

ORDINANCE 2011-13

DOWNINGTOWN BOROUGH

CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF DOWNINGTOWN, AS AMENDED, AT CHAPTER 287, "ZONING," BY CREATING NEW §287-5A, "APPLICABILITY"; AND OTHER MISCELLANEOUS PROVISIONS CONTAINED HEREIN.

AND NOW, this 21st day of December, 2011, it is hereby Enacted and Ordained by the Borough Council of the Borough of Downingtown, Chester County, Pennsylvania, that:

Section 1. Chapter 287, "Zoning," Article I, "General Provisions," is hereby amended by the addition of new §287-5A, "Applicability", to read as follows:

§287-5A. Applicability.

Notwithstanding any other provision of Chapter 287, Zoning, all Borough owned or controlled properties shall be exempt from use, dimensional, area and bulk, and other zoning regulations in Chapter 287, Zoning, for the use of, and placement of structures or improvements upon, any such Borough owned or controlled properties, where the use, structure or improvement is for a municipal, public safety or civic purpose.

Section 2. If any 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 Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

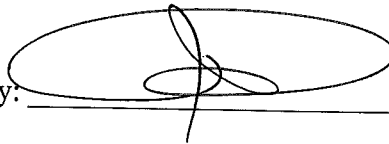
Section 3. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 4. This Ordinance shall become effective upon enactment as provided by law.

Section 5. General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of the Downingtown Borough Code and to bring the Ordinance into conformity with the Downingtown Borough Code.

PASSED by Borough Council this 21st day of December, 2011.

By: _____

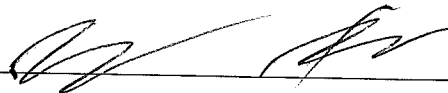


James M. Bruton

President, Borough Council

APPROVED by the Mayor, this 21st day of December, 2011.

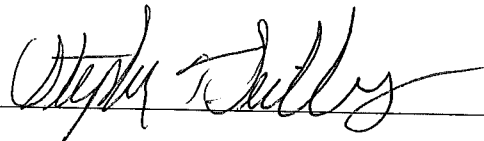
By: _____



Josh Maxwell, Mayor

ENACTED this 21st day of December, 2011.

By: _____



Stephen T. Sullins, Borough Manager/Secretary