

BILLED NO. _____

1ST READING _____

PASSED _____

(AMENDED)

NO. _____, 1994

A N O R D I N A N C E

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, AMENDING SUBSECTION (f) OF SECTION 1365.02, ENTITLED "PERMITTED AND PROHIBITED USES" OF ARTICLE 1365 ENTITLED "M-3 INDUSTRIAL DISTRICTS" OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, 1978, TO EXPAND SCOPE OF PROHIBITED USES IN M-3 INDUSTRIAL DISTRICTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

SECTION 1. That Subsection (f) of Section 1365.02 entitled "PERMITTED AND PROHIBITED USES" of Article 1365 entitled "M-3 Industrial Districts" of the Codified Ordinances of the City of Chester, Delaware County, Pennsylvania, 1978, as supplemented and amended is hereby amended to read as follows:

(f) Handling, processing, landfilling, composting, incinerating, resource recovery, transferring and/or storage of hazardous wastes, municipal solid wastes, sanitary wastes and sewage sludges, infectious or chemotherapeutic wastes, special handling or residual wastes, construction or demolition wastes, except when authorized as a special exception. Authorization as a special exception shall require approval by the Zoning Hearing Board in strict compliance with Section 1327.035(a)(2) of this Planning and Zoning Code and after the applicant presents convincing evidence to the Zoning Hearing Board that the construction or operation of a special exception facility, covered by this subsection, will not produce a net increase in environmental pollution as compared to environmental pollution at the time construction of the facility commences.

All other subsections (a) through (e) and preface remain as is.

SECTION 2. That all Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed. If any section, part, or clause of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain valid and in full force and effect.