

TOWNSHIP OF RAPHO
Lancaster County, Pennsylvania

ORDINANCE NO. 2010-6

**AN ORDINANCE AMENDING THE OFFICIAL RAPHO
TOWNSHIP ZONING ORDINANCE – AMENDMENTS CODIFIED
THROUGH SEPTEMBER 1, 2005 BY REVISIONS TO ARTICLE I
DEFINITION OF PARKS AND PLAYGROUNDS AND
COMMERCIAL RECREATION FACILITIES.**

WHEREAS, the Township of Rapho wishes to amend its Official Zoning Ordinance to revise the Ordinance provision defining “Parks and Playgrounds” and “Commercial Recreation Facilities” within the Township; and

BE IT HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Rapho Township, Lancaster County, Pennsylvania, that the Official Zoning Ordinance of Rapho Township – Amendments codified through September 1, 2005 shall be amended in the following respects:

Section 1. ARTICLE 1, Section 112 (C), “Parks and Playgrounds” of the Ordinance (defining Parks and Playgrounds) shall be revised and amended to provide, in full, as follows:

112.C. PARKS AND PLAYGROUNDS – Those facilities designed and used for recreation purposes by the general public that are not operated on a commercial basis. This definition is meant to include a range of recreational activities, excluding adult-related uses, amusement arcades, amusement or theme parks, golf courses, off-track betting parlors, racetracks, banquet and social halls, community centers, and shooting ranges. Such uses may include:

1. Outdoor park and recreation facilities, including athletic fields, courts, playgrounds, open play areas, and other similar uses.
2. Outdoor passive recreation facilities, including picnic pavilions, hiking, biking and fitness trails, park benches, fountains, statues and other memorials, barbecue grills, ponds, natural and cultural exhibits, amphitheaters, and other similar uses.
3. Indoor community service uses and activities, including scout cabins, libraries, museums and galleries of materials that are not for sale, clubhouses, and other similar uses.

4. Uses accessory to the above permitted uses, including parking and loading spaces, signs, offices, rest rooms, maintenance equipment storage areas and buildings, lights, waste receptacles and dumpsters, bleachers, and other similar uses.

Section 2. ARTICLE 1, Section 112 (C), "Commercial Recreation Facilities" of the Ordinance (defining Commercial Recreation Facilities) shall be revised and amended to provide, in full, as follows:

COMMERCIAL RECREATION FACILITY – an activity operated on a commercial basis, open to the public for a fee, for the purpose of public recreation or entertainment, including, but not limited to, stadiums, skating rinks, skateboard, stunt-bicycle or BMX-bicycle courses, community centers, gymnasiums, weight and fitness rooms, tennis courts, gymborees, game rooms, banquet and social halls, theaters, galleries, bowling alleys, indoor recreation facilities, drive-in motion picture facilities, swimming pools, health clubs, miniature golf courses, museums, and other similar uses. This does not include adult-related uses or amusement arcades, as defined herein.

Section 3. 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 of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

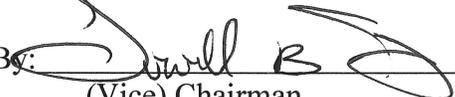
Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Rapho Township.

ORDAINED AND ENACTED as an Ordinance this 2nd day of December, 2010, by the Board of Supervisors of Rapho Township, Lancaster County, Pennsylvania.

Attest: 
(Asst.) Secretary

BOARD OF SUPERVISORS
RAPHO TOWNSHIP

By: 
(Vice) Chairman

#569178.1 (50050.283)

I, Duane R. Martin, Secretary of the Board of Supervisors of Rapho Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of Rapho Township held on December 2, 2010, at which meeting a quorum was present and voted in favor thereof.



Duane R. Martin, Secretary