

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF WEST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE WEST GOSHEN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 1976, AS AMENDED WHICH IS CODIFIED IN CHAPTER 72 OF THE WEST GOSHEN TOWNSHIP CODE TO ADD A DEFINITION FOR APARTMENT IN SECTION 72-6; TO DELETE SECTION 72-31.C; TO ADOPT A NEW SECTION 72-34 TO REQUIRE TWO MEANS OF ACCESS TO RESIDENTIAL DEVELOPMENT WITH 25 OR MORE DWELLING UNITS AND SECTION 72-35.B(5) REGARDING THE FEE IN LIEU OF RECREATIONAL FACILITIES.

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Board of Supervisors of West Goshen Township that the West Goshen Township Subdivision and Land Development Ordinance of 1976, as amended, which is codified in Chapter 72 of the West Goshen Township Code, titled, "SUBDIVISION OF LAND", is hereby amended as follows:

SECTION 1. Section 72-6 titled, "Definitions" shall be amended by adding the following definition:

"APARTMENT BUILDING- A building containing three or more dwelling units separated by party walls, one or more of which dwelling units may be located from ground to roof, and common outside access and hallways, intended to be owned by a single entity and used specifically for residential purposes and originally constructed as such."

SECTION 2. Section 72-31.C is deleted and the section number reserved.

SECTION 3. A new Section 72-34 shall be adopted and provide as follows:

"§ 72-34. Access to Residential Developments. All lots with a residential use shall front on a public street. Every subdivision or development with 25 or more dwelling units, including dwelling units within an apartment building shall be accessed by at least two public streets."

SECTION 4. Section 72-35.B(5) shall be amended to read as follows:

"Funds from such accounts shall be expended in accordance with the purposes permitted by the Pennsylvania Municipalities Planning Code, as may be amended from time to time. Upon request of the developer who has paid fees under this subsection, the Township shall refund such fees, plus interest accumulated thereon from the date of

payment, if the Township had used the fee paid for a purpose other than the purposes set forth in this section.”

SECTION 5. SEVERABILITY. If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION 6. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective five (5) days following the enactment as by law provided.

ENACTED AND ORDAINED THIS _____ DAY OF _____, 2021.

ATTEST:

**BOARD OF SUPERVISORS
WEST GOSHEN TOWNSHIP**

Casey LaLonde, Secretary

BY: _____
Shaun Walsh, Chair

Ashley Gagné, Vice-Chair

Robin Stuntebeck, Member

John Hellman, Member

Hugh J. Purnell, Jr., Member