

**BEFORE THE BOARD OF COMMISSIONERS OF  
THE TOWNSHIP OF WHITEHALL**

**ORDINANCE NO. \_\_\_\_\_**

**(BILL NO. 21-2021)**

**AN ORDINANCE AMENDING CHAPTER 27 (ZONING),  
ARTICLE VII (DEFINITIONS AND LIMITATIONS USES),  
ARTICLE IX (SCHEDULE OF PERMITTED, ACCESSORY,  
SPECIAL EXCEPTION AND CONDITIONAL USES),  
ARTICLE XVI (DEFINITIONS OF WORDS), TO REDUCE  
THE NEGATIVE IMPACT OF OUTDOOR COMMERCIAL  
COOKING OPERATIONS IN RESIDENTIAL  
NEIGHBORHOODS.**

**WHEREAS**, the Township of Whitehall is a Township organized and operating under the laws of the Commonwealth of Pennsylvania and the Home Rule Charter of the Township of Whitehall; and

**WHEREAS**, the Board of Commissioners of the Township of Whitehall may, under the general authority of the Home Rule Charter, enact regulations to ensure the health, safety, and general welfare of the citizens of the Township of Whitehall; and

**WHEREAS**, the Board of Commissioners of the Township of Whitehall has determined that the health, safety, and general welfare of the citizens of the Township of Whitehall will be promoted and served by enacting this Ordinance; and

**NOW, THEREFORE** be it **ORDAINED** and **ENACTED** by the Board of Commissioners that Chapter 27 (Zoning), Article VII (Definitions and Limitations Uses), Article IX (Schedule of Permitted, Accessory, Special Exception and Conditional Uses), Article XVI (Definitions of Words), be amended, to adopt the following language, as follows:

**§ 27-62 Prohibited Uses**

M. Outdoor Commercial Cooking Operation in any Zoning District within 500 feet of a Residential zoning district or a lawfully occupied residence.

**§ 27-79 C-2A Local Commercial**

(A)(30). Outdoor Commercial Cooking Operation.

**§ 27-79 C-2 Regional/Community Commercial**

(A)(35). Outdoor Commercial Cooking Operation.

**§ 27-194 C-2 Regional/Community Commercial**

**Outdoor Commercial Cooking Operation**

The outdoor cooking or smoking of food for commercial purposes.

(1) This use is only permitted in connection with and accessory to a Restaurant or Retail Store in full compliance with all other provisions of this Code.

(2) This use shall not be designed to increase production capability of a Restaurant by circumventing codes applicable to indoor cooking facilities as defined in this Code.

(3) This use shall comply with all other applicable, federal, state and local laws, codes, regulations and ordinances.

**DULY ORDAINED AND ENACTED** this \_\_\_\_ day of \_\_\_\_\_ 2021, at a regular public meeting in lawful session duly assembled.

**BOARD OF COMMISSIONERS**

**TOWNSHIP OF WHITEHALL**

By: \_\_\_\_\_  
Philip Ginder, President

ATTEST:

\_\_\_\_\_  
Thomas Slonaker, Secretary

AND NOW, to wit, this \_\_\_\_\_ day of \_\_\_\_\_, the above is approved.

\_\_\_\_\_

Michael P. Harakal, Jr., Mayor