Township, bordering the eastern bank of the Schuylkill River, is located in southeastern Berks County about 55 miles northwest of Philadelphia. The location of the Township influenced its history and development in various ways. Its location along the Schuylkill River made access possible to the eastern portion of Penn's new colony, both by water and by the roads that were developed down the valley of the Schuylkill. This accessibility to a great extent explains the presence of various nationalities in the Township shortly after its settlement.

Early Settlements

The Swedes were the first people to settle within the present boundaries of Amity. Land was granted for the settlement by William Penn in the year 1701. The grant was known as the Swedes' Tract. It has been suggested that settlement was made several years later since the Swedes, a very law abiding people, would not have taken possession of the land until all legal preliminaries had been completed. However, the date 1701 always has been used as the date of the establishment of the new colony on the Schuylkill. This settlement, at Douglassville, called Morlatton by the early inhabitants of the region, is unique in the history of the county. It was not an extension of the frontier, cabin by cabin, as was the case in much of the westward movement in our country. This settlement was made by a group of Swedish people who formerly had resided along the Delaware. A young Swedish pastor, Rev. Andrew Rudman, was the leader of this band of settlements. In many respects it is similar to the colonization of Connecticut when entire congregations led by their pastors would migrate from the Massachusetts Bay Colony to areas beyond its western borders.

The question naturally arises, why did this small band of Swedish people, under the leadership of a Lutheran pastor, suddenly appear on the historical scene by establishing a settlement along the Schuylkill above the mouth of the Manatawny? The question is an intriguing one. For an answer we must consider the history of the seventeenth century.

Sweden, emulating the other European powers of the period, had attempted to establish a colonial empire in America that was anchored on the banks of the Delaware.

and the basic conditions of a food supply had been met, the Swedish pioneers made provisions for organized worship.

Communication was a most essential element for the early settlers. Early records note several efforts of the inhabitants of the settlement at Morlatton to lay out roads to neighboring communities. In March, 1709 they joined other settlers located to the east of their community in presenting a petition to the court in Philadelphia to have a road laid out from the house of the late Edward Lane, now Collegeville, "unto Manatania."

Derivation of Name "Amity"

Bean, in his History of Montgomery County, records the settlement of some Swedes at Douglassville a few years after 1699 and the connection of this settlement with a group of Germans at New Hanover. A road was laid out from New Hanover to Germantown. A few years later, other roads were laid out. In one instance the word "Amity" was used to designate a locality.

The name was adopted by the inhabitants of the area to symbolize their relations with the Indians. The Swedish settlers in America maintained friendly relations with the Indians. Although Sweden had lost her colony in America in 1638, she assumed a responsibility for their spiritual welfare. In 1693 a letter was sent from the Swedish people in the former colony asking for two ministers to come to America to administer to them and for the dispatch of certain religious books. In their letter they stated, "We live in great amity with the Indians, who have not done us any harm for many years." From this incident those Swedish settlers who migrated up the Schuylkill beyond the Manatawny called their settlement, Amity. It should be noted that this group continued friendly relations with the Indians.

Incorporation of Township - 1719

By 1719 the settlement had progressed to the point that a need was felt for a local government. Accordingly, an application was presented to the court in Philadelphia to form a township from the Swedes' Tracts which had an area of 10,500 acres. The township was to be called "Amity". A survey had been made by George Boone. According to Montgomery: "The application was granted, the township was erected and a constable and other necessary township officers were appointed, but no record was made of the proceedings and the application had to be renewed twenty-five years afterward."

There was an actively functioning local government in Amity Township during the period between its incorporation in 1719 and the validation of this action by the court in Philadelphia in 1744. It should be noted that at this time Amity was a part of Philadelphia County, as Berks County was not erected until 1752. Furthermore, the new municipality of Amity was recognized by the inhabitants of surrounding areas and by the officials of Philadelphia County.

The slight decrease from 1752 through 1763 may be possibly explained by the fact that township lines were becoming more clearly marked which resulted in some former Amity taxables being transferred to the tax lists of neighboring townships.

Swedes and Other Settlers

The little settlement of Swedish people in Amity was a small outpost of the Swedish civilization of colonial America that was based upon the banks of the Delaware. If there was an outstanding characteristic of the Swedish people it was the ability to mingle with, to live with, to worship with and finally to be assimilated by their neighbors. The Swedes ability to understand English and to live without friction with the English people in the area undoubtedly was an influential factor in the decision of the Morlatton congregation to affiliate with the Episcopal Church. Swedish schools were not well attended because they were not well organized. Many Swedish congregations merged with Episcopal or German Lutheran congregations which often supported schools.

Since the little settlement at Morlatton soon became an integral part of the community of Amity Township, one might be inclined to dismiss the importance of this group of Swedish pioneers as of little significance. This would be an injustice. First, it was necessary that someone should clear the wilderness, if civilization was to be transported into the area beyond the junction of the Schuylkill and the Manatawny. The Swedish settlers made the first clearings in the virgin forests and erected the first dwellings however humble they may have been. The descendants of this nationality made many important contributions to the development of the local area and today the names of the families of these early inhabitants are among our most respected citizens.

Some students of local history are of the opinion that the ease with which the Swedes adapted to the use of the English language is in part the reason that Amity did not adopt the Pennsylvania-German language to the extent that was prevalent in surrounding areas.

The Swedes example of living peaceably with people of other races and nationalities is one that should be heeded by the modern world. The word "Amity" with the implications of its origin may well be the most significant heritage left by these simple farmers of a by-gone century.

The Rev. Henry Muhlenberg in his journal, March 1748, lists four groups in Amity, Swedes, English, Irish and German, the latter pushing into Berks County in ever increasing numbers. The fertility of the soil made Amity an attractive place for settlement. The valley of the Schuylkill offered easy access by land and many of the early inhabitants used the river entirely for travel. The settlement by Irish people is a bit unusual, however studies indicate a sprinkling of this nationality was found among the early settlers of the county. They may have come into the township as indentured servants since early records indicate that many Irish people used this method to pay their passage from the old country to Philadelphia.

Codification

This Code of Ordinances comprises the codification of ordinances of the Township of Amity and was prepared by Kozloff Stoudt, Professional Corporation, and adopted by the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania, on May 7, 2001 by Ordinance No. 181.

Organization

The Code of Ordinances contains the following four (4) parts:

- (1) The valid current ordinances of the Township of Amity contained in Chapters I through XXXII.
- (2) The Appendix which lists by abstracted title all ordinances of a temporary or "one time" nature.
- (3) The Key to the Disposition of All Ordinances ever enacted by the Township of Amity.
- (4) The Index which is an alphabetical arrangement of subjects.

In the Code, each chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page(s) at the beginning of each chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which chapter the subject might be found.

The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment.

The Key to the Disposition of All Ordinances indicates what action has been taken by the codifiers and the Board of Supervisors with regard to every ordinance ever enacted. An ordinance has been: (1) specifically repealed, (2) superseded or repealed by another ordinance, (3) located in a chapter of the Code, or (4) located in the Appendix. The Key is a cross reference to the original ordinance books of the Township of Amity and to the location within the Code of each ordinance by number.

Chapter XVIII	Mobile Homes and Mobile Home Parks
Chapter XIX	Motor Vehicles and Traffic
Chapter XX	Parks & Recreational Areas
Chapter XXI	Planned Residential Development
Chapter XXII	Plumbing
Chapter XXIII	Sewers and Sewage Disposal
Chapter XXIV	Signs and Billboards
Chapter XXV	Stormwater Management
Chapter XXVI	Streets, Sidewalks, Driveways and Curbs
Chapter XXVII	Subdivision and Land Development
Chapter XXVIII	Swimming Pools
Chapter XXIX	Taxation, Special
Chapter XXX	Trees
Chapter XXXI	Water
Chapter XXXII	Zoning

Appendix:

- Appendix A Administration and Government
- Appendix B Agreements
- Appendix C Bond Issues and Loans
- Appendix D Real Estate
- Appendix E Sewers
- Appendix F Streets and Roads

Key to the Disposition of All Ordinances

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Township of Amity shall be authoritative.

The Key to the Disposition of All Ordinances indicates what action has been taken with regard to every ordinance ever enacted.

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this Ordinance shall be known and cited officially as the "Township of Amity Code of Ordinances", and all future ordinances shall make reference thereto. This Ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the Township of Amity Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township

Section 7. Responsibility for Code of Ordinances. It shall be the responsibility of the Secretary of the Township of Amity to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Amity Code of Ordinances and shall be available for public inspection.

Section 8. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of Amity. Whosoever shall violate this section shall, upon conviction thereof, be sentenced to pay a fine of not more than Six Hundred Dollars (\$600.00) and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days.

Section 9. Severability of Parts of Codification. It is hereby declared to be the intention of the Board of Supervisors of the Township of Amity that the chapters, parts, sections, subsections, paragraphs, sentences, clauses and phrases of the Code of Ordinances are severable. If any section, paragraph, sentence, clause or phrase of the Code of Ordinances is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining chapters, parts, sections, subsections, paragraphs, sentences, clauses or phrases of the Code of Ordinances.

ENACTED AND ORDAINED this 7th day of May, 2001.

AMITY TOWNSHIP
BOARD OF SUPERVISORS

F. Eric Sills, PhD, Chairman

D. Gene Hafer, Vice Chairman

Robert R. Yanos

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Attest:

Kelly J. Gibilisco, Secretary