

WEST BRADFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2020 – 06

AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 450 OF THE WEST BRADFORD TOWNSHIP CODE, ENTITLED “ZONING” AT ARTICLE XV. WIRELESS COMMUNICATIONS FACILITIES, IN ORDER TO PROVIDE FOR PROVISIONS TO CLARIFY THAT SMALL WIRELESS FACILITIES ARE GOVERNED BY A SEPARATE ORDINANCE AND DESIGN GUIDELINES AND UPDATE PROVISIONS TO COMPLY WITH FEDERAL AND STATE LAW WITH RESPECT TO WIRELESS COMMUNICATIONS FACILITIES IN WEST BRADFORD TOWNSHIP.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of West Bradford Township that Chapter 450 of the West Bradford Township Code, titled, “Zoning”, shall be amended as follows:

SECTION 1. Section 450-83. shall be retitled as follows:

“§450-83. Purpose, Intent, Applicability, and Compliance with Federal and State Law.”

SECTION 2. Section 450-83 shall include the following new subsections as follows:

“C. Small Wireless Facilities. Wireless Communications Facilities that qualify as Small Wireless Facilities, as has been defined by the Federal Communications Commission, are governed by a separate ordinance, and related design criteria, as adopted by the Township to address and regulate such Small Wireless Facilities. Wireless Communications Facilities that fall under the definition of Small Wireless Facilities are governed and controlled by such Small Wireless Facilities ordinance and approved design criteria and are not subject to the provisions of this Article.

D. Approval Periods. Applications for installation of any and all wireless communications facilities shall be processed in a timely manner and in compliance with the required time frames for municipal review and action as established by state and federal law and regulations.

E. Consistency with state and federal laws and regulations. The provisions contained herein regulating wireless communications facilities are intended to comply with federal

and state laws and regulations in effect as of the date of adoption of this Article, as amended. To the extent that any of the provisions in this section conflict with any federal or state statute or regulations, the federal or state statutes or regulations shall control unless the applicable federal or state statutes or regulations allow for more stringent provisions in local ordinances. In which case, the more stringent provisions of local ordinances shall remain in effect and shall control in such instances."

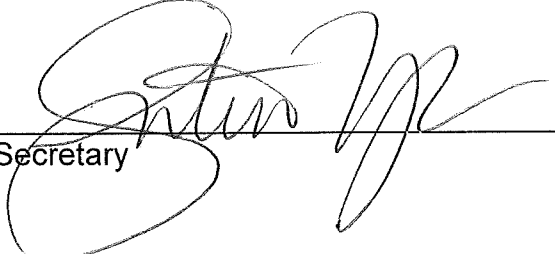
SECTION 2. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors of West Bradford Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. Repealer. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

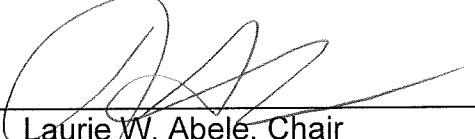
SECTION 4. Effective Date. This Ordinance shall be effective five (5) days following enactment as by law provided.

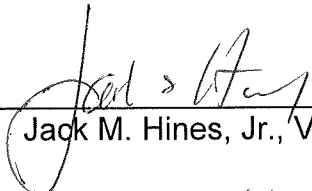
ENACTED AND ORDAINED this 13 day of October 2020.

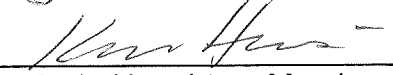
ATTEST:


Secretary

**WEST BRADFORD TOWNSHIP
BOARD OF SUPERVISORS**

By: 
Laurie W. Abele, Chair

By: 
Jack M. Hines, Jr., Vice Chair

By: 
Kevin Houghton, Member