

**BOROUGH OF SWARTHMORE  
DELAWARE COUNTY, PENNSYLVANIA  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH OF SWARTHMORE AMENDING THE  
CODIFIED ORDINANCES OF THE BOROUGH OF SWARTHMORE TO  
REPEAL CHAPER 606 THEREOF, ENTITLED ALCOHOLIC BEVERAGES**

**WHEREAS**, the Borough adopted Ordinance No. 820 on August 8, 1983, which was codified at Chapter 606 of the Borough Code, which ordinance made it unlawful for any person to operate a bottle club in the Borough; and

**WHEREAS**, Pennsylvania law required a referendum for purposes of prohibiting bottle clubs; and

**WHEREAS**, Ordinance No. 820 could have the inadvertent effect of rendering “BYOB” restaurants illegal in the Borough; and

**WHEREAS**, for the foregoing reasons, the Borough Council now desires to repeal Ordinance No. 820.

**NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED** by the Borough Council of the Borough of Swarthmore as follows:

Section 1:     Repeal of Chapter 606.

Chapter 606 of the Codified Ordinances of the Borough of Swarthmore is hereby repealed in its entirety.

Section 2:     Severability.

The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, or parts of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional sections, sentence, clause, part, or provision had not been included therein.

Section 3:     Repealer.

All resolutions or ordinances, or parts thereof, which are inconsistent herewith are hereby repealed to the extent of the inconsistency.

Section 4:     Adoption.

This Ordinance shall take effect and be in force from and after its enactment.

ENACTED AND ORDAINED THIS 13th DAY OF OCTOBER, 2009.

SWARTHMORE BOROUGH COUNCIL

BY: \_\_\_\_\_  
TOM HUESTIS  
PRESIDENT

APPROVED THIS 13TH DAY OF  
OCTOBER, 2009

ATTESTED THIS 13TH DAY OF  
OCTOBER, 2009

BY: \_\_\_\_\_  
ELRIC C. GERNER  
MAYOR

BY: \_\_\_\_\_  
JANE C. BILLINGS  
BOROUGH MANAGER/SECRETARY