



TOWNSHIP OF NEWTOWN
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2024-05

AN ORDINANCE To Amend the Code of the Township of Newtown, Chapter 172, Zoning, Article I, Section 172-2 to Add Definitions Related to “Home Based Businesses,” “No-Impact Home-Based Businesses” and “Professional Offices,” Amending Section 172-101 Regarding “No-Impact Home-Based Businesses” and “Home-Based Businesses” and Deleting Section 172-121.B(5) Related to No-Impact Home-Based Business Signage

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 definitions in alphabetical order:

HOME-BASED BUSINESS

A business or commercial activity administered or conducted as an accessory use which is clearly secondary to a single-family residential dwelling and which involves some customer, client, or patient traffic (whether vehicular or pedestrian), pickup, meeting location, delivery or removal functions to or from the premises in excess of those normally associated with a residential use.

NO-IMPACT HOME-BASED BUSINESS

A business activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no employees, no customer, client or patient traffic, whether vehicular or pedestrian, no storage, no noise or vibration of any kind, no modifications to the interior of the dwelling, and no delivery or removal functions to or from the premises in excess of those normally associated with residential use.

PROFESSIONAL BUSINESS OFFICE

A professional business office is a place of business where professional or clerical duties are performed.

Section 2. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXI, Section 172-101 “No-impact home-based businesses” is hereby amended to repeal and delete the existing Section 172-101 and to replace it with the following:

172-101 No-Impact Home-Based Businesses and Home-Based Businesses

A. No-Impact Home-Based Businesses (see definition), shall be permitted by right in the R-1, R-1A, R-2, R-3, R-4, R-4A, and R-5 Zoning Districts, subject to the following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs, or lights.
5. The business activity may not use any equipment or process, which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
6. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business may not involve any illegal activity.

B. Home-Based Businesses (see definition) shall be permitted within a single-family dwelling by special exception in the R-1, R-1A, R-2, R-3, R-4, R-4A, and R-5 Zoning Districts to allow professional business office uses, subject to the following requirements:

1. The home-based business shall be conducted within an approved single-family residential dwelling unit that complies with the minimum and maximum dimensional requirements of the zoning district to which the use is located.
2. The home-based business shall be conducted only within the dwelling and not occupy more than 25% of the gross floor area of the residential unit.
3. The home-based business shall include only lawful uses which shall be clearly secondary to the residential use and shall be compatible with surrounding residential uses. The exterior appearance shall be maintained as a residential use.
4. The home-based business shall be limited to the family members residing with the dwelling, plus two additional persons to provide support services and assistance.
5. There shall be no visual display or sale of retail goods.
6. There shall be no stockpiling, storage, or inventory of products of a substantial nature.
7. The home-based business may not use any equipment or process which creates noise, vibration, glare, fumes, odors, electrical or electronic interference, including

interference with radio or television reception, which is detectable in the neighborhood.

8. No manufacturing, repairing, or other mechanical work shall be performed in any open area. All such activities shall be conducted in such a manner that they are not detectable or noticeable at or beyond the property line.
9. No more than one home occupation shall be permitted per residential unit.
10. Off-street parking shall be provided as follows: two parking spaces shall be provided for the residential use; one parking space shall be provided for each employee not residing within the dwelling; and no more than two parking spaces shall be provided for guests or patrons. The maximum number of off-street parking spaces shall be limited to six parking spaces, which shall not include any garage spaces.
11. Shall obtain adequate sewer capacity or septic modifications from the Newtown Township Municipal Authority as needed to handle the newly imposed sewer or septic needed.
12. One sign may be permitted in accordance with Section 172-121 of the Newtown Township Zoning Code.

Section 3. Section 172-121 B (5) is hereby deleted and repealed.

Section 4. 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 5. 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 6. 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 8thth day of July, 2024.



**BOARD OF SUPERVISORS
THE TOWNSHIP OF NEWTOWN**

By: 
Leonard B. Altieri, III, Esq., Chairman

ATTEST:


Stephen M. Nease, Township Manager/Secretary