



TOWNSHIP OF NEWTOWN
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2024-03

AN ORDINANCE To Amend the Code of the Township of Newtown, Chapter 172, Zoning, Article I, Section 172-2 to Add a Definition of Accessory Dwelling Unit and Article XVI, C-1 Commercial Districts, Section 172-70.O “Residential Restrictions” to Delete the Existing Section Permitting Residential Uses by Special Exception and Replacing it with a New Section 172.70.O Entitled “Accessory dwelling units” to Permit Accessory Dwelling Units by Special Exception as a Customary Accessory Use to Certain Permitted uses on Premises

The Board of Supervisors of the Township of Newtown Hereby Ordains:

Section 1. The Code of the Township of Newtown, Chapter 172, Zoning, Article I, Section 172-2 “Definitions” is hereby amended to add the following definition:

ACCESSORY DWELLING UNIT

A single family dwelling unit added to or created within a commercial use as permitted by Section 172-70.O, that is a separate discrete area from the commercial use and with provision for independent cooking, living, bathroom facilities and sleeping.

Section 2. The Code of the Township of Newtown, Chapter 172, Zoning, Article XVI, Section 172-70.O “Residential Restrictions” is hereby amended to repeal and delete the existing Section 172-70.O and to replace it with the following:

172-70.O. Accessory dwelling units. One accessory dwelling unit as a customary accessory use to the permitted uses set forth in Sections 172-70.A, 172-70.B, 172-70.H and 172-70.I, may be permitted by special exception provided that such dwelling unit shall be occupied as a single family dwelling unit by an owner or employee of the permitted use on that premises.

Section 3. Nothing in this Ordinance or in Chapter 172 of the Code of the Township of Newtown, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired, or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 172 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the

intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 5. This Ordinance shall take effect and be in force from and after its approval as authorized by law.

ENACTED by the Board of Supervisors of the Township of Newtown, Delaware County, Pennsylvania, this 12th day of February, 2024.



**BOARD OF SUPERVISORS
THE TOWNSHIP OF NEWTOWN**

By: *Leonard B. Altieri III*
Leonard B. Altieri, Esq., Chair

ATTEST: *Stephen M Nease*
Stephen M. Nease
Township Manager/Secretary