**ORDINANCE NO. OF 2018**

**WESTTOWN TOWNSHIP**

**CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING CHAPTER 170, Section 1514 D (5), OF THE CODE OF WESTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, REGARDING PERMANENT RECREATIONAL AND SPORTS LIGHTING AND NIGHTTIME EVENTS.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Westtown Township, Chester County, Pennsylvania, that certain provisions of Chapter 170, Section 1514.D (5), of the Code of Westtown Township, as amended, be amended as follows:

**SECTION 1.**

Portions of §170-1514. D.(5) "Permanent Recreational and Sports Lighting and Nighttime Events" are amended to read as follows:

 (5).[(c)](https://ecode360.com/13869168#13869168) An annual permit application shall be required to be submitted to the Township 45 days before the start of each sports and recreation year that a permanent recreational and sports lighting installation is proposed to be utilized. The requirement for an annual permit may be waived or modified for properties of 400 contiguous acres or more as a element of conditional use approval. A permit fee schedule shall be established by resolution of the Board of Supervisors each year to cover all costs to the Township to include, but not limited to, the following:

 [[1]](https://ecode360.com/13869169#13869169) Special police detail from the Westtown East Goshen Police Department to control traffic, parking and on-site security for any lighted event as determined by the Board of Supervisors based on type of event.

 [[2]](https://ecode360.com/13869170#13869170) Trash cleanup by Township Public Works employees on the roads and properties surrounding the campus as soon as possible after the lighted event as determined by the Board of Supervisors based on the type of event.

 [(5).(e).[5]](https://ecode360.com/13869189#13869189) For a recreational or athletic sporting event, such as football, soccer, field hockey, or lacrosse, or marching band cavalcade, the sports lighting system may only be energized in conjunction with any of the following events, and no others:

 [[a]](https://ecode360.com/13869190#13869190) An event directly related to and under the control of the educational or sports program of the school, university or college where the lights are located, but, with the exception of a property comprised of 400 contiguous acres or more, no private organizations may use the school, university or college facility for lighted events. Properties of 400 contiguous acres or more may allow use by organizations other than the land owner.

 [[b]](https://ecode360.com/13869191#13869191) A field practice for such event.

 [[c]](https://ecode360.com/13869192#13869192) A playoff or championship game.

 [(5).(e).[6]](https://ecode360.com/13869193#13869193) For a recreational or athletic sporting event, such as football, soccer, field hockey, lacrosse or marching band cavalcade, utilization of the sports lighting system is subject to the following restrictions:

 [[a]](https://ecode360.com/13869194#13869194) With the exception of properties comprised of 400 contiguous acres or more, a maximum of 20 lighted events per calendar year will be permitted on any one campus where permanent lighting is provided. Up to three additional lighted events shall be permitted each year for playoffs or championship games not part of a regular schedule of events. Properties of 400 contiguous acres or more may be allowed to use its lighted field(s) up to a maximum of 258 days annually, but no more than six consecutive days at a time. As a condition of conditional use approval of lighted events, the Board of Supervisors may impose a requirement for adequate landscape screening to mitigate lighting impacts to nearby properties.

 (5).(e).[[12]](https://ecode360.com/13869206#13869206)The installation of permanent recreational and sports lighting shall be limited to one playing field on any one campus, except that at a property comprised of 400 or more contiguous acres permanent recreational and sports lighting may be installed at two fields.

**SECTION 2.** All provisions of §170-1514. D.(5) not revised or restated above remain in full force and effect.

**SECTION 3.** If any sentence, clause or section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or validity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisor that this Ordinance would have been adopted had such unconstitutional, illegal, invalid sentence, clause, section or part thereof not been included herein.

**SECTION 4.**  All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

**SECTION 5.** This Ordinance will be effective five (5) days after enactment.

ENACTED AND ORDAINED this day of , 2018.

ATTEST: WESTTOWN TOWNSHIP

Secretary Carol R. DeWolf, Chair

 Scott E. Yaw, Vice Chair

 Mike T. DiDomenico