

**WILLISTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 4 of 201 7

**AN ORDINANCE AMENDING CHAPTER 139 OF THE CODE OF
ORDINANCES OF WILLISTOWN TOWNSHIP, BEING THE ZONING
ORDINANCE, IN ORDER TO PROVIDE FOR USES PERMITTED UNDER
PENNSYLVANIA ACT 16 OF 2016, THE MEDICAL MARIJUANA ACT.
EFFECTIVE FIVE DAYS FROM ENACTMENT.**

BE IT AND IT IS HEREBY ENACTED by the Board of Supervisors of Willistown Township, Chester County, as follows:

Section 1. The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Code, Article II, Definitions and Word Usage, §139-6, Definitions, is amended by adding the following definitions, as follows:

DISPENSARY, MEDICAL MARIJUANA – A person, including a natural person, corporation, association, trust or other entity, or any combination thereof, which holds a permit issued from the Department of Health under Act 16 of 2016, the Medical Marijuana Act, to dispense medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19 of the Act.

GROWER/PROCESSOR, MEDICAL MARIJUANA – A person, including a natural person, corporation, association, trust or other entity, or any combination thereof, which holds a permit issued from the Department of Health under Act 16 of 2016, the Medical Marijuana Act, to grow and process medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19 of the Act.

Section 2. The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Code, Article XXXIII, C-I Commercial-Industrial Overlay District, § 139-193, Permitted conditional uses, is amended by adding two new sections J and K as follows:

J. Medical marijuana grower/processors.

K. Medical marijuana dispensaries.

Section 3. The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Code, Article XXXIII, C-I Commercial-Industrial Overlay District, § 139-195, Design and performance standards, is amended by adding a new section U as follows:

U. Specific requirements for medical marijuana grower/processors.

- (1) Applicants must determine water and wastewater needs pursuant to § 139-192.D 4 & 5. The Township may assess additional tapping fees and/or rate fees for public water and sewer pursuant to anticipated service demands.
- (2) Wastewater pretreatment may be required should the Township conclude that the constituents of the wastewater warrant additional treatment.
- (3) The site or facility shall provide adequate policing to prevent the unintended transfer of marijuana plants off-premises.
- (4) No more than one grower/processor shall be permitted on any one site or in any one building.
- (5) A state permit to operate a growing/processing facility must be obtained prior to the issuance of an occupancy permit from the Township.
- (6) Off-street parking shall be consistent with § 139-98. H, Nonresidential parking requirements: "Industry, wholesale storage or distribution and administrative office" use. Loading and unloading shall be consistent with § 139-98. K, Loading and unloading.

Section 4. The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Code, Article XXXIII, C-I Commercial-Industrial Overlay District, § 139-195, Design and performance standards, is amended by adding a new section V as follows:

V. Specific requirements for medical marijuana dispensaries.

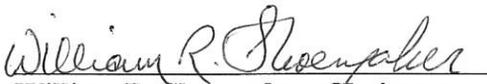
- (1) No medical marijuana dispensary shall be permitted within 1,000 feet of a school or day care center.
- (2) The site or facility shall provide adequate policing to prevent the sale of medical marijuana products other than for state-licensed medical reasons.

- (3) No more than one dispensary shall be permitted on any one site or in any one building.
- (4) A state permit to operate a dispensary must be obtained prior to the issuance of an occupancy permit from the Township.
- (5) Off-street parking shall be consistent with § 139-98. H, Nonresidential parking requirements: "Industry, wholesale storage or distribution and administrative office" use. Loading and unloading shall be consistent with § 139-98. K, Loading and unloading.

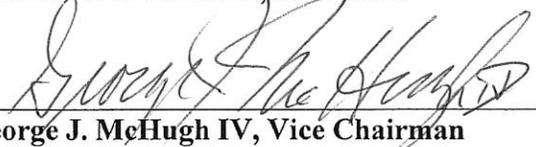
Section 5. This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED and ORDAINED this 10th day of July, 2017

**BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP**



William R. Shoemaker, Chairman



George J. McHugh IV, Vice Chairman



Robert T. Lange, Member

ATTEST:



David R. Burman, Secretary