

ORDINANCE NO. 289

AN ORDINANCE OF THE TOWNSHIP OF CAERNARVON, BERKS COUNTY, PENNSYLVANIA: TO AMEND THE CAERNARVON TOWNSHIP ZONING ORDINANCE OF 2007, AS AMENDED, TO FURTHER DEFINE AND REGULATE PERMITTED USES WITHIN THE INDUSTRIAL OFFICE PARK ("IOP") ZONING DISTRICT.

PURSUANT TO THE AUTHORITY CONTAINED IN THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AS AMENDED, 53 P.S. § 10101, ET SEQ., THE BOARD OF SUPERVISORS OF CAERNARVON TOWNSHIP DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

SECTION 1. ARTICLE V OF THE CAERNARVON TOWNSHIP ZONING ORDINANCE OF 2007 IS AMENDED TO FURTHER REGULATE PERMITTED USES WITHIN THE INDUSTRIAL OFFICE PARK ("IOP") DISTRICT AS FOLLOWS:

Section 579. IOP Industrial Office Park District

Section 579(b) of the Zoning Ordinance, entitled "Uses Permitted by Right" shall be amended as follows:

- (13) Retail establishments, inclusive of wholesale retail centers, for the sale of dry goods, general merchandise, food, drugs, household supplies, jewelry, books, or garden center.

- (19) Retail sale of building materials.

All other uses identified in this Section shall remain unchanged.

**SECTION 2. ARTICLE III OF THE CAERNARVON TOWNSHIP ZONING
ORDINANCE OF 2007 IS AMENDED TO PROVIDE FURTHER
DEFINITIONS AS FOLLOWS:**

Section 300. Definitions

The following term shall be defined as follows:

Retail: The sale of goods to end users, not for resale, but for use and consumption by the purchaser. Retail involves the sale of merchandise from a single point of purchase on-site directly to a customer who intends to use that product. This term shall not include an adult entertainment business use.

All other terms defined in this Section shall remain unchanged.

SECTION 3. SEVERABILITY

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the Ordinance. The Board of Supervisors hereby declares that it would have adopted the Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereto irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

SECTION 4. REPEALER

All Ordinances inconsistent with the above provisions are repealed to the extent of their consistency.

SECTION 5. RENUMBERING

The location and numerical designation of these above-referenced Sections shall be delegated to the discretion of the General Code Publishers who may renumber or reorder these revised sections as is necessary.

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SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective five (5) days from the date of enactment, and shall be codified into the Caernarvon Township Code of Ordinances.

ORDAINED and **ENACTED** by the Supervisors of the Caernarvon Township in lawful session duly assembled this 28th day of November, 2017.

**BOARD OF SUPERVISORS
CAERNARVON TOWNSHIP
BERKS COUNTY, PENNSYLVANIA**

By: 
Allen Styer, III, Chairman

ATTEST:

By: 
Township Secretary

