AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 135, Subdivision And Land Development, To Provide That The Minimum Width Of All Newly Installed Sidewalks Shall Be Five Feet, Except As Otherwise Provided In The Zoning Code; To Amend Chapter 155, Zoning, To Remove Hospital As A Permitted Use In All Residence Districts.

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

Section 1. The Code of the Township of Lower Merion, Chapter 135, Subdivision and Land Development, Article V, General Standards, Section 135-38, Sidewalks and curbs, subsection A thereof, shall be amended to provide henceforth as follows:

Article V. General Standards

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§ 135-28. Sidewalks and curbs.

A. Sidewalks shall be provided along heavily traveled streets and at any location where the Board of Commissioners shall determine that sidewalks are necessary for public safety or convenience. Sidewalks may be waived, at the discretion of the Board of Commissioners, within Open Space Preservation Developments where it can be demonstrated that the objectives of § 155-142 of the Open Space Preservation District, Article XXVI, will be furthered. All sidewalks shall be a minimum of ~~four~~ five feet wide, except as otherwise provided in Chapter 155, Zoning Code~~, and four inches thick, except at driveway crossings, where they shall be seven inches thick~~.

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Section 2. The Code of the Township of Lower Merion, Chapter 155, Zoning, Article IV, RAA Residence Districts, Section 155-11, Use regulations, shall be amended to remove and reserve subsection (S)(3), to provide henceforth as follows:

Article IV. RAA Residence Districts

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§ 155-11. Use regulations.

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S. The following uses when authorized as a special exception:

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(3) ~~Hospital~~(Reserved)

Section 3. Nothing in this Ordinance or in Chapters 135 or 155 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapters 135 or 155 prior to the adoption of this amendment.

Section 4. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 5 This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this day of , 2017.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

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Daniel S. Bernheim, President

ATTEST:

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Jody L. Kelley, Secretary

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