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## **Borough Council Public Hearing Meeting Agenda**

**August 16<sup>th</sup>, 2016 – 6:00 pm**  
Borough Council Chambers, Municipal Building

1. Meeting call to order/Pledge of Allegiance.
2. Public Hearing – TITLE: AN ORDINANCE AUTHORIZED BY THE BOROUGH OF WEST CHESTER HOME RULE CHARTER AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER BY ADDING A NEW CHAPTER 90B TITLED “RESTAURANT – BYOB”
3. Public Hearing – TITLE: AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, SPECIFICALLY CHAPTER 90A TITLED, “RESTAURANT-CAFES”, AMENDING SECTION 90A-4, TITLED, “PERMIT APPLICATION” AND SECTION 90A-6, TITLED “SPECIFIC STANDARDS”, REQUIRING “RESPONSIBLE ALCOHOL MANAGEMENT PROGRAM” (“RAMP”) CERTIFICATION FROM THE PENNSYLVANIA LIQUOR CONTROL BOARD FOR RESTAURANT-CAFES AND ESTABLISHING A NEW CHAPTER 90C, TITLED “FOOD TRUCKS”, FOR THE REGULATION OF FOOD TRUCK OPERATIONS IN THE BOROUGH.

**BOROUGH OF WEST CHESTER  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_-2016**

**AN ORDINANCE AUTHORIZED BY THE BOROUGH OF  
WEST CHESTER HOME RULE CHARTER AMENDING THE  
CODE OF THE BOROUGH OF WEST CHESTER BY  
ADDING A NEW CHAPTER 90B TITLED "RESTAURANT –  
BYOB"**

BE IT ENACTED AND ORDAINED by the Council of the Borough of West Chester, Chester County, Commonwealth of Pennsylvania, as follows:

**Section 1.** The Code of the Borough of West Chester is amended by adding a new Chapter 90B titled "Restaurant-BYOB" as attached hereto.

**Section 2.** Severability. If any sentence, clause, section, term or provision of this amendatory ordinance and Chapter 90B is for any reason determined by a court possessed of subject-matter jurisdiction to be invalid or unenforceable, the determination shall not affect or impair any of the remaining sentences, clauses, sections, terms or provisions of Chapter 90B. It is here declared to be the intent of the Council of the Borough of West Chester that this amendatory ordinance and Chapter 90B would have been enacted without the illegal or unenforceable sentence, clause, section, term or provisions.

**Section 3.** Repealer. All Ordinances and parts of ordinances inconsistent herewith are hereby repealed to the extent of the inconsistency.

**Section 4.** Effective Date. This Ordinance shall become effective upon enactment as by law provided.

**ENACTED AND ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

**ATTEST:**

**COUNCIL FOR THE BOROUGH  
OF WEST CHESTER**

BY:

\_\_\_\_\_  
Ellen B. Koopman, President

**APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
Carolyn T. Comitta, Mayor

## **Chapter 90B. Restaurant-BYOB**

### **§ 90B-1. Purpose and findings.**

- A. The purpose of this Chapter is to promote and protect the safety, health and well-being of the people of the Borough of West Chester and their property by establishing requirements for the operation of restaurants and other establishments permitting patrons to bring onto the premises and consume alcoholic beverages, defined herein as a “BYOB Facility”
- B. The Pennsylvania Liquor Code, Act of April 12, 1951, P.L. 90, as amended, does not regulate the licensing or operation of restaurants and businesses that allow patrons to bring their own alcoholic beverages onto the business premises for consumption. The regulations of this Chapter are not preempted by the Liquor Code and are necessary and proper pursuant to the police power of the Borough of West Chester.

### **§ 90B-2 Definitions**

For the purposes of this Chapter, the following definitions shall apply:

**ALCOHOLIC BEVERAGES** - Any liquor, wine, alcoholic cider or malt or brewed beverage as defined by Section 102 of the Liquor Code of the Commonwealth of Pennsylvania, Act of April 12, 1951, P.L. 90, Article I, Section 102 et seq., as amended, 47 P.S. §1-102, as amended.

**BYO and/or BYOB** – an acronym meaning “bring your own bottle,” “bring your own beer,” “bring your own beverage,” “bring your own bag,” or “bring your own booze.” The practice of an individual bringing any alcoholic beverage to an establishment or property from another location for the purpose of consumption by either themselves or others.

**BYOB PERMIT** – a permit issued by the Borough of West Chester authorizing a business to operate as a BYOB Facility within the Borough in accordance with the regulations set forth herein.

**BYOB FACILITY or FACILITY or PREMISES** – any for-profit or non-profit business facility, such as a restaurant, eating place, lounge, theater, dance venue, entertainment venue or club, not licensed by the Pennsylvania Liquor Control Board, wherein individuals, members, patrons or customers, 21 years of age and older, may consume alcoholic beverages which have been carried onto the premises by the individuals, members, patrons or customers and/or are provided by the business facility to the individuals, members, customers or patrons without charge. Such facility may or may not require payment of any entry fee, cover charge or membership fee. In order to be authorized to permit BYOB and to obtain a BYOB Permit, such facility must comply with all of the specific regulations, standards and requirements of this Chapter.

**CODES DEPARTMENT** – Borough of West Chester Department of Building, Housing and Codes Enforcement.

**PERSON** - Any individual, joint venture, association, club, company, partnership, corporation, business trust limited liability company or other entity or organization of any kind or description.

**§ 90B-3 BYOB Facility permit required.**

It shall be unlawful for any person to erect, construct, operate or maintain a BYOB Facility without first applying for and obtaining a BYOB Permit as provided in this Chapter.

**§ 90B-4 Permit application for a BYOB Facility.**

- A. Any person who shall desire to continue to operate a BYOB Facility existing on the effective date of this Chapter or open and operate a new BYOB Facility in the Borough shall make application for a BYOB Permit (the applicant) in writing to the Codes Department. The BYOB Permit shall be effective from the date of issuance until the end of the calendar year in which the permit is issued. Such application shall be accompanied by such application fee as required by a schedule of fees established by and amended from time to time by resolution of Borough Council. Such application shall be made annually on or before December 1 of each year upon forms provided by the Codes Department and shall set forth and include the following:
- (1) The name, telephone number, and electronic and postal address of the applicant.
  - (2) The physical address of the BYOB Facility.
  - (3) A scaled plan specifying the precise location of the area where alcoholic beverages will be permitted to be consumed on the Premises.
  - (4) The written consent of the property owner where the BYOB Facility is located to make application for the permit, if different than the applicant.
  - (5) An agreement of indemnity and a certificate of liability insurance naming the Borough as an additional insured, as required by §90B-5.
  - (6) The indoor seating capacity of the BYOB Facility.
  - (7) Authorization by the applicant to permit access by the Codes Department to make inspections during regular business hours and authorization for access to the books and records of the BYOB Facility to determine compliance with this Chapter.

- (8) Such other information as may be required from time to time by the Borough.
- B. If the physical location of the proposed BYOB Facility is within 300 feet of any place of worship; hospital; the location where services are provided by a charitable or philanthropic institution to the beneficiaries of the charity or philanthropy; school; or public playground, the Codes Department may refuse to issue a BYOB Permit if the Codes Department determines the issuance of the BYOB Permit would be detrimental to the welfare, health, peace or morals of the occupants of the foregoing place of worship, hospital, charitable or philanthropic institution, school or public playground.
- C. No action shall be taken on any application for a BYOB Permit under this section until the application has been completed in its entirety and the application fee has been paid. A decision on the BYOB Permit application shall be made by the Codes Department within 30 days of the submission of a complete application. There shall be no proration of fees under this subsection for BYOB Permits effective for part of a calendar year.
- D. Prior to the issuance of a BYOB Permit, the Codes Department shall conduct an inspection to verify compliance with all requirements of this Chapter.
- E. The BYOB Permit must be laminated or framed and prominently displayed at or near the main entrance of the Facility.
- F. A BYOB Permit may be revoked by the Codes Department if it is determined that the Facility is in violation of any regulation or standard of this Chapter. Prior to revocation, the Codes Department shall send written notice to the permit holder specifying the violations. The permit holder shall have 30 days from the date of the written violation notice to correct the violations and send written notice to the Codes Department detailing the correction. Failure to correct the violations or send the correction notice within the 30-day period shall result in revocation of the BYOB Permit without further notice. A third violation of the same regulation or standard of this Chapter shall result in revocation of the BYOB Permit without issuance of a violation notice or opportunity to correct the violations.

**§ 90B-5 Indemnification of Borough; insurance.**

The applicant shall execute an agreement in form and substance satisfactory to the Borough whereby the applicant shall save, indemnify, defend and keep harmless the Borough of West Chester, its elected and appointed officials, officers, employees, contractors and agents from and against any and all actions, suits, demands, payments, costs and charges for and by reason of the existence of the BYOB-Facility and all damages to persons or property resulting from or in any manner caused by the presence, location, use and operation of such BYOB-Facility or by the acts or omissions of the employees or agents of the applicant in connection with such BYOB-Facility. The applicant/property owner must

obtain and maintain in force at all times the Facility is in operation a broad form general liability insurance policy with minimum coverage of \$2 Million per occurrence which names the Borough as an additional insured.

**§ 90B-6 Specific regulations and standards applicable to BYOB Facilities.**

Every BYOB Facility shall comply with the following regulations and standards:

- A. The BYOB Facility must derive 70% or more of its annual gross revenue from the sale of food and non-alcoholic beverages for consumption on the premises.
- B. The BYOB Facility shall comply with and remain in compliance with all applicable laws, codes and regulations and have in effect all necessary permits, including but not limited to the Borough construction codes, Borough Property Maintenance Code, Borough Zoning Ordinance and regulations of the Chester County Health Department.
- C. The BYOB Facility shall have paid in full and be up to date on all taxes, fees and fines due and owing to the Borough.
- D. A BYOB Facility must be located in the Town Center or Commercial Service Zoning Districts.
- E. No alcohol may be consumed in the BYOB Facility between the hours of 11 PM and 11 AM the following day.
- F. Any entertainment shall be limited to the interior of the Facility and shall not be audible from any public street or sidewalk or adjacent property.
- G. Gambling of any type, lotteries, and gambling devices are prohibited on the Premises.
- H. Alcoholic beverages may not be consumed on the Premises by persons under twenty-one (21) years old.
- I. Alcoholic beverages may not be consumed in the public right-of way, except for a BYOB Facility holding a valid restaurant-café permit issued under Chapter 90A.
- J. No alcoholic beverages may be served to or consumed by any adult seated at a bar, booth or table where a person under 18 years of age is seated, unless the person is accompanied by a parent or legal guardian, and is properly supervised.

- K. The consumption of alcoholic beverages at the BYOB Facility by visibly intoxicated persons is prohibited.
- L. Business owners and employees shall not be visibly intoxicated at the BYOB Facility.
- M. Alcoholic beverages shall not be offered as a prize for any activity conducted at the BYOB Facility.
- N. The BYOB Permit shall not be transferable from the Permit holder to another person, or from the physical location for which the BYOB Permit was issued to another physical location.
- O. Owners, managers and employees of a BYOB Facility who have contact with customers must successfully complete the PLCB Responsible Alcohol Management Program ( "RAMP" ) within 6 months from the issuance of the BYOB Permit or within 6 months of initial employment by the BYOB Facility. The said owners, managers and employees shall continuously maintain the RAMP certification at all times they are associated with or employed by the BYOB Facility.
- P. If required by the Department of Building, Housing and Codes Enforcement during the permitting process, the applicant shall install, operate and continuously maintain video surveillance equipment at the Facility.

**§ 90B-7 Applicability.**

This Chapter applies to any BYOB Facility existing on the effective date of this Chapter and any proposed BYOB Facility in the Borough. The BYOB Permit required by this Chapter shall be obtained by any existing BYOB establishments in the Borough within 60 days of the effective date of this Chapter. Any establishment permitting BYOB as defined in this Chapter on the effective date of this Chapter located outside the Town Center or Commercial Service Zoning Districts may continue to operate, but shall apply for and obtain a BYOB Permit within 90 days of the effective date of this Chapter and comply with all other regulations and standards of this Chapter. If said existing establishment outside the Town Center or Commercial Service Districts fails to obtain a BYOB Permit within said 90 days, BYOB shall cease at the establishment. If the existing establishment obtains a BYOB Permit and thereafter ceases operations for a period of 30 consecutive days, BYOB shall no longer be permitted. Notwithstanding the foregoing, the Codes Department may extend the 30-day non-operation period for circumstances beyond the control of BYOB Permit holder, for example, renovations of the BYOB Facility.

**§ 90B-8. Additional rules and regulations.**

The Borough may, from time to time, promulgate additional rules or regulations it deems necessary to effectuate the purposes of this Chapter.

**§ 90B-9. Violations and penalties.**

Any person who violates or permits the violation of any provision of this Chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine, not less than \$50 for the first offense, not less than \$100 for the second and subsequent offense and not more than \$1,000 plus the costs of prosecution. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the Chester County prison for a period of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense and each day in which a violation of this Chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice in the amounts stated hereinabove.

ORDINANCE NO.           – 2016  
BOROUGH OF WEST CHESTER  
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, SPECIFICALLY CHAPTER 90A TITLED, “RESTAURANT-CAFES”, AMENDING SECTION 90A-4, TITLED, “PERMIT APPLICATION” AND SECTION 90A-6, TITLED “SPECIFIC STANDARDS”, REQUIRING “RESPONSIBLE ALCOHOL MANAGEMENT PROGRAM” (“RAMP”) CERTIFICATION FROM THE PENNSYLVANIA LIQUOR CONTROL BOARD FOR RESTAURANT-CAFES AND ESTABLISHING A NEW CHAPTER 90C, TITLED “FOOD TRUCKS”, FOR THE REGULATION OF FOOD TRUCK OPERATIONS IN THE BOROUGH.

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Council of the Borough of West Chester, as follows:

**SECTION 1.** Section 90A-4(A) of the Borough Code shall be amended to include “Responsible Alcohol Management Program” (“RAMP”) Certification from the Pennsylvania Liquor Control Board, as part of the Restaurant-Cafe permitting process. Section 90A-4(A) shall provide, in its entirety, as follows:

**§ 90A-4.     Permit application.**

- A. Any person who shall desire to open a restaurant-café in the Borough shall make application therefor (the applicant) in writing to the Department of Building, Housing and Codes Enforcement. Such application shall be accompanied by such application fee as required by a schedule of fees established by and amended from time to time by resolution of Borough Council. Such application shall be made annually after the first of the year upon forms provided by the Borough and shall set forth and include the following:
1. The name and address of the applicant;
  2. A scaled plan specifying the precise location of the outdoor portion of the restaurant-cafe with a proposed seating plan, a calculation of the proposed occupant load and, where applicable, the location of any adjacent parking spaces in the public right-of-way;
  3. The written consent of the property owner, if different than the applicant;

4. An agreement of indemnity as outlined in § 90A-5 and a certificate of liability insurance naming the Borough as an additional insured;
5. The indoor seating capacity of the restaurant-cafe;
6. The type of restaurant-cafe proposed by the applicant, whether it be a Cafe I District restaurant-cafe or a Cafe II District restaurant-cafe;
7. Demonstration of having achieved and maintained a "Responsible Alcohol Management Program ("RAMP") Certification from the Pennsylvania Liquor Control Board; and
8. Such other information as may be required from time to time by the Borough.

**SECTION 2.** Section 90A-6 of the Borough Code shall be amended to include the requirement to maintain "Responsible Alcohol Management Program" ("RAMP") Certification from the Pennsylvania Liquor Control Board, for the operation of a Restaurant-Café. Section 90A-6 shall now include subsection (R), which shall state:

**§ 90A-6. Specific standards.**

- R. All owners of a restaurant-cafe must obtain and maintain "Responsible Alcohol Management Program" ("RAMP") Certification from the Pennsylvania Liquor Control Board. If such Certification is not obtained, maintained, or is revoked for any reason whatsoever, the owner's restaurant-cafe permit may be revoked by the Borough.

**SECTION 3.** A new Chapter 90C titled "Food Trucks", shall be added to the Borough Code for the regulation of food truck operations in the Borough. Chapter 90C, comprised of Sections 90C-1 through 90C-8, shall provide as follows:

**CHAPTER 90C – FOOD TRUCKS**

**§ 90C-1. Scope.**

The provisions of this Chapter apply to Food Trucks engaged in the business of cooking, preparing and distributing food or beverage with or without charge upon or in public spaces. This Chapter does not apply to mobile ice cream or water ice trucks, or food vending pushcarts and stands located on sidewalks.

**§ 90C-2. Definitions.**

For purposes of this chapter, the following word, term and/or phrase has the meaning indicated herein:

**FOOD TRUCK**

A motorized vehicle, which may, upon issuance of a permit by the Borough of West Chester and conformance with the regulations established by this Chapter, temporarily park upon a publically-designated street and engage in the service, sale or distribution of ready-to-eat food for individual portion service to the general public, directly from the vehicle. The term shall include trucks and trailer hitch units used for food vending.

**§ 90C-3. Food Truck permit required.**

It shall be unlawful for any person to maintain or operate a Food Truck in the Borough of West Chester without first applying for and securing a permit therefor, as provided in this Chapter. The permit shall be valid from the date of issuance until the end of the calendar year in which the permit was issued.

**§ 90C-4. Permit application.**

- A. Any person who shall desire to operate a Food Truck in the Borough of West Chester shall make application therefor (the applicant) in writing to the Department of Building, Housing and Codes Enforcement. Such application shall be accompanied by such application fee, as required by a schedule of fees, established by and amended from time to time by resolution of Borough Council. Such application shall be made annually after the first of the year upon forms provided by the Borough, and shall set forth and include the following information:
- (1) The name, business name and address of the applicant and/or Food Truck owner;
  - (2) Contact information, including phone number and e-mail address;
  - (3) Food Truck information, including business license number, truck make and model and license plate number;
  - (4) Food Truck vending information, including types of goods to be sold and proposed hours of food truck vending;

- (5) Such other information as may be required from time to time by the Borough; and
  - (6) An agreement of indemnity as outlined in § 90C-5 and a certificate of liability insurance naming the Borough as an additional insured.
- B. No action shall be taken on any application for a permit under this section until the application has been completed in its entirety and the application fee, as required by a schedule of fees, established and amended from time to time by resolution of the Borough Council, has been paid in full. The schedule of fees shall be kept on file at the Department of Building, Housing and Codes Enforcement. There shall be no proration of fees under this subsection.

**§ 90C-5. Indemnification of the Borough; insurance.**

- A. The owner of the Food Truck shall well and truly save, indemnify, defend and keep harmless the Borough of West Chester, its officers, elected officials, employees and agents from and against any and all actions, suits, demands, payments, judgments, costs and charges caused by any reason due to the existence of the Food Truck and all damages to persons or property resulting from or in any manner caused by the presence, location, use, operation, installation, maintenance, replacement, or removal of such Food Truck, or by the acts or omissions of the employees or agents of the applicant and/or Food Truck owner in connection with such Food Truck.
- B. The owner of the Food Truck must obtain and maintain a general liability insurance policy protecting itself and the Borough with regard to damages that it is responsible to indemnify the Borough pursuant to Section 90C-5.A above in a minimum amount of One Million Dollars for bodily injury or death and Five Hundred Thousand for property damage resulting from any one accident. All insurance policies shall be issued by companies qualified to do business in the Commonwealth of Pennsylvania. All policies shall name the Borough as an additional insured and shall provide that any cancellation or reduction in coverage shall not be effective unless thirty (30) days' prior written notice thereof has been given to the Borough.
- C. Neither the provisions of this section nor any damages recovered by the Borough shall be construed to limit the liability of the owner of the Food Truck for damages.

**§ 90C-6. Specific standards.**

The following regulations shall apply to Food Trucks:

- A. An applicant, upon submitting an application for a Food Truck permit must also furnish a copies of the Food Truck operator and/or owner's: (i) valid driver's license; (ii) valid certificate of general liability coverage in the minimum amount specified in Section 90B-5.B; (iii) valid copy of the Food Truck's business license and tax identification number; and (iv) any licensing and/or permitting required by the Chester County Health Department for the operation of a Food Truck.
- B. Vending shall only be permitted from Food Trucks located at least fifty (50) feet from any residential building, and may only be parked on Church Street, south of Sharpless Street and north of West Rosedale Avenue, and on the 400 block of Hannum Avenue.
- C. Vending may occur only between 7:00 a.m. and 10:00 p.m. Food Trucks may not arrive before 6:00 a.m. and must be removed by 11:00 p.m. each day.
- D. If parked in a metered parking space, Food Trucks must feed the parking meter as required by the Borough Code.
- E. Food Trucks may not stay parked on the street overnight and must be removed from the street every night.
- F. All required Chester County Health Department-issued licenses and permits must be valid and posted in a visible location on or within the Food Truck at all times.
- G. No vending is permitted within fifteen (15) feet of a fire hydrant.
- H. No Food Truck is permitted within five-hundred (500) feet of a building with a food vendor or hauler's license or permit issued from the Chester County Health Department.
- I. No vending is permitted on private property.
- J. A person-in-charge must be present at the Food Truck vending site at all times.
- K. Food Trucks may only be open to and may only serve customers from the side of the truck facing the sidewalk. Food

Trucks are prohibited from operating with their trucks open to the roadway.

- L. No tanks, generators or other equipment shall be placed within the public right-of-way.
- M. Temporary signs used as part of the Food Truck vending operation shall not exceed eight (8) square feet and shall not block any sidewalks or impede any vehicular, biking or pedestrian traffic or paths.
- N. Awnings and canopies associated with any Food Truck shall be at least seven (7) feet above any public sidewalk.
- O. A Food Truck vending operation is subject to any and all applicable Borough Code requirements.
- P. Failure to comply with any directions or provisions of the Food Truck Permit Application Process and Food Truck Operating Guidelines may result in penalties as set forth in § 90C-8, as well as the denial of a Food Truck Vending Application and/or revocation of a Food Truck operation permit.

1. The failure to comply with any Food Truck standards, as set forth herein, may result in the following (in addition to the penalties set forth in § 90B-8):

First violation:	fine only
Second violation:	fine and/or suspension or revocation of permit
Third violation:	fine and revocation of permit.

**§ 90C-7. Additional rules and regulations.**

The Borough may, from time to time, promulgate whatever rules or regulations it deems necessary or desirable to effectuate the purposes of this Chapter, and the same shall be approved by the Borough.

**§ 90C-8. Violations and penalties.**

Any person who violates or permits the violation of any provision of this Chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and

shall be subject to the payment of a fine, not less than \$50 for the first offense, not less than \$100 for the second and subsequent offense, and not more than \$1,000, plus the cost of prosecution. Upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a period of not more than thirty (30) days. Each section or provision of this Chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this Chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice in the amounts stated hereinabove.

**SECTION 4. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

**SECTION 5. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

ATTEST:

COUNCIL FOR THE BOROUGH  
OF WEST CHESTER

\_\_\_\_\_

BY:

\_\_\_\_\_  
Ellen B. Koopman, President

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
Carolyn T. Comitta, Mayor

NOTICE: At its regular meeting on \_\_\_\_\_, 2016, at 7:00 p.m., prevailing time, Council for the Borough of West Chester, Chester County, Pennsylvania will hold a public hearing at Borough Hall, 401 East Gay Street, West Chester, Pennsylvania to consider the adoption of, and if approved, Borough Council will adopt at its regular meeting an amendment to the Borough Code with the following title and summary:

**AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, SPECIFICALLY CHAPTER 90A TITLED, "RESTAURANT-CAFES", AMENDING SECTION 90A-4, TITLED, "PERMIT APPLICATION" AND SECTION 90A-6, TITLED "SPECIFIC STANDARDS", REQUIRING "RESPONSIBLE ALCOHOL MANAGEMENT PROGRAM" ("RAMP") CERTIFICATION FROM THE PENNSYLVANIA LIQUOR CONTROL BOARD FOR RESTAURANT-CAFES AND ESTABLISHING CHAPTER 90B, TITLED "FOOD TRUCKS", FOR THE REGULATION OF FOOD TRUCK OPERATIONS IN THE BOROUGH.**

The full text of the Ordinance is available for inspection without charge at the Borough of West Chester administrative offices, 401 East Gay Street, West Chester, Pennsylvania 19380, Monday through Friday from 8:30 a.m. to 5:00 p.m. A copy of the full text of the Ordinance may be obtained for a charge not greater than the cost thereof. In addition, a certified copy of the proposed Ordinance is also on file and available for inspection by members of the public at the offices of the Daily Local News, 250 Bradford Avenue, West Chester, PA and the Chester County Law Library, Chester County Justice Center, Suite 2400, 201 West Market Street, West Chester, Pennsylvania 19380-0989.

Borough Manager  
Borough of West Chester