

**SPRINGFIELD TOWNSHIP
BOARD OF COMMISSIONERS**

ORDINANCE NO. 2024-_____

“Amusement Device Zoning Ordinance Amendment”

AN ORDINANCE AMENDING THE SPRINGFIELD TOWNSHIP CODE, CHAPTER 4 (AMUSEMENT DEVICES), SECTION 2 TO AMEND THE DEFINITION OF AMUSEMENT DEVICE, AND CHAPTER 114 (ZONING), ARTICLE II (DEFINITIONS), SECTION 114-21 (DEFINITIONS AND TERMS) TO ADD THE TERM AND DEFINITION OF AMUSEMENT DEVICE, AND TO FURTHER AMEND ARTICLE XI (S SHOPPING CENTER DISTRICT), SECTION 114-113 (USE REGULATIONS) TO ADD AMUSEMENT DEVICE AS A PERMITTED USE SUBJECT TO CHAPTER 4 (AMUSEMENT DEVICE) AND ADDITIONAL REQUIREMENTS, AND TO FURTHER AMEND ARTICLE X (B2 BUSINESS DISTRICT), SECTION 114-101 (PERMITTED USES) TO ADD AMUSEMENT DEVICE AS A PERMITTED USE WHEN AUTHORIZED AS A SPECIAL EXCEPTION AND SUBJECT TO ADDITIONAL REQUIREMENTS.

The Board of Commissioners of Springfield Township does hereby **ENACT** and **ORDAIN:**

SECTION I. - Amendment to Code.

The Code of Springfield Township, Chapter 4 (Amusement Device), Section 4-2 (Definitions) is hereby amended to add the following exceptions to an Amusement Device:

- G. Gaming devices regulated by the Pennsylvania Gaming Control Board.
- H. Small games of chance regulated by the State Department of Revenue.

SECTION II. - Amendment to Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article II (Definitions), Section 114-21 (Definitions and terms) is hereby amended to add the following terms:

AMUSEMENT DEVICE

Any automatic, mechanical, electric or electronic machine or device, used or designed to be operated as a game, or for entertainment or amusement, by the insertion of a coin, token,

key, money or other article or by the payment of money to have it activated. This definition shall not include the following devices:

- A. Jukebox.
- B. Rides.
- C. Bowling alleys.
- D. Merchandise machines which dispense beverages, food, toilet articles or other tangible personal property.
- E. Photographic machines.
- F. Any game or device maintained within a residence for the sole use of the occupants thereof and their guests.
- G. Gaming devices regulated by the Pennsylvania Gaming Control Board.
- H. Small games of chance regulated by the State Department of Revenue.

SECTION III. - Amendment to Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article XI (S Shopping Center District), Section 114-113 (Use regulations) is hereby amended to add the following new Subsection L:

- L. Amusement Device, as an accessory use, when installed and operated in accordance with the provisions of Chapter 4 of the Code, and subject to the following requirements:
 - 1) The property line of any property on which an amusement device is located shall not be within 500 feet in any direction of the property line of any public, private or parochial school, day-care facility, place of worship, park, playground, community center, public open space.

SECTION IV. - Amendment to Code.

The Code of Springfield Township, Chapter 114 (Zoning), Article X (B2 Business District), Section 114-101 (Permitted uses) is hereby amended to add the following new Subsection L:

- L. Amusement Device, as an accessory use, when authorized as a special exception, in accordance with the provisions of Chapter 4 of the Code, and subject to the following requirements:
 - 1) The property line of any property on which an amusement device is located shall not be within 500 feet in any direction of the property line of any public, private or parochial school, day-care facility, place of worship, park, playground, community center, public open space.

SECTION V. - Severability.

The provisions of this Ordinance are 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 that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION VI. - Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION VII. - Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION VIII. - Repealer.

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

ORDAINED AND ENACTED by the Board of Commissioners of Springfield Township, Montgomery County, Pennsylvania, this ____ day of _____, 2024.

SPRINGFIELD TOWNSHIP

By: _____
James M. Lee, President
Board of Commissioners

Attest: _____
A. Michael Taylor, Secretary

