

AN ORDINANCE OF NEWTOWN TOWNSHIP, UPPER MAKEFIELD TOWNSHIP, AND WRIGHTSTOWN TOWNSHIP AMENDING THE NEWTOWN AREA JOINT MUNICIPAL ZONING ORDINANCE OF 1983, AS AMENDED, TO REGULATE THE EXPANSION OF NONCONFORMING STRUCTURES

BACKGROUND

A. Pursuant to statutory authority, the Pennsylvania Municipalities Planning Code (the “MPC”), Act 247 of 1968, as amended (53 P.S. §10101 et seq.), the Townships of Newtown, Upper Makefield, and Wrightstown have enacted the Newtown Area Joint Municipal Zoning Ordinance of 1983, (the “JMZO”); as amended;

B. The Townships believe it to be in the best interest of citizens of the Townships to regulate the expansion of nonconforming structures; and

C. The proposed Amendment has been advertised, considered, posted and reviewed in accordance with MPC Section 609 (53 P.S. §10609).

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby ENACTED AND ORDAINED by the Boards of Supervisors of Newtown Township, Upper Makefield Township, and Wrightstown Township, Bucks County, Pennsylvania, as follows:

**SECTION 1.** Article XII, Nonconforming Uses, Structures, Lots and Signs is hereby amended by deleting and replacing Section 1208. B as follows:

B. Expansion of a Principal Structure. A principal structure that does not conform with the setback, yard, building, building height or other dimensional regulations of the district in which it is located may be extended along the existing nonconforming building line, provided that the extension or addition is no closer to the side, rear or front boundary line, ~~and is no greater in height,~~ than the existing nonconforming principal structure, and complies with the maximum height limitation of the district in which it is located.

**SECTION II – Conflicts.** To the extent any provision of this section conflicts with any other applicable provision of the JMZO, the more restrictive provision shall apply.

**SECTION III – Repealer.** All inconsistent provisions of other ordinances or resolutions are repealed to the extent of the inconsistency. All other provisions of the ordinances of Newtown Township, Upper Makefield Township, and Wrightstown Township shall remain in full force and effect.

**SECTION IV – Severability.** The provisions of this ordinance are declared to be severable. If one or more of the provisions of this ordinance are declared to be invalid or unconstitutional by a

court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this ordinance.

**SECTION VI – Effective Date.** This ordinance shall be effective five (5) days after adoption by the last adopting municipality hereto.

**ORDAINED and ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2022.

ATTEST:

**NEWTOWN TOWNSHIP**

\_\_\_\_\_  
MICAH LEWIS,  
TOWNSHIP MANAGER

\_\_\_\_\_  
DENNIS FISHER,  
CHAIR

DATE: \_\_\_\_\_

ATTEST:

**UPPER MAKEFIELD TOWNSHIP**

\_\_\_\_\_  
DAVID R. NYMAN  
TOWNSHIP MANAGER

\_\_\_\_\_  
THOMAS F. CINO,  
CHAIR

DATE: \_\_\_\_\_

ATTEST:

**WRIGHTSTOWN TOWNSHIP**

\_\_\_\_\_  
JOSEPH PANTANO,  
TOWNSHIP MANAGER

\_\_\_\_\_  
CHESTER S. POGONOWSKI,  
CHAIR

DATE: \_\_\_\_\_