

**TYRONE TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA
ORDINANCE 2019-64**

**AN ORDINANCE ADOPTING A CURATIVE AMENDMENT TO THE
TYRONE TOWNSHIP ZONING ORDINANCE TO CURE A
SUBSTANTIVE INVALIDITY IN THE ZONING ORDINANCE**

WHEREAS, Section 609.2 of the Municipalities Planning Code (the "MPC"), 53 P.S. §10609.2, provides that if a municipality determines that its zoning ordinance or a portion thereof is invalid it may undertake a procedure to enact a municipal curative amendment; and

WHEREAS, to begin the municipal curative amendment process, a municipality must declare by formal action that its zoning ordinance or any portion thereof is substantively invalid and propose to prepare a curative amendment to overcome such invalidity; and

WHEREAS, the Board of Supervisors of Tyrone Township adopted Resolution 2019-01 at its meeting on June 5, 2019, which resolution declared that a portion of the Zoning Ordinance is substantively invalid because it does not permit, as a permitted use, conditional use or special exception, facilities, whose primary use is to hold special events, such as weddings, wedding receptions, wedding showers, reunions, anniversary parties, retirement parties, baby showers, birthday parties, conferences, seminars and other similar events, in any of the zoning districts within Tyrone Township; and

WHEREAS, Resolution 2019-01 also directed the Township Zoning Officer, Township Engineer and Township Solicitor to work in conjunction with the Board of Supervisors to prepare and consider a curative amendment to overcome the declared invalidity.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Tyrone Township, Adams County, Pennsylvania, as follows:

SECTION 1: The Tyrone Township Zoning Ordinance (the "Zoning Ordinance") is hereby amended as follows:

Section 12-901 of the Zoning Ordinance shall be amended to add the following use as a permitted principle use in the Highway Commercial (HC) District to cure the substantive invalidity in a portion of the Zoning Ordinance:

N. Special Events Facilities for the principle purpose of holding events, such as weddings, wedding receptions, wedding showers, reunions, anniversary parties, retirement parties, baby showers, birthday parties, conferences, seminars and other similar events.

SECTION 2: In all other respects, the Zoning Ordinance shall remain as heretofore enacted, ordained, and amended.

SECTION 3: The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the validity of any remaining provisions of this Ordinance.

It is hereby declared to be the legislative intent that this Ordinance would have been adopted and enacted as if such unconstitutional, illegal or invalid provision had not been included therein.

SECTION 4: Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5: This Ordinance shall become effective five (5) days after enactment.

9th DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 2019-64, this day of October, 2019 by the Board of Supervisors of Tyrone Township.

ATTEST:

BOARD OF SUPERVISORS
TYRONE TOWNSHIP

Nancy S. Brown
Township Secretary

By: R M
Chairman