TOWNSHIP OF WASHINGTON
BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2025-5

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF WASHINGTON, BY SUPPLEMENTING CHAPTER 131, TITLED "ZONING ORDINANCE," BY ADDING TO ARTICLE XV TITLED "SUPPLEMENTARY REGULATIONS", A NEW SECTION 131.82 TITLED "FAMILY MEMBER SUITES", AND ESTABLISHING DEFINITIONS, THE PURPOSE, USES PERMITTED BY RIGHT, STANDARDS, AND THE REQUIREMENT OF AN AGREEMENT BETWEEN THE TOWNSHIP AND THE PROPERTY OWNER.

SECTION 1: The Code of Ordinances of the Township of Washington, Chapter 131, titled "Zoning Ordinance," Article XV, titled "Supplementary Regulations", is hereby supplemented to add the following new Section 131.82 titled "Family Member Suites":

A. **Definitions**. As used in this section, the following terms have the meanings indicated:

FAMILY - An individual or any number of individuals living together as a single, nonprofit housekeeping unit, having a single, common cooking facility and living together on the premises as a separate unit in a domestic relationship based upon birth, marriage, or other domestic bond; excluding, however, occupants of a club, fraternity house, lodge, residential club or rooming house. Also, a group of not more than three persons not related, living as a single housekeeping unit in a dwelling unit.

FAMILY MEMBER - A parent, grandparent, or adult child over age 18 who requires continuous care due to injury, illness or a serious physical or mental disability that substantially impairs or restricts one or more activities such as walking, seeing, hearing, speaking, working or learning.

FAMILY MEMBER SUITE - A private living area on a property designed to accommodate a family member as defined above.

B. **Purpose**. It is hereby declared to be the intent of this section to establish reasonable standards and criteria to permit Family Member Suites in new and existing single-family dwellings for aging or ill Family Members. The Township hereby recognizes:

1) The need for Family Members to reside on the same premises as the property owner, when the Family Members is/are dependent, handicapped, elderly or infirm.

2) The need for adults with various disabilities and/or infirmities to have the dignity of living independently (e.g., having separate kitchen, bathroom, living and sleeping areas) while receiving necessary care.

3) The need to prevent the Family Member Suites from becoming a use that is not permitted in the zoning district of the property, such as apartments or multifamily dwellings, or to house individuals, other than those defined as Family Members.

C. **Uses Permitted by Right**.

1) Family Member Suites are a use permitted by right, subject to the standards set forth in Subsection D below, in the A – Agricultural, WSC – Watershed Conservation, R-1 – Rural Residential, R-2 – Suburban Residential, and HDV – High-Density Residential and Village Zoning Districts.

D. **Standards**.

1) Family Member Suites are restricted to single-family dwellings and are not permitted in accessory structures or in other types of dwellings.

2) Family Member Suites may contain separate cooking, sleeping, living and bathroom facilities.

3) The occupancy of a Family Member Suite shall be limited to Family Members (as defined in this Section) of the individuals residing in the principal dwelling unit on the property and shall be limited to two people.

4) A separate mailing address shall not be established for a Family Member Suite.

5) The owner of the principal dwelling unit must obtain a zoning permit and a building permit for the construction of a Family Member Suite. The construction must meet all regulations of all Township ordinances and building codes.

6) If the property has an on-site septic system and one or more bedrooms are being added, the owner will need to provide evidence to the Washington Township Sewage Enforcement Officer that the existing septic system is designed to handle the additional flows to be generated by the Family Member Suite or obtain a permit for the expansion of the existing septic system.

7) Upon completion and approval of the Family Member Suite by the Zoning Officer and Building Code Official, a certificate of use and occupancy will be issued for the Family Member Suite.

8) The owner of the property shall be required to renew the zoning permit every two (2) years for the continued use of the Family Member Suite. Such renewal shall be conditioned upon the owner proving by means of an affidavit signed under penalty of perjury and submitted to the Township that the Family Member (as defined in this section) continues to reside in the Family Member Suite or that the occupant is a qualified Family Member.

9) The certificate of use and occupancy for a Family Member Suite shall expire six (6) months after the use of the Family Member Suite is discontinued.

10) The Township may, at the discretion of the Board of Supervisors, require one (1) additional off-street parking space in addition to the off-street parking required for the principal dwelling unit.

11) A separate entrance to the Family Member Suite is permitted. However, interior ingress and egress between the principal dwelling unit and the Family Member Suite must always exist.

12) The Family Member Suite shall not contain more than 800 square feet of floor area and no more than one (1) bedroom.

13) The Family Member Suite must be attached to the principal dwelling unit as an integral part of the principal dwelling unit. The Family Member Suite shall not be connected to the principal dwelling unit by a breezeway (defined as a covered, open-sided passageway).

14) A Family Member Suite shall not have separately metered utilities.

15) Upon abandonment, the area formerly occupied as a Family Member Suite must be converted back to common living space within the principal dwelling, repurposed for an allowable use or the cooking facilities disassembled/removed within six (6) months of the discontinuance. The Family Member Suite which no longer provides residence for a Family Member (as defined in this Section) cannot subsequently be rented out as an apartment or occupied as a residence except by a Family Member residing in the principal dwelling unit.

E. **Agreement**. The owner of the property shall execute an agreement with the Township, which shall be recorded with the Berks County Recorder of Deeds, that sets forth the requirements of this Section as to the use and occupancy of the Family Member Suite, and sets forth the rights for use and obligations for discontinuance.

SECTION 2. Severability. In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect nor impair any remaining provision, section, sentence, clause, or part of the Ordinance, it being the intent of the Board of Supervisors of Washington Township that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 3 Repealer. The Ordinances of Washington Township, Berks County, Pennsylvania, shall be and remain unchanged and in full force and effect except as amended, supplemented or modified by this Ordinance. This Ordinance shall become a part of the Code of the Township of Washington, Berks County, Pennsylvania, upon adoption. All ordinances or parts of ordinances of the Township which are inconstant herewith, are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect and be in force after its enactment by the Board of Supervisors as provided by law.

ORDAINED AND ENACTED as an Ordinance by the Board of Supervisors of the Township of Washington, Berks County, Pennsylvania, in lawful session duly assembled this 18th day of December, 2025.

TOWNSHIP OF WASHINGTON
BERKS COUNTY PENNSYLVANIA

David D. Moyer, Chairman

Thomas Powanda, Vice Chairman

Romnie S. Long, Supervisor

Attest: Susan J. Brown
Susan J. Brown, Manager / Secretary

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MUNICIPAL CERTIFICATION

I, Susan J. Brown, the Manager / Secretary of the Township of Washington, Berks County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2025-5 adopted at a regular meeting of the Board of Supervisors of the Township of Washington, Berks County, Pennsylvania held on the 18th day of December, 2025.

Susan J. Brown

Susan J. Brown, Manager / Secretary

[SEAL]

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