

**TOWNSHIP OF NEW GARDEN**  
**CHESTER COUNTY, PENNSYLVANIA**  
**ORDINANCE NO. 258**

**AN ORDINANCE OF THE TOWNSHIP OF NEW GARDEN, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE NEW GARDEN TOWNSHIP ZONING ORDINANCE TO CHANGE THE SETBACK REQUIREMENTS FOR COMMERCIAL COMPOSTING OPERATIONS. EFFECTIVE FIVE (5) DAYS FROM ENACTMENT.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of New Garden Township, Chester County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED**, that the New Garden Township Code of Ordinances is amended as follows:

**Section 1.** Chapter 200 of the New Garden Township Code of Ordinances, being the Zoning Ordinance, Section 200-120, Composting Standards, is hereby amended and restated as follows:

§ 200-120 **Composting standards.**

Commercial composting shall comply with the following regulations:

- A. Where composting is performed indoors, the minimum lot size shall be 30 acres. All structures and composting facilities shall be set back from all property lines by a minimum of 50 feet.
  - (1) Indoor composting facilities, including the storage of raw materials and by-products associated with composting are prohibited in the following locations: within the one-hundred-year floodplain; within 100 feet of a wetland; within 100 feet of a sinkhole; within 100 feet of a stream or other waters of the commonwealth; within 300 feet of a drinking water source; within 50 feet of the property boundary; and in areas where seasonal high water table is less than 20 inches from surface during any season of the year if carried out on bare soil.
  
- B. Where commercial composting is performed outdoors, the minimum lot size shall be 100 acres. All structures and composting facilities shall be set back from all property lines by a minimum of 50 feet.
  - (1) Outdoor composting facilities, including storage of raw materials and by-products associated with composting, are prohibited in the following locations: Within the one-hundred-year floodplain; within 100 feet of a wetland; within 100 feet of a sinkhole; within 100 feet of a stream or other waters of the commonwealth; within 300 feet of a drinking water source; within 50 feet of the property boundary; and, in areas where seasonal high

water table is less than 20 inches from the surface during any season of the year if carried out on bare soil.

- C. Maximum impervious lot coverage for commercial composting shall not exceed 65% of the net lot/tract area.

**Section 2.** If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not render this Ordinance invalid.

**Section 3.** All Ordinances or parts of Ordinances inconsistent herewith are hereby superseded to the extent of any inconsistency with any provision contained herein.

**Section 4.** This Ordinance shall be effective five (5) days after its enactment

**ENACTED** and **ORDAINED** this \_\_\_ day of \_\_\_\_\_, 2023.

**BOARD OF SUPERVISORS OF  
NEW GARDEN TOWNSHIP**

\_\_\_\_\_  
**David Unger, Chair**

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**Kristie Brodowski, Vice Chair**

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**Stephen E. Allaband**

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**Ted Gallivan**

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**Troy Wildrick**

**ATTEST:**

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**Christopher Himes, Secretary**