

TOWNSHIP OF TINICUM, DELAWARE COUNTY, PA

ORDINANCE NO. 2025 - 930

**AN ORDINANCE OF THE TOWNSHIP OF TINICUM, DELAWARE COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 395. ZONING, ARTICLE XX GENERAL
REGULATIONS, PRIVATE SWIMMING POOLS; §395-138.A. AND B. PROVIDING FOR
DIMENSIONAL SETBACKS FOR SWIMMING POOLS**

WHEREAS, the Pennsylvania First Class Township Code and the Pennsylvania Municipalities Planning Code, 53 PS §10101, et seq. authorizes the Board of Commissioners of Tinicum Township ("Board of Commissioners") to make, amend and adopt Ordinances that are consistent with the constitution and laws of the Commonwealth of Pennsylvania when necessary for the proper management, care and control of Tinicum Township ("Township") and the maintenance of good government, health and welfare of the Township and its residents.

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Township to adopt this Ordinance amending the Tinicum Township Zoning Code; and

WHEREAS, the Tinicum Township Planning Commission and Board of Commissioners have reviewed the proposed Zoning Code Amendment request; and

WHEREAS, the Tinicum Township Planning Commission reviewed the Zoning Code Amendment request on June 12, 2025, and made a recommendation to the Board of Commissioners for approval of the Amendment; and

WHEREAS, the Delaware County Planning Department reviewed the Zoning Code Amendment request on July 17, 2025, and made a recommendation to the Board of Commissioners for approval of the Amendment; and

WHEREAS, the Board of Commissioners advertised the Public Hearing and the Notice of Intent to Adopt on October 3, 2025, and October 10, 2025, as provided by the Tinicum Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Board of Commissioners held a Public Hearing on October 20, 2025, as provided by the Tincum Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code, at which time testimony was received concerning the Zoning Map Amendment request; and

WHEREAS, in the judgment of the Tincum Township Board of Commissioners the requested amendment to the Zoning Code of Tincum Township, Delaware County, Pennsylvania is in the Township's best interest; the change requested will not result in a detrimental effect on abutting properties and the change requested will be consistent with the overall comprehensive plan adopted by the Township.

NOW THEREFORE, in consideration of the foregoing, it is **ORDAINED AND ENACTED** by the authority of the Tincum Township Board of Commissioners as follows:

§395-138. Private Swimming Pools.

A. Private swimming pools shall be permitted in the rear yard. Such pools shall also be permitted in either side yard or rear yard. Such pool shall be placed or located at a distance of at least five (5') feet between such pool and any side property line.

B. All swimming pools shall be located not less than eight (8') feet from any dwelling or principal building on the lot. Pools in the rear yard shall be located or placed no closer than eight (8') feet from any rear property line.

C. No private swimming pool shall be permitted or constructed in the front yard of any property.

Ratification.

In all respects, the provisions of the Tincum Township Zoning Code and Zoning Map, as amended, shall remain in full force and effect.

Severability.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of

the Board of Commissioners that this Ordinance would have been adopted have the unconstitutional, illegal or invalid sentence, clause, section, or part thereof, not been included therein.

Repealer.

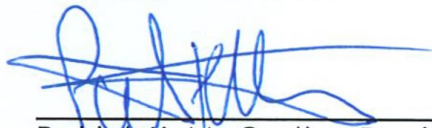
All Ordinances or part of Ordinances which are insistent herewith are hereby repealed and/or replaced.

Effective Date.

This Ordinance shall become effective upon adoption.

ORDAINED and ENACTED this 20th day of October, 2025, by the Board of Commissioners of the Township of Tincum, Delaware County, Pennsylvania.

Township of Tincum



Patrick K. McCarthy, President
Board of Commissioners

ATTEST:



David D. Schreiber, Township Secretary