

BEN AVON BOROUGH  
ORDINANCE NO. 798

AN ORDINANCE AMENDING ARTICLE VII OF AVALON-  
BELLVUE –BEN AVON JOINT ZONING ORDINANCE TO  
UPDATE PERMITTED CONDITIONAL USE PROVISIONS

WHEREAS, the Avalon-Bellevue-Ben Avon Joint Zoning Ordinance (“Joint Zoning Ordinance”) at Section 721 regulates Tavern/Bar as a permitted Conditional Use; and

WHEREAS, the Borough Council wishes to amend the Joint Zoning Ordinance to update Section 2000-721 by eliminating the prohibition of Tavern/Bars in the Borough of Bellevue as set forth in Section 2000-721A; and

WHEREAS, the Avalon-Bellevue-Ben Avon Joint Planning Commission, pursuant to the provisions of the Joint Zoning Ordinance, has drafted and reviewed the following amendment and made a recommendation to the Councils of the Boroughs of Avalon, Bellevue and Ben Avon regarding the same; and

WHEREAS, The Councils of the Boroughs of Avalon, Bellevue and Ben Avon did hold a public hearing on the 28<sup>th</sup> day of November, 2023, after giving public notice; and

WHEREAS, the Allegheny County Economic Development has had the opportunity to review the proposed amendment.

NOW, THEREFORE BE IT ORDAINED by the Council of the Borough of Avalon, Bellevue or Ben Avon, pursuant to the authority conferred by 1984 Pa. Laws 164, codified at 74 Pa. Cons. Stat. §§ 5912, *et seq.*, and the Pennsylvania Municipalities Planning Code, that the Joint Zoning Ordinance be amended as follows:

1. The Joint Zoning Ordinance, Article VII, Section 2000-721 is hereby repealed in its entirety and replaced with the following:
  - A. A tavern/bar shall be located in accordance with the provisions of the Pennsylvania Liquor Control Board
  - B. A tavern/bar’s hours of operation and activities must be appropriately scheduled to protect the existing neighborhood from detrimental noise, disturbance or interruption.
  - C. The owner(s) and operator(s) of a tavern/bar shall be responsible for the conduct and safety of the patrons
  - D. No more than one (1) identification sign shall be permitted; said sign shall be a ground or a wall sign. The graphic area of the sign shall not exceed forty (40) square feet.

DULY ORDAINED AND ENACTED at a public meeting of the Council of the Borough of Avalon, Bellevue or Ben Avon this 19<sup>th</sup> day of December 2023.

**ATTEST:      BOROUGH OF AVALON, BELLEVUE or BEN AVON**

\_\_\_\_\_  
**Borough Secretary**

**BY:** \_\_\_\_\_  
**Council President**

**APPROVED:**

\_\_\_\_\_  
**Mayor                                  Date**

This Ordinance is recorded in the Borough Ordinance book on \_\_\_\_\_ 2021,  
by the undersigned.

\_\_\_\_\_  
**Borough Secretary**