

EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2020-238

“Amendment to Wireless Communications Facilities Ordinance”

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST COVENTRY, CHESTER COUNTY, PENNSYLVANIA, TO AMEND CHAPTER 27 (ZONING), PART 20 (WIRELESS COMMUNICATIONS FACILITIES), SECTION 27-2003 (GENERAL REQUIREMENTS FOR ALL WCF STRUCTURES AND WIRELESS COMMUNICATIONS FACILITIES), SUBSECTION 1, PARAGRAPH C (APPLICATION REQUIRED), TO ADD A NEW SUBPARAGRAPH (5) REQUIRING THE APPLICANT INCLUDE A SIGNED CONSULTANT PROFESSIONAL SERVICES AGREEMENT WITH THE APPLICATION AND REIMBURSE THE TOWNSHIP FOR ALL COSTS AND EXPENSES INCURRED BY THE TOWNSHIP FOR CONSULTANT REVIEW OF THE APPLICATION PRIOR TO THE ISSUANCE OF A PERMIT.

The Board of Supervisors of East Coventry Township does hereby **ENACT** and **ORDAIN**:

SECTION I. – Amendment to Code.

The Code of Ordinances of East Coventry Township, Chapter 27 (Zoning), Part 20 (Wireless Communications Facilities), Section 27-2003 (General Requirements for All WCF Structures and Wireless Communications Facilities), Subsection 1, Paragraph C (Application Required), is hereby amended to add a new subparagraph (5), as follows:

- (5) A consultant professional services agreement on a form provided by the Township, which shall be signed by the applicant and submitted with any WCF application, to cover all costs and expenses incurred by the Township for application and plan review and processing by its professional consultants. No application shall be deemed submitted until the signed consultant professional services agreement has been provided to the Township. No permit shall be issued until the applicant has fully reimbursed the Township for all costs and

expenses incurred by the Township for application and plan review and processing by its professional consultants.

SECTION II. – Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION III. – Failure to Enforce not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION IV. – Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the Second Class Township Code.

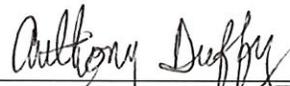
SECTION V. – Repealer.

All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania, this 10th day of February 2020.

EAST COVENTRY TOWNSHIP

By:



Anthony Duffy, Chairman

Attest:



David G. Kraynik, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of the Township of East Coventry, at its public meeting on February 10, 2020 in the Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance amending the Code of Ordinances of the Township of East Coventry, Chester County, Pennsylvania, to amend Chapter 27 (Zoning), Part 20 (Wireless Communications Facilities), Section 27-2003 (General Requirements for all WCF Structures and Wireless Communications Facilities), Subsection 1, Paragraph C (Application Required), to add a new Subparagraph (5) requiring the applicant include a signed consultant professional services agreement with the application and reimburse the Township for all costs and expenses incurred by the Township for consultant review of the application prior to the issuance of a permit.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Pottstown Mercury*, 307 Derstine Avenue, Lansdale, Pennsylvania 19446, the Chester County Law Library, 201 West Market Street, Suite 2400, West Chester, Pennsylvania 19380-0989 and the East Coventry Township Building, 855 Ellis Woods Road, Pottstown, Pennsylvania 19465, where a copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**MARK A. HOSTERMAN, ESQUIRE
WISLER PEARLSTINE, LLP**