

ORDINANCE NO. 163

East Norriton Township  
Montgomery County, Pennsylvania

AN ORDINANCE AMENDING THE "EAST NORRITON TOWNSHIP ZONING ORDINANCE OF 1963" (ORDINANCE NO. 40 AS AMENDED AND REVISED) BY MAKING CERTAIN CHANGES TO THE TEXT OF THE ZONING ORDINANCE AS SET FORTH IN THE BODY OF THIS ORDINANCE.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of the authority granted by the Second Class Township Code and the Municipalities Planning Code, do hereby enact and ordain:

Section 1. The East Norriton Township Zoning Ordinance of 1963 (Ordinance No. 40 as amended and revised) is hereby amended as follows:

Section 200 is hereby amended by adding the following definitions:

A. Adult Book Stores. An establishment having as a substantial or significant portion of its stock in trade, books, magazines, video tapes, video disks, video displays, films for sale or viewing on premises by use of Motion Picture devices or any other coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities," or "Specified Anatomical Areas," or an establishment with a segment or section devoted to the sale or display of such material.

B. Adult Motion Picture Theater. An enclosed building used regularly and routinely for presenting material having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," for observation by patrons therein.

C. Adult Entertainment Cabaret. A Public or Private Establishment which is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators, or similar entertainers.

D. Massage Parlors. An establishment that offers for a consideration activities between male and female persons and/or persons of the same sex when one or more persons is nude or semi-nude, including nude human modeling.

E. "Specified Sexual Activities" is defined as:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

F. "Specified Anatomical Areas" is defined as:

1. Less than completely and opaquely covered:  
(a) human genitals, pubic region, (b) buttock and (c) female breast below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Section 2. Section 1201.11 is hereby added to read as follows:

No use which is specifically permitted in the I-Industrial District shall be permitted in the C-Commercial District.

Section 3. Section 1401.1 is hereby amended in its entirety to read as follows:

A building may be erected, altered, or used and a lot or premises may be used for any of the following purposes and no other:

Heavy commercial uses as follows:

- A. Wholesale business establishment;
- B. Distribution station; express, carting or hauling station; package delivery service;
- C. Household and office equipment repair;
- D. Monument yard;
- E. Printing establishment;
- F. Storage or warehouse; packing and crating.

The following uses are permitted when authorized as a Special Exception:

- A. Laboratory, research, experimental and testing;
- B. Cinema, radio and television station or studio;
- C. Yard for storage, sale and distribution of ice, coal, fuel oil, or building materials but not including junk yard, salvage, automobile or other wrecking yard;
- D. Adult bookstores, adult motion picture theater, adult entertainment cabaret or massage parlor.

Section 4. Section 1414 is hereby added to read as follows:

A. Adult Uses

- (1) No such Adult Uses shall be allowed within 1000 feet of another existing adult use.
- (2) No such Adult Use shall be located within 1000 feet of any zoning district which is zoned for Residential use.
- (3) No such Adult Use shall be located within 1000 feet of a pre-existing School or place of Worship.
- (4) No such Adult Use shall be located in any Zoning District except an I (industrial) zoned area.
- (5) No such Adult Use shall be deemed to be a permissible change of use as set forth in Section 1802 of this Ordinance.

Section 5. Section 1415 is hereby added to read as follows:

Exterior Display. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," from any public way or from any property not registered as an Adult Use. This provision shall apply to any display, decoration, sign, show window or other opening.

Section 6. Section 1416 is hereby added to read as follows:

Any adult use permitted by special exception must be contained in a free standing building which has no other use than those listed herein as adult bookstore, adult motion picture theater, adult entertainment cabaret and/or massage parlor.

Section 7. This Ordinance shall in no other way affect, amend or modify the said Zoning Ordinance or Zoning Map. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

ENACTED AND ORDAINED by the Board of Supervisors of the Township of East Norriton, Montgomery County, Pennsylvania, this 20th day of July, 1981.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF EAST NORRITON

By: Alan R. Jaydah  
Chairman

Attest:

Helmut J. Barwald  
Secretary