

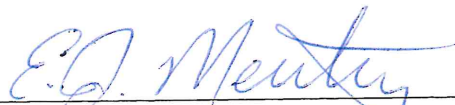
TOWNSHIP OF LOWER PROVIDENCE

ORDINANCE NO. 679

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF LOWER PROVIDENCE, CHAPTER 143 - "ZONING," ARTICLE XVIII - "INDUSTRIAL DISTRICTS", SECTION 136 - "USE REGULATIONS FOR IP DISTRICT" AND SECTION 130 - "USE REGULATIONS FOR LI DISTRICT," AT SUBSECTION A - "USES BY RIGHT"

CERTIFICATION

I, E.J. MENTRY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN LOWER PROVIDENCE TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. 679.



E.J. Mentry, Township Manager

January 18, 2024

ENACTED: January 18, 2024

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WHEREAS, the Board of Supervisors of Lower Providence Township is duly empowered by the Second Class Township Code, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Lower Providence Township;

WHEREAS, the Board of Supervisors of Lower Providence Township has adopted an ordinance, known as the Zoning Ordinance of the Township of Lower Providence, as amended, in accordance with the provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Lower Providence Township;

WHEREAS, the Second Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Supervisors to make, amend and adopt amendments to the Zoning Ordinance of the Township of Lower Providence, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents;

WHEREAS, the Board of Supervisors of Lower Providence Township have determined that the public health, safety and welfare of the residents of Lower Providence Township would be best served by amending Chapter 143 - "Zoning," at Article XVIII - "Industrial Districts" shall be amended to remove the uses of "Warehousing," "Truck Terminals," and "Food Distribution" from the IP District, clarify uses permitted by Special Exception in the IP District, and provide for the use of "Truck Terminal in the LI - Limited Industrial District.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Lower Providence Township Board of Supervisors that the Township's Code is amended as follows:

SECTION 1. Chapter 143 - "Zoning," is amended at Article XVIII - "Industrial Districts," at Section 136 - "Use Regulations for IP District," to change "Warehousing" and "Truck Terminals" to be a uses that are Not Permitted in the IP District.

SECTION 2. Chapter 143 - "Zoning," is amended at Article XVIII - "Industrial Districts," at Section 136 - "Use Regulations for IP District," to remove "Food Distribution Warehouse" as a Type of Use from Subsection A.

SECTION 3. Chapter 143 - "Zoning," is amended at Article XVIII - "Industrial Districts," Section 136 - "Use Regulations for IP District," at Subsection C - "Uses by Special Exception" to remove the language struck-through (~~example~~) as follows:

Any use of the same general character as any of the above, ~~including distribution plant for small parcels (those capable of being hand-delivered)~~ may be permitted when such use is authorized as a special exception by the Zoning Hearing Board.

SECTION 4. Chapter 143 - "Zoning," is amended at Article XVIII - "Industrial Districts," Section 130 - "Use Regulations for LI District," at Subsection A - "Uses By Right" to add "(11) Truck Terminals".

SECTION 5. Repeal and Ratification.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 6. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

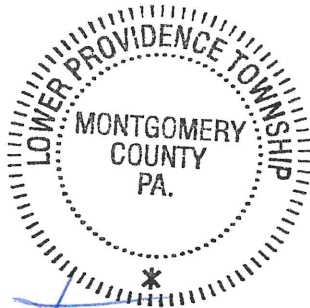
SECTION 7. Effective Date.

This Ordinance shall become effective 5 days after enactment.

ORDAINED AND ENACTED this 18th day of January 2024, by
the Board of Supervisors of the Township of Lower Providence.

**TOWNSHIP OF LOWER PROVIDENCE,
BOARD OF SUPERVISORS**

Attested by:



E.J. Mentry
E.J. Mentry
Township Manager & Secretary

Dr. Janine Darby, Chair