

**MOUNT JOY TOWNSHIP  
ADAMS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024-04**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF THE TOWNSHIP OF MOUNT JOY, ADAMS COUNTY, PENNSYLVANIA, CHAPTER 110, ZONING TO ALTER THE TABLE OF ALLOWED USES**

**WHEREAS**, the Township of Mount Joy, Adams County (the “Township”) is governed by Pennsylvania’s Second Class Township Code, 53 P.S. § 65101, *et seq.*, and must comply with Pennsylvania’s Municipalities Planning Code, 53 P.S. § 10101, *et seq.* (the “MPC”); and

**WHEREAS**, Article VI of the Pennsylvania MPC entitled “Zoning,” 53 P.S. § 10601, *et seq.*, authorizes the Township to enact, amend and repeal Zoning Ordinances within the Township; and

**WHEREAS**, Section 609 of the MPC, 53 P.S. § 10609, sets forth the procedures for zoning ordinance amendments; and

**WHEREAS**, the Mount Joy Township Zoning Ordinance is codified as Chapter 110 of the Code of the Township of Mount Joy; and

**WHEREAS**, the Board of Supervisors of the Township desires to amend the Mount Joy Township Zoning Ordinance to provide that day-care centers for children are a use permitted by right in the Baltimore Pike Corridor Intensive Uses Overlay District (BPC-O); and

**WHEREAS**, the Board of Supervisors of the Township deems it to be in the best interest and general welfare of the citizens and residents of the Township to update and amend certain this provision of the Zoning Ordinance.

**BE IT ORDAINED AND ENACTED** and it is hereby ordained and enacted by the Board of Supervisors of the Township of Mount Joy, Adams County, Pennsylvania as follows:

**SECTION 1. Recitals.** The above recitals are incorporated herein.

**SECTION 2. Amendment to the Mount Joy Township Zoning Ordinance.** Chapter 110, Zoning, of the Code of the Township of Mount Joy is hereby amended as follows: The Table attached to Chapter 110 entitled “Table of Uses” is repealed and replaced with the Table attached hereto as Exhibit “A”, adding children’s day-care centers as a permitted use in the BPC-O zoning district.

**SECTION 3. Repealer.** All prior ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent they are inconsistent with this Ordinance. Except as expressly

amended, nothing herein shall be deemed to affect or alter any other provision of the Mount Joy Township Code.

**SECTION 4. Savings Clause.** In all other respects, the Mount Joy Township Ordinances shall remain as previously enacted and ordained.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be illegal or invalid by any court or administrative agency of competent jurisdiction, such illegal or invalid portion or provision shall be severable and shall not affect or impair any remaining portion of this Ordinance and Chapter, which shall remain in full force and effect.

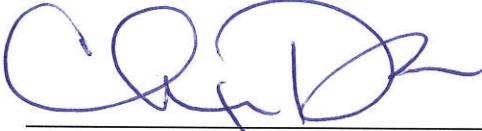
**SECTION 6. Effective Date.** This Ordinance shall be effective immediately.

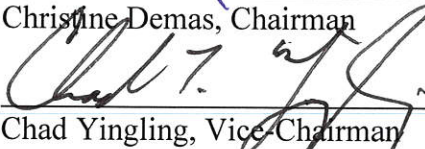
**DULY ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_\_\_, 2024 by the Board of Supervisors of the Township of Mount Joy, Adams County, Pennsylvania, in lawful session duly assembled.

**MOUNT JOY TOWNSHIP  
ADAMS COUNTY, PENNSYLVANIA**


**ATTEST:**

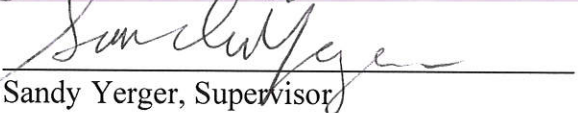
  
\_\_\_\_\_  
Sheri Moyer, Secretary

  
\_\_\_\_\_  
Christine Demas, Chairman

  
\_\_\_\_\_  
Chad Yingling, Vice-Chairman

  
\_\_\_\_\_  
Bernard Mazer, Supervisor

  
\_\_\_\_\_  
Todd McCauslin, Supervisor

  
\_\_\_\_\_  
Sandy Yerger, Supervisor

SEAL

# **EXHIBIT “A”**

| ZONING  |                  |    |     |       |
|---|------------------|----|-----|-------|
| 110 Attachment 1  |                  |    |     |       |
| Township of Mount Joy   |                  |    |     |       |
| Table of Uses   |                  |    |     |       |
| [Amended 9-3-2020 by Ord. No. 2020-05; 11-4-2021 by Ord. No. 2021-01; 3-17-2022 by Ord. No. 2022-02; 3-17-2022 by Ord. No. 2022-03] |                  |    |     |       |
| P = Permitted by Right Use  |                  |    |     |       |
| (A) = Accessory Use   |                  |    |     |       |
| CU = Permitted as a Conditional Use   |                  |    |     |       |
| SE = Permitted as a Special Exception   |                  |    |     |       |
| = Prohibited Use  |                  |    |     |       |
| (See § 110-107 for uses not provided for)   |                  |    |     |       |
| Use   | Zoning Districts |    |     |       |
|   | AC               | OC | BPC | BPC-O |
| Accessory use (A)   | P                | P  | P   | P     |
| Adult day-care center   |                  |    | P   |       |
| Adult use   |                  |    |     | CU    |
| Agriculture, excluding CAO and CAFO   | P                | P  | P   |       |
| Agritourism and agritainment (A)  | P                |    | P   |       |
| Airport or heliport   | CU               |    |     |       |
| Animal grooming and indoor training   |                  |    | P   | P     |
| Auction house or flea market  |                  |    | P   | P     |
| Bakery  |                  |    | P   |       |
| Bed-and-breakfast   | P                | CU | P   |       |
| Billboard   |                  |    |     | P     |
| Campground  |                  |    | P   |       |
| Car wash  |                  |    | P   | P     |
| Care dwelling (A)   | P                | P  | P   | P     |
| Catering facility (no on-site consumption)  |                  |    | P   | P     |
| Cemetery  | P                |    |     |       |
| Community solar facility (A)  | CU               | CU | CU  | P     |
| Concentrated animal operation (CAO)/concentrated animal feeding operation (CAFO)  | CU               |    |     |       |
| Construction company or tradesperson's headquarters - office only   |                  |    | P   | P     |
| Construction company or tradesperson's headquarters - outside storage of equipment and materials                                    |                  |    | CU  | P     |
| Convenience store   |                  |    | CU  | P     |
| Crafts or artisan studio  |                  |    | P   | P     |
| Day-care center, children   |                  |    | P   | P     |
| Direct commercial sales of agricultural commodities (A)   | P                | P  | P   |       |
| Distribution center   |                  |    |     | CU    |
| Dry cleaners, laundries and laundromats   |                  |    | P   | P     |

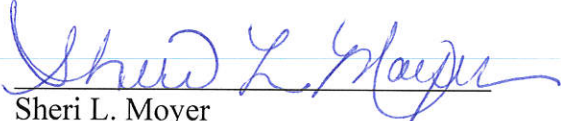
|  |    |   |    |    |
|--|----|---|----|----|
| Dwelling, single-family  | P  | P | P  | P  |
| Dwelling, 2-family   | P  | P | P  | P  |
| Dwelling, multiple-family  |    |   | CU |    |
| Fence, wall (A)  | P  | P | P  | P  |
| Financial institution  |    |   | P  |    |
| Forestry   | P  | P | P  | P  |
| Funeral home   |    |   | P  |    |
| Gaming   |    |   |    | CU |
| Gasoline service station   |    |   | CU | P  |
| Golf course  |    |   | P  | P  |
| Grocery store  |    |   | P  | P  |
| Group home   | P  | P | P  | P  |
| Historic building  | P  | P | P  | P  |
| Hobby school   |    |   | P  | P  |
| Hotel or motel   |    |   | CU | P  |
| Junkyard   |    |   |    | CU |
| Kennel   | CU |   | CU | P  |
| Limited lodging (A)  | P  | P | P  | P  |
| Manufacturing, light   |    |   | CU | P  |
| Manufacturing, heavy   |    |   |    | CU |
| Massage parlor   |    |   |    | P  |
| Medical office   |    |   | P  | P  |
| Mining, quarrying and related processing operations                            |    |   |    | CU |
| Motor freight terminal   |    |   |    | CU |
| Motor vehicle repair facility  |    |   | CU | P  |
| Motor vehicle sales  |    |   |    | P  |
| No-impact home-based business (A)  | P  | P | P  | P  |
| Nursing home   |    |   | P  | P  |
| Office   |    |   | P  | P  |
| Parking lot, as a principal use  |    |   |    | P  |
| Pets (keeping of) accessory to dwelling (A)                                    | P  | P | P  | P  |
| Personal services  |    |   | P  | P  |
| Place of assembly  |    |   | P  | P  |
| Place of worship   |    |   | P  | P  |
| Plant nursery or garden center   | CU |   | P  | P  |
| Professional services  |    |   | P  | P  |
| Racetrack  | CU |   |    |    |
| Recreation facility  | CU |   | CU | P  |
| Repair facility (appliances, equipment, bicycles but excluding motor vehicles) |    |   | P  | P  |
| Restaurant   |    |   | P  | P  |

|  |    |    |    |    |
|--|----|----|----|----|
| Retail (sales and rental)  |    |    | P  | P  |
| Self-storage   |    |    |    | P  |
| Slaughterhouse   |    |    |    | CU |
| Small wireless facility use (within a right-of-way)                          | P  | P  | P  | P  |
| Sober living residence   |    |    | P  | P  |
| Solar energy system  |    |    | CU | CU |
| Solar energy system (A)  | P  | P  | P  | P  |
| Stable (commercial)  | P  | CU | P  |    |
| Storage facility   | CU |    | P  | P  |
| Target range   | CU |    | CU | CU |
| Tavern or bar  |    |    | P  | P  |
| Theater  |    |    | P  | P  |
| Trade school   |    |    | P  | P  |
| Truck stop   |    |    |    | CU |
| Truck stop with major vehicle repair services                                |    |    |    | CU |
| Use not provided for   |    |    | CU | CU |
| Veterinary office  | CU |    | P  | P  |
| Wholesale sales  |    |    | CU | P  |
| Wireless telecommunications facility, tower-based                            |    |    | CU | P  |
| Wireless telecommunications facility, non-tower-based (DAS, DCU, small cell) | P  | CU | P  | P  |

**ORDINANCE CERTIFICATION**

I, Sheri Moyer, the duly appointed and incumbent Secretary of the township of Mount Joy, Adams County, Pennsylvania (the “Township”), hereby certify that attached hereto is a true, correct and complete copy of Ordinance 2024-04 (the “Ordinance”) to amend the code of the Township of Mount Joy, Adams County Pennsylvania, Chapter 110, Zoning to Alter the Table of Allowed Uses, as duly enacted by the affirmative vote of a majority of the Mount Joy Township Board of Supervisors (the “Board”) at a duly advertised and convened public meeting held the 20<sup>th</sup> day of June, 2024; and that the Ordinance now has been recorded in the official Minutes of the Board showing how each member voted thereon; and that the Ordinance remains in full force and effect in its attached form as of the date of the present Certification.

**IN WITNESS WHEREOF**, I have hereunto set my signature as such official and affixed the seal of the Township this 20<sup>th</sup> day of June, 2024.



Sheri L. Moyer  
Mount Joy Township Secretary

[SEAL]

