

**ORDINANCE NO. 1186**

**AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF WAYNESBORO, WHICH CHAPTER CONTAINS THE ZONING ORDINANCE, AS AMENDED, TO ADD OUTDOOR DINING AREA AS A USE BY RIGHT IN THE TOWN CENTER (TC) DISTRICT, THE DOWNTOWN BUSINESS (DBD) DISTRICT, AND THE GENERAL COMMERCIAL/OFFICE (GC) DISTRICT.**

**WHEREAS**, The Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania (“Borough Council”) deems it to be in the best interest and the general welfare of the citizens and residents of the Borough to amend certain sections of the Zoning Ordinance to allow for outdoor dining areas as a use by right in the Town Center (TC) District, the Downtown Business (DBD) District, and the General Commercial/Office (GC) District.

**NOW THEREFORE BE IT ENACTED AND ORDAINED**, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

**SECTION 1.** Chapter 295 of the Code of the Borough of Waynesboro, known and cited as the Borough of Waynesboro Zoning Ordinance of 2016, as amended (“Zoning Ordinance”) shall be amended by adding “Outdoor dining area” as a use by right to the Town Center District and Chapter 295, Article 5, Section 17, §295-17 B. (1) shall be amended by adding new subsection (gg) to read as follows:

(gg) Outdoor dining area.

**SECTION 2.** The Zoning Ordinance shall be amended by removing “Outdoor dining areas” as a special exception use in the Downtown Business Center District and Chapter 295, Article 5, Section 18, §295-18 B. (2) (i) shall be marked as “Reserved”.

**SECTION 3.** The Zoning Ordinance shall be amended by adding “Outdoor dining area” as a use by right to the Downtown Business Center District and Chapter 295, Article 5, Section 18, §295-18 B. (1) shall be amended by adding a new subsection (cc) to read as follows:

(cc) Outdoor dining area

**SECTION 4.** The Zoning Ordinance shall be amended by adding “Outdoor dining area” as a use by right to the General Commercial/Office District and Chapter 295, Article 5, Section 19, §295-19 B. (2) shall be amended by adding a new subsection (rr) to read as follows:

(rr) Outdoor dining area

**SECTION 5. Repealer.** All provisions of previous Ordinances of the Borough of Waynesboro which are contrary to this Ordinance are expressly repealed.

**SECTION 6. Savings Clause.** In all other respects, the Code of the Borough of Waynesboro shall remain as previously enacted and ordained.

**SECTION 7. Severability.** The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the same.

**SECTION 8. Effective Date.** This Ordinance shall take effect immediately.

ENACTED, ORDAINED, AND APPROVED this 19<sup>th</sup> day of May 2021.

BOROUGH OF WAYNESBORO

By:   
Borough Council President

ATTEST:

  
Borough Secretary (SEAL)

