



**West Norriton Township
Work Session Agenda
March 3, 2026
7:00 PM**

1. Virtual Participation Information

All participants will be required to list their full name and address or the business/organization they represent in order to be entered into the room.

When participating in public comment the hand raise feature must be used in order to be acknowledged for public comment.

Join Zoom Meeting

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One tap mobile

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Join instructions

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2. Call To Order And Pledge Of Allegiance

3. **Presentation By Officer Anthony DiNolfi - Community Policing Unit**

4. **Discussion/Update On Status**

A. **Consider Appointments To Boards And Commissions**

(1) Position on the Arts & Cultural Commission

B. **Update To HRC Ordinance**

5. **Manager's Items**

A. **Consider Authorizing Staff To Advertise Ordinance No. 2025-781 - Significant Tobacco Retailers**

The Planning Commission recommends to the Board the following revision:

"Distance Requirement. The parcel of land where the Significant Tobacco Retailer is situated shall be located at least 500 feet from parcels containing..."

The Planning Commission voted 5 -0 to recommend to the Board that the revised language meets the approval of the Planning Commission.

Documents:

[ORDINANCE - SIGNIFICANT TOBACCO RETAILERS.PDF](#)
[SIGNIFICANT TOBACCO RETAILERS ORDINANCE REVISION](#)
[RECOMENDATION LETTER 022526.DOCX](#)

B. **Motion To Approve MOU With FOCUS Philadelphia**

The Township agrees to provide a total of \$30,000 in accordance with the guidelines of the Pennsylvania Opioid Misuse and Addiction Abatement Trust. , distributed as follows:

• \$10,000 in 2026

• \$10,000 in 2027

• \$10,000 in 2028

Documents:

[WEST_NORRITON_FOCUS PHILADELPHIA_MOU.DOCX](#)

C. **Consider Authorizing Staff To Advertise Ordinance No. 2026-784 - Snow Removal**

AN ORDINANCE AMENDING CHAPTER 21 STREETS AND SIDEWALKS PART 2 NUISANCE CONDITIONS ON SIDEWALKS AND STREETS FOR WEST NORRITON MUNICIPAL CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Documents:

[WEST_NORRITON_SNOW_ICE_REMOVAL_ORDINANCE_DRAFT.DOCX](#)

D. Consider Authorizing Staff To Advertise The Ordinance No. 2026-785 - Data Center Model

AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING CHAPTER 27-2001 DEFINITIONS TO INCLUDE DATA CENTERS, CHAPTER 27 PART 11 I INDUSTRIAL DISTRICTS TO ALLOW DATA CENTERS BY CONDITIONAL USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

Ordinance will require review by the West Norriton Township Planning Commission and also Act 247 Review by the Montgomery County Planning Commission.

Documents:

[WEST NORRITON TOWNSHIP - DATA CENTER ORDINANCE V.1.DOCX](#)

6. Commissioner Liaison Committee Reports

7. Public Comment

- a. Recognize individuals that are taxpayers or residents of West Norriton Township wishing to offer comment.
- b. Require the name and address of such persons wishing to comment.
- c. Permit each individual at minimum one (1) opportunity to speak. The President may require an individual who has already spoken to wait until all others wishing to speak have had the opportunity before permitting an additional opportunity to speak. Once all others have had the opportunity to speak, the President shall determine whether time would allow for additional comment from the individual wishing to speak. Such a determination shall be based solely on the factor of time and shall not be based on the content or viewpoint of the particular individual(s) seeking additional opportunity to speak.
- d. Provide for a five (5) minute maximum for each individual to offer public comment. There shall be no ceding or assigning of time. In no case shall a time limit of fewer than two (2) minutes be designated. It may be requested that a spokesperson from a group address the Board of Commissioners.
- e. Preserve order by prohibiting disruptive conduct including, but not limited to, speaking by any person who is not, at that time, taking part in public comment.

To submit written Public Comment to the Board, please [CLICK HERE](#)

8. New Business

9. Meeting Dates

- A. Environmental Advisory Council (EAC) - March 4th @ 7:00pm;
- B. Recreation Committee - March 11th @ 7:00pm;

- C. Planning Commission (PC) - March 16th @ 7:00pm;
- D. Arts & Culture Commission (ACC) - March 18th @ 6:30pm;
- E. Zoning Hearing Board (ZHB) - March 18th @ 7:00pm; and
- F. Human Relations Commission (HRC) - March 26th @ 7:00pm.

10. **Adjournment**

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**WEST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025-781

**AN ORDINANCE AMENDING THE WEST NORRITON TOWNSHIP ZONING
CODE, CHAPTER 27, TO CREATE THE USE OF A “SIGNIFICANT TOBACCO
RETAILER AND AMUSEMENT DEVICES” AND TO PROVIDE FOR
DEFINITIONS, PERMITTED USES IN THE B-P, COMMERCIAL, LC&I, AND I
ZONING DISTRICTS, AND ASSOCIATED TIME AND OPERATIONAL
REGULATIONS ON SUCH USE**

WHEREAS, the Pennsylvania First Class Township Code and the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, authorizes the Board of Commissioners of West Norriton Township (“Board”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of West Norriton Township (“Township”) and the maintenance of peace, good government, health and welfare of the Township and its citizens;

WHEREAS, Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et. seq.*, provides that municipalities are permitted to address the intensity of uses within a zoning district and provide for the promotion, protection and facilitation of public health, safety, morals, and the general welfare, and coordinate practical community development; and

WHEREAS, tobacco use is still the leading cause of preventable death in the United States; and

WHEREAS, tobacco use places a huge financial cost on the nation's healthcare system and constraints on productivity imposed on the nation's economic system; and

WHEREAS, since 2014 electronic cigarettes have been the most commonly used tobacco products among the youth of the United States; and

WHEREAS, amusement devices and electronic games are commonly enjoyed and played by, and often attract, children and young adults who are not legally permitted to use tobacco products; and

WHEREAS, the use of game of skill machines are believed to have a deleterious impact on children, may encourage gambling, and continual use of such machines may increase the risk of crime and endanger employees and customers of a business; and

WHEREAS, the Board desires to amend its Zoning Code, Chapter 27, as set forth below, to provide for the use of a “SIGNIFICANT TOBACCO RETAILERS AND AMUSEMENT DEVICES” in certain zoning districts and associated regulations and restrictions on such uses;

WHEREAS, the Board desires to define Convenience Store, to define E-Liquids, Electronic Cigarettes, Electronic Nicotine Delivery Systems, Significant Tobacco Retailers Smoke Shops, Game of Skill Machines, Hookah Bars, Indoor Recreational or Amusement Facilities, and Mechanical Amusement Devices; to prohibit Mechanical Amusement Devices within the premises of Significant Tobacco Retailers and to prohibit Game of Skill Machines in Convenience Stores; to expressly prohibit Significant Tobacco Retailers in any District besides the B-P, Commercial, LC&I, and I Zoning Districts;

WHEREAS, the Board has met the procedural requirements of the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including advertising, submission to the planning commissions, and holding a public hearing; and

WHEREAS, the Board, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents and guests of the Township will be served by this amendment of the West Norriton Township Zoning Code.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, as follows:

Section I. Code Amendment. Chapter 27, Zoning, of the West Norriton Township Code, is hereby amended as follows:

A. Section 27-2001, Definition of Terms, is hereby amended to provide for the following definitions:

CONVENIENCE STORE

A mini food market designed to attract and serve a large volume of stop-and-go traffic, specializing in fast sales of bread, dairy, luncheon meats, as well as both made-to-order and ready-to-consume sandwiches, meals and beverages intended for consumption off the premises, and providing a limited supply of grocery store stock as a convenience to its patrons, with less than 10% of its retail floor area or display area dedicated to, or which maintains 20% or less of its total merchandise, whether on display or in stock, for products containing tobacco, tobacco paraphernalia, Delta-8 THC (or Delta-8-tetrahydrocannabinol) products, kratom, ingestible CBD/cannabidiol products, and/or Electronic Nicotine Delivery Systems (ENDS), ENDS-related products and/or any materials that can be used in Electronic Nicotine Delivery Systems. A store exceeding this 10% requirement shall be considered a Significant Tobacco Retailer.

E-LIQUID

Any liquid that contains vegetable glycerin, propylene glycol, nicotine, water, and possibly flavoring that can be used in Electronic Nicotine Delivery Systems (ENDS) devices. E-liquids can also be referred to as "vape" or "vape juice."

ELECTRONIC CIGARETTE

- (1) An electronic oral device, such as one composed of a heating element and battery or electronic circuit, or both, which provides a vapor of nicotine or any other substance and the use or inhalation of which simulates smoking.
- (2) The term includes any ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS) device, notwithstanding whether the device is manufactured, distributed, marketed or sold as an e-cigarette, e-cigar and e-pipe or under any other product, name or description.

ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS)

Any device designed or used to transform an e-liquid (that may contain nicotine) into an aerosol that the user inhales. ENDS can also be referred to as "vapes," "vaporizers," "vape pens," "hookah pens," "electronic cigarettes," "e-cigarettes," "e-cigs," and "e-pipes."

MECHANICAL AMUSEMENT DEVICE

Any machine, apparatus, or device which, upon the insertion of a coin, slug, token, plate, card, disk or key into any slot, crevice or other opening, or by the payment of any price, may be operated or used as a game, entertainment or amusement, whether or not registering a score and whether or not a prize or redeemable tickets or points are offered. It shall include, without limitation, such devices as Game of Skill Machines, skill games, marble machines, pinball machines, skill ball, skee ball, mechanical grab or "claw" machines, mechanical or video bowling machines, electronic dart boards, golf simulator games, photoelectric or video shooting games or target machines, electronic video games,

air-hockey tables, football games or other ball, disk, or bag throwing, rolling, or kicking games, riding or driving games or devices, virtual reality games, and all other games, operations, or transactions similar thereto under whatever name they may be designated or described. It shall not include devices or machines which dispense candy or merchandise unrelated to playing a game or Pennsylvania Lottery kiosks or devices. No mechanical amusement device shall be permitted within the same premises as a Significant Tobacco Retailer.

GAME OF SKILL MACHINE

A gaming machine, apparatus, or device that resembles and often functions like casino slot machines, in that a player inserts money, tokens or a card for the chance to win more money, credits, or a similar benefit, but where the outcome is determined mainly by mental or physical skill, rather than chance.

SIGNIFICANT TOBACCO RETAILER

Any of the following establishments:

- (1) Any retailer or wholesale establishment that devotes 10% or more of floor area or display area to, or maintains 20% or more of its total merchandise, whether on display or in stock, for Tobacco Products, Vape Products, Delta-8 THC (or Delta-8-tetrahydrocannabinol), kratom, ingestible CBD/cannabidiol products, Electronic Nicotine Delivery Systems (ENDS), and/or ENDS-related products and/or any materials that can be used in Electronic Nicotine Delivery Systems;
- (2) Any retailer or wholesale establishment that holds itself out as, or otherwise promotes or markets itself as, a "tobacco store," a "smoke shop," a "vape shop," a "cigar shop" or a similar establishment selling Tobacco Products and/or Vape Products or predominantly advertises Tobacco Products or Vape Products on

its storefront or website;

- (3) A Hookah Bar, regardless of whether Tobacco Products or Vape Products are sold from the premises.

TOBACCO PRODUCTS

Any substance containing tobacco leaf or accessory items used with or for tobacco consumption, including, but not limited to, cigarettes, cigars, pipe tobacco, shisha, snuff, chewing tobacco, dipping tobacco, other noncombustible tobacco products, matches, lighters, grinders, hookahs, pipes, cigarette rolling machines or papers, ashtrays, pipe tools, pipe supplies and pipe accessories.

VAPE PRODUCTS

Products containing nicotine and/or nicotine flavoring that are inhaled from a device designed for such purpose and/or products used to assist with the inhalation of nicotine including, but not limited to, any device designed or used to transform an e-liquid (that may contain nicotine) into an aerosol that the user inhales, e-liquids, e-cigarettes, vape or e-cigarette cartridges or refills, vaporizers, vape pens, vapor products, hookah pens, electronic cigarettes, e-cigs, e-pipes, Electronic Nicotine Delivery Systems (ENDS), and/or ENDS-related products and/or any materials that can be used in ENDS. Vape Products shall also be deemed a noncombustible tobacco product.

- B. Part 14, General Regulations, is hereby amended to change Section 27-1422, from “Hookah Bars” to be entitled “Significant Tobacco Retailers”, and to provide as follows:**

§27-1422. Significant Tobacco Retailers.

A. Purpose and Findings.

- (1) The purpose of this section is to promote and protect the health, safety, and general welfare of the community by regulating the location, operation, and proliferation of Significant Tobacco Retailers and similar establishments within West Norriton Township. This ordinance seeks to reduce the adverse public health impacts associated with the use of tobacco, nicotine, and related products, especially among

youth and vulnerable populations, and to ensure that such businesses are operated responsibly and in accordance with community standards.

- (2) Tobacco use remains the leading cause of preventable disease and death in the United States. According to the Centers for Disease Control and Prevention (CDC), smoking causes more than 480,000 deaths annually, including from cancer, heart disease, stroke, and lung diseases. Use of nicotine in any form, including through e-cigarettes and vaping devices, poses serious health risks and leads to addiction, particularly among youth.
 - (3) There has been a rapid increase in the number of smoke shops, vape stores, and establishments selling tobacco, nicotine, and cannabis-related products in the community. This proliferation often occurs in areas with higher youth populations and near schools, parks, and other sensitive land uses, increasing the likelihood of exposure and access by minors.
 - (4) Secondhand smoke and aerosol from vaping devices contain harmful chemicals and carcinogens that pose health risks to non-users. Additionally, improper disposal of tobacco and vaping products contributes to environmental pollution, particularly in public spaces.
 - (5) The use of hookah pipes and other similar devices used in a Hookah Bar and the activities associated with such businesses (including loud music, large numbers of customers congregating for long periods, etc.) have been associated with increases in odors, noise, vapors, second-hand smoke, parking impacts, loitering, and disturbances in the peace. The purpose of this section is to prevent the overconcentration of this use and to mitigate the negative impacts associated with this use.
 - (6) The U.S. Centers for Disease Control and Prevention reports that smoking a hookah has many of the same health risks as cigarette smoking; that hookah use by youth is increasing; that the charcoal used to heat hookah tobacco can have negative health risks because it produces high levels of carbon monoxide, metals, and carcinogens; that hookah smokers may absorb more of the toxic substances also found in cigarette smoke than cigarette smokers do; that secondhand smoke from hookahs can be a health risk for nonsmokers; and that new forms of electronic hookah smoking are now on the market and very little information is available on the health risks of electronic tobacco products.
 - (7) In light of the substantial public health risks and community concerns associated with these establishments, West Norriton Township finds it necessary to enact local regulations to manage their operation, ensure proper distancing from sensitive land uses, and prevent undue concentration within specific neighborhoods.
- B. A Significant Tobacco Retailer, if otherwise permitted by this Chapter, shall only be permitted pursuant to the following regulations and requirements:

- (1) Distance Requirement. The parcel of land where the Significant Tobacco Retailer is situated shall be located at least 1,000 feet from parcels containing the following uses:
 - a. A place of worship and assembly;
 - b. A public or private pre-elementary, elementary or secondary school;
 - c. A public library;
 - d. A child-care facility or nursery school;
 - e. A boundary of any residential district;
 - f. A public park;
 - g. A community/recreation center; or
 - h. Another Significant Tobacco Retailer
- (2) Age Requirement. No persons under 21 years of age shall be permitted within a Hookah Bar and business owners or operators shall require proof of identification to verify the age of customers and visitors.
- (3) Parking Standards for Hookah Bars. Parking shall be provided under the standards established for a “Restaurant, Cafe, Tea Room, Barroom or other Similar Establishment”, as set forth under Section 27-1410.F, as may be amended.
- (4) Hours of Operation. Operating hours shall be limited from 8:00 a.m. to 12:00 a.m. for Hookah Bars and 8:00 a.m. to 10:00 p.m. for all other Significant Tobacco Retailers.
- (5) Indoor Operation Only. All business-related activity, including smoking, shall be conducted entirely within a building. Outdoor seating, operating outdoor barbecues or braziers, and/or lighting coals or fires outdoors shall not be permitted.
- (6) Alcoholic beverages shall not be permitted to be brought onto the premises for on-premises consumption by customers or visitors. The sale and service of alcohol by a Hookah Bar shall comply with all federal, commonwealth, and local laws.
- (7) Visibility and Illumination. No window coverings or signage shall prevent visibility of the interior of the establishment from the outside during operating hours. The interior of the establishment shall have lighting adequate to make the conduct of patrons within the establishment readily discernible to people of normal visual capabilities.
- (8) Ventilation for Hookah Bars. Adequate ventilation must be provided in accordance with all standards imposed by the Township building official and fire department, and those establishments by federal, commonwealth and local laws. The requirements imposed by the building official, or fire department may be more comprehensive than current building codes to prevent negative health and nuisance impacts on neighboring properties, including a requirement for a separate system to prevent smoke and vapors from migrating to adjoining suites or buildings. The ventilation shall, at a minimum, prevent smoke and vapors from migrating into adjacent

buildings and/or suites and to outdoor public areas. A mechanical exhaust hood system shall be required if an establishment heats coal indoors.

(9) Noise. Any amplified noise shall be subject to the regulations established in the West Norriton Township Code.

(10) No Mechanical Amusement Devices shall be permitted within the same premises as a Significant Tobacco Retailer, as defined under Chapter 27.

(11) No Game of Skill Machines shall be permitted within the same premises as a Convenience Store, as defined under Chapter 27.

C. Section 27-710, Use Regulations, in the B-P Business and Professional Districts is amended to provide for an amended subsection 7 which provides:

7. Significant Tobacco Retailers shall be permitted, provided that the requirements of §27-1422.B are met.

D. Section 27-801, Use Regulations, in the Commercial Districts is amended to provide for an amended subsection 16 which provides:

16. Significant Tobacco Retailers shall be permitted, provided that the requirements of §27-1422.B are met.

E. Section 27-1001, Use Regulations, in the LC & I Limited Commercial and Industrial Districts is amended to provide for an amended subsection S which provides:

S. Significant Tobacco Retailers shall be permitted, provided that the requirements of §27-1422.B are met.

F. Section 27-1101, Use regulations, in the Industrial Districts is amended to provide for an amended subsection H which provides:

H. Significant Tobacco Retailers shall be permitted, provided that the requirements of §27-1422.B are met.

Section II. Repealer. In addition to the above, all other ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed. Further, it is understood and intended that all other sections, parts, provisions, and ordinances that are not otherwise specifically in conflict with or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

Section III. Severability. If any section, sentence, clause, phrase, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such

declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

Section IV. Effective Date. This Ordinance shall take effect immediately upon its legal enactment.

Section V. 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 VI. Enactment. The Board of Commissioners of West Norriton Township, in the County of Montgomery, Commonwealth of Pennsylvania does hereby approve and ordain and this Ordinance for the Township of West Norriton, this 13th day of January, 2026.

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS**

By: _____
Jason Bobst, Township Secretary

By: _____
Roseanne Milazzo, President

To:
Roseanne Milazzo
President, Board of Commissioners
West Norriton Township
1630 West Marshall Street
Jeffersonville, PA 19403

25 February 2026

Dear Ms. Milazzo:

At its 23 February 2026 meeting, the West Norriton Township Planning Commission reviewed West Norriton Ordinance No. 2025-781, B. Part 14 Section 27-1422 B-1.

The Planning Commission recommends to the Board the following revision:

“Distance Requirement. The parcel of land where the Significant Tobacco Retailer is situated shall be located at least **500 feet** from parcels containing...”

The Planning Commission voted 5 -0 to recommend to the Board that the revised language meets the approval of the Planning Commission.

Regards,
Kim Flanders
Chairman, West Norriton Planning Commission

Cc:
Michael J. Valyo
Director, Public Works and Planning



MEMORANDUM OF UNDERSTANDING

Between

West Norriton Township

and

FOCUS Philadelphia

This Memorandum of Understanding (“MOU”) is entered into by and between West Norriton Township, a Pennsylvania First Class Township (“Township”), and FOCUS Philadelphia (“FOCUS Philadelphia”).

1. Purpose

The purpose of this MOU is to set forth the terms and conditions under which the Township agrees to provide funding to FOCUS Philadelphia from the Township’s Opioid Settlement Fund, in accordance with the guidelines of the Pennsylvania Opioid Misuse and Addiction Abatement Trust.

2. Funding Amount and Term

The Township agrees to provide a total of \$30,000, distributed as follows:

- \$10,000 in 2026
- \$10,000 in 2027
- \$10,000 in 2028

3. Use of Funds

Funds shall be used solely for purposes permitted under PA Opioid Misuse and Addiction Abatement Trust guidelines.

4. Reporting Requirements

FOCUS Philadelphia shall be responsible for documenting and reporting on the use and impact of all funds received under this MOU. To ensure transparency, accountability, and compliance with the requirements of the Pennsylvania Opioid Misuse and Addiction Abatement Trust, FOCUS Philadelphia agrees to the following reporting obligations:



Annual Status Report

By **June 30 of each calendar year** in which funding is received (2026, 2027, and 2028), FOCUS Philadelphia shall submit a written status report to West Norriton Township. Each annual report shall, at a minimum, include the following information:

1. Program Description

- o A narrative summary describing the programs, services, or initiatives supported by the Township's Opioid Settlement Funds during the reporting period.
- o Identification of the target population served, with specific emphasis on substance-abuse programming.

2. Use of Funds / Financial Accountability

- o A general accounting of how the funds were expended, including categories of expenditures (e.g., programming costs, materials, professional services, outreach, etc.).
- o Certification that all expenditures were made in compliance with the allowable uses established by the PA Opioid Misuse and Addiction Abatement Trust.

3. Impact and Outcomes

- o The **number of substance-abuse victims** by the funded programs or services, including any relevant demographic or geographic information, if available and appropriate.
- o A description of measurable outcomes, performance indicators, or program results, such as participation levels, engagement metrics, or observed benefits related to substance misuse prevention, intervention, or recovery support.

FOCUS Philadelphia shall provide a written report detailing fund usage and the number of substance-abuse individuals impacted.

5. Payment

Payments are contingent upon compliance with this MOU and availability of funds.



6. No Agency Relationship

Nothing herein creates an employment or agency relationship.

7. Compliance With Laws

FOCUS Philadelphia shall comply with all applicable laws.

8. Termination

Either party may terminate with 30 days written notice. Unspent funds shall be returned.

9. Indemnification

FOCUS Philadelphia shall agree to indemnify and hold the Township harmless to the extent permitted by law.

10. Governing Law

This MOU shall be governed by Pennsylvania law.

11. Entire Agreement

This MOU constitutes the entire agreement.

SIGNATURES

WEST NORRITON TOWNSHIP

By: _____

Title: _____

Date: _____

FOCUS PHILADELPHIA

By: _____

Title: _____

Date: _____

**WEST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 26-784

AN ORDINANCE AMENDING CHAPTER 21 STREETS AND SIDEWALKS PART 2 NUISANCE CONDITIONS ON SIDEWALKS AND STREETS FOR WEST NORRITON MUNICIPAL CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, West Norriton Township, Montgomery County, Pennsylvania (hereinafter “the Township”) is a Township organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the accumulation of snow and ice on sidewalks creates hazardous conditions for pedestrians, including children, seniors, individuals with disabilities, and other members of the public; and

WHEREAS, untreated snow and ice increase the risk of slips, falls, and injuries, thereby posing a threat to public health, safety, and welfare; and

WHEREAS, property owners whose property abuts public sidewalks are in the best position to ensure the timely removal of snow and ice from such sidewalks; and

WHEREAS, the Board of Commissioners finds that requiring the removal of snow and ice within a specified time period following a snowfall or ice event is necessary to protect the public health, safety, and general welfare of the community.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the West Norriton Township Board of Commissioners, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I: Amendment to Chapter 21, Part 2 titled “Nuisance Conditions on Sidewalks and Streets.”

The Township hereby amends Chapter 21, Streets and Sidewalks, Part 2 Nuisance Conditions on Sidewalks and Streets as follows:

§204. Snow and Ice Removal from Sidewalks

A. Purpose and Intent

The purpose of this ordinance is to protect the health, safety and welfare of the public by ensuring the timely removal of snow and ice from sidewalks abutting private property and by preventing conditions that constitute a public nuisance or hazard within the Township.

B. Responsibility for Snow and Ice Removal

1. The owner, occupant, tenant, or person in charge of any property abutting a public sidewalk shall be responsible for the removal of snow and ice from such sidewalk.
2. Where property is occupied by a tenant, the property owner and tenant shall be jointly and severally responsible, unless a written lease expressly assigns responsibility to one party.

C. Time Requirements

1. Snow and ice shall be removed from sidewalks within twenty-four (24) hours after the cessation of snowfall or freezing precipitation.
2. During prolonged or repeated snowfall events, reasonable and continuous efforts shall be made to keep sidewalks passable and safe.

D. Width and Condition of Cleared Sidewalk

1. A continuous, unobstructed pedestrian path of not less than thirty (30) inches in width shall be cleared.
2. Ice shall be removed or treated with salt, sand, or other suitable materials to prevent slipping hazards.
3. Snow and ice shall be piled or deposited in a manner that obstructs sidewalks, curb ramps, storm drains, intersections, or sight distance.

E. Prohibited Snow Placement

No person shall place snow or ice on any public street or roadway. Enforcement shall be in conjunction with the Township's snow-on-roadway provisions.

F. Public Nuisance Declaration

Failure to remove snow and ice as required by this ordinance is declared a public nuisance and may be enforced in conjunction with the Township's public nuisance provisions.

G. Enforcement and Township Abatement

The Township may issue violations, perform removal, and recover costs through municipal claims or liens as permitted by law.

H. Penalties

Violations are subject to fines between \$50.00 and \$1000.00 per day plus costs of prosecution. Each day constitutes a separate offense.

I. Exceptions

Roads and emergency access areas will be priorities for the Township during any snow event. Therefore, the 24 hour rule shall not apply to Township owned sidewalks.

SECTION 2: SEVERABILITY.

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, West Norriton Township Board of Commissioners hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION 3: REPEALER.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall be effective immediately upon approval.

ORDAINED AND ENACTED, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this _____ day of _____, 2026.

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS:**

Jason Bobst, Township Manager

By:_____
Roseanne Milazzo, President

WEST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 26-785

AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING CHAPTER 27-2001 DEFINITIONS TO INCLUDE DATA CENTERS, CHAPTER 27 PART 11 I INDUSTRIAL DISTRICTS TO ALLOW DATA CENTERS BY CONDITIONAL USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS, the First Class Township Code vests the West Norriton Township Board of Commissioners with the authority to adopt ordinances necessary for the proper management, care and control, and welfare of the Township; and

WHEREAS, data centers are a rapidly expanding use that is not regulated at the state level in Pennsylvania and may exert significant impacts related to energy demand, water consumption, noise, vibration, and environmental quality; and

WHEREAS, local regulation of data centers through conditional use in the designated industrial zone is necessary to ensure any development is compatible with the surrounding community and infrastructure.

NOW, THEREFORE, be it **ORDAINED** that West Norriton Township amends its code as follows:

SECTION I. Chapter 27, titled “Zoning,” Part 20, § 2001, is hereby amended to include the following definitions:

Ambient Noise Level: the noise level associated with a given environment, being a composite of sounds from all sources at the location consisting of the normal or existing level of environmental noise at a given location without extreme atmospheric conditions, such as wind greater than three meters per second or precipitation, and then adjusting the noise level to eliminate any noise associated with then existing development of facilities.

Data Center: A building(s) which is occupied primarily by computers, electronics, and/or telecommunications and/or related equipment where digital information is processed, stored, and/or transferred primarily to and from offsite locations. This definition does not include

computers, electronics, and/or telecommunications and/or related equipment that is customarily incidental to an otherwise permissible use on the property, such as servers associated with an office building or similar technology. This definition shall include, but is not limited to, cryptocurrency mining, blockchain transaction processing, server farms, or cloud environments.

Data Center Accessory Use: Ancillary uses or structures secondary and incidental to a Data Center use, including but not limited to: administrative, logistical, fiber optic, storage, and security buildings or structures; electrical substations; utility lines; domestic and non-contact cooling water and wastewater treatment facilities; water holding facilities; pump stations; water towers; environmental controls (air condition or cooling towers, fire suppression, and related equipment); security features, provided such data center accessory uses/structures are located on the same tract or assemblage of adjacent parcels developed as a unified development with a Data Center.

SECTION II. Chapter 27, Part 11 § 1101.F(3) is hereby amended to include the following:

“(3) Data Centers provided the following requirements are met:

(a) Data Centers shall be permitted by conditional use in the I Industrial Zoning District when approved in compliance with the procedures, standards, and criteria contained in this section.

(b) For purposes of this section, sensitive receptors shall be defined as residential uses, schools, preschools, daycare centers, in-home daycares, long term care facilities, retirement and nursing homes, community centers, places of worship, parks (excluding trails), campgrounds, prisons, and dormitories.

*(c) **Dimensional Standards.** The dimensional standards of Data Centers and Data Center Accessory Uses shall be in accordance with § 27-1102, with the following exceptions:*

- 1. The maximum building height for a Data Center shall be 50 feet, inclusive of roof-mounted equipment such as cooling and ventilation systems, HVAC units and cooling towers.*
- 2. The maximum height of Data Center Accessory Uses shall be no greater than the height of the principal building.*
- 3. Data Centers and Data Center Accessory Uses shall be set back 200 feet from the boundary of adjoining zoning districts or the lot line of any property*

developed with a sensitive receptor, including those located in adjoining/adjacent municipalities.

*(d) **Landscape Buffer.** A landscape buffer is required between Data Centers and Data Center Accessory uses and any adjoining zoning district, sensitive receptor, or public roadway.*

1. The landscape buffer shall be at least [25] feet in width and may be part of the minimum setback distance.

2. In the event that existing vegetation is adequate to meet the intent of the required buffer yard to screen the Data Center and Data Center Accessory Uses from adjoining zoning districts, sensitive receptors, and public roadways, the West Norriton Township Board of Commissioners, upon recommendation by the Township Engineer and Planning Commission, may determine that existing topography and/or vegetation constitutes all or part of the required buffer yard.

*(e) **Screening and Fencing.***

1. To provide visual screening and reduce noise levels, ground-mounted and roof-mounted equipment used for cooling, ventilating, or otherwise operating the facility, including power generation or other power supply equipment, that is located within [300] feet of a public roadway, adjoining zoning districts, or the lot line of any sensitive receptor must be fully enclosed, except where not mechanically feasible based on the manufacturer's specifications. If it is not mechanically feasible to fully enclose the equipment, it must be fully screened from view using one or more of the following means:

(A) The landscape buffer required by subsection (D) above.

(B) By existing vegetation that will remain on the property.

(C) By the principal Data Center building or an accessory building

(D) A berm averaging a minimum of five (5) feet in height above the adjacent average ground level with a maximum side slope of 3:1, provided that the berm shall be covered by a well-maintained all season natural ground cover and any required screening plantings shall be arranged on the outside and top of the berm.

(E) A visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building.

2. Fencing of the property is permitted, provided that fencing along public and private roadways is not chain-link, with or without slatted inserts, and does

not include barbed wire or other similarly visibly intrusive deterrence device. An applicant shall not be required to comply with this requirement if fencing is fully screened from view by one or more of the means identified in subparagraph 1 above.

(f) Noise and Vibration.

- 1. The applicant must submit a professional pre-construction study establishing baseline ambient noise and vibration levels, as well as predicted operational impacts.*
- 2. Noise from operations, including cooling units and backup generators, shall not exceed 45 dBA or 60 dBC at the property line adjoining any residential zone between 10:00 p.m. and 7:00 a.m., and shall not exceed 40 dBA at other times.*
- 3. Following commencement of operations, an as-built noise and vibration study must be performed within six months to confirm compliance; any exceedance requires immediate mitigation.*
- 4. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the Data Center, Data Center Accessory Uses or associated equipment will be perceptible to the human sense of feeling beyond the property line.*

(g) Water and Sewer.

- 1. If the use will be served by a public water supply, the applicant shall submit documentation from the public authority certifying that the public authority will supply the water needed.*
- 2. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study. The purpose of the study is to determine if there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No Data Center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:*
 - (A) The projected water demands of the Data Center;*
 - (B) The source of water to be used;*

- (C) *A description of how water will be used, including the amount or proportion of water to be used for each purpose (e.g. cooling, humidity control, fire suppression, and domestic usage);*
- (D) *The long-term safe yield of the water source;*
- (E) *A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;*
- (F) *A geologic map of the area with a radius of at least one mile from the site;*
- (G) *The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;*
- (H) *The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;*
- (I) *A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table;*
- (J) *A statement of the qualifications and the signature(s) of the person(s) preparing the study.*

3. *The applicant shall provide proof of review and approval from the Delaware River Basin Commission for projects proposing:*

- (A) *Water withdrawals of 100,000 gallons per day (gpd) or more over a 30-day average from any source or combination of sources within the Delaware River Basin; or*
- (B) *Any consumptive water use of 20,000 gpd or more over a 30-day average from any water source.*

4. *The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the Pennsylvania Department of Environmental Protection.*

(h) Power Supply.

1. *If the applicant proposes to connect the Data Center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that the necessary capacity is available and that electric*

service provider will serve the Data Center. Known impacts on electric rates or availability for other uses directly attributable to the Data Center project shall be noted.

2. Any energy generation system designed or used to supply power directly to a Data Center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the Data Center use. Such systems shall be considered a separate use and shall be approved according to the zoning regulations applicable to such use.

(i) Emergency Management

1. The applicant shall submit an Emergency Response Plan (ERP) prepared by a qualified professional. The ERP shall:

(A) Be reviewed and accepted by the local fire department and emergency management services as part of the conditional use process;

(B) Include detailed procedures for fire suppression, containment, ventilation, and evacuation;

(C) Include an evaluation of the access roads and hydrant locations within the site to ensure suitable access for emergency equipment within the site;

(D) Ensure that all first responders receive adequate training specific to the installed system;

(E) Include provisions for annual fire safety inspections demonstrating compliance with fire safety standards to be performed by a qualified professional on behalf of the Data Center.

2. Any Data Center use proposing battery storage or any other device or group of devices capable of storing energy in order to supply electrical energy at a later time, whether the energy is stored for use on-site or off-site, shall demonstrate compliance with National Fire Protection Association (NFPA) Standard 855, Installation of Stationary Energy Storage Systems, or similar standards and must include fire suppression systems designed specifically for battery storage.

3. No Data Center shall be approved unless the applicant demonstrates that procedures for fire suppression, containment, ventilation, and evacuation are sufficiently protective of public health, safety and welfare.

(j) Aesthetics

1. Any Data Center and Data Center Accessory Use building façade that faces a road, Industrial Zoning District, or existing residential use must incorporate at least two of the following design elements every 150 horizontal feet:

- (A) A change in building material, pattern, texture, or color;
- (B) A change in building height;
- (C) Building step-backs or recesses having a minimum depth of five (5) feet;

(k) Parking

1. Data Centers are to be provided with at least one parking space per 8,000 square feet of floor area designed and intended to be accessible regularly by employees, or one parking space for every one employee, based upon the maximum number of employees on site during the largest shift, whichever is lesser.”

(l) Environmental Impact Assessment

1. Applicant shall submit a comprehensive assessment covering: a) effects on ecosystems, stormwater, and water resources; b) air quality and emissions; c) energy consumption and greenhouse gas impacts; d) infrastructure implications including waste, heat and traffic.

SECTION XI: SEVERABILITY

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

SECTION XII: EFFECTIVE DATE

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

ORDAINED AND ENACTED, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this _____ day of _____, 2026

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS**

Jason Bobst, Township Manager

Roseanne Milazzo, President