

ORDINANCE NO. 2013-07

RADNOR TOWNSHIP

AN ORDINANCE OF RADNOR, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 280, ZONING, OF THE CODE OF THE TOWNSHIP OF RADNOR, PROHIBITING OUTDOOR DINING IN THE GARRETT HILL ZONING DISTRICTS.

P R E A M B L E

The Radnor Township Board of Commissioners does hereby ENACT and ORDAIN, as follows:

Section 1.

Chapter 280, Zoning, is hereby amended to prohibit outdoor dining in the GH-CR (Garrett Hill-Conestoga Road) District by deleting Subsection 280-49.8B(2)(e).

Section 2.

Section 115.3.A of Article XX General Regulations is hereby amended to prohibit outdoor dining in the Garrett Hill Districts by changing Paragraph A. to read as follows:

- A. Within the C-1, C-2, C-3, WBOD, and PB Zoning Districts, outdoor dining shall be permitted as an accessory use on the same premises as a licensed food establishment (restaurant) that has indoor seating. To assure quality standards for customers and food safety, the following provisions shall apply:

All of the Subsections (1) through (15) under Paragraph A. shall remain and their language shall be unchanged.

Section 3.

Section 115.3.C of Article XX General Regulations is hereby amended to prohibit outdoor dining in the Garrett Hill Districts by changing this Subsection to read as follows:

- C. Outdoor Dining shall be permitted by Special Exception in all other zoning districts, except all of the Garrett Hill Districts, as an accessory use on the same premises as an existing licensed nonconforming food establishment that has indoor seating; and shall be subject to the provisions of 280-115.3.A.

Section 4.

Section 280-49.11 is hereby amended to add a new Subsection G. to read as follows:

G. No restaurant or bar or similar use shall be conducted where customers and patrons are served food and/or drinks for the immediate consumption outside of the building in which the restaurant or bar business is conducted. All preparation, serving and consumption of food shall be inside the building at which the business is conducted, except for food or drink taken out for consumption off the restaurant or bar premises.

Section 5.

Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 6.

Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.


Section 7.

Effective Date. This Ordinance shall become effective in accordance with the Home Rule Charter of Radnor Township.

ENACTED and **ORDAINED** this 12 day of August, 2013.

RADNOR TOWNSHIP


By:



Name: Elaine P. Schaefer

Title: President

ATTEST:


Robert A. Zienkowski, Secretary