

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

ORDINANCE NO.

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 112 OF THE WEST CHESTER CODE, TITLED, "ZONING", SPECIFICALLY SECTION 112-202, TITLED, "DEFINITIONS" TO INCLUDE DEFINITIONS CONSISTENT WITH THE NEW PUC PLANNED UNIVERSITY CAMPUS DISTRICT; SECTION 112-302 TO ADD A NEW PUC-PLANNED UNIVERSITY CAMPUS DISTRICT; SECTION 112-302 TO AMEND THE ZONING MAP TO INCLUDE THE PUC PLANNED UNIVERSITY CAMPUS DISTRICT; TO REZONE CERTAIN PARCELS OWNED BY THE COMMONWEALTH OF PENNSYLVANIA, UNIVERSITY STUDENT HOUSING, LLC, WEST CHESTER UNIVERSITY AND GENERAL STATE AUTHORITY TO PUC-PLANNED UNIVERSITY CAMPUS; SECTION 112-304.A TO AMEND THE USE TABLES TO ADD PRINCIPAL AND ACCESSORY USES PERMITTED IN THE PUC PLANNED UNIVERSITY CAMPUS DISTRICT; TO ADD A NEW SECTION 112-314 TITLED "PLANNED UNIVERSITY CAMPUS DISTRICT" WHICH ESTABLISHES THE PURPOSE, INTENT, AREA AND BULK REGULATIONS, UNIVERSITY CAMPUS PLAN COMPONENTS, PLAN REVIEW AND DECISION PROCEDURES.

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Council of the Borough of West Chester that the Code of the Borough of West Chester, specifically, Chapter 112, titled, "Zoning", is hereby amended as follows:

SECTION 1. Section 112-202, titled, "Definitions" shall be amended to add the following definitions:

ATHLETIC FACILITY – INTERCOLLEGIATE COMPETITION USE

Any indoor or outdoor facility, natatorium, court, or field designed for intercollegiate sports competitions, and which includes spectator seating and related amenities and any community use of same, whether for rent or by donation.

ATHLETIC FACILITY – RECREATIONAL USE

Any outdoor facility with an open, relatively level, natural or artificial turf surface or an indoor facility designed for team sports, games and recreational activities which do not require spectator seating for more than twenty (20) people and are typically

used by students for intramural sports and similar activities.

AUDITORIUM

A facility for the primary use of the University and its students providing indoor seating for meetings or live performances with a maximum seating capacity of 1,500 seats, including any community use of same, whether for rent or by donation, but not including a movie theater, adult cabaret or tavern.

EDUCATIONAL FACILITIES

Land or buildings used by a University as defined herein for instruction and learning, including classrooms, laboratories, and libraries, and any community use of same, whether for rent or by donation. The term shall exclude driver training schools, heavy equipment training, riding schools, child day-care centers, adult day-care centers, family day-care homes and group day-care homes.

OFFICES, ADMINISTRATIVE AND FACULTY

A use that involves administrative, clerical, financial, institutional operations or operations of a similar character specific to the operation of the University. This use shall not include retail, commercial or industrial uses.

ON-CAMPUS

Residence hall beds in the PUC Area or an apartment unit bed on south-campus or students attending class or classes in any building located in the PUC Area or in any building located in West Goshen Township or in East Bradford Township, excluding the West Chester University Graduate Center.

PARKING GARAGE

A structure, containing two or more levels, which is used to shelter or store motor vehicles.

PARKING LOT, SURFACE

A parking facility, area or lot that is used as a commercial enterprise for the parking of motor vehicles.

PERIMETER SETBACK

For purposes of the Planned University Campus District, the horizontal distance between the street line of High Street, University Avenue, Reynolds Alley, Rosedale Avenue, New Street and Sharpless Street and all buildings, structures and parking lots.

PUC AREA

The area of the University campus bounded by S. High St., University Avenue, Reynolds Alley, Sharpless Street, S. New St. and W. Rosedale Ave. This area, excluding road and street rights-of-way, shall be considered as a stand-alone lot for the application of the area and bulk requirements for the PUC District.

STUDENT RECREATION CENTER

The building, rooms or area on a college or university campus that is devoted to student recreation and socialization, offering a variety of programs, activities, services, and facilities. It may include, but not be limited to: sports courts, game rooms, lounges, wellness centers, entertainment venues, meeting rooms, bowling alleys, cultural or other similar amenities.

STUDENT SERVICES

A building or room(s) on a college or university campus set aside for the department or division of services and support for students which may include, but not be limited to: academic advising, financial aid, career development, course registration, tutoring services.

UNIVERSITY

The buildings and grounds of an institution of higher learning accredited by an agency recognized by the United States Department of Education or successor agency (e.g., Middle States Commission on Higher Education)

UNIVERSITY CAMPUS

The existing and future buildings, structures, parking lots and facilities owned, used and/or operated by West Chester University of Pennsylvania or successor University, located within the Planned University Campus District of West Chester Borough.

UNIVERSITY FOOD SERVICE FACILITIES

A building or room(s) or vehicle on a college or university campus, set aside for the receiving, storage, preparation and consumption of food and beverages for the benefit of students, faculty and staff or temporarily to serve at such events as fairs, banquets and athletic contests.

UNIVERSITY BOOKSTORE FACILITIES

A building or room(s) on a college or university campus, set aside for the receiving, storage and retail sale of textbooks, apparel, gifts, office supplies, and sundries for the benefit of the students, faculty and staff.

UNIVERSITY GYMNASIUM

An indoor facility wholly devoted to the provision of equipped spaces, athletic equipment, and supporting services designed to promote physical fitness and recreation for university students and any community use of same, whether for rent or by donation

UNIVERSITY HEALTH AND COUNSELING FACILITIES

A building or room(s) on a college or university campus, set aside to provide integrated medical, mental health, and wellness services for students. Facilities may include, but not be limited to exam rooms, meeting rooms and offices for:

physicians, psychiatrists, psychologists, nurse practitioners, social workers, counselors, nurses, medical assistants, therapists and athletic trainers, and any community use of same, whether for rent or by donation.

UNIVERSITY PHYSICAL PLANT FACILITIES

A building or room(s) on a college or university campus, set aside for the necessary infrastructure required for the daily operation and maintenance of the campus buildings including heating, cooling, plumbing, lighting and communications.

UTILITY USES, FACILITIES AND STRUCTURES

Telephone, electric, cellular, internet, and cable television lines, poles, equipment and structures; water or gas pipes, mains, valves or structures; sewer pipes, valves or structures; pumping stations; telephone exchanges and repeater stations; and all other facilities, equipment and structures necessary for conducting a service by a government or utility service.”

SECTION 2. The definition of “Student housing” in Section 112-202 shall be amended to state as follows:

STUDENT HOUSING; RESIDENCE HALL

A building owned and managed by a college or university or by a private entity which owns and operates student housing for college or university students recognized and approved for such purpose by the college or university at which such students are enrolled, which contains dwelling rooms, apartments or other living units that provide sleeping and living accommodations solely for students enrolled at the college or university. Student housing shall not include the conversion or the use of single-family dwellings for the purpose of renting rooms or space to individuals attending a college or university.

SECTION 3. Section 112-302.A., titled, “Districts enumerated; Zoning Map,” Base Zoning Districts shall be amended to add a new PUC Planned University Campus District.

SECTION 4. The Zoning Map of the Borough of West Chester which is adopted in Section 112-302.B. titled; “Zoning Map,” shall be and is hereby amended to rezone the following parcels of property from IS Institutional District to PUC Planned University Campus District:

<u>Tax Parcel No.</u>	<u>Property Address</u>	<u>Current Owner</u>
1-12-243-E	175 University Avenue	Commonwealth of Pennsylvania
1-12-243.1-E	715 S. New Street	University Student Housing, LLC Commonwealth of Pennsylvania
1-12-244-E	25 University Avenue	Commonwealth of Pennsylvania

1-12-244.1-E	675 S. Church Street	Commonwealth of Pennsylvania
1-12-245-E	15 University Avenue	West Chester University
1-12-246-E	13 University Avenue	Commonwealth of Pennsylvania
1-12-249-E	628 S. Hight Street	General State Authority
1-12-250-E	50 University Avenue	Commonwealth of Pennsylvania
1-12-250.1-E	720 S. High Street	Commonwealth of Pennsylvania

The PUC Planned University Campus District shall be depicted on the Base Zoning Map attached to this Ordinance as Exhibit A which is hereby enacted as the Zoning Map of the Borough of West Chester as referenced in Section 112-302.B.1(a) of the Zoning Ordinance.

SECTION 5. The table in Section 112-304.A of the Zoning Ordinance, titled “Principal Uses” is amended by adding a column titled “PUC” and adding the following uses as permitted by-right principal uses in the PUC Planned University Campus District. This table is also amended to include a footnote for the PUC column that states “All Principal Uses are permitted subject to the prior approval of a University Campus Plan in accordance with Section 112-314.

- (1) Educational facilities.
- (2) Administrative and faculty offices.
- (3) Student Union.
- (4) University food service facilities.
- (5) University bookstore facilities.
- (6) University health and counseling facilities.
- (7) Student services.
- (8) University physical plant facilities including geothermal pump house.
- (9) Auditorium.
- (10) Residence Halls.
- (11) Student Housing.
- (12) Parking garages.
- (13) Surface parking lots.
- (14) Student recreation center.
- (15) University gymnasiums.

- (16) Utility uses, facilities and structures.
- (17) Forestry.
- (18) Wireless communication facilities.
- (19) Athletic facilities– Intercollegiate Competition Use.
- (20) A program or programs administered jointly with a third-party entity where the primary purpose of the program is educational in nature, by way of example only, the psychology center.

SECTION 6. The table in Section 112-304.B of the Zoning Ordinance, titled “Accessory Uses” is amended by adding a column titled “PUC” and adding the following uses as permitted accessory uses in the PUC Planned University Campus District. This table is also amended to include a footnote for the PUC column that states “All Accessory Uses are permitted subject to the prior approval of a University Campus Plan in accordance with Section 112-314.

- (1) Surface parking lots.
- (2) One story shed with a maximum total floor area of 1,000 square feet.
- (3) Athletic facilities – recreational uses.

SECTION 7. A new Section 112-314, titled, “Planned University Campus District” shall be adopted and provide as follows:

**Section 112-314
Planned University Campus District**

A. Purpose and Intent.

The purpose and intent of the Planned University Campus District (PUC) is to recognize the unique character and interrelated complexities of appropriately regulating the campus use of West Chester University of Pennsylvania, or any successor university, relative to the following:

- (1) Plan for orderly, coordinated, unified development of the University Campus and related uses by developing uniform standards with adjacent municipalities that recognize that university facilities, infrastructure, traffic management, parking facilities, pedestrian circulation and stormwater management cross municipal boundaries.
- (2) Strengthen, maintain and preserve neighborhoods that surround or are immediately outside of the University Campus.

- (3) Encourage long range planning for University Campus growth and allow for the success of the University in advancing the missions of the University and the Pennsylvania State System of Higher Education.
- (4) Establish boundaries and the maximum density for the future development of the University Campus.
- (5) Establish appropriate area and bulk standards to regulate campus size, building setback, building height, impervious coverage, impacts, and setbacks.
- (6) Establish appropriate standards, regulations and conditions for parking facilities, vehicular circulation, and pedestrian circulation which promote safe and efficient movement between the University Campus and the surrounding community.
- (7) Simplify the review and approval process for individual buildings and related facilities that conform to an approved University Campus Plan.
- (8) Achieve certain of the goals of the Borough Comprehensive Plan that address University growth and multi-municipal cooperation.

B. Dimensional Requirements.

The following area and bulk regulations shall apply to all uses, land, buildings, and structures within the Planned University Campus District.

- (1) Minimum Perimeter Setback: 20 feet; provided however, that the minimum perimeter setback from Sharpless Street shall be 30 feet.
- (2) Minimum building and structure separation distance: 20 feet.
- (3) Minimum setbacks for surface parking lots: 20 feet as provided in Section 112-314.A(1) herein above, except that, where the PUC District abuts a residential district or residential use (even if separated by a street), the minimum setback shall be 30 feet.
- (4) Maximum impervious coverage in the PUC Area: 80%.
- (5) Minimum green space in the PUC Area: 20%.
- (6) Maximum building and structure height: 90 feet

C. University Campus Plan Components.

1. After the effective date of the Zoning Ordinance amendment that enacts this Section 112-314, no land development or change in use of an existing building from a use of that land or building not previously utilized by the University shall occur in the Planned University Campus District except in compliance with this Section 112-314.

2. In order to assure that development within the PUC District complies with the purpose and intent of this Section 112-314, after the effective date of this Ordinance, prior to proceeding with any land development, the University shall prepare and submit to the Borough a conditional use application which shall include a comprehensive campus plan, referred to as a “University Campus Plan”, which projects, anticipates and accommodates five (5) years of growth and development of the University Campus. Such plan shall be reviewed by the Planning Commission in accordance with the provisions of this Section 112-314.
3. The University Campus Plan shall be submitted with the conditional use application and shall include the following materials and components:
 - (1) A University Enrollment Report and Projection Analysis that includes the information required by Section 112-314.F.
 - (2) A University Housing Report and Analysis that includes the information required by Section 112-314.G.
 - (3) A University Campus Transportation Study that is prepared in accordance with the criteria in Section 112-314.H.
 - (4) A University Campus Parking Study that is prepared in accordance with the criteria in Section 112-314.I.
 - (5) A Conceptual Stormwater Management Strategy in accordance with the criteria in Section 112-314.J.
 - (6) A Master Site Plan in accordance with the criteria in Section 112-314.K.

D. Implementation Schedule

The conditional use application for the University Campus Plan shall include: (i) an implementation schedule for all recommended improvements included in the Transportation Study, Parking Study and Stormwater Management Strategy; (ii) a list of all such improvements; and the time frame when the improvements are scheduled to be completed based on the development proposed on the Master Site Plan. The implementation schedule shall provide for the completion of the improvements on a phased basis as land development proposed on the Master Site Plan is built. As part of the conditional use decision, Council shall impose an implementation schedule for completion of the various improvements identified and required by the Borough Subdivision and Land Development Ordinance, other applicable ordinances and regulations and the approved University Campus Plan required by Section 112-314.M for each phase of the University Campus Plan.

E. University Enrollment Report and Projection Analysis.

1. A University Enrollment Report and Projection Analysis shall be submitted which includes the following.
 - (1) Current University On-Campus enrollment and On-Campus census data shall be provided for the following categories:
 - (a) Full time students.
 - (b) Part time students.
 - (c) Undergraduate students.
 - (d) Graduate and professional students.
 - (e) Full time faculty and staff.
 - (f) Part time faculty and staff.
 - (2) University enrollment and census data for the three (3) year period immediately preceding the current year shall be provided.
 - (3) A University On-Campus three (3) year student enrollment projection and its accommodation within the Master Plan.
 - (4) Information provided in the Enrollment Report and Projection Analysis shall be utilized for planning purposes only and shall not be utilized to formulate or to impose any condition of approval that regulates or otherwise restricts University growth.

F. University Housing Report and Analysis.

1. A University Housing Report and Analysis shall be submitted which includes the following.
 - (1) Current University On-Campus housing data shall be provided for the following categories:
 - (a) Total number of students living On-Campus.
 - (b) Total number of residence hall/student housing beds available On-Campus.
 - (2) University On-Campus housing data shall be provided for the three (3) year period immediately preceding the submission of the report and analysis.

2. Upon request from the University, the Borough shall provide to the University copies of the rental registration forms for off-campus student homes in the Borough.
3. The University Housing Report and Analysis shall include three (3) year On-Campus housing need projection, with reference to the accommodation of same within the Master Plan.

G. University Campus Transportation Study.

A University Campus Transportation Study shall be submitted which includes the following components.

1. A Transportation Demand Management (TDM) Plan.
 - (1) The TDM Plan shall investigate and consider implementation of a variety of strategies which collectively limit the demand on the transportation system, particularly a reduction of single occupant vehicles during peak periods, and by the expansion of choices available to students, faculty and staff. A TDM Plan is a critical component of reducing parking demand. Traffic needs to be minimized to decrease congestion within the Borough, to create livable and walkable spaces, and to minimize the effects of traffic on neighboring communities. The TDM Plan shall consider implementation of the following strategies and initiatives:
 - (a) Shuttle system.
 - (b) Discounted transit fare program.
 - (c) Carpool and vanpool preferential parking.
 - (d) On-site car-sharing vehicles.
 - (e) Real-time display of parking garage utilization.
 - (f) Commuter information center (website, brochures, resource table).
 - (g) Flexible or alternative work hours for workers.
 - (h) TDM education programs directed at the students and employees.
 - (2) The TDM Plan shall include a travel-demand management analysis, applying the committed strategies to estimate the reduction of peak-hour, single occupancy vehicle trips associated with existing or future

development related to the University Campus Plan. Specific TDM strategies and measures shall be specified for each of the following users.

- (a) Students residing within the district.
 - (b) Students who commute from a residence outside the PUC District.
 - (c) Employees.
 - (d) Visitors/special event attendees.
2. Utilizing accepted traffic engineering standards and criteria, the Traffic Study and Analysis shall identify the transportation study area reasonably proximate to and/or within the PUC. Existing transportation conditions for highway links and intersections serving the PUC must be described and the existing level of service analyzed. Potential transportation impacts of future parking development must be assessed for a three-year projection which is based on the enrollment and census data outlined in Section 112.145.A(2). Recommendations for potential system or service improvements in order to accommodate the projected transportation impacts of PUC development shall be included. The Traffic Study and Analysis shall identify specific improvements to the studied intersections within and in reasonable proximity to the PUC District designed to reduce or minimize impacts created by campus development on existing and future residential neighborhoods.
 3. Internal circulation and facilities. The study shall describe existing and any proposed internal roads for vehicular traffic; existing and proposed connections to the public street network; plans for street openings and closings, and possible impacts on the adjoining transportation system and adjoining zoning districts; existing and proposed facilities and accommodations for public transportation, pedestrian circulation, bicycle paths and other transportation methods.
 4. All proposed improvements shall be presented with a commitment schedule based on projected University enrollment, as presented per Section 112-314.F.1.(2)

H. University Campus Parking Study.

The University Campus Parking Study shall include the following components:

1. This report shall inventory the current average weekday utilization of all parking facilities between the time periods of 11 am to 1 pm and 5 pm to 7 pm when the University is in session.
 - (1) Using the projections developed per Section 112-145, the parking study shall detail a parking plan for each of the defined user groups. The projections report shall include a narrative describing the methodology utilized to determine the number of spaces required and a description of the

assumptions and methodology for calculating the projected number of required parking spaces.

2. Parking space requirements. Eighty-five (85%) percent of existing, unused areas allocated for off-street parking documented in the report prepared pursuant to Section 112-148(A)(1) may be credited towards the satisfaction of the University Campus Plan's projected parking requirements.
3. Location. Parking which serves all uses within a PUC shall be permitted at any University parking facility location, even if located within another municipality. However, the location of University parking facilities shall accommodate the needs of users as specified in the parking projections report and in the University Campus Plan Transportation Study.
4. All proposed parking improvements shall be presented with a commitment schedule based on projected University enrollment, as presented per Section 112-145. The proposed improvement schedule shall include a written description explaining how the improvements are implementing West Chester Borough's 2017 Parking Master Plan.
5. Parking for third-party development. Independent non-university third-party land development in the PUC shall provide on-site parking in accordance with the Borough of West Chester zoning requirements. An example of such would be when the University leases land to another party who is not affiliated with the University.

I. Conceptual Stormwater Management Strategy.

1. A Conceptual Stormwater Management Strategy shall be developed based on the projected three (3) year growth depicted by the University Campus Plan.
2. The Conceptual Stormwater Management Strategy shall be based on the criteria and approach outlined in Section 94-304 of the Borough of West Chester's Stormwater Management Standards, but on a conceptual basis only.
3. To the extent the Borough's standards deviate from the terms of the University's MS4 permit from the Pennsylvania Department of Environmental Protection, the terms of the MS4 permit shall govern.

J. Master Site Plan.

1. The Master Site Plan shall be prepared in accordance with the data, analysis and conclusions of the University Enrollment Report and Analysis, University Housing Report and Analysis, University Campus Transportation Study, University Campus Parking Study and the Comprehensive Stormwater Management Strategy which are prepared per the requirements of Section 112-144.B.

2. The Master Site Plan shall depict all of the existing and proposed development on the University Campus within the PUC anticipated within a three (3) year period. The Master Site Plan shall show the general location and size of all proposed new development by the University, or for the benefit and use of the University, and shall allocate land and demarcate facilities for the following.
 - a. Existing buildings and their uses, i.e. classroom, residence halls, administration, including the cumulative gross floor area of all existing buildings.
 - b. Proposed buildings including proposed uses and gross floor area. Residence halls and student housing shall indicate the number of beds.
 - c. Existing parking facilities and capacity.
 - d. Proposed parking facilities and capacity.
 - e. Provisions for vehicular and pedestrian access and circulation.
 - f. Athletic fields.
 - g. Recreation facilities.
 - h. Open space.
 - i. Conceptual location of stormwater management facilities, laid out as reserve areas only, and not requiring storm water management design or calculations.
3. The Master Plan shall include tabular data indicating the existing, proposed and permitted total size of the campus, floor area, building coverage, building height (number of stories), building setbacks, number of parking spaces, impervious coverage, green space and open space.

K. Sustainability.

1. All proposed buildings and facilities depicted on the University Campus Plan shall be designed to improve the sustainability of the campus.
2. All proposed buildings shall be designed to meet, at a minimum, the U.S. Green Building Council's LEED Silver Certification criteria.

L. University Campus Plan Review and Decision Procedures.

1. It is assumed that the University Campus Plan will include and utilize infrastructure which is located in more than one contiguous municipality. In such case, a copy of the information specified in Section 112-314.D. shall be submitted to both the Borough of West Chester and West Goshen Township at the time of filing with the Borough of a conditional use application for approval of a University Campus Plan with respect to land located within the Borough. The Borough may request that West Goshen Township review the conditional use application and provide comments to the Borough on the proposed University Campus Plan provided that

such review shall not delay the hearing on the conditional use application by the Borough. If the conditional use application and proposed University Campus Plan involves land and development in both the Borough and West Goshen, the Borough and West Goshen shall endeavor to coordinate their reviews of the application such that the University does not have to duplicate its efforts and to ensure that consistent conditions are imposed on the respective municipality's approval.

2. The materials that the University submits pursuant to Section 112–314.D. shall be in lieu of the report required by Section 112–905. The University shall not be required to submit an impact assessment report. The University shall provide testimony at the conditional use hearing to demonstrate that the applicable standards and criteria in Section 112–905 have been met.
3. An approved University Campus Plan shall govern the use and development of land within the PUC District. The terms of such approved University Campus Plan shall be enforceable in accordance with the procedures and remedies set forth in Article X.
4. After submission and approval of the initial University Campus Plan, the Master Site Plan shall be valid for a period of ten (10) years from the date of approval. The Dimensional Requirements (as defined by Section 112-314.C.) approved on the Master Site Plan shall be the regulations applicable to the use and development of all new buildings, structures and improvements depicted on the Master Plan within the ten-year approval period. Any new building, structure or improvement depicted on the approved Master Site Plan shall not require individual conditional use, special exception and/or variance application and approval; provided however, all other applicable permits and approvals are or have been obtained including, but not limited to, land development approval when required and any applicable building code approvals within the jurisdiction of the Pennsylvania Department of Labor and Industry. However, if the enrollment of students present On-Campus has increased by five (5) percent or more above the enrollment projections of students On-Campus reported in the University Enrollment Report and Analysis that was submitted with the conditional use application, the University shall be required to seek a modification of the conditional use approval to address the impacts that the increased enrollment above the five (5) percent threshold has on the Master Site Plan, if any, prior to proceeding with a project under the approved Master Site Plan.
5. After conditional use approval of the University Campus Plan and Master Site Plan, a land development plan shall be required for the construction of any new building, structure or parking lot with more than ten (10) spaces.
6. Notwithstanding any provision in the Borough Zoning Ordinance to the contrary, any conditional use approval granted pursuant to the Planned University Campus District regulations shall remain valid for 10 years from the date of the conditional

use decision notwithstanding enactment within that time of any amendment of the Borough Zoning Ordinance, such that any land development application or plan or other application may be submitted thereunder within ten (10) years from the date of the conditional use decision, provided that ten (10) year timeframe may be extended at the discretion of Borough Council.”

SECTION 8. Severability. The provisions of this Ordinance are severable, and if any article, section, subsection, clause, sentence or part thereof shall be held or declared illegal, invalid or unconstitutional by any court of competent jurisdiction, the decision shall not affect or impair any of the remaining articles, sections, subsections, clauses, sentences or parts thereof of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional article, section, subsection, clause, sentence or par thereof had not been included herein.

SECTION 9. Repealer. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 10. Effective Date. This Ordinance shall become effective upon enactment as by law provided.

ENACTED AND ORDAINED THIS ____ DAY OF _____, 2021.

**COUNCIL OF THE BOROUGH OF WEST
CHESTER**

ATTEST:

Michael A. Perrone, Secretary

By: _____
Michael Galey, Esquire, President

APPROVED THIS ____ DAY OF _____, 2021.

Jordan Norley, Mayor