

**WILLISTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1 of 2023

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF WILLISTOWN TOWNSHIP TO FURTHER DEFINE
AND REGULATE DIRECT COMMERCIAL SALES OF
AGRICULTURAL COMMODITIES.**

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

Section 1. The Zoning Ordinance of Willistown Township, § 139-12 (“Use regulations”), is hereby amended by adding a new Subsection 139-12.G.(4)(d) as follows (new language is bolded):

- (4) Direct commercial sales of agricultural commodities upon property owned and operated by a landowner who produces not less than 50% of the commodities sold. Such direct sales shall be authorized without regard to the 50% limitation under circumstances of crop failure due to reasons beyond the control of the landowner.
 - (a) Any structure used for such sale shall be located not less than 40 feet from any street line;
 - (b) Not more than two signs advertising the sale of such agricultural commodities may be erected and maintained in compliance with the provisions of § 139-110.I; and
 - (c) Any structure used for the direct commercial sale of agricultural commodities shall be removed or kept in good condition during seasons in which agricultural commodities are not being offered for sale.
 - (d) Marketing activities in furtherance of, or customarily incidental to, the sale of agricultural commodities shall also be permitted, provided that all revenue collected is related to the sale of agricultural commodities. Such marketing activities include, but are not limited to, pick-your-own and cut-your-own produce, instruction to customers in horticulture or other disciplines related to the agricultural commodities produced by the owner or operator of the property, tastings and free samples**

of agricultural commodities, and tours of the agricultural facilities on the property.

Section 2. Severability

The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the 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 of Supervisors that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.

Section 3. Effective Date

This Ordinance shall take effect and be in force five (5) days from enactment.

Section 4. Repealer

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

ENACTED AND ORDAINED this 23rd day of January, 2023.

BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP

Molly H.B. Perrin, Chair

William R. Shoemaker, Vice-Chair

ATTEST:

Robert T. Lange, Member

Shanna Lodge, Township Secretary