

EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 871

AN ORDINANCE OF THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA, AMENDING SECTION 390-23 UNDER PART II, CHAPTER 390, OF THE EXETER TOWNSHIP CODE OF ORDINANCES ENTITLED "TOWNSHIP COMMONS DISTRICT"

WHEREAS, Section 1601 of the Second Class Township Code, 53 P.S. § 66601, authorizes the Exeter Township Board of Supervisors ("Board") to adopt, amend, repeal or revise existing ordinances;

WHEREAS, Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10609, permits the Board to amend its zoning ordinances;

WHEREAS, Part II, Chapter 390 of the Code of the Township of Exeter ("Code") sets forth sets forth rules and regulations governing zoning within the Exeter Township; and

WHEREAS, the Board deserves to amend its zoning ordinances concerning the Township Commons District.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Exeter, Berks County, Pennsylvania, as follows:

SECTION 1. Part II, Chapter 390, Section 23(B) of the Code is hereby amended to add Section 23(B)(37):

§ 390-23 Township Commons District.

....

B. **USES PERMITTED BY RIGHT.** Land and buildings served by public water and/or public/community sewer, or otherwise served by on-site water supply and/or on-site sewage disposal at the time of the adoption of the ordinance, maybe used for the following purposes and no other:

....

(37) For parcels consisting of 15 or more acres, the conditional uses listed in Section 390-23(H)(2), (7), (8) and (9) shall be permitted by right, rather than by condition.

SECTION 2. REPEAL OF ORDINANCES

Any ordinance or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed in so far as they are inconsistent with this Ordinance's provisions.

SECTION 3. SEVERABILITY

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the within Ordinance. The Board of Supervisors of the Township of Exeter, Pennsylvania hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective at the earliest date permitted by law.

SECTION 5. CODE OF ORDINANCES

The Code of Ordinances of Exeter Township shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances of Exeter Township upon enactment.

DULY ORDAINED and ENACTED as an Ordinance this 24th day of June 24, 2024.

BOARD OF SUPERVISORS OF
EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA



[Handwritten Signature]

Chairman

[Handwritten Signature]

Vice Chairman

Member

[Handwritten Signature]

Member

[Handwritten Signature]

Member

ATTEST:

[Handwritten Signature]

Secretary

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 871 adopted by the Board of Supervisors of Exeter Township, Berks County, Pennsylvania at a regular meeting held on June 24, 2024, pursuant to notice as required by law.

Dated: 6/24/2024

Michelle J. Kurcher
Exeter Township Secretary