

## ORDINANCE NO. 407

### AN ORDINANCE OF THE BOROUGH OF TELFORD AMENDING THE TELFORD BOROUGH ZONING ORDINANCE

The Borough Council of The Borough of Telford, Bucks/Montgomery County, Pennsylvania, hereby ordains:

#### **Section 1 – Adoption of the Zoning Ordinance**

Whereas, the Borough Council of Telford Borough, Bucks/Montgomery County, Pennsylvania has previously enacted and ordained “The Telford Borough Zoning Ordinance” which established Zoning Districts and requirements within Telford Borough. The Borough Council of Telford Borough, Bucks/Montgomery County, Pennsylvania has identified a need to amend the Use Regulations and the Uses permitted within the LI-Light Industrial Zoning District as well as amend additional sections as needed at this time.

#### **Section 2 – Amendments**

The following portions of “The Telford Borough Zoning Ordinance” are hereby revised as follows:

1. Part IV Use Regulations, §410 Height Limitations of Fences and Walls, the following shall be added:

“Fences located within a front yard shall have a maximum height of four feet (4’-0”) and shall have a minimum of fifty percent (50%) open area.”

2. Part IV Use Regulations, §414 Table of Use Regulations, the following shall be added:

	A	B	PMR	INST	C1	C2	LPO	LI
C26 Body Art/Tattoo Parlor	N	N	N	N	N	N	N	C

3. Part IV Use Regulations, §415 Use Definitions and Required Off-Street Parking Facilities, C. Commercial Uses, the following shall be added:

26. C26 Body Art/Tattoo Parlor Use. An establishment that practices the art of body adornment utilizing, but not limited to, body piercing, tattooing, cosmetic tattooing, branding, scarification or the placement of pigments, trimming or filing of the nails. No Body Art/Tattoo Parlor Use shall be accessory or incidental to any other approved Use in any Zoning District.

- a. A property containing a Body Art/Tattoo Parlor Use shall not have frontage along a PA State Highway and shall not have a property line in common with any residential Use or district, public or private school, church, recreational facility or any other religious, institutional or educational Use.
- b. No Body Art/Tattoo Parlor Use shall be located within one thousand feet (1000’) of a similar Use.
- c. No person under the age of eighteen (18) years of age shall be permitted within a building housing a Body Art/Tattoo Parlor Use.
- a. Parking. One (1) all weather parking space for every four (4) seats of patron use or one (1) all weather parking space for every fifty (50) square feet of gross area used or intended to be used for the operation of the establishment, whichever results in the greater number of parking spaces and one (1) all weather parking space per employee.

4. Part IV Use Regulations, §415 Use Definitions and Required Off-Street Parking Facilities, C. Commercial Uses, the following shall be amended:

2. C2. Personal Service Shop. The words “It does not include massage parlor or tattoo parlor, or uses focused primarily of sexual stimulation or gratification.” shall be removed.

5. Part XIII C-1 Commercial District, §1302 Uses, A – Permitted Uses.1 shall be removed in its entirety and replaced with the following:
  1. Retail Sales (C1)
6. Part XIII C-1 Commercial District, §1302 Uses, A – Permitted Uses. 2 shall be removed in its entirety and replaced with the following:
  2. Personal Service Shop (C2)
7. Part XIII C-1 Commercial District, §1302 Uses, A – Permitted Uses. 3 shall be removed in its entirety and replaced with the following:
  3. Establishment Serving Food or Beverages (C3)
8. Part XIV C-2 Commercial Downtown District, §1402 Uses, A – Permitted Uses.1 shall be removed in its entirety and replaced with the following:
  1. Retail Sales (C1)
9. Part XIV C-2 Commercial Downtown District, §1402 Uses, A – Permitted Uses. 2 shall be removed in its entirety and replaced with the following:
  2. Personal Service Shop (C2)
10. Part XIV C-2 Commercial Downtown District, §1402 Uses, A – Permitted Uses. 3 shall be removed in its entirety and replaced with the following:
  3. Establishment Serving Food or Beverages (C3)
11. Part XV LI Light Industrial District, §1504 Conditional Uses, the following shall be added:
  - K. Body Art/Tattoo Parlor (C26)

### **Section 3 – Inconsistent Ordinances Repealed**

Ordinances of Telford Borough, Bucks/Montgomery County, Pennsylvania, and/or Resolutions or parts thereof which are inconsistency with this Ordinance are hereby repealed to the extent of such inconsistency.

### **Section 4 – Saving Clause**

That nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right of remedy of any character be lost, impaired or affected by this Ordinance.

### **Section 5 – Severability**

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid; such infirmity shall not affect nor impair the remaining provisions, sentences, clauses or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Telford that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included therein.

**Section 6 – Effective Date.**

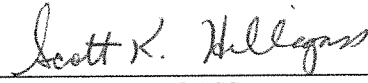
This Ordinance shall become effective immediately after it is Enacted and Ordained by the Telford Borough Council.

THIS ORDINANCE IS ENACTED AND ORDAINED THIS 4<sup>th</sup> DAY OF JANUARY, 2016.


ATTEST:

BOROUGH OF TELFORD

  
\_\_\_\_\_  
MARK D. FOURNIER, SECRETARY

  
\_\_\_\_\_  
SCOTT K. HILLEGASS  
TELFORD BOROUGH COUNCIL PRESIDENT

Approved this 4<sup>th</sup> day of JANUARY, 2016

  
\_\_\_\_\_  
DAVID S. SNOOK, MAYOR  
BOROUGH OF TELFORD