

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 2012-109

A RESOLUTION OF THE EAST GOSHEN TOWNSHIP BOARD OF SUPERVISORS ADOPTED PURSUANT TO SECTION 609.2 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, 53 P.S. § 10609.2, FOR MUNICIPAL CURE OF ZONING REGULATIONS PERTAINING TO OFF-PREMISES SIGNS AND BILLBOARDS.

WHEREAS, in accordance with the procedures established and mandated by Section 609.2 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10609.2 ("PaMPC") the Board of Supervisors of East Goshen Township (the "Board") adopted a Formal Declaration to initiate the required procedures for a municipal cure of the Township's sign regulations adopted as a part of the East Goshen Township Zoning Ordinance of 1997, (the "Zoning Ordinance") codified in Section 240-22 of Chapter 240 of the Code of Ordinances of East Goshen Township, as the sign regulations pertain to off-premises signs and billboards, as such terms are defined in Section 240-6 of the Zoning Ordinance. The Declaration adopted by the Board at a public meeting held on March 20, 2012 is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, Section 609.2 of the PaMPC requires that within thirty (30) days after adoption of the aforesaid Formal Declaration, the Board must adopt a resolution making specific findings of fact setting forth the declared invalidity of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED AND ADOPTED, AS FOLLOWS:

1. The Board finds that the Zoning Ordinance may unreasonably restrict the location of off-premises signs or billboards in the Township to certain properties along Paoli Pike in the I-2 Planned Business, Research and Limited Industrial District and in the C-1 Community Commercial District.

2. The Board finds that the Zoning Ordinance may unreasonably restrict the size and height of an off-premises sign or billboard in the I-2 District.


3. The Board finds that the Zoning Ordinance may unreasonably restrict the size and height of an off-premises sign or billboard in the C-1 Community Commercial District.

4. The Board finds that it may be necessary to allow certain signs to utilize a digital light emitting diode display ("LED") and to enact reasonable regulations and standards for the use of such technology.

5. The Board directs the study and evaluation of the subject matter of this Resolution and the preparation and consideration by Township staff, consultants and Township Solicitor, as necessary, of a municipal curative amendment to the Zoning Ordinance to correct the declared invalidity and/or to validate and reaffirm the validity of the Zoning Ordinance in relation to the subject matter hereof, as appropriate, and in accordance with the procedure and time required by Section 609.2 of the PaMPC.

RESOLVED, APPROVED AND ADOPTED by the Board of Supervisors of East
Goshen Township this 3RD day of APRIL, 2012.

ATTEST:

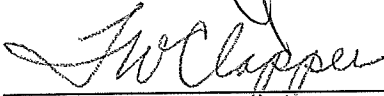


Louis F. Smith, Secretary

**BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP**



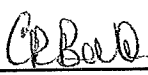
Senya D. Isayeff, Chairman



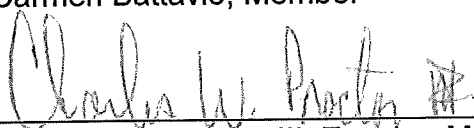
Thom Clapper Ph.D, Vice-Chairman



E. Martin Shane, Member



Carmen Battavio, Member



Charles W. Proctor, III, Esquire, Member

EXHIBIT A

The Board of Supervisors recently undertook an evaluation of the East Goshen Township Zoning Ordinance, codified in Chapter 240 of the East Goshen Township Code. Following that evaluation, the Board determined that certain provisions of Section 240-22 of the Zoning Ordinance may be invalid due to size, spacial and other area and bulk regulations applicable to off premises signs.

Accordingly, the Board determined to implement the procedure for a municipal curative amendment of Section 240-22 of the East Goshen Township Zoning Ordinance as authorized by Section 609.2 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10609.2. This Motion is intended to be, and is, a formal declaration of the Board's determination to implement such municipal cure procedure to overcome the cited invalidity, and it is so moved, adopted and declared.