

UPPER DARBY TOWNSHIP ORDINANCE NO. 2928

AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 2906, THE UPPER DARBY TOWNSHIP ZONING CODE, TO REQUIRE POSTING OF PROPERTIES UNDER THE ZONING CODE TO BE VISIBLE FROM THE PUBLIC RIGHT-OF-WAY IMMEDIATELY IN FRONT OF THE PROPERTY, DEFINING AN AMUSEMENT DEVICE, AND AN AMUSEMENT ARCADE, REGULATING THE USE OF AMUSEMENT DEVICES, AND THE LOCATION OF AMUSEMENT ARCADES, AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH.

Upper Darby Township hereby ordains:

SECTION 1. Section 1311 shall be added to Ordinance 2906 to read as follows:

Any time that notice is required to be posted on any property by this Zoning Code or by Section 908 of the Pennsylvania Municipalities Planning Code, 53 P.S. 10908, the party making the application requiring such notice shall be responsible for posting a copy of the notice at the relevant property, and such notice shall be posted in a manner that makes the entire notice visible from the public right-of-way immediately in front of the property and such notice shall be posted not more than ten (10) feet from the sidewalk or from the edge of the street if there is no sidewalk in front of the property. If the application applies to a property that is located at the intersection of two or more streets, then such notice must be posted in the manner prescribed herein on each street frontage. If an application is being made for a non-residential use, then, in addition to posting notice in the manner prescribed herein, the applicant must also post notice at each patron entrance to the establishment.

SECTION 2. The following definition shall be added at Section 300.A.15 of Ordinance 2906:

Amusement Arcade - any business operating amusement devices as a primary use, or operating more than ten (10) amusement devices as an accessory use.

SECTION 3. The following definition shall be added at Section 300.A.16 of Ordinance 2906:

Amusement Device – any device that, upon the insertion of a coin, slug, token, plate, disc or card, may be operated for use as a game, or for any form of entertainment or amusement, or plays music or video of any sort, whether a score is registered and/or a prize is offered or not.

SECTION 4. Section 300.A.15 through 300.A.121 of Ordinance 2906 shall be renumbered as Section 300.A.17 through 300.A.123.

SECTION 5. Section 501.A.3.b of Ordinance 2906 shall be amended as follows:

~~A maximum of 2 coin-operated electronic or mechanical games permitted as an accessory use in one establishment in addition to a coin-operated music machine (jukebox)~~ ten (10) amusement devices. Such devices shall be located at least ~~40~~ ten (10) feet from ~~the any~~ exit.

SECTION 6. Section 502.A.2.c of Ordinance 2906 shall be amended as follows:

~~A maximum of 2 coin-operated electronic or mechanical games permitted as an accessory use in one establishment in addition to a coin-operated music machine (jukebox)~~ ten (10) amusement devices. Such devices shall be located at least ~~40~~ ten (10) feet from ~~the any~~ exit.

SECTION 7. Section 502.A.3.g of Ordinance 2906 shall be added to read as follows:

Amusement Arcades.

SECTION 8. All Ordinances, Resolutions and parts of Ordinances or Resolutions that are inconsistent herewith are hereby repealed.

ENACTED and ORDAINED this 15 day of JANUARY, A.D. 2003

By: _____
JOHN E. CLARK
President of Council

Attest: _____
THOMAS N. MICOZZIE
Secretary of Council

Ordinance No. 2928 above is hereby approved this 15 day of January A.D. 2003

By: _____
F. RAYMOND SHAY
Mayor

Attest: _____
THOMAS J. JUDGE, JR.
Chief Administrative Officer