

**ADAMS TOWNSHIP
BUTLER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2023 - 01

WHEREAS, Adams Township, at a special meeting of January 3, 2023, by motion duly carried, invoked the moratorium protection of the curative amendment provision of the MPC, 53 P.S. § 10609.2; and:

WHEREAS, Adams Township seeks to review and revise its Zoning Ordinance to address various and diverse issues regarding antenna and telecommunications structures within the Township.

NOW THEREFORE, be it Resolved by the Board of Supervisors of Adams Township as follows:

1. The ordinance section, § 192-51(D), regarding communications and cellular transmission towers shows them as uses by special exception in the RC and I Districts.
2. The Table of Residential Uses permits “uses not specifically as permitted by right or as conditional uses” in the RC, RAL, RAM, and R-1 zoning districts.
3. There are internal conflicts between the two provisions in the Zoning Ordinance.
4. Cellular communication towers have evolved in construction and stealth technology since the zoning ordinance was written.
5. An ordinance with conflicting provisions is void for vagueness and thus substantially invalid. See *London v. Zoning Bd. of Phila.*, 173 A.3d 847, 853 (Pa. Cmwlth. 2017).
6. The Board of Supervisors hereby Resolves to consider and prepare a revised zoning Curative Amendment to revise the standards of the cellular tower regulations.

7. The Board of Supervisors directs the Adams Township Solicitor and Engineer, with the public input, to draft a revised Zoning Curative Amendment Ordinance with a recommendation for adoption to the Board of Supervisors on or before July 9, 2023.

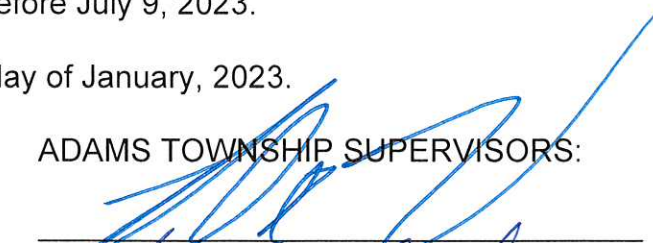
RESOLVED and **ENACTED** this 9th day of January, 2023.

ATTEST:




Township Secretary
(Seal)

ADAMS TOWNSHIP SUPERVISORS:



Chairman



Vice Chairman

Supervisor



Supervisor

Supervisor