

WEST GOSHEN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 1-2019

AN ORDINANCE OF THE TOWNSHIP OF WEST GOSHEN, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE WEST GOSHEN TOWNSHIP ZONING ORDINANCE TO AMEND THE DEFINITION OF "POLITICAL SIGN" TO INCLUDE SIGNS CONTAINING ANY PROTECTED POLITICAL SPEECH AND LIMITING POLITICAL SIGN REGULATIONS TO SIGNS LOCATED WITHIN THE LEGAL RIGHT-OF-WAY, AND TO ADD REGULATIONS FOR PLACE SIGNS IN THE R-3B FLEXIBLE DESIGN CONSERVATION DISTRICT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of West Goshen Township, Chester County, Pennsylvania, has enacted the West Goshen Township Zoning Ordinance which contains, *inter alia*, provisions defining political signs; and

WHEREAS, the current definition of "Political Sign" limits a political sign to a sign that displays the name of a candidate for public office, an office in a political party, a political party, or an issue to be voted on in an election, and regulates signs located anywhere within West Goshen Township; and

WHEREAS, the Board of Supervisors desires to amend the definition of "Political Sign" to include a sign that contains any protected political speech under the First Amendment to the United States Constitution, and to limit the Township's regulation of political signs to the legal rights-of-way, in compliance with constitutional law; and

WHEREAS, the Board of Supervisors has determined that the proposed amendments to the definition of "Political Sign" in the West Goshen Township Zoning Ordinance are in the best interests of the health, safety, and general welfare and are designed to pass constitutional muster; and

WHEREAS, the Board of Supervisors has established the R-3B Flexible Design Conservation District; and

WHEREAS, the Board of Supervisors desires to provide regulations for "place signs" as defined by the Zoning Ordinance for the R-3B District to allow the safe and effective identification of both residential development and public amenities such as parks; and

WHEREAS, the Board of Supervisors has determined that providing regulations for "place signs" in the R-3B District is in the best interests of the health, safety, and welfare of the residents of West Goshen Township and the traveling public;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of West Goshen Township, Chester County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

I. Section 84-52.R.(3) of the West Goshen Township Zoning Ordinance is amended to add a new subsection (a) as follows:

- (a) Place signs in the R-3B District: A maximum of six (6) place signs shall be permitted per road entrance at an intersection with a major collector street provided that three (3) of such place signs share the same supporting structure; otherwise two (2) place signs shall be permitted at such intersection. A maximum of one (1) additional place sign shall be permitted per road entrance to a distinct interior community, residential development, public facility or historic facility within a larger development tract exclusive of any place sign permitted at a major collector road entrance. All place signs shall be single-faced. Any illumination shall be concentrated upon the area of the sign(s) only in such manner as to prevent glare upon adjacent public or private rights-of-way or other property.

II. Section 84-52.U and Table 1 of the West Goshen Township Zoning Ordinance are amended to add sign specifications for place signs within an R-3B District as follows:

Type of Sign	Zone	Maximum Area of Sign (square feet)				Maximum Height of Sign (feet)		Additional Requirements
		Freestanding	Wall	Roof	Window	Freestanding	Roof	
Place	R-3B	90*	-	-	-	9		*Aggregate Maximum Area of Signs for any three (3) place signs sharing a support structure at a major collector or major arterial road entrance. All other place signs: maximum area of sign 16 square feet.
Place	All zones except R-3B	16	12	--	--	6	--	--

II. The definition of "Political Sign" in Section 84-52.B(1) of the West Goshen Township Zoning Ordinance is amended to read as follows:

"POLITICAL SIGN

A type of off-site sign on which there is displayed the name of a candidate for public office, protected political speech under the First Amendment of the United States Constitution, or an office in a political party registered with an appropriate electoral or governmental entity, such as the County of Chester Board of Elections and/or the Commonwealth of Pennsylvania Department of State; a political party registered with an appropriate electoral or governmental entity, such as the County of Chester Board of Elections and/or the Commonwealth of Pennsylvania Department of State; and/or an issue to be voted upon in plebiscite or referendum at an election scheduled and to be administered by the County of Chester Board of Elections or its successor entity. The area of any one political sign may not exceed three (3) square feet. Political signs may not be posted in the public view any earlier than the date that is 45 days prior to the date of the election referenced therein or thereon (whether expressly or otherwise). Political signs must be removed from public view within 15 days of the close of polls with regard to such election. Illumination of political signs is prohibited in all residential zoning districts. The above regulations shall only apply to signs placed within the legal right-of-way. Political signs placed outside of the legal right-of-way are exempt from these regulations."

IV. All Ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

V. The provisions of this Ordinance are declared severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the West Goshen Zoning Ordinance.

VI. This Ordinance shall become effective five (5) days following its legal enactment.

ENACTED and ORDAINED this _____ day of _____, 2019.

ATTEST:

**BOARD OF SUPERVISORS
WEST GOSHEN TOWNSHIP**

Casey LaLonde, Township Secretary

Robin Stuntebeck, Chairperson

High Purnell, Jr., Vice-Chairperson

Mary R. LaSota, Esquire, Member

Christopher Pielli, Esquire, Member

Edward G. Meakim, Jr., Member



KRISTIN S. CAMP
p: 610.436.4400 Ext# 1050
f: 610.436.8305
e: kcamp@buckleyllp.com
118 W. Market Street, Suite 300
West Chester, PA 19382-2928

February 4, 2019

VIA EMAIL: lawlibrary@chesco.org

Chester County Law Library
201 W. Market Street
Suite 2400
West Chester, Pennsylvania 19380

Re: Proposed Ordinance amending the West Goshen Township Zoning Ordinance – Political signs and place signs in R-3B District

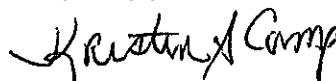
Dear Sir/Madam:

Enclosed for filing in the Chester County Law Library is a true and correct copy of the above-captioned Ordinance amendment which must be filed with your offices and be made available for public inspection prior to its adoption by the West Goshen Township Board of Supervisors on Tuesday, February 19, 2019.

Please execute a copy of this letter and email it back to my assistant, Ali Fidanza, at afidanza@buckleyllp.com.

Should you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,


Kristin S. Camp

KSC/akf
Enclosure

cc: Casey LaLonde, Township Manager (*w/ encl.; via email*)

Received by Chester County Law Library on _____, 2019.

(signature)

Please Print Name _____



KRISTIN S. CAMP
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118 W. Market Street, Suite 300
West Chester, PA 19382-2928

February 4, 2019

VIA EMAIL: legals@dailylocal.com

Daily Local News
307 Derstine Ave.
Lansdale, PA 19446

Re: Proposed Ordinance amending the West Goshen Township Zoning Ordinance – Political signs and place signs in R-3B District

Dear Sir/Madam:

Enclosed for filing in the offices of the Daily Local News is a true and correct copy of the above-captioned Ordinance amendment which must be filed with your offices and be made available for public inspection prior to its adoption by the West Goshen Township Board of Supervisors on Tuesday, February 19, 2019.

Please execute a copy of this letter and email it back to my assistant, Ali Fidanza, at afidanza@buckleyllp.com.

Should you have any questions, please do not hesitate to contact me. Thank you.

Very truly yours,


Kristin S. Camp

KSC/akf
Enclosure - NOT FOR ADVERTISEMENT

cc: Casey LaLonde, Township Manager (w/ encl.)

Received by Daily Local News on _____, 2019.

(signature)

Please Print Name _____

CERTIFICATION

Kristin S. Camp, Esquire, hereby certifies and attests that the attached is a true and correct copy of the complete verbatim text of an Ordinance amending the West Goshen Township Zoning Ordinance, which is proposed for enactment and adoption by the West Goshen Township Board of Supervisors at a public hearing which will be held on Tuesday, February 19, 2019 at 7:00 p.m., prevailing time, at 1025 Paoli Pike, West Chester, Pennsylvania 19380.

DATE: February 4, 2019



KRISTIN S. CAMP, ESQUIRE
Solicitor for West Goshen Township