

**ORDINANCE NO. 1032  
BOROUGH OF HATBORO  
MONTGOMERY COUNTY, PENNSYLVANIA**

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**AN ORDINANCE AMENDING THE HATBORO BOROUGH CODE OF ORDINANCES  
CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT, SECTION 711,  
LIGHTING, TO AMEND CERTAIN DESIGN AND PERFORMANCE  
STANDARDS FOR LIGHT FIXTURES**

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**WHEREAS**, the Borough Code, 53 P.S. § 45101, *et seq.*, authorizes the Borough Council of the Borough of Hatboro ("Borough Council") to make, adopt, and amend ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough of Hatboro ("Borough") and its citizens;

**WHEREAS**, The Borough of Hatboro deems it be in the best interest and general welfare of the citizens and residents of the Borough to amend the Hatboro Borough Code of Ordinances, Chapter 22, Subdivision and Land Development, Section 711, Lighting, to provide for new design and performance standards for light fixtures and to limit the intrusion of spill-over illumination into neighboring properties;

**WHEREAS**, the Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of the Borough will be served by amendments to the Hatboro Borough Code of Ordinances;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Hatboro, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

**SECTION 1. CODE AMENDMENTS. THE HATBORO BOROUGH CODE OF ORDINANCES, CHAPTER 22, SUBDIVISION AND LAND DEVELOPMENT, SECTION 711, LIGHTING, IS HEREBY AMENDED AS FOLLOWS:**

**A. §22-711.4, Design Standards, subsection C, is hereby deleted and replaced with the following provision:**

C. In no event shall light fixtures exceed 15 feet in height, including the mounting base.

**B. §22-711.5, Performance Standards, subsections A and B, are deleted in their entirety and replaced with the following provisions:**

A. All light fixtures shall contain lenses that focus light directly beneath the light fixture and shall not permit direct glare into nearby public or private properties.

B. Illumination trespass standards from one property to another shall be as follows:

- (1) In no case shall spill-over illumination more than 0.5 foot candles at ground level exist on any non-residentially zoned or used property when measured, line of sight, at the property line of the aggrieved property.
- (2) In no case shall spill-over illumination more than 0.1 foot candles at ground level exist on any residentially zoned or used property when measured, line of sight, at the property line of the aggrieved property.

**SECTION 2. REPEALER.** All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**SECTION 3. REVISIONS.** The Council of the Borough of Hatboro does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

**SECTION 4. SEVERABILITY.** In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

**SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.** The failure of the Borough of Hatboro to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

**SECTION 7. ENACTMENT.** Under the authority conferred by the Borough Code and other relevant statutory law, the Council of the Borough of Hatboro in the County of Montgomery, Commonwealth of Pennsylvania does hereby ordain and this Ordinance for the Borough of Hatboro, this 23<sup>rd</sup> day of May, 2016.

Approved by the Borough Council of the Borough of Hatboro, this 23 day of May, 2016.

ATTEST:

BOROUGH OF HATBORO:

Alfred Zollers  
Alfred Zollers, Secretary

By: William Tompkins  
William Tompkins, Council President

Examined and approved as an Ordinance, this 23 day of May, 2016.

Norm Hawkes  
Norm Hawkes, Mayor