

CHAPTER 27

ZONING

Part 1

General Provisions

- \$100. Enactment, Title and Purpose
- \$110. Establishment of Zoning Districts and Maps
- \$120. Application of Regulations
- \$130. Prohibited Use

Part 2

Residence District Regulations

- \$200. Forest/Slope Residence Districts
- \$210. R-2 Residence Districts
- \$220. R-4 Residence Districts
- \$230. R-6 Residence Districts
- \$240. R-8 Residence Districts

Part 3

Business District Regulations

- \$300. CN Neighborhood Commercial Districts
- \$310. C-1 Business Districts
- \$320. C-2 General Commercial Districts

Part 4

Manufacturing District Regulations

- \$400. M-2 Light Manufacturing Districts
- \$410. M-3 General Manufacturing Districts

Part 4A

Institutional District Regulations

- \$400A. I Institutional District

Part 5

Off-Street Parking Regulations

- \$500. Required Off-Street Parking Spaces
- \$510. Units of Measurement
- \$520. Modification of Required Off-Street Parking Spaces
- \$530. Site Requirement for Off-Street Parking Spaces

Part 6

Supplemental Regulations

- \$600. Supplemental Use Regulations
- \$610. Supplemental Height Regulations
- \$620. Supplemental Lot Size and Open Space Regulations
- \$630. Sattelite Dish Antenna

Nonconforming Use Regulations

- \$700. Nonconforming as to Use Regulations
- \$710. Nonconforming as to Lot Size, Open Space, Height or Building Size Regulations
- \$720. Nonconforming Lots

Part 8

Administration, Enforcement and Violations

- \$800. Penalty
- \$810. Permits
- \$820. Schedule of Fees

Part 9

Zoning Hearing Board

- \$900. Organization
- \$910. Zoning Hearing Board Functions
- \$920. Parties Appellant Before the Board
- \$930. Validity of Ordinance
- \$940. Zoning Appeals to Court

Part 10

Amendments

- \$1000. Amendments/General Provisions

Part 11

Definitions

- \$1100. Rules of Construction of Language
- \$1110. Definitions

Part 12

Zoning Map Amendments

Part 1
General Provisions

§100. Enactment, Title and Purpose.

1. Enactment - The original Bradford Township Zoning Ordinance was enacted effective the 29th day of July, 1963, pursuant to Section 67001 of the Second Class Township Code of the Commonwealth of Pennsylvania, since repealed with respect to zoning and planning, by the Pennsylvania Municipalities Planning Code (P.M.P.C.), Act of 1968, July 31, P.L. 80S, 53 P.S. Sec. 10101, and for each and every purpose therein specified the Board of Township Supervisors of the Township of Bradford has ordained and does hereby enact the following ordinance, regulating and restricting by districts, the heights, number of stories and size of buildings and other structures, the portion of lots that may be occupied, the size of yards and other open spaces, the density of population and location and use of buildings, structures and land for trade, industry, residence or other purposes.

2. Title - This Chapter shall be known and may be cited as the "Zoning Ordinance of the Township of Bradford, Pennsylvania," No. 1983-2.

3. Purpose - As a part of the comprehensive development plan for the Township of Bradford, the comprehensive zoning plan, set forth in the text and maps which constitute this Chapter is adopted in order to promote public health, safety, morality, and the general welfare.

These general goals include, among others, the specific following purposes; to provide for adequate light, air, water, schools, recreation areas, transportation, sewerage, drainage and other public needs; to provide against development of residential, business and industrial areas in order to conserve property values, to conserve the expenditure of funds ear-marked for public improvement, to promote the development of fossil fuel energy resources and renewable energy resources, to promote energy conservation, and encourage the most appropriate use of land throughout the Township.

4. Community Development Objectives - This Chapter is to render a legal basis and framework to the future land use plan and development goals established by the Township Planning commission and Board of Supervisors. The objectives guiding future growth and improvement are to promote the most economical and efficient provision of municipal services: eliminate hazardous and detrimental land uses while encouraging beneficial and compatible land uses; maintain a healthful residential environment with adequate recreational, commercial and industrial support areas for the Township and the region; preserve forest and steep slope areas; protect and conserve open spaces; drainage ways and flood plains; and, in general, avoid the problems of random development inconsistent with Township-wide goals and objectives.

§110. Establishment of Zoning Districts and Maps.

1. Establishment of Zoning Districts - The Township of Bradford is hereby divided into the following Zoning Districts:

A. Residence Districts-

- F/S - Forest Slope Residence Districts [Ord. 1991-6] R-2 - Residential Districts
- R-4 - Residential Districts
- R-6 - Residential Districts
- R-8 - Residential Districts

B. Commercial Districts-

- C-N - Neighborhood Commercial Districts
- C-1 - Business District
- C-2 - General Commercial District

C. Manufacturing Districts-

- M-2 - Light Manufacturing Districts
- M-3 - General Manufacturing Districts

2. Incorporation of Zoning District Map - The location and boundaries of the aforesaid zoning districts are shown on a series of maps entitled "The Official Zoning Map of the Township of Bradford," which, with all explanatory matter thereon, is hereby incorporated into this Chapter and shall be as much as part hereof as if fully set forth and described herein.

3. Interpretation of Zoning Boundaries - Where uncertainty exists with respect to the boundaries of any of the aforesaid districts, as shown on the Township of Bradford Zoning Map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately, following or as approximately parallel to the center lines of streets or highways, street lines, or highway right-of-way lines or lines parallel thereto shall be construed to be such boundaries.
- B. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
- C. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
- D. Boundaries indicated as approximately following municipality limits shall be construed as following such municipality limits;
- E. Boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed as following such centerlines; (Ord. 1991-6)
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the official Zoning Map shall be determined by the scale of the map;
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official Zoning Map or in circumstances not covered by subsections A through E herein, or in the

Case of doubt or disagreement concerning the exact location of the boundary line, the Zoning Hearing Board shall interpret the district boundaries;

H. Where a district boundary line divides a lot, the regulations as to use in the less restricted district may extend over the portion of the lot into the more restricted district a distance of not more than fifty feet (50') beyond the district boundary line.

(Ord. 1983-2B, 4/30/1984, §1-10; as amended by Ord. 1991-6, 4/29/1991; and by Ord. 98-2-1, 2/9/1998, §I)

§120. Application of Regulations.

1. General Application - Except as hereinafter provided. [Ord. 1991-6]

A. No building, other structure or land shall hereafter be used or occupied, and no building or other structure, or parts thereof shall be erected, relocated, altered, extended or enlarged unless in conformity with the use, height and area regulations specified herein for the district in which such building, other structure or land is located, and in conformity with all other regulations of this Chapter.

B. No lot area shall be reduced or diminished so that the yards or other open space thereon shall be less than prescribed by this Chapter, nor shall the density of population be increased in any manner except in conformity with area requirements herein established. If on the effective date hereof or of any subsequent amendments hereto increasing the area or open space requirements, the lot area or required open spaces are less than the minimum required by this Chapter, such area or open space shall not be further reduced.

C. No yard or other open space provided on one lot for the purpose of complying with the provisions of this Chapter shall be considered as providing a yard or open space required on any other lot.

D. Unless otherwise specified herein the requirements for the area, width and open space shall be deemed to be minimum requirements.

E. The placement or construction of children's playhouses, sandboxes, swing sets, dog houses, ornamental wishing wells, trellises, planters, clothline supports, mailboxes, or any other structures deemed similar in nature by the zoning officer shall meet all the requirements of this Part but may not require a building permit.

F. The changing of color, composition, siding, or roofing of existing structures which do not increase the size of the structure may not require a building permit.

(Ord. 1983-2B, 4/30/1984, §1-20; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§130. Prohibited Uses. Any use not otherwise expressly permitted in any district shall be prohibited. If an individual desires to undertake an activity not expressly permitted, he may request the Township Board of Supervisors to consider amending this Chapter to permit such a use. [2.r.f.:... 1991-6]

1. Commencement of Construction - Nothing contained in this Chapter shall prevent the construction of a building or other structure which is made nonconforming by this Chapter or subsequent amendments hereto, provided that either:

A. Construction of the foundation shall commenced prior to the effective date hereof thereafter been diligently prosecuted, or have been lawfully and construction has

B. The Bradford Township Zoning Hearing substantial expenditures have been made obligations have been incurred for such structure prior to the nonconforming date.

Board makes a finding that or substantial financial nonconforming building or

2. Severability - it is hereby declared to be the intent of the Board of Township Supervisors that:

A. If a court of competent jurisdiction finds any provision of this Chapter invalid in whole or in part, the effect of such decision shall be limited to those provisions. which are expressly stated in the decision to be invalid, and all other provisions of this Chapter shall continue to be separately and fully effective.

B. If a court of competent jurisdiction finds the application of any provisions of this Chapter to any building, structure or tract of land to be invalid in whole or in part, the effect of such decision shall be limited to the person, property or situation involved in the controversy, and the application of any such provision to any other person, property or situation shall not be affected.

Part 2
Residence District Regulations

§200. Forest/Slope Residence Districts. This district is designed to protect areas in the Township, particularly those areas of steep slopes, for the preservation and conservation of the natural environment: to minimize soil erosion; to permit and encourage the retention of forested land; and to permit non-intensive land uses ,that constitute a harmonious and appropriate use in selected areas of the Township.

1. Permitted Uses and Structures

A. Principal Uses -

- (1) public conservation areas and structures for the conservation of open land, water, soil, wildlife resources and historical preservation.
- (2) agriculture, horticulture, forestry, truck gardening and nurseries.
- (3) single family detached dwelling units, seasonal cottages, hunting and fishing cabins.
- (4) public park and recreation areas, game refuges and similar non-intensive uses.
- (5) radio and television towers, including TV relay stations and cable TV transmission towers as well as those of stations originally transmitting programs.
- (6) electric and telephone public utility transmissions and distribution facilities, including substations.
- (7) public camps, camping grounds and facilities.
- (8) oil and gas production, including equipment necessary to drilling or pumping operations, but not including the construction or alteration of new or existing storage, service or repair buildings. Such producer shall acquire the proper permits and approvals from the State Department of Environmental Resources and file such with the Zoning Officer. (Ord. 1991-6]
- (9) nursing or convalescent homes.
- (10) Fences. Fences shall be considered structures in this regulation.

Fencing within the Forest/Slope district are not to exceed 8 feet in height except by approval in a Variance Hearing before the Zoning Hearing Board. When application is made for the erection of any said fence exceeding 8' in height, the Building Permit must contain explicit information as to the purpose of said fence. Original purpose of intended use of fenced in areas shall be maintained. Any desired change in use of the fenced in area must go before the Zoning Hearing Board for an submittal in a Variance Hearing. Fence materials should be of open mesh see-through construction as in, but not limited to, woven wire, chain link, or other materials as approved by the Planning Commission. Rail and Picket type fencing does not meet the intent of this ordinance. Enclosures containing burrowing or digging wildlife (boar, hogs, etc) shall be constructed to prevent escape by tunneling by extending vertically 3' below grade, then horizontally back 5' towards the interior of the fenced in area, and then covered with No. 3 stone backfill in all fenced in areas. Setback requirements of said fencing shall comply as follows.

1. Front, Side, and Rear Yard: Minimum fence setback shall be equal to or greater than the Height of the Fence. (Ord. 2004-9-1)

B. Accessory Uses -

- (1) customary accessory' uses and structures incidental to any of the permitted uses including those listed in §210(2) (B) of this Part pertaining to R-2 Residential Districts.

C. Uses by Special Exception - (Ord. 1-89J

- (1) semi-public or private recreational areas, game and wildlife hunting and gun clubs, historical preservation areas, camps, camping grounds and

(27, §200(C)(1), cont'd)

(27, §200(C)(1), cont'd)

facilities, hunting preserves, clubs, menageries, and other establishments for raising/propagating and/or harvesting of sporting game wildlife. (Ord. 2004-9-1)

A. Minimum Propagation Lot size: Must conform to existing ordinances.

B. Minimum Harvesting Lot Size: 100 contiguous acres. Pennsylvania State Game Regulations shall take precedence with regard to Harvesting Lot Size, and where there is no regulation the minimum 100 acres must be met.

C. Minimum Street Frontage: No minimum required.

D. Minimum Building Setbacks:

a. Lodges, Cabins, Retail Centers, Offices, Club Facilities, Shower/Restroom Outhouses, Guest Garaging and/or Parking, etc: If the building is located outside a sight obscuring fence, the minimum front yard setback shall be 150' and the minimum rear and side yard setbacks shall be a minimum of 50'.

b. Barns, Coops, Storage, Feed Stations and Shelters, Corrals, Banding, Facilities, Vehicle Storage, Walk-in Freezers, Game Processing/Butchering Centers, etc, used for the care/upkeep and processing of the game species and facility grounds: minimum setback from all boundary's and rights-of-way to be 350'.

C. Harvesting Shelters, Blinds, Stands, etc: Minimum setback from adjoining residential, commercial, educational, industrial, farms, or other usually occupied properties shall be 1000'. Said shelters, blinds, stands, etc. shall be designed with physical obstructions that would prevent discharging of weapons in the direction of adjoining setback limitations.

E. Fences:

A. Fences shall be considered structures and separate from right of use variances, and therefore comply to the Building code with the following limitations and exceptions.

B. Fenced areas must be located within a Forest Slope District and may not adjoin up to an R district. Minimum distance from any R District shall be 1000 feet.

C. Fenced areas shall be located a minimum 1000 feet from any existing dwelling located in the Forest Slope District which is not owned by the establishment desiring to erect said fence.

D. Front yard: In addition to the fence limitations set forth in this ordinance, fences would otherwise conform to existing ordinances.

F. Storage:

A. All Storage shall be within the fenced area.

B. At no time shall any items be piled higher than the fence, except those materials stored in an approved structure.

G. Vector Control:

A. All commercial Feed shall be stored in airtight containers in an approved building or shelter.

B. Scrap of any kind shall not be stored outside for a period exceeding 7 days, and shall be disposed of by acceptable refuse collection service, weekly.

C. Barns, shelters, etc., used for animal sheltering shall be protected by industry appropriate, flying insect controls. (Ord. 2004-9-1)

(2) horse riding stables.

(3) winter sports areas and ski lodges.

(4) country clubs and golf courses.

(5) churches and cemeteries.

(6) public and private nursery; kindergarden, elementary and secondary schools and institutions of higher education.

2. Required Lot Size - Amended as per Ord. 2008-11-1

* A residence may be built on less than five (5) acres with the following criteria:

- A. The lot area shall be no less than one and nine tenths (1.9) acres.
- B. The natural slope of the lot shall be no greater than 15 degrees (15°) unless a plot plan, sedimentation plan and storm water management plan have been prepared by a registered engineer and approved by the Planning Commission.
- C. Lot frontage shall be at least one hundred feet (100') at the front setback line.
- D. Applicant shall obtain approved sewage utilities.

3. Required Open Space -

- A. Front Yard - Seventy-five feet (75').
- B. Side Yards (two required) - Fifty feet (50').
- C. Rear Yard - Fifty feet (50').
- D. Open space between principal buildings on a single lot-no vertical wall of a principal building shall be nearer to a vertical wall of any other principal building than thirty feet (30') or a distance equal to the average height of such vertical walls measured from adjoining finished grade, whichever is greater.

4. Maximum Height of Buildings -

- A. Single Family Dwellings and Other Principal Buildings - Two and one-half (2~) stories not to exceed thirty feet (30').
- B. Accessory Buildings - One story not to exceed fifteen feet (15 f)

5. Off-Street Parking References - See Part 5.

6. Supplemental Regulations Reference - Pertaining to use, height, area or open space, see Part 6.

(Ord. 1983-2B, 4/30/1984, §2-00; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§210. R-2 Residence Districts.

1. Intended Purpose - It is the purpose of this district to accommodate medium-low density development and is composed of areas of the Township where such developments are now located. The regulations for these districts are intended to protect and stabilize the prevailing characteristics and promote a safe and healthful environment for family life.

2. Permitted Uses and Structures A. Principal Uses -

- (1) single family dwelling.
- (2) church or similar place of worship, parish house, convent, rectory, or parsonage.
- (3) private, non-profit elementary or secondary school accredited by the Pennsylvania Department of Education.
- (4) fire station without club facilities.
- (5) private golf course catering exclusively to members and their guests, provided that any building thereon shall be at least one hundred feet (100') from any lot line and no commercial activity shall be conducted except for an accessory swimming pool" "pro" shop, or an accessory dining room with or without bar

facilities.

(6) nursing or convalescent homes.

B. Accessory Uses _.

(1) private garage.

(2) quarters for servants employed upon the premises.

(3) private stable for not more than 2 horses, providing the area of the lot is two acres or more, and is located at least fifty feet (50') from any lot line. The manure from such stables shall be stored in a manner which will effectively control the odor and flies.

(4) building for private horticultural purposes provided that no solid fuel is used and that such building shall be located at least twenty feet (20') from any lot line and shall not exceed twelve feet (12') in height.

(5) the keeping of not more than two (2) roomers or lodgers or transient guests.

(6) signs shall be permitted as follows:

(a) identification sign - one non-illuminated sign not exceeding two (2) square feet in area and indicating only the name and address of the occupant or a permitted occupation. Such sign may be attached to a building or may be on a separate support not more than four feet (4') in height and shall be at least five feet (5') from any property line or street line.

(b) real estate signs:

1) one non-illuminated sign not exceeding six (6) square feet in area and advertising only the prospective sale or rental of the premises on which such sign shall not be placed within ten feet (10') of any property line or street line.

2) one non-illuminated sign not exceeding fifty (50) square feet in area in connection with the development or subdivision of real property. Such sign shall be permitted for a period of not to exceed one year and shall not be placed within twenty-five feet (25') of any lot line or street line.

(c) cemetery, golf course, or institutional signs one non-illuminated bulletin board or identification sign not exceeding sixteen (16) square feet in area. Such sign shall not be placed within ten feet (10') of any property line or street line.

(d) public signs - any sign placed by any governmental agency for a public purpose.

(7) storage of house trailers, utility trailers or boats, owned by the occupant of the premises, for his personal use, shall be permitted only in a rear yard or side yard. (Ord. 1-89J

(8) an office or studio of a resident: medical or osteopathic physician, dentist, physiotherapist, chiropodist, podiatrist, chiropractor, lawyer, engineer, architect, accountant, insurance agent, real estate agent, artist, musician, optometrist or teacher; provided that:

(a) such use shall be located within a dwelling and shall be clearly incidental to the primary residential use.

(b) such use shall not include the confinement of any person under care or treatment.

(9) home occupations as defined in the definitions section of this Chapter.

(10) other customary accessory. use, but not including any use conducted for gain or an access drive or walk to a business or industrial premises.

C. Uses by Special Exception - (Ord. 1-89J (1) cemeteries.

3. Required Lot Size -

- A. Lot Area - 20,000 square feet.
- B. Lot Width - 100 feet at front set back line.

4. Required Open Space -

- A. Front Yard 50 feet.
- B. Side Yards - (two required).

(1) single family dwelling - the combined width of the side yards shall be twenty-five percent (25%) of the width of the lot but need not exceed twenty-five feet (25'). Each side yard shall equal ten percent (10%) of the width of the lot, but shall not be less than five feet (5') and need not exceed ten feet (10') unless a larger size is necessitated by the above provision in regard to combined width.

(2) other principal buildings - each side yard shall equal thirty feet (30') or a distance equal to the height of the principal building, which ever is greater; provided, however, that where a side yard adjoins a lot in any district other than a Residence District, such side yard shall equal fifteen feet (15') or a distance equal to one-half the height of the principal building, whichever is greater.

C. Rear Yard - Equal to twenty-five percent (25%) of the lot depth, but shall not be less than twenty feet (20') or a distance equal to the height of the principal building, whichever is greater.

D. Open Space Between Principal Buildings on a Single Lot - No vertical wall of a principal building shall be nearer to a vertical wall of any other principal building than thirty feet (30') or a distance equal to the average height of such vertical walls measured from adjoining finished grade, whichever is greater.

5. Maximum Height of Buildings -

- A. Single Family Dwelling - Two and one-half stories not to exceed thirty feet (30').
- B. Other Principal Building - As regulated by side yard requirements.
- c. Accessory Buildings - One story not to exceed fifteen feet (15')

6. Off-Street Parking Reference - See Part 5.

7. Supplemental Regulations Reference - Pertaining to use, height, area or open space - see Part 6.

(Ord. 1983-2B, 4/30/1984, §2-10; as amended by Ord. 1-89, 3/13/1989)

§220. R-4 Residence Districts. It is the purpose of this district to accommodate a medium-low density development of primarily resident usage, but recognizing a wide range of usages not necessarily detrimental to the primary use. It is composed of areas of the Township where such developments are now located. The regulations for these districts are intended to protect and stabilize the prevailing characteristics and to offer a diversity in land use necessary for a viable community.

1. Permitted Uses, and Structures

A. Principal Uses -

- (1) any use permitted and as regulated in the R-2 District. [Ord. 1-89]
- (2) two-family or multi-family dwellings or dwelling groups.
- (3) oil and gas production including equipment necessary to drilling or pumping operations, but not including the construction or alteration of new or existing storage, service or repair buildings. Such producer shall acquire the proper permits and approvals from the State Department of Environmental Resources and file such with the Zoning Officer. (Ord. 1991-6]
- (4) agricultural, floricultural and horticultural pursuits, including but not limited to general farms, greenhouses, plant nurseries, truck gardens, dairies and the raising of bees, poultry and livestock together with all customary buildings and other structures necessary for the production and storage of the products of such pursuits.
- (5) forest farming.
- (6) animal hospitals, riding stables and the keeping of small animals, including fur-bearing animal farms, provided, however, that buildings, pens or runways for the confinement of animals be at least one hundred feet (100') from any adjoining

property line. The above restriction shall not apply to pasture or exercise tracks for horses.

(7) private wildlife reservations or conservation projects, including the usual buildings therefor.

(8) cemeteries, including mausoleums, provided that mausoleums shall be a distance of at least two hundred feet (200 ') from any street line and any adjoining residential district, and that any new cemetery shall contain a single contiguous area of at least fifteen (15) acres.

(9) mobile homes.

(10) veterinarian.

(11) mobile home parks.

(12) nursing or convalescent homes.

B. Accessory Uses -

(1) accessory uses permitted and as regulated in the R-2 District.

(2) temporary use permits for periods not in excess of one year may be issued for the display and sale of agricultural products grown on the premises by special permit of the Zoning Hearing Board. Any stand used for the display and sale of such products shall not contain more than two hundred (200) square feet of floor space and shall be set back at least two hundred feet (200') from the street line.

(3) signs as follows:

(a) same as permitted and regulated in the R-2 District.

(b) an unlighted sign, not exceeding six (6) square feet in area, identifying a permitted use, or related to the sale of agricultural products grown on the premises, or crude oil produced or stored thereon.

(4) other customary accessory uses.

C. Uses by Special Exception - [Ord. 1-89]

(1) gun club.

(2) gravel pit.

(3) quarry.

(4) motel.

(5) radio or television transmission stations or towers.

(6) professional office or studio physician, dentist, lawyer, architect, engineer, musician, artist, teacher, registered nurse, when such office or studio is not located within a dwelling and is not incidental to the primary residential use. In considering the use by special exception the Zoning Hearing Board shall interpret literally the parking and sign requirements

of this Chapter applicable to the use, and shall consider whether the use and/or the structure corresponds to the general character of the neighborhood.

(7) transient lodging facilities. [Ord. 1991-6] 2. Required Lot Size for Residential Use -

- A. Lot Area - 12,000 square feet per dwelling unit.
- B. Lot Width - 75 feet. 3.

3. Required Open Space -

- A. Front Yard - 45 feet.
- B. Side Yard - (two required).

(1) dwellings up to 30 feet in height - the combined width of the side yards shall be twenty-five percent (25%) of the width of the lot, but need not exceed twenty-five feet (25 I") • Each side yard shall equal ten percent (10%) of the width of the lot, but shall be not less than seven feet (7') and need not exceed ten feet (10') unless a larger size is necessitated by the above provision in regard to combined width.

(2) other principal buildings - same as provided in the R-2 District (See §210(4)(B)).

C. Rear Yard - same as provided in the R-2 District. (See §210(4) (C)).

D. Open Space Between Principal Buildings on a Single Lot. Same as provided in the R-2 District (See §210(4)(D)).

4. Maximum Height of Buildings -

- A. Single Family Dwelling - Two and one-half (2 1/2) stories, not to exceed thirty feet (30').
- B. Farm or Oil Structure - No limit.
- C. Other Principal Buildings - As regulated by side yard requirements.
- D. Accessory Buildings - Fifteen feet (15').

5. Off-Street Parking Reference - See Part 5.

6. Supplemental Regulations Reference - Pertaining to use, height, area or open space, see Part 4. (Ord. 1983-2B, 4/30/1984, §2-20; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§230. R-6 Residence Districts. It is the purpose of this district to accommodate medium density development and is composed of areas of the Township where such development are now located. The regulations for these districts are intended to protect and stabilize the prevailing characteristics and promote a safe and healthful environment "for the family life.

1. Permitted Uses and Structures

- A. Principal Uses -

(1) any use permitted and regulated in the R-4 District.

(2) two-family dwellings.

B. Accessory Uses - As permitted and regulated in the R-2 District.

c. Uses by Special Exception - As permitted and regulated in R-4 District. [Ord. 1991-6J

2. Required Lot Size -

A. Lot Area - 10,000 square feet.

B. Lot Width - 70 feet at the front setback lines.

3. Required Open Space -

A. Front Yard - 40 feet.

B. Side Yards - (two required).

(1) dwellings - the combined width of the side yards shall be twenty-five percent (25%) of the lot width, but need not exceed twenty-five feet (25'), with a minimum side yard of five feet (5').

(2) other principal buildings - each side yard shall equal fifteen feet (15') or a distance equal to one-half the height of the principal building, whichever is greater.

C. Rear Yard - Equal to twenty-five percent (25%) of the lot depth, but shall not be less than twenty feet (20') or a distance equal to the height of the principal building, whichever is greater.

D. Open Space Between Principal Buildings on a Single Lot - No vertical wall of a principal building shall be nearer to a vertical wall of any other principal building than thirty feet (30') or a distance equal to the average height of such vertical walls measured from adjoining finished grade, whichever is greater.

4. Maximum Height of Buildings -

A. Single family or two family dwelling - 30 feet.

B. Other Principal Buildings - As regulated by side yard requirements.

C. Accessory Buildings - One story not to exceed fifteen feet (15').

5. Off-Street parking Reference - For applicable off-street parking regulations see Part 5.

6. Supplemental Regulations Reference - For applicable supplemental regulations pertaining to use, height, area or open space see Part 6.

(Ord. 1983-2B, 4/30/1984, §2-30; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§240. R-8 Residence Districts. It is the purpose of this district to accommodate high density development of primarily residential usage, but recognize some nonresidential uses not detrimental to high density residential usage when properly controlled. It is composed of areas of the

Township where such developments are now located. The regulations for these districts are intended to protect and stabilize the prevailing characteristics and to offer a diversity in land use necessary for a viable community.

1. Permitted Uses and Structures

A. Principal Uses -

- (1) any use permitted and regulated in the R-6 District.
- (2) multi-family dwellings and dwelling groups.

B. Accessory Use-

- (1) accessory use permitted and as regulated in the R-2 District.
- (2) signs as regulated in the R-2 District except that one identification sign not exceeding ten (10) square feet in area for a permitted business or profession conducted on the premises shall be permitted. Such sign may be illuminated by non-flashing indirect source of light.
- (3) other customary accessory uses.

c. Uses by Special Exception - [Ord. 1-89]

- (1) telephone exchange.
- (2) tourist home.
- (3) real estate or insurance offices.
- (4) mortuary
- (5) art, dance, music or photographic studios.
- (6) optician or optometrist.
- (7) fire station with club facilities.
- (8) meeting hall for private club, lodge or fraternal organization.
- (9) the following uses, provided they are not used primarily for mental patients, . drug or alcohol addicts or for penal or correctional purposes.

(a) medical building consisting of offices or clinics for medical doctors, dentists, chiropractors, chiropodists, podiatrists.

(b) non-profit institutions for charitable, religious, cultural, or community purposes. .

(10) other administrative, professional, or executive offices, including but not limited to those permitted in the R-4 Zone (see §220(1)(C)(6», but not including the selling, manufacturing, servicing or storing of merchandise upon the premises.

(11) transient lodging facilities. [Ord. 1991-6]

2. Required Lot Size for Dwellings and Buildings of Mixed Occupancy -

- A. Lot Area - 7,000 square feet per dwelling unit.
- B. Lot Width - 60 feet.

3. Required Open Space -

A. Front Yard - 30 feet.

B. Side Yards (two required)

(1) dwellings up to thirty feet (30') in height - the combined width of the side yard shall be twenty-five percent (25%) of the lot width, but need not exceed twenty-five feet (25') with a minimum side yard of five feet (5').

(2) other principal buildings - each side yard shall equal fifteen feet (15') or a distance equal to one-half (~) the height of the principal building whichever is greater.

C. Rear Yard - Equal to twenty-five percent (25%) of the lot depth, but shall not be less than twenty feet (20') Or a distance equal to the height of the principal building, whichever is greater.

D. Open Space Between Principal Buildings on a Single Lot - No vertical wall of a principal building shall be nearer to a vertical wall of any other principal building than thirty feet (30') or a distance equal to the average height of such vertical walls measured from adjoining finished grade, whichever is greater.

4. Maximum Height of Buildings -

A. Single-Family or Two-Family Dwelling - thirty feet (30').

B. Other Principal Buildings - As regulated by side yard requirements.

C. Accessory Buildings - One story not to exceed fifteen feet (15') •

5. Conversion of Existing Buildings - Notwithstanding the open space requirements herein established for this district, existing buildings may be converted to any use permitted in this district provided that the lot area requirements are complied with and off-street parking spaces are made available in accordance with the provisions of Part 5.

6. Off-Street Parking Reference - For applicable off-street parking regulations, see Part 5.

7. Supplemental Regulations Reference - For applicable supplemental regulations pertaining to use, height, area or open space, see Part 6.

(Ord. 1983-2B, 4/30/1984, §2-40; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§300. CN Neighborhood Commercial Districts. It is the purpose of, this district to provide retail and service facilities which serve primarily and daily needs of the immediate surrounding neighborhood and to encourage attractive, compact retail commercial development in locations close to the residences served.

1. Permitted Uses and Structures -

A. Principal Uses -

(1) any principal use permitted and regulated in the R-8 Residential Districts (see §240(1)(A)); the reference to principal use here does not include R-8 Residential Uses by special exception in §240(1)(C)).

(2) retail sales in a fully enclosed building.

(a) food market;

(b) drug store;

(c) bakery;

(d) clothing;

(e) shoe store;

(f) restaurant, but not to include the "drive-in" type;

(g) jewelry;

(h) gift shop, florist shop;

(i) book store, stationery store; (j) radio, T.V. and music store; (k) variety store;

(l) dry goods and notions store; (m) hardware store, sporting goods.

(3) personal service shops which deal directly with consumers, offices and establishments, provided each such use occupies a total floor area of not more than four thousand (4,000) square feet.

(a) barber and beauty shop;

(b) dry cleaning and laundry pick-up shops; (c) tailors and dressmaker shops;

(d) self-service laundry;

(e) real estate and similar professional office; (f) finance and loan agencies;

(g) medical and dental offices.

(4) other uses which are similar to the above and subject to the following regulations:

(a) all business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

(b) all businesses, servicing or processing except for off-street parking and loading, shall be conducted completely within enclosed buildings.

B. Accessory Uses - [Ord. 1-89]

(1) as permitted and regulated in an R-2 Residence District.

(2) signs as permitted and regulated in §600(3) of this Chapter.

(3) other customary uses incidental to any of the above permitted uses; providing, however, that such uses shall not detract from the general intended purpose of the district.

C. Uses by Special Exception - [Ord. 1-89]

(1) banks, including branch service with "drive-in" facilities, providing that at least five (5) reservoir spaces are provided on the lot for each drive-in teller's window, such reservoir space shall be exclusive of required parking spaces as regulated in Part 5 of this Chapter.

2. Required Lot Size for Dwellings and Buildings of Mixed Occupancy -

A. Lot Area - 7,000 square feet per dwelling unit.

B. Lot Width - 60 feet.

3. Required Open Space -

A. Front Yard - 20 feet.

B. Side Yard - None required for individual permitted uses, except that side yards of not less than twenty-five feet (25') shall be required when abutting any residential districts specified in this Chapter.

C. Rear Yard - 20 feet.

4. Maximum Height of Buildings - No principal structure shall exceed two stories or thirty feet (30'), and no accessory structure shall exceed one story or fifteen feet (15') in height, except as provided in §610 of this Chapter.

5. Minimum Off-Street Parking, Loading and Unloading Requirements A. Off-street parking shall be provided for in accordance with Part 5 of this Chapter.

B. Each business use shall provide off-street loading and unloading space at the side or rear of the building for each four thousand (4,000) square feet of floor area or fraction thereof in each building. Such space or spaces shall not be less than four hundred (400) square feet in area, with a dimension of ten by forty feet (10' x 40') per space, which shall be located exclusive of any public right-of-way.

6. Limitations on Signs - Only those signs referring or relating to the uses conducted on the premises or to the materials or products made, sold or displayed on the premises shall be permitted and further provided that all signs shall be maintained in accordance with §600 (3) of this Chapter.

7. General Requirements - Where CN Districts abut any residential district, a landscaped strip of not less than ten feet (10') in width shall be planted and maintained with appropriate vegetative landscaping materials. Such vegetative planting, including any architectural screens or fences, shall not exceed five feet (5') in height, except on corner lots where a clear sight area defined in §620(7) of this Chapter shall be maintained.

§310. C-1 Business Districts. The C-1 Business District is intended to serve a central retail marketing function for the Township and surrounding trade area and is designed to encourage development of an intensive self-contained shopping center catering to the free circulation of pedestrian activity having arrived by automobile. This district is intended for a wide-range of shopping and service functions which can provide adequate comparison shopping activities.

1. Permitted Uses and Structures

A. Principal Uses -

(1) any use permitted and regulated in CN Neighborhood Commercial Districts.

(2) the following uses when conducted entirely within an enclosed building, put not including any use first permitted in the C-2, M-2 or M-3 Districts:

(a) dry cleaning and" pressing establishments limited to two thousand (2,000) square feet of floor space per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load of machines shall not exceed sixty (60) pounds.

(b) business and professional offices not otherwise permitted in other districts.

(c) eating and drinking establishments provided that any entertainment shall be limited to television, radio or recorded music, and further provided that no sale of alcoholic beverages for consumption on the premises shall be permitted on any lot where a side line abuts any R District boundary.

(d) amusement enterprises including bowling alleys, pool or billiard establishments, "pinball" or "computer" game arcades.

(3) gasoline service station, subject to §600(4) and §600(S), and provided that:

(a) all servicing or repairing of vehicles shall be conducted within a completely enclosed building, except fueling, adding motor lubricants, water or antifreeze, or making minor emergency repairs.

(b) there shall be no outdoor display of merchandise except for a supply of motor lubricants. All storage of merchandise and equipment (except fuel pumps or air line) shall be in the principal building.

(c) no outside storage of vehicles shall be permitted for more than thirty-six (36) hours.

B. Accessory Uses -

(1) shops for the manufacture or processing of articles incidental to the conduct of a retail business lawfully conducted on the premises, provided that:

(a) all such articles manufactured or processed are sold at retail on the premises;

(b) no more than four (4) persons are engaged in such manufacturing or processing at anyone time and in anyone establishment; and

(c) such activity shall not produce offensive odors, noise, vibration, heat, glare or dust.

(2) business signs as regulated in §600(3).

(3) off-street parking (See Part 5 for required spaces); off-street loading or unloading.

(4) other customary accessory uses, including applicable accessory uses permitted and as regulated in the R-8.

c. Use by Special Exception - [Reserved] [Ord. 1-89]

2. Required Lot Size for Dwellings and Buildings of mixed Occupancy; Same as Required in R-8 Residence Districts.

3. Required Open Space -

A. Front Yard - 40 feet;

B. Side Yards.

(1) dwellings - up to thirty feet (30') in height.

Same as required in R-8 District. (See §240(3)(B)).

(2) other principal buildings - none required, except:

(a) where a side yard is provided it shall be no less than five feet (5') wide.

(b) where a side yard abuts a lot in an R District its width shall be not less than thirty feet (30') or a distance equal to the height or the principal building, whichever is greater.

(3) where a side yard is used for either vehicular ingress or egress, it shall be at least twelve feet (12') wide.

(4) where a side yard is used for vehicular ingress and egress, it shall not be less than twenty-five feet (25') wide.

C. Rear Yard -

(1) dwellings - same as required in the R-8 District (See §240(3)(3)).

(2) other principal buildings -

(a) minimum - 10 feet

(b) along a lot in an R District - 20 feet or a distance equal to the height of such building, whichever is greater.

D. Useable Open Space for Mixed Occupancy - In the case of a building having mixed occupancy, four hundred (400) square feet of open space for each dwelling unit contained in such building shall be provided on the lot exclusively for recreation and household service activities.

4. Maximum Height of Buildings -

A. Single to Two Family Dwelling - 30 feet.

B. Other Principal Buildings - 40 feet.

C. Accessory Buildings - 15 feet.

5. Off-Street Parking Reference - For applicable off-street parking regulations, see Part 5.

6. Supplemental Regulations Reference - For applicable supplemental regulations pertaining to use, height, area or open space, see Part 6).

(Ord. 1983-2B, 4/30/1984, §3-10; as amended by Ord. 1-89, 3/13/1989)

§320. C-2 General Commercial Districts. It is the purpose of this district to serve the central retail marketing function of the entire Township and surrounding trade area and is designed to encourage development of a cohesive area offering a wide-range of shopping and service functions which can provide adequate comparison shopping activities. It is also designed to accommodate intensive self-contained shopping centers catering to the free circulation of pedestrian activity having arrived by automobile.

1. Permitted Uses and Structures

A. Principal Uses -

(1) principal uses permitted in the C-1 District, without requirement for conduct or business in an enclosed building except as hereinafter provided~

(2) motor vehicles sales and service.

(3) gasoline service station subject to §600(4) and §600(5).

(4) drive-in eating or drinking establishments, but not on a lot where a side lot line abuts a lot in an R District.

(5) eating or drinking establishments, without limitations on entertainment or dancing.

(6) motel or hotel.

(7) monument sales establishments, with incidental processing to order, but not including the shaping of headstones; provided, however, that all processing shall be conducted within a completely enclosed building.

(8) hot dog stand.

(9) custom shops, including but not limited to printing, electrical, heating, plumbing or wood working shops.

(10) warehouse, but not including the storage of highly inflammable or explosive materials.

(11) the following uses provided they are conducted within a completely enclosed building or within an area enclosed by a solid fence or wall.

(a) public garage, but not including auto wrecking or storage of motor vehicles not eligible for Pennsylvania Motor Vehicle Inspection.

(b) building materials supply, including incidental mailwork.

(c) small animal hospital located at least one hundred feet (100') from any R District boundary, veterinarian.

(d) machine or tool sales, rental or service.

(e) bottling of beverages from previously prepared ingredients.

(12) automotive laundries, subject to §600(5) and provided that:

(a) no entrance drive thereto or exit drive therefrom shall be located within one hundred feet (100') of any street intersection, and

(b) at least ten (10) reservoir spaces for each washing lane shall be provided on the lot.

(13) advertising sign or billboard, provided that such sign:

(a) shall not be located on any lot across the street from any R District, and

(b) shall not be nearer than one hundred feet (100') to a lot in any R District or to any street intersection, fifty feet (50') to any street line, or ten feet (10') to any other lot line and,

(c) may be illuminated by a non-flashing source of light directed away from adjoining property or streets.

B. Accessory Uses -

- (1) accessory uses permitted in the C-1 District.
- (2) business signs as regulated in §600(3).
- (3) off-street parking (see Part 5 for required spaces.)
- (4) other customary accessory uses.

C. Uses by Special Exception - [Ord. 1-89]

- (1) shopping center as defined in this Chapter.
- (2) commercial picnic grove.
- (3) drive-in theater.
- (4) golf driving range.

2. Required Lot Size for Dwellings' and Buildings of Mixed Occupancy Same as required in R-8 District (see §240(2)).

3. Required Open Space -

A. Front Yard - 40 feet.

B. Side Yards -

- (1) dwellings up to 30 feet in height - same as required in R-8 District (see §240(3)(B)).
- (2) other principal buildings - none required, except:
 - (a) where a side yard is provided, it shall be not less than five feet (5') wide.
 - (b) where a side yard abuts a lot in an R District, its width shall be not less than thirty feet (30'), or a distance equal to the height of such building, whichever is greater.
 - (c) where a side yard is used for either vehicular ingress or egress, it shall be not less than twelve feet (12') wide.
 - (d) where a side yard is used for vehicular ingress and egress, it shall be not less than twenty-five feet (25') wide.

C. Rear Yard. -

(1) dwellings - same as required in R-8 District (see §240(3)(C)).

(2) other principal buildings -

(a) Minimum - 10 feet.

(b) along a lot in an R District - 30 feet or a distance equal to the height of such building, whichever is greater.

D. Useable Open Space for Mixed Occupancy - In the case of a building having mixed occupancy, four hundred (400) square feet of open space for each dwelling unit contained in such building shall be provided on the lot exclusively for recreation and household service activities.

4. Maximum Height of Buildings - Same as required in C-1 District (See §310(4)).

5. Off-Street Parking Reference - For applicable off-street parking regulations, see Part 5.

6. Supplemental Regulations Reference - For applicable supplemental regulations pertaining to use, height, area or open space, see Part 6.

(Ord. 1983-2B, 4/30/1984, §3-20); as amended by Ord. 1-89, 3/13/1989)

Part 4

Manufacturing District Regulations

§400. M-2 Light Manufacturing District. It is the purpose of this section to encourage industrial development which is free from excessive 'noise, vibration, smoke, odors, glare, hazard, or fire or other objectionable effects. Industries and businesses which can meet the standards imposed in this section shall be permitted to locate. in districts adjacent to commercial and residential adjoining districts, provided that adequate landscaping and screening are provided as specified.

1. Permitted Uses and Structures

A. Principal Uses -

(1) the following uses when conducted within a completely enclosed building:

(a) any use permitted and as regulated in the C-2 District, provided, however, that a residential use which is prohibited in the M-3 Districts shall also be prohibited in the M-2 Districts, except when situated on premises which abut, or are separated only by a street or alley from, other premises situated in an R District or already used for similar residential purposes, and further provided that any existing dwellings shall not be considered a nonconforming use.

(b) laboratory engaged in research, testing and experimental work, including any process normal to laboratory practice and technique, provided that all necessary safeguards are employed to prevent hazard or annoyance to the community.

(c) the manufacture, compounding, treatment of articles or merchandise from pared materials, but not including any use in M-3 District.

(d) contractors equipment or materials storage.

(e) public utilities storage or service facility. (0 dairy.

(g). laundry.

(h) machine shop.

(i) oil storage and sales yard.

(j) paper products manufacture.

(2) lumber yard

B. Accessory Uses -

(1) accessory uses permitted and as regulated in the C-2 Districts.

- (2) quarters for caretaker or watchman.
- (3) business signs as regulated in §600(3).
- (4) off-street parking (See Part 5 for required spaces): off-street loading or unloading.
- (5) other customary accessory uses.

c. Uses by Special Exception - [Reserved] [Ord. 1-89]

D. Limitations on Permitted Uses in the M-2 District - [Ord. 1-89]

(1) no use of land, building or structure shall be permitted the operation of which normally results in any:

- (a) fire or explosive hazard; or
- (b) dissemination of atmospheric pollutant, noise, vibration glare or odor beyond the boundaries of the premises on which such is located.

2. Required Lot Size for Dwelling and Buildings of Mixed Occupancy Same as required in R-8 District (see §240(3))

3. Required Open Space -

A. Front Yard - twenty-five feet (25') except that a building of mixed occupancy or a building used for nonresidential purposes shall have a front yard of not less than fifty feet (50') when opposite any R District or when used for off-street parking.

B. Side Yards - (two required) -

(1) dwellings up to thirty feet (30') in height - the combined width of the side yards shall equal twenty-five percent (25%) of the width of the lot, but need not exceed twenty-five feet (25'). No side yard shall be less than five feet (5').

(2) other principal buildings - each side yard shall be ten feet (10') in width except where a side lot line abuts a lot in an R District, the side yard shall be not less than fifty feet (50').

C. Rear Yard -

- (1) dwellings - See §230(3)
- (2) other principal buildings - ten feet (10'); except along a lot in an R District the rear yard shall be fifty feet (50').

D. Usable Open Space for Mixed Occupancy - In the case of a building having mixed occupancy, four hundred (400) square feet of open space for each dwelling unit contained in such building shall be provided on the lot exclusively for recreation and household service activities.

4. Maximum Height of Building - 50 feet.

(Ord. 1983-2B, 4/30/1984, §4-00; as amended by Ord. 1-89, 3/13/1989)

§410. M-3 General Manufacturing District. The purpose of this district is to provide for the more intense type of manufacturing and industrial uses. Regulations to minimize their incompatibility with other districts are the minimum required for the mutual protection of the industrial areas; and to that end, these districts will be separated, by buffer strips where adjacent to any residential or commercial district.

1. Permitted Uses and Structures

A. Principal Uses -

(1) principal uses permitted in the M-2 District except dwellings without the requirement for being conducted within a completely enclosed building.

(2) open storage, provided such business is conducted in an area enclosed by a well-maintained fence or wall at least six feet (6') in height.

(3) oil and gas refining, processing, storage and transmission.

(4) saw mill

(5) warehouse, without restriction on storage and transmission

(6) advertising signs as regulated in the C-2 District.

B. Accessory Uses -

(1) accessory uses permitted and as regulated in M-2 District.

(2) quarters for a caretaker or watchmen.

(3) business signs as regulated in §600(3).

(4) off-street parking (See Part 5 for required spaces); off-street loading or unloading.

C. Uses by Special Exception - [Reserved] [Ord. 1-89]

D. Limitations on Uses in the M-3 District - No use of land, building or structure shall be permitted the operation of which normally results in any fire or explosive hazard beyond the boundaries of the District in which such use is located.

2. Required Open Space -

A. Front Yard - Same as required in M-2 District (See §400).

B. Side Yard - (two required)

(1) minimum -10 feet.

(2) where a side lot line abuts a lot in any C District or H-2 District, the side yard shall be not less than twenty feet (20' Y).

(3) where a side lot line abuts a lot in any R District, the side yard shall not be less than seventy-five feet (75').

(4) corner lots shall be subject to §620(4) (side yard modification for corner lots).

C. Rear Yard-

(1) minimum - 10 feet.

(2) along a lot in an R District - 75 feet.

3. Maximum Height - 50 feet.

(Ord. 1983-2B, 4/30/1984, §4-10; as amended by Ord. 1-89, 3/13/1989)

Part 4A

I-Institutional District Regulations

§400A. Institutional District.

1. Intended Purpose. The I-Institutional District is established in order to provide for a variety of educational, recreational, university-owned or controlled residential uses and supplemental uses which are compatible with each other within an institutional district setting. Site design standards and perimeter bufferyards are established for the preservation of the character of established neighborhoods abutting the I-Institutional District.
2. Permitted Uses and Buildings.
 - A. Principal Uses.
 - (1) University and university related offices.
 - (2) University classroom buildings including laboratories.
 - (3) University owned or controlled multipurpose recreation facilities.
 - (4) University owned or controlled student union.
 - (5) University owned or controlled maintenance and security offices and buildings.
 - (6) University owned or controlled auditoriums and assembly areas.
 - (7) University owned or controlled student housing.
 - (a) Townhouse buildings with no more than twelve (12) dwelling units per building.
 - (b) Garden apartments with no more than twenty (20) dwelling units per building.
 - (c) Dormitories.
 - (8) Library.
 - (9) Student health center.
 - (10) University owned or controlled day care facilities.
 - (11) Bookstores and supplemental retail uses owned or controlled by the university.

(12) All uses listed as permitted in the R-2 Residence District, subject to all standards and requirements applicable to such uses (see §210(2) (A)). Residential uses on parcels abutting the I-Institutional District boundary line on the effective date of the amendment creating such district may be included within such district when acquired by the University of Pittsburgh upon review and approval of the Bradford Township Planning Commission. Said review shall commence upon receipt of a formal request from the University of Pittsburgh to include the subject parcel in such district.

B. Accessory Uses.

(1) Private garage and vehicle maintenance garages for university owned and operated vehicles.

(2) Storage buildings.

(3) Essential service facilities including, university owned or controlled data transmission equipment but not including, cellular transmission towers.

(4) Parking areas

(5) Outdoor recreation including, but not limited to, tennis and basketball courts and soccer fields.

(6) signs.

(7) All accessory uses permitted in the R-2 Residence District (see §210(2)(B))

3. Conditional Uses

A. Development (buildings) and/or earth disturbance activities proposed within one hundred (100) linear feet of a residential district boundary.

B. Any student housing proposed within two hundred (200) feet of a developed residentially zoned property.

C. Any building proposed with direct access to a Township or State owned and maintained roadway.

D. Any building proposed with any portion of said building in excess of sixty (60) feet in height.

4. Uses by Special Exception

A. University or university related uses not listed as permitted or accessory uses, but determined by the Zoning Hearing Board to be typical of uses on a university campus and no more detrimental to surrounding uses than a permitted or accessory use. In determining appropriateness of a use by special exception, the Zoning Hearing Board shall refer all such requests to the Planning Commission for review and

Comment prior to a final determination.

B. Cemeteries and/or mausoleums.

5. Required Lot Size.

A. Lot Area. No Minimum

B. Lot Width. One hundred (100) feet at front setback line.

6. Required Open Space

A. Except as otherwise provided herein, all buildings shall be located a minimum of one hundred (100) feet from any public vehicular right-of-way or from the lot line of any property zoned residential.

B. Except as otherwise provided herein, no building shall be located closer than fifty (50) feet from any other building and no building shall be located in a manner which obstructs any required fire land.

7. Maximum Height of Buildings.

A. Permitted Principal. Uses. Four (4) stories not to exceed sixty (60) feet.

B. Accessory Uses. One (1) story not to exceed twenty (20) feet.

8. Off-street Parking

A. Spaces Required. The number of parking spaces required shall be determined on a campus-wide basis where university owned and controlled development is proposed. A master campus parking plan shall be submitted to the Township which identifies current and future parking locations and number of spaces.

(1) Classroom Buildings. One (1) space per three (3) seats plus one (1) space per classroom or laboratory.

(2) General (Administrative) Offices. One (1) space per three hundred fifty (350) square feet of gross floor area.

(3) Auditoriums and Assembly Areas. One (1) space per five (5) persons capable of being seated at capacity.

(4) Recreation Uses (Indoor or Outdoor). One (1) space per five (5) persons being accommodated at peak usage.

(5) Student Housing. One and one-half (1 1/2) spaces per dwelling unit for apartment units. One (1) space per two (2) rooming units for dormitories.

(6) Bookstores and University Related Retail Uses. One (1) space per five hundred (500) square feet of gross floor area.

B. Location of Parking. Required parking spaces shall be located such that" the parking for individual uses and buildings will be located not more than one thousand (1,000) linear feet from the individual use or building generating the need for such parking.

9. Supplemental Regulations.

A. Bufferyards. In conjunction with any development involving buildings proposed to be constructed within one hundred (100) linear feet" of a residential district boundary, bufferyards shall be provided in accordance with the following:

(1) Bufferyard Width. A minimum of twenty-five (25) feet to run parallel to the abutting residential district boundary line and located within the required open space area as provided in this Section.

(2) Bufferyard Length and Location. The length and location of a required bufferyard shall be determined by projecting imaginary lines from the most remote corners of the building, the location of which requires the subject bufferyard, in a perpendicular direction and extending to the immediately abutting residential district boundary line. The required bufferyard shall be located between those two (2) imaginary projecting lines and parallel to the abutting residential district boundary line.

(3) Screening. A fifty (50) percent mix of evergreen and deciduous trees, a minimum of one and one-half (1½) inch caliper at four (4) feet from grade at a maximum of ten (10) feet apart shall be planted to cover an area of fifteen (15) feet wide within the required twenty-five (25) foot bufferyard. The remaining ten (10) feet of bufferyard shall serve as a transition area between proposed buildings and the screening.

(4) Application. No accessory building or storage of any kind shall be permitted in a required bufferyard.

(5) Maintenance. All bufferyards shall be maintained and kept free of debris and high grass.

B. Lot Coverage. No combination of building and impervious surface area shall exceed sixty (60) percent of the area proposed for development.

C. Floodplain Regulations. Where development is proposed in close proximity to the established one hundred (100) year floodplain, all applicable local, State and Federal provisions for building construction and location shall be adhered to.

D. Stormwater Management. A plan for the detention and release of stormwater, including identified drainage easements and discharge points in addition to a plan to control erosion and sedimentation during construction, shall accompany all land development applications.

E. Utilities. All utilities including electric, telephone and cable television servicing buildings in the I-Institutional District shall be placed underground.

F. Exterior Lighting. A lighting plan shall accompany all land development applications which shall include the location, fixture type and height, shielding and proposed illumination levels.

G. Storage. Any article or material stored outside an enclosed building as an incidental part of the primary commercial or industrial operation shall be so screened by opaque ornamental fencing, walls or evergreen planting that it cannot be seen when viewed by a person standing on ground level during any season of the year. All organic rubbish or storage shall be contained in airtight, vermin proof containers which shall also be screened from public view.

H. Emergency Access. All buildings shown on a site development plan must be adequately accessed by emergency fire-fighting vehicles and other emergency equipment. Emergency access shall be required for the purpose of positioning fire-fighting equipment or other emergency vehicles in relation to the building so that the equipment can be effectively use. Emergency access may be provided by means of a fire lane, a public or private street, driveway or aisle in a parking area or an unobstructed landscaped area which is designed and constructed to accommodate the size and weight of fire-fighting equipment. Clearly delineated emergency access shall be provided on at least one (1) side of each building with the remaining three (3) sides landscaped or developed to accommodate the fire-fighting equipment as specified herein.

10. Review and Approval of Conditional Uses. No zoning certificate, building permit or occupancy permit shall be issued for any conditional use in the I-Institutional District until a site development plan has been submitted, reviewed and approved in accordance with the following provisions; provided, however, that existing buildings where the occupancy is being changed without any change in use category or new construction or addition to buildings which does not involve new roads, streets, easements of access of the extension of Township utilities or facility to the site are exempt from this requirement.

A. The application for approval of a proposed site development plan shall be submitted in the office of the Township no later than twelve (12) noon, ten (10) working days before the Planning Commission's meeting, shall not be reviewed until the next regularly scheduled meeting.

B. In addition to compliance with the provisions of Chapter 22, subdivision and Land Development, where applicable, the applicant is also responsible for providing the following information:

(1) A development narrative which describes the scope of the project and estimated construction schedule.

(2) The location of relevant natural features including, but not limited to, streams or other natural watercourses and significant stands of existing trees.

(3) Required front, rear and side lot lines, where applicable, and the zoning district in which the subject parcel or proposed development area is situated.

(4) A vicinity map, abutting property owners names, present use of abutting land and buildings and total acreage of the parcel or total area proposed for development.

C. Action shall be taken by the Planning Commission, recommending approval or denial, forty-five (45) days from the date of the regular Planning Commission meeting at which the site development plan application filed in conjunction with the request for conditional use, first appears as an agenda item.

(1) Approval. The Planning Commission may recommend approval of a site development plan application if the plan meets all the requirements of this Section and all other Township requirements and is shown to have included reasonable steps to minimize potentially adverse impacts to adjacent properties and traffic circulation.

(2) Disapproval. The Planning Commission may recommend disapproval of a site development plan application which does not meet the requirements of this Section and all other applicable Township requirements, provided that the reasons for disapproval are specified. Said application may be modified or changed for further review by the Planning Commission, within the time limits specified or the site development plan application may be returned to the applicant for appeal to Court.

D. The Board of Supervisors shall schedule a public hearing within sixty (60) days of receipt of a complete site development plan application which includes a request for the granting of a conditional use status. "A written decision shall be forwarded to the applicant within forty-five (45) days of the date of the last hearing.

(Ord. 1983-2B, 4/30/1984; as added by Ord. 98-2-1, 2/9/1998, §II)

Part 5

Off-Street Parking Regulations

§500. Required Off-Street Parking Spaces. After the effective date .of this Chapter, off-street parking spaces shall be provided as hereinafter specified at the time a building or structure is erected, or at the time a new use of open land is established. In the case of an enlargement of any existing building, structure or use after the effective date of this Chapter, off-street parking spaces shall be provided as hereinafter specified for the enlarged portion of such building, structure or use.

No existing off-street parking area shall be reduced in capacity so as to be less than required by this Part or, if such parking capacity is already less than herein required, such parking area shall not be further reduced; provided, however, that a reduction in such existing parking area shall be allowed if equivalent parking space is provided for the use involved.

1. <u>Dwellings</u>	<u>Parking Spaces</u>
A. Single-family or two family dwelling	1 space for each dwelling unit
B. Multi-family dwelling	2 spaces for each dwelling unit
C. Tourist home, hotel, motel, rooming or lodging house	1 space for each unit accommodation
D. Additional spaces for accessory uses:	
1. Offices for treatment of humans	5 spaces for each office
2. Other offices	2 spaces for each office
2. <u>Institutional Uses</u>	<u>Parking Spaces</u>
A. Hospital	1 ½ spaces for each bed
B. Sanitarium, convalescent home	1 space for each 5 beds
C. Home for aged or orphanage	1 space for each 5 persons in residence
3. <u>Places of Assembly</u>	<u>Parking Spaces</u>
A. School	1 space for each classroom plus 1 space for each 5 seats in the auditorium or stadium, whichever is great.
B. Churches; principal or accessory Auditorium, theater, stadium or sports arena	1 space for each 5 seats

- C. Library, museum or art gallery 1 space for each 300 square feet of gross floor area
- D. Bowling Alley 10 spaces per alley
- E. Dance hall or studio, skating rink 1 space for each 100 square feet of gross floor area
- F. Eating or drinking establishments, principal or accessory;
 - 1. Drive-in type 3 spaces for each 25 square feet of gross floor area
 - 2. Other Types 2 spaces for each 5 seats
- G. Club or Lodge 1 space for each 100 square feet of floor area used for club or lodge purposes plus 1 space for each sleeping room
- H. Mortuary or Funeral Parlor 10 spaces for each parlor
- I. Swimming Pools, principal or accessory, other than private pools 1 space for each 25 square feet of pool area

4. Business or Industrial Uses

Parking Spaces

- A. Furniture, floor covering or appliance stores, custom shops, wholesale business 1 space for each 700 square feet of gross floor area
- B. New or used car sales 1 space for each 700 square feet of sales area. Such space shall be clearly marked and shall not be used for parking of unregistered motor vehicles
- C. Gasoline station, public garage or repair garage, principal or accessory 3 spaces for each service bay
- D. Food store, shopping center, or group of stores over 20,000 square feet of gross floor area 1 space for each 100 square feet of gross floor area
- E. Individual retail stores 1 space for each 175 square feet of gross floor area
- F. Doctor, dentist or real estate office 5 spaces for each office
- G. Other business or professional offices or banks 1 space for each 175 square feet of gross floor area

H. Manufacturing, storage or other industrial floor area	1 space for each 1,000 square feet of gross area used for such purposes but shall not be less than 1 space for each 2 employees
I. All other principal uses not above enumerated or excepted	1 space for each 350 square feet of gross floor area

5. Mixed Uses - Except as otherwise provided in §520, where any building or lot is occupied by two or more uses having differing parking requirements, the parking requirement for each use shall be computed separately to determine the total off-street parking requirement.

§510. Units of Measurement.

1. Size of Parking Space - For the purpose of computing gross parking area for required off-street parking, three hundred fifty (350) square feet of unobstructed net standing, maneuvering, or access area shall be considered one parking space. However, a lesser area may be considered as one space if the Zoning Officer certifies that the layout and design of the parking area are adequate to permit convenient access and maneuvering. In any event, the size of a parking space shall be at least twenty feet (20') long and nine feet (9') wide exclusive of access or maneuvering area.

2. Gross Floor Area - Gross floor area shall include all areas of a building used or occupied by any traffic generator mentioned in §500; provided, however, that basement or cellar floor area not used for processing, servicing or sales of goods or merchandise shall not be counted as gross floor area.

3. Seats - In places of assembly where bench-type seats are provided or when standing patrons are served at a counter or bar, each twenty (20) lineal inches of such seating or standing space shall be considered as one (1) seat for the purpose of determining off-street parking requirements.

4. Employees - In any case where there is more than one work shift the total number of employees used to compute off-street parking requirements shall include the maximum number of employees on one shift.

5. Fractional Units - When application of the units of measurement to determine required off-street parking spaces results in a fractional parking space of one-half (½) or more, one parking space shall be required.

§520. Modification of Required Off-Street Parking Spaces.

1. Accessory Uses -

A. No off-street parking shall be required for uses accessory to any institutional use specified in §500(2) an accessory restaurant used primarily for students, patients, tenants or employees occupying a principal building.

C. In the case of accessory retail sales, services, restaurants, or swimming pools, the parking requirement for either the accessory use or the principal use, whichever requirement is less, shall be reduced by fifty percent (50%).

2. Joint Facilities -

A. In the case of a church and school on the same lot, the lesser parking requirement shall be waived.

B. Where places of assembly specified in §500(3) are located on the same lot with other uses, Zoning Hearing Board may permit a reduction in the number of required off-street parking spaces for such places of assembly.

C. Where public off-street parking facilities are available, other than off-street parking provided for a public building, the zoning Hearing Board may permit a reduction in the number of required off-street parking spaces for uses located on any lot within six hundred feet (600') of such public parking facility.

(Ord. 1983-2b, 4/30/1984, §5-20)

§530. Site Requirements for Off-Street Parking Spaces.

1. Location of Required Parking Spaces.

A. General Provision. All required off-street parking spaces shall be provided on the same lot with the building or use they serve, except as provided in subsection (1) (B), "Group Facilities."

B. Group Facilities. In any C or M District, required off-street parking spaces may be provided in group parking facilities designed to serve two or more buildings or uses on different lots; provided that:

- (1) The total parking spaces in such group facility shall not be less than the sum of the requirements for the various uses computed separately.
- (2) All required parking spaces shall be not more than six hundred (600) feet from the boundary of the lot on which such buildings or uses are located.

2. Setback for All Off-Street Parking Spaces.

A. In any R District:

- (1) Enclosed off-street parking spaces shall be subject to the regulations for accessory buildings (§620(9)).
- (2) No open off-street parking space shall be permitted in a required front yard or exterior side yard.
- (3) No open off-street parking area for five (5) or more motor vehicles shall be located within five (5) feet of any side or rear lot line on an adjoining lot in any R District.

B. In Any C or M District, no open or closed off-street parking space shall be permitted within one (1) foot of any street line or within ten (10) feet of any R District Boundary.

3. Encroachment of Required Parking Spaces Prohibited. All areas counted as required off-street parking areas shall be unobstructed and free of other uses, except off-street loading or unloading.

4. Guarantee for Off-Site Parking Spaces. In any case where required off-street parking spaces are provided in group facilities, or in specific cases if required by the Zoning Hearing Board in approving off-site joint facilities, such off-site parking spaces shall be subject to deed, lease or contract restrictions acceptable to the Solicitor of the Township of Bradford binding the owner, his heirs or assigns to maintain the required number of spaces available throughout the life of such use.

5. Additional Requirements for All Open Off-Street Parking Spaces. All open off-street parking spaces shall be considered as automotive use areas and shall be subject to the requirements of §600(5) in addition to the provisions of this Section.

Part 6

Supplemental Regulations

§600. Supplemental Use Regulations.

1. Uses Requiring Special Permits by the Zoning Hearing Board - See Part 9.

2. Temporary Structures or Uses - The following temporary structures shall be deemed to be permitted uses in all zoning districts:

A. Temporary structures or uses incidental to construction work, including a non-illuminated sign, not exceeding twelve (12) square feet in area, of any contractor, engineer or architect, shall be permitted for a period of time not to exceed one year, provided that any such structure shall be removed forthwith upon the completion or abandonment of the construction work. Any extension of said time limit shall require the approval of the Zoning Hearing Board.

B. The temporary use of a dwelling as a model home shall be permitted for a period of time not to exceed three (3) months.

C. Any temporary structure or use permitted by the Zoning Hearing Board as authorized in Part 9.

3. Signs and Commercial Signs - Signs may be erected and maintained only when in compliance with the provisions of this Part and any and all other ordinances and regulations relating to the erection, alteration or maintenance of signs and similar devices.

A. General Requirements - All signs and/or commercial signs where permitted in the Zoning Ordinance, are subject to the following:

(1) no sign shall be erected, enlarged or relocated until a permit for so doing is issued by the Zoning Officer, except that no permit shall be required for identification signs as specified in R-2 Districts §210(2)(B)(6)(a & b) and R-4 District §220(1)(B)(3)(a & b) [Ord. 1991-6]

(2) each application for a sign permit shall be accompanied by a minimum fee in accordance with the fee payment schedule maintained by the Township.

(3) maintenance - every sign shall be kept in a state of good repair from the standpoint of safety, fire protection and appearance. The Zoning Officer shall require such maintenance and, in the event of failure of a sign owner to correct unsafe conditions or dilapidated appearance, the Zoning Officer will notify the sign owner ,that if the unsafe condition or dilapidated appearance is not corrected within thirty (30) days, the Zoning Officer shall order the removal of the sign by the Township at the owner's expense. All signs not owned by the person, firm or organization advertising thereon shall carry a clearly legible imprint showing the owner's name.

(4) measurement of signs - the area of any sign shall be determined from its outside measurements, excluding as a part thereof the height and overall width of supports and supporting

structures and any other portion or portions thereof beneath the normal area upon which an advertisement is posted or intended to be posted. Where a sign is so designed as to permit advertising copy on each side, back to back, only one (1) face shall be counted in determining area. Where a sign is designed in a "V", each face shall be counted separately in determining area.

(5) illumination of signs - construction and wiring of all electric signs shall comply with the requirements of the National Electrical Code, and operating permits will not be issued therefor until the label of the Underwriters Laboratories has been affixed. No sign shall be so illuminated as to permit spot or flood lights to shine into or have a blinding effect upon vehicular traffic. No sign shall be so illuminated as to constitute a nuisance by spilling light into any adjacent residential property.

(6) no sign shall contain moving parts or use flashing or intermittent illumination. The source of light shall be steady and stationary.

(7) no sign shall be higher than thirty-five feet (35') from the ground to the highest part of the sign.

(8) no sign shall be so erected as to obstruct entrance to or exit from a required door, window, fire escape or other required exit way_

(9) temporary signs not exceeding sixteen (16) square feet in area of painters, mechanics, contractors and the like are permissible in all districts, provided such signs are removed as soon as work is completed on the premises.

(10) temporary signs and banners of a non-commercial nature across rights-of-way are permitted, provided approval is obtained from the Township Supervisors, and it is erected in a location where it will not cause a traffic hazard, it meets safety standards and is maintained, and it will be removed when its temporary use is completed. fOrd. 1991-6]

B. Signs in Residential Districts - The following types of signs may be permitted in residential districts unless otherwise provided.

(1) One (1) name plate and one (1) house number sign for each dwelling unit, professional office or home occupation, provided it does not exceed one (1) square foot and identifies only the name and title of the occupant. It shall not extend beyond a vertical plane two feet (2') inside the lot from the street line. If lighted, it will be illuminated without objectional glare. No displays or change in facade shall indicate from the exterior that the building is being used in whole or .in part for any purpose other than that of a dwelling.

(2) real estate sign, provided it is unlighted, is not closer to a right-of-way than one-half the depth of the existing front yard, does not exceed six (6) square feet in area and pertains either to the lease, rental or sale of the premises on which it is maintained.

(3) one (1) institutional sign, provided it does not exceed sixteen feet (16') in area and is not closer to a right-of-way than one-half the depth of the existing front yard. If lighted, it will be illuminated without objectionable glare.

C. Signs in Industrial and Commercial Districts' - The following types of signs may be permitted in industrial and commercial districts unless otherwise provided.

(1) one (1) wall sign to a property, provided it is attached to the wall of a building and projects horizontally not more than twelve inches (12") therefrom, is not less than ten feet (10') above the sidewalk and occupies not more than twenty percent (20%) of the total area of the front of the principal building. It shall not project more than three feet (3') above the roof line or parapet wall.

(2) one (1) projecting sign, provided it shall not project beyond a vertical plane two feet (2') inside the lot from the street line.

(3) in C-2 Business Districts, one (1) free-standing sign not to exceed eighty (80) square feet in area. It shall not extend beyond a vertical plane two feet (2') inside the lot from the street line and shall not exceed a height of thirty-five feet (35').

(4) in C-3 General Commercial Districts, identification signs, provided they are separate and not attached to any building; a maximum to two (2) such signs for any general area. The height of signs shall be if maximum of thirty-five feet (35') measured from the ground, maximum size of the sign portion itself shall not exceed one hundred (100) square feet.

D. Commercial Sign Structures Commercial sign structures (billboards, sign boards, outdoor advertising signs) may be erected where permitted as a special exception use, providing that such commercial sign structures do not exceed three hundred (300) square feet in surface area and are spaced at intervals of not less than one thousand feet (1,000') along the same side of any street or highway. No commercial sign structure shall be located within one hundred feet (100') of any street intersection.

E. Prohibited Signs - No sign shall be erected, relocated or enlarged which, in the opinion of the Zoning Officer shall:

(1) create a traffic hazard as a result of screening traffic-signals-or-signs or which may cause confusion by utilizing red, green or amber lights or reflectorized material which creates a flashing action and is so located as to resemble or render ineffective any traffic sign or signal which uses the words "Stop," "Slow," or "Danger," or any other official traffic device.

(2) be painted, pasted or otherwise affixed to any tree, rock, utility pole, hydrant, bridge, sidewalk, curb, or street except when authorized by and under a permit from an authorized public agency or required by law.

4. Limitations on Gasoline Service Stations and Public Garages -

A. No part of any building used as a gasoline service station or public garage and no filling pump, lift or other service appliance shall be erected within twenty-five feet (25') of any R District boundary.

B. No gasoline or oil pump, no oiling or greasing mechanism and no other service appliance shall be installed in connection with any gasoline service station or public garage within twenty feet (20') of any street line.

C. Two reservoir spaces for each gasoline pump shall be provided on the lot for waiting vehicles. Such reservoir space shall not include space at the pump or required parking space.

D. There shall be no use of the lot except for landscaping or screening within twenty feet (20') of any R District boundary.

E. All portions of the lot not enclosed in a building and used for a reservoir space or for storage, parking or servicing of a motor vehicle shall be subject to the provision of §600(5).

5. Limitations on Automotive Use Areas - Any portion of a lot used for open off-street parking or reservoir space, or for open sales, service or storage areas for motor vehicles, contractors equipment, or boats shall be deemed to be an automotive use area. New automotive use areas or enlargements of existing automotive use areas shall be subject to the following requirements:

A. Surfacing - Every automotive use area and access driveway thereto shall be surfaced with a durable and dustless material and shall be so graded and drained 'so as to dispose-of surface water accumulation.

B. Lighting - Any fixture used to illuminate any automotive use area shall be so arranged as to direct the light away from the street and away from adjoining premises in any R District.

C. Screening Every--automotive use area except off-street parking areas for less than five (5) vehicles, shall be screened from any adjoining lot if under separate ownership in any R District including lots situated across the street, as follows:

(1) along a street line , by a planting strip of five feet (5') wide; provided, however, that no shrub planting or tree foliage shall be placed - or maintained which obstructs vision at an elevation - between three feet (3') and seven feet (7') above the street-level. Such screening may be interrupted by normal entrances and exits.

(2) along a rear lot line or an interior side lot line which abuts an existing or future rear yard or side yard on such adjoining lots, by a compact evergreen hedge which will reach the height of five feet (5') within three (3) years, or by a solid fence or an unpierced masonry wall five feet (5') in height. Such screening shall be maintained in good condition at all times.

D. Access - No entrance or exit to any automotive use area shall be permitted within thirty feet (30') of any intersecting street lines and except for off-street parking areas for uses permitted in any R District requiring less than ten (10) parking spaces, no entrance or exit shall be permitted within ten feet (10') of a lot in any R District.

Access to automotive areas, except for off-street parking areas in R Districts for less than ten (10) vehicles, shall be approved by the Building Inspector and shall be so arranged that vehicles shall not back into a street.

E. Restriction on Use - No automotive use areas shall be used for auto wrecking or for the storage of wrecked, partially dismantled, or junked vehicles or equipment, . or motor vehicles which do not qualify for Pennsylvania motor vehicle registration.

6. Lots Divided by District Boundaries - Where a lot is divided by any zoning district boundary so as to be in more than one zoning district and where such lot was an existing lot when such district boundary was established, a conforming use, occupying fifty percent (50%) or more of the area of said lot and having street frontage in the district where permitted, may be extended on such lot not more than twenty-five feet (25') (measured perpendicular to the district boundary) into any district where such use is not permitted, but no open space requirement shall be diminished by reason thereof.

7. Lot Frontage on Street for Dwellings - No dwelling shall be erected on any lot which lot does not have immediate frontage on a street as defined in this Chapter, and except for permitted accessory dwellings or dwelling groups, there shall be no more than one such building on a lot.

8. Mobile Home and Mobile Home Parks -

A. Regulations for Individual Mobile Homes on Subdivided Lots Under Separate Ownership in Districts where Permitted:

(1) a mobile home used as a dwelling is required to be on rigid supports "(blocks) with wheels removed, and is required to have an opaque material (skirting) extending from the lower edge of the exterior of the mobile home to the ground around the circumference of the outside of the mobile home.

(2) a planted visual barrier, or landscaped screen that covers the skirting year round shall be provided and maintained by the owner along the exterior of the mobile home which faces the public right-of-way providing access to the lot. The adequacy of this screen shall be determined by the Zoning Officer.

B. Regulations for Mobile Home Parks -

(1) special definitions -

(a) "licensee" means any person licensed to operate and maintain a mobile home park under the provisions of this Chapter.

(b) "park" means mobile home park.

(2) license - it shall be unlawful for any person to maintain or operate a mobile home park within the limits of the municipality unless such person shall first obtain a license.

(3) license fees -

(a) the annual license fee for each mobile home park shall be one hundred dollars (\$100.00).

(b) the fee for transfer of a license shall be five dollars (\$5.00).

(4) application for license - application for an initial mobile home park license shall be filed with and issued by the Board of Supervisors. The application shall be in writing, signed by the applicant, and shall include the following:

(a) the name and address of the applicant;

(b) the location and legal description of the mobile home park;

(c) a complete plan of the park in conformity with the requirements of §600(8)(B) of this Part;

(d) plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the mobile home park;

(e) such further information as may be requested by the Board of Supervisors to enable it to determine if the proposed park will comply with legal requirements.

(5) location - each mobile home in the park must be at least one hundred feet (100') from any permanent residential buildings located outside the park.

(6) mobile home park plan - the mobile home park shall conform to the following requirements:

(a) the park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

(b) the maximum number of mobile dwelling units permitted per gross acre in a mobile home park shall be six (6). [Ord. 1-89]

(c) no mobile home shall be located closer than fifteen feet (15') from any building within the park, or from any other mobile dwelling unit, or no closer than twenty-five feet (25') from any property line bounding the park. [Ord. 1-89]

(d) no more than five (5) adjacent mobile home spaces shall be located so that they are parallel to each other.

(e) all mobile home spaces shall abut a driveway of not less than twenty feet (20') in width, which shall have unobstructed access to a public street, alley or highway.

(f) no more than one access road shall be constructed to serve as an entrance or exit to any single street location outside of the site.

(g) Parking Areas - It shall be required that all parking within a mobile home park be located off-street to insure greater safety and convenience of the pedestrian and traffic. [Ord. 1-89]

1) There shall be a minimum area of two (2) parking spaces per mobile home lot;

2) Or one (1) parking space per mobile home lot and parking compounds to accommodate the remainder of spaces per unit which shall be located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred feet (200') from the mobile home that it is intended to serve.

(h) walkways not less than two feet (2') wide shall be provided from the mobile home space to the services building

(i) all driveways and walkways within the park shall be hard surfaced and lighted at night with electric lamps of not less than twenty-five (25) watts each, spaced at intervals of not more than one hundred feet (100').

(j) not less than ten (10) percent of the gross area of the mobile home park shall be set aside for usable recreation areas for use by all park residents. The recreation area shall not be included in the calculations to determine the number of mobile homes allowed.

Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield, or other recreation purposes, and shall be level and dry.

(k) all mobile home parks shall be a minimum of ten (10) acres in area.

(l) the maximum paved area of streets shall not exceed fifteen percent (15%) of the mobile home park area.

(7) utilities-

(a) mobile home court shall be provided with the following utilities:

- 1) "water supply system
- 2) sewage disposal system
- 3) electrical system

(b) utilities including gas piping system where provided, shall have sufficient capacity to supply the requirement of the mobile home court and for the maximum number of connected mobile homes.

(8) refuse disposal - garbage containers with tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Garbage cans shall be located not farther than three hundred feet (300') from any mobile home space. The containers shall be kept in sanitary condition at all times. Garbage and rubbish shall be collected and disposed of once a week to insure that the garbage containers shall not overflow.

(9) mobile home spaces -

(a) mobile home stand -

- a mobile home space shall contain a mobile home stand capable of retaining the mobile home in a fixed position •

- mobile home stands shall be adequately compacted and at such elevation, distance, and angle, in relation to the access way, as to facilitate the safe and efficient placement and removal of the mobile home.

(b) accessory structures - accessory structures, if provided, shall be of durable construction and appropriate for intended use and location.

(c) patios.;.; patios, if provided, shall be located so as to provide safe and easy access from the mobile home.

(d) storage lockers - storage lockers, if provided, shall be designed to provide adequate storage facilities convenient to the mobile home.

(10) property maintenance-----

(a) general - a mobile home park shall be maintained in a safe, sanitary and orderly condition.

(b) premises - premises shall be kept clean and free of physical hazards.

(c) infestation - grounds and structures shall be maintained free of insect, vermin, and rodent harborage and infestation.. Methods used for purposes of extermination shall conform with generally accepted practice.

(11) fire protection - every park shall be equipped at all times with fire extinguishing equipment in good working order, or such type, size and number and so located within the park to satisfy applicable and reasonable regulations of the fire department. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

(12) register of occupants -

(a) it shall be the duty of each licensee and permittee to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:

- the name and address of each mobile home occupant;
- the make, model, year and serial number of each mobile home;
- whether or not each mobile home is a dependent or independent mobile home.

(b) the park shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period- of three (3) years following the date of departure of the registrant from the park.

(13) revocation of license - the Township Supervisors may revoke any license to maintain and operate a park when the licensee has been found guilty by a court of competent jurisdiction of violating any provision of this Chapter. After such conviction, the license may be reissued if the circumstances leading to conviction have been remedied and the park is being maintained and operated in full compliance with the law.

(14) posting of license and temporary permit - the license certificate or temporary permit shall be conspicuously posted in the office of or on the premises of the mobile park at all times.

(15) penalty - any person violating this subsection shall be fined not less than five dollars (\$5.00), nor more than one hundred dollars (\$100.00) for each offense for each day.

9. Screening-

A. A planted Visual barrier, or landscaped screen, shall be provided and maintained by the owner or lessee of a property between any district an~ contiguous residentially zoned districts, except where natural or physical man-made barriers exist. This screen shall be developed in a manner approved by the Zoning Officer. All plants not surviving one year after planting must be replaced.

B. All visual barriers, or landscape screens, shall be in accordance with the following minimum widths. Such areas shall not be counted as part of the required open spaces or yard areas.

(1) in all Commercial Districts - 10 feet.

(2) in Industrial Districts - '20 feet.

C. Any existing business affected by these regulations at the time of passage of this Chapter, shall not be required to comply with the above screening requirements, except in case of enlargement or major alteration of such business. Similarly, for any zoning district boundary change after the passage of this Chapter initiated by a residential developer abutting a Commercial or Industrial zoned district property for which these regulations apply, these screening requirements shall not be imposed upon such Commercial or Industrial property.

(Ord. 1983-2B, 4/30/1984, §6-00; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§610. Supplemental Height Regulations. this Chapter shall not apply to:

1. Chimneys, flues, spires or belfries.
2. Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures); provided that such structures in the aggregate, do not occupy more than ten percent (10%) of the roof area.
3. Flag poles, radio or television antenna, masts or aerials, located on a building or extending not more than- twenty feet (20') above the roof of such building.
4. Collectors for a solar energy system.
5. Windmills used for converting wind energy to electrical or mechanical energy for use on the premises.

(Ord. 1983-2B, 4/30/1984, §6-10)

§620 Supplemental Lot Size and Open Space Regulations.

1. Lot Size and Open Area Exceptions - The lot width or area requirements of this Chapter shall be automatically waived to permit the erection of a single-family dwelling or the restoration, enlargement (but not including additional dwelling units), moving, repair or alteration of an existing single-family dwelling on any lot of record which was owned separately and individually from all other tracts of land on the effective date of this Chapter or on the effective date of any subsequent amendment increasing the lot size requirements of such lot, provided that:

A. Such use is permitted in the District where such lot is located, and

B. All other regulations prescribed in this Chapter shall apply thereto: except that no side yard shall be less than five feet (5').

2. Exception for Original Design in New Residential Development - In accordance with the requirements and procedures set forth in Part 9 hereof, the Zoning Hearing Board may modify the lot size and open space regulations of land platted for a proposed subdivision, provided that:

A. Such proposed subdivision has been approved by the Township Planning Commission and any other board, commission, bureau or department having authority over same or any part thereof.

B. The entire tract of land in the proposed subdivision contains three (3) or more acres.

C. A building plan is submitted with the application to the Planning Commission showing lots where dwelling groups or apartment houses are proposed to be built, the maximum density of population that may exist thereon, minimum yard requirements, and proposed screening, walls or planting.

D. For such land there shall not be a greater average density of population or cover of land with buildings than is permitted in the district wherein such land lies as shown on the official zoning map.

E. Findings are made in accordance with ~art 9.

F. An affirmative vote of all members of the Zoning Hearing Board approves such proposed subdivision.

3. Front Yard Modification - Where there are principal buildings on adjoining lots on each side of a parcel of land less than one hundred feet (100') in width having a front yard setback or exterior side yard setback less than the required front yard depth for the zoning district in which said parcel is located, the required front yard depth of said parcel shall equal the average setback from the street line of such existing buildings or said adjoining lots. This modification shall not permit a front yard depth of less than fifteen feet (15') in any R District unless unusual topography would require a grade of in excess of twelve percent (12%) for the approach drive to an off-street parking facility. In which case, the depth may be modified to permit a grade of twelve percent (12%) or less.

4. Side Yard Modification for Corner Lots -

A. Side Yard Modification for Corner Lots in R District -

(1) on a corner lot where the rear lot line coincides with the rear lot line of the adjoining lot for a distance from the street line, the required width of the exterior side yard for any building shall equal ten percent (10%) of the lot width, but need not be more than ten feet (10') "

(2) on a corner lot where the rear lot line coincides with a side lot line of the adjoining lot for a distance from a street line.

(a) the required width of the exterior side yard for buildings up to thirty feet (30') in height shall equal thirty percent (30%) of the lot width, but need not exceed thirty feet (30') and shall not be less ,than eighteen feet (18').

(b) the required width of the exterior side yard buildings over thirty feet (30') in height shall equal the required front yard depth of said adjoining lot, but need not exceed thirty feet (30').

5. Side Yard Modification for Corner Lots in C or M Districts - On a corner lot where the rear lot line coincides with the rear lot line of the adjoining lot for a distance from the street line, the required width of the exterior side yard of said corner lot shall be not less than thirty feet (30') when the exterior side yard is opposite a lot in any R District, or not less than ten feet (10') in any other case.

6. Rear Yard Modification for Through Lots - On a through lot, where the rear lot line coincides with a street line, a front yard equivalent shall be provided. The rear yard depth requirements in the district regulations shall not apply on that portion of a through lot where a front yard equivalent is required.

7. Visibility at Intersections - In any district where a front yard of twenty-five feet (25') or more is required by this Chapter, no signs, fence, wall, hedge, shrub planting or tree foliage which obstructs vision at elevations between three (3') and seven feet (7') above the street level shall be placed or maintained within the triangular area formed by two intersecting street lines and a line connecting points on such street lines thirty feet (30') distance from their point of intersection. This regulation shall not apply to any necessary retaining wall or to buildings existing on the effective date of this Chapter.

8. Permitted Obstructions in Required Open Space - Except for the purpose of §620(7), none of the following uses, structures, or parts of structures shall be considered as obstructions when located, as specified:

A. In any required open space:

- (1) access drives or walks.
- (2) fence or wall not exceeding three and one-half feet in height (3t') (except as otherwise required for screening).
- (3) flag poles not exceeding twenty feet (20') in height.
- (4) retaining walls of any necessary height.
- (5) permitted signs.
- (6) terraces not extending more than one foot (1') above the adjoining finished grade.
- (7) projections from a principal building as follows, provided that no projection is nearer than five feet (5') to a side lot line:
 - (a) awnings or canopies.
 - (b) chimneys or roofs projecting not more than two feet (2') into a required open space.
 - (c) window sills and architectural features projecting not more than four inches (4") into a required open space.
 - (d) unenclosed steps not extending above the first floor level.
- (8) in any C or M District, gasoline pumps or open accessory off-street parking spaces.

B. In Any Required Interior Side Yard -

- (1) a one-story garage not more than twelve feet (12') in height attached to a dwelling and projecting not more than three feet (3') into a required interior side yard; provided that such garage shall not be nearer any side lot line than a distance equal to one-half the height of said garage or five feet (5'), whichever is greater.

(2) open fire escape projecting not more than four feet (4') into a required interior side yard, but not nearer any side lot line than five feet (5').

c. In any rear yard, not a front yard equivalent, or in any part of an interior side yard which exceeds a required side yard:

(1) Fence or wall not to exceed 8' in height except by approval in a Variance before the Zoning Hearing Board. When application is made for the erection of any said fence exceeding 8' in height, the Building Permit must contain explicit information as to the purpose of said fence. Original purpose of intended use of fenced in areas shall be maintained. Any desired change in use of the fenced in area must go before the Zoning Hearing Board for a submittal in a Variance Hearing. (Ord. 2004-9-1)

(2) any accessory use or structure permitted in the district regulations subject to §620(9) (Limitations on Obstructions in Open Spaces)

(3) projections - balconies, bay windows, non-weather proofed porches or breezeways, or attached garages, not exceeding fifteen feet (15') in height, may extend into a required rear yard for a distance not to exceed 1/3 the required depth of such yard.

(4) flag poles or accessory radio or television antennae of any height, provided that such structure shall be set back from any property line a distance equal to its height.

9. Limitations on Obstructions in Required Open Space -

A. No storage or processing of any kind shall be permitted in any required yard in any C or M District. This provision shall not apply to uses accessory to a permitted dwelling, but such accessory uses shall be subject to the following limitations on obstructions in required open spaces in R Districts.

B. In any R District accessory buildings and roofed projections shall not occupy more than thirty percent (30%) of a required rear yard of an interior lot of more than forty percent (40%) of a required rear yard of a corner lot.

C. In any R District, no part of an accessory building shall be nearer than eight (8) feet to a rear or side lot line, except that where such lot line abuts a side yard to an adjoining lot in any R District, the setback shall not be less than a distance equal to one-half (1/2) the height of the accessory building or eight (8) feet whichever is larger. (Ord. 1991-6J)

D. In any R District, detached accessory building shall be at least ten feet (10') from any dwelling and five feet (5') from any other building.

10. District in Which Abutting Lot Lies - For the purpose of determining side or rear yard requirements an abutting lot shall be deemed to be in the zoning district which contains the largest portion of its area having street frontage.

(Ord. 1983-2B, 4/30/1984, §6-20; as amended by Ord. 1991-6, 4/29/1991)

Part 7

Nonconforming Use Regulations

§700. Nonconforming as to Use Regulations.

1. Continuation of Use - Any use which is made nonconforming by any use regulations of this Part or by any subsequent amendments thereto, may be continued, except as hereinafter provided.

2. Change in Use - Such nonconforming use maybe changed to a use permitted in the same district as the nonconforming use; provided, however, that no nonconforming residential dwelling or dwelling unit situated in an M District shall be altered, enlarged or changed in such manner as to create additional nonconforming dwelling. units. Once a nonconforming use is changed to a use first permitted in a more restrictive district, such use shall thereafter not revert to a use first permitted in a less restricted district.

3. Enlargement or Extension - Such nonconforming use shall not be enlarged or extended, except that in any C or M District, any nonconforming building may be enlarged to an extent not exceeding twenty-five percent (25%), in the aggregate, of the gross floor area devoted to such nonconforming use. In no case shall such enlargement extend beyond the lot occupied by such nonconforming use nor violate any height, yard, parking area or other open space requirement of this Chapter. When the total of all enlargements equal twenty-five percent (25%) of the gross floor area existing at the time such use became a nonconforming use, no further enlargements shall be permitted.

4. Repair or Alteration -

A. Nothing herein shall be deemed to prevent normal maintenance of a building or other structure containing a nonconforming use, including non-structural repairs and incidental alterations not extended the nonconforming use.

B. No structural alterations shall be made in a building or other structure containing a nonconforming use except: (Ord. 1-89, 3/13/1989)}

(1) when required by law.

(2) to restore to a safe' condition any building or structure declared unsafe by the Building Inspector.

(3) to accomplish permitted enlargements.

(4) to accomplish a change to a conforming use or to a more restricted use.

5. Restoration - Such nonconforming building or other structure which has been damaged or destroyed by any means to the extent to fifty percent (50%) or more of its market value, as determined by a Township Assessor, or which has been condemned by the Building Inspector and ordered to be demolished, shall not be rebuilt or repaired except in conformance with the regulation of this Chapter. In the case of a permitted restoration of a nonconforming use, neither the floor area nor the cubical content shall be increased from the original nonconforming building or other structure.

6. Discontinuance - In any district, whenever a nonconforming use of land, building or other structure, or any part or portion thereof, has been discontinued for a period of one year, such nonconforming use shall not thereafter be re-established, and all future use shall be in conformity with the provisions of this Chapter. Such discontinuance of the active and continuous operation of such nonconforming use, or a part or portion thereof, for such period of one year, is hereby construed and considered to be an abandonment of such nonconforming use, regardless of any reservation of an intent not to abandon same or of an intent to resume active operations. If actual abandonment in fact is evidenced by the removal of buildings, other structures, machinery, equipment or other evidences of such nonconforming use of the land and premises, the abandonment shall be construed and considered to be completed at the time of such abandonment and all rights to re-establish or continue such nonconforming use shall thereupon terminate.

7. Cessation - The following nonconforming uses may be continued for a period of three (3) years, provided that after the expiration of such period, any such nonconforming use shall become an unlawful use and shall be terminated.

A. In any R District any nonconforming use not in an enclosed building, including, but not limited to, junk business, auto wrecking and dismantling, and the storage of motor vehicles which do not qualify for Pennsylvania Motor Vehicle Inspection.

B. In any R District, the parking or storage of equipment or commercial vehicles exceeding 3/4 ton rated capacity.

C. In any R District, a nonconforming sign, or a nonconforming building or other structure with an assessed value under five hundred dollars (\$500.00).

(Ord. 1983-2B, 4/30/1984, §7-00; as amended by Ord. 1-89, 3/13/1989)

§710. Nonconforming as to Lot Size, Open Space, Height or Building Size Regulations .

1. Continuation - Any building, other structure or use of land which is made nonconforming by any lot size, open space, height or building size regulation of this Chapter, or by any subsequent amendments thereto, may be continued, except as hereinafter provided.

2. Enlargement or Extension - Such nonconforming building, other structure or use of land may be enlarged or extended, provided that any such enlargement or extension shall comply with the regulation of this Chapter.

3. Repair or Alteration Such nonconforming building or other structure may be repaired or structurally altered, provided that alterations creating enlargements or extensions shall conform to the regulations of this Chapter.

4. Restoration - Such nonconforming building or other structure which has been damaged or destroyed by any means to the extent of seventy-five percent (75%) or more of its market value as determined by the Township Assessor, or which has been condemned by the Building Inspector and ordered

to be demolished, shall not be rebuilt or repaired except in conformance with the regulations of this Chapter. In the case of a permitted restoration of any such nonconforming use, the degree of nonconformance of the original building or other structure shall not be increased.

(Ord. 1983-2B, 4/30/1984, §7-10)

§720. Nonconforming Lots.

1. Lots of Contiguous Ownership and Subdivision - In case of a lot with a building on it at the date of adoption of this Code, but with an area of width less than that prescribed above for the district in which it is located, such building may be altered or a new building erected thereon provided it complies with all other provisions of this Chapter. In case of a lot unimproved at the date of adoption of this Chapter and not adjoining either another unimproved lot or an improved lot owned or controlled by the owner of the lot in question, a building may be erected thereon if the area or width of the lot in question is at least fifty percent (50%) of that prescribed for the district in which it is located, provided that the building complies with all other provisions of this Chapter, any lot unimproved at the date of adoption of this Chapter was shown on a subdivision plot approved by the Planning Commission prior to the date of adoption of this Chapter, a building may be erected thereon irrespective of the lot area or width, provided said building complies with all other provisions of this Chapter.

2. Lots of Separate Ownership and Subdivision - With respect to lots which first became separately owned from adjoining land or lots being part of land or lots being part of land subdivision established after this Zoning Chapter became applicable thereto, any lot located in any residential district which, at the time the lot first became separately owned from adjoining land, conformed to the then applicable requirements of this Part, and any lot being a section of this Part, and any lot being part of land subdivision located in any residential district which lot at the time of establishment of such subdivision conformed to the then applicable requirements of this Chapter, may be improved and used in accordance with the requirements of this Chapter applicable at the time of separation of such lot or establishment of such subdivision. Proof of the time of establishment of a land subdivision and of prior existing subdivision shall be made by the applicant.

(Ord. 1983-2B, 4/30/1984, §7-20)

Part 8

Administration, Enforcement and Violations

§800. Penalty. Please see Chapter 1, Part 6, "Ordinance Enforcement Procedure." (Ord. 1983-2B, 4/30/1984, §8-00; as amended by Ord. 1991-6, 4/29/1991; by Ord. 6-96-1, 6/17/1996, §1; and by Ord. 4/15/1997, §1)

§810. Permits.

1. Requirements for Zoning Permits - No person, firm or corporation shall hereinafter build enlarge or alter, or change use of, any structure, building and lot or part thereof, or move any building or structure from one (1) place to another in the Township of Bradford without first having obtained a written zoning permit therefor from the Zoning Officer of the Township of Bradford, and shall be issued simultaneously with the required building permit. This Part shall not prohibit the altering of the interior of any existing building. (Ord. 1991-6]

2. Application for Permits - Application for permits including temporary permits shall be made in writing to the Zoning Officer on such forms as shall be furnished by the Township. Such application shall include building and plot plans of a satisfactory nature in duplicate and shall contain all information necessary for such official to ascertain whether the proposed erection, alteration, use, or change in use complies with the provisions of this Chapter. No permit shall be considered complete or permanently effective until the Zoning Officer has certified that the zoning use and work meet all the requirements of the applicable codes and ordinances. The applicant shall submit such application at least fifteen (15) days prior to the contemplated beginning of alteration or enlargement. A fee will be charged to applicant for these zoning permits and building permits. (Ord. 1991-6]

3. Issuance of Permits -

A. No zoning permit shall be issued except in conformity with the regulations of this Chapter, except after written order from the Zoning Hearing Board or the courts and without first obtaining a sewage permit in accordance with Chapter 18, a floodplain permit if applicable as provided in Chapter 8, "Floodplains," and be in full compliance with Chapter 22, "subdivision and Land Development," of the Code of Ordinances, and all other Pennsylvania statutes and regulations. A true and correct copy of all such approvals shall be attached to the zoning application. In addition to the zoning permit, the Zoning Officer shall issue a placard which shall be displayed on the premises during the time construction is in process. This placard shall show the number of the zoning permit, the date of its issuance, a description of the construction authorized and bear the signature of the Zoning Officer.

B. Permits shall be granted or refused within thirty (30) days after the date of application and acceptance of same. In case of refusal, the applicant shall be informed of his right to appeal to the Zoning Hearing Board. Such refusal shall be in writing and state upon which Section or Sections of the Code such refusal is based.

c. Inspections - During the construction period, the Zoning Officer shall inspect the premises to determine that the work is progressing in compliance with the information provided on the zoning permit and its application and with all other applicable Township and State laws. He shall make as many inspections as necessary to determine this compliance.

D. Revocation of Permits - The Zoning Officer may revoke a zoning permit at any time if it appears that the application or accompanying plan is in any material respect false or misleading or that work being done upon the premises differs materially from that called for in the application and permits. In such case, the person holding the permit shall immediately surrender it to the Zoning Officer. A report of such revocation shall also be submitted to the Township Board of Supervisors for whatever action they may deem necessary.

[Text continued on following page]

correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

8. Enforcement Penalties -

A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of any zoning ordinance enacted under this Act or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by a municipality as a result thereof.

B. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

C. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid to the municipality.

D. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

E. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action of enforcement pursuant to this Section.

(Ord. 1983-2B, 4/30/1984, §8-00; as amended by Ord. 1991-6, 4/29/1991)

§810. Permits.

1. Requirements for Zoning Permits - No person, firm or corporation shall hereinafter build enlarge or alter, or change use of, any structure, building and lot or part thereof, or move any building or structure from one (1) place to all other in the Township of Bradford without first having obtained a written zoning permit therefor from the Zoning Officer of the Township of Bradford, and shall be issued simultaneously with the required building permit. This Part shall not prohibit the altering of the interior of any existing building. (Ord. 1991-6]

Ord. 1991-6 read "excluding."

2. Application for Permits Application for permits including temporary permits shall be made in writing to the Zoning Officer on such forms as shall be furnished by the Township. Such application shall include building and plot plans of a satisfactory nature in duplicate and shall contain all information necessary for such official to ascertain whether the proposed erection, alteration, use, or change in use complies with the provisions of this Chapter. No permit shall be considered complete or permanently effective until the Zoning Officer has certified that the zoning use and work meet all the requirements of the applicable codes and ordinances. The applicant shall submit such application at least fifteen (15) days prior to the contemplated beginning of alteration or enlargement. A fee will be charged to applicant for these zoning permits and building permits. (Ord. 1991-6]

3. Issuance of Permits-

A. No zoning permit shall be issued except in conformity with the regulations of this Chapter, . except after written order from the. Zoning Hearing Board or the courts and without first obtaining a sewage permit in accordance with Chapter 18, a floodplain permit if applicable as provided in Chapter 8, "Floodplains," and be in full compliance with Chapter 22, "Subdivision and Land Development," of the Code of Ordinances, and all other Pennsylvania statutes and regulations. A true and correct copy of all such approvals shall be attached to the zoning application. In addition to the zoning permit, the Zoning Officer shall issue a placard which shall be displayed on the premises during the time construction is in process. This placard shall show the number of the zoning permit, the date of its issuance, a description or the construction authorized and bear the signature of the Zoning Officer.

B. Permits shall be granted or refused within thirty (30) days after the date of application and acceptance of same. In case of refusal, the applicant shall be informed of his right to appeal to the Zoning Hearing Board. Such refusal shall be in writing and state upon which Section or Sections of the Code such refusal is based.

C. Inspections - During the construction period, the Zoning Officer shall inspect the premises to determine that the work is progressing in compliance with the information provided on the zoning permit and its application and with all other applicable Township and State laws. He shall make as many inspections as necessary to determine this compliance.

D. Revocation of Permits-The Zoning Officer may revoke a zoning permit at any time if it appears that the application or accompanying plan is in any material respect false or misleading or that work being done upon the premises differs materially from that called for in the application and permits. In such case, the person holding the permit shall immediately surrender' it to the Zoning Officer. A report of such revocation shall also be submitted to the Township Board of Supervisors for whatever action they may deem necessary.

E. All issued permits shall be public records and filed for public inspection at the Township offices within a reasonable time after being issued, but no later than three (3) working days.

[Ord. 1991-6]

4. Expiration of Permits - No permit for the erection, razing, change, alteration, or removal of buildings shall be valid or effective after six (6) months from the date of issuance thereof and shall thereafter be void, unless the work authorized by such permit shall have been substantially commenced within six (6) months from the date of issuance and proceeded with, with due diligence. If, however, the applicant has been delayed in proceeding with the work for which the permit was granted by reason of any reasonable cause not due to his own negligence, the permit may be renewed without additional cost to the applicant.

5. Temporary Permits - A temporary permit may "be authorized by the Zoning Hearing Board as a special exception for a nonconforming structure or use which it deems beneficial to the public health or general welfare, or which it deems necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Township. Such a permit shall be issued for a specific period of time, not exceeding six (6) calendar months, and may be renewed for an aggregate period of not more than two (2) years.

6. Sign Permits -

A. A sign as specified in this Chapter shall require a permit prior to the erection or alteration of any sign.

B. Application for permit shall be made in writing to the Zoning Officer, and shall contain all information necessary for such officer to determine whether the proposed sign, or other proposed alterations, conform to all the requirements of this Chapter.

C. Permits shall be granted or refused within thirty (30) days from date of application.

D. No sign permit shall be issued except in conformity with the regulations of this Chapter, except after written order from the Zoning Hearing Board or the courts.

E. All applications for sign permits shall be accompanied by plans or diagrams in duplicate and approximately to scale, showing the following:

- (1) exact dimensions of lot or building upon which the sign is proposed to be erected.
- (2) exact size, dimensions and location of the said sign on lot or building.
- (3) any other lawful information which may be required of applicant by the Zoning' Officer. One copy of said plan or diagram shall be returned to the applicant after the Zoning

Officer shall have marked such copy either approved or disapproved, and attested to same.

(Ord. 1983-2B, 4/30/198~, §8-10; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

§820. Schedule of Fees.

1. Schedule of Fees -

A. The Board of Township Supervisors shall determine a schedule of fees, charges and expenses, as well as a collection procedure for special permits, variances, amendments, and other matters pertaining to this Chapter. Said schedule of fees shall be posted in the office of the Zoning Officer.

B. The Board of Supervisors shall be empowered to re-evaluate the fee schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this Chapter, and may be adopted at any public meeting of the Board by resolution.

C. The required fees for zoning district amendments may vary according to advertising costs and thus shall be kept up-to-date by the Board of Supervisors and the Zoning Officer. All such fees shall be paid into the Township Treasury.

D. Special exceptions and variances shall be issued only after fees have been paid in full, and the Zoning Hearing Board shall take no action on appeals until preliminary charges have been. paid in full.

E. The Supervisors may describe fees charged for hearings before the Zoning Hearing Board may include compensation for the Secretary and Board Members, notice and advertisement costs, necessary administrative overhead connected with the hearing and half (1/2) of the stenographer's appearance fee. The costs shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs. [Ord. 1991-6]

(Ord. 1983-2B, 4/30/1984, §8-20; as amended by Ord. 1991-6, 4/29/1991)

Part 9

Zoning Hearing Board

§900. Organization.

1. Membership of the Board - The membership of the Board shall be five (5) residents of the Township appointed by resolution of the Supervisors. Their terms of office shall be five (5) years and so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Township Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township. One (1) to three (3) alternate members of the Zoning Hearing Board may be appointed by resolution of the Governing Body to serve as may be needed to provide a quorum. (Ord. 1991-6]

2. Removal of Members - Any Board member may be removed for malfeasance, misfeasance or non-feasance in office or for other just cause by a majority vote of the Township Supervisors taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A public hearing shall be held in connection with the vote if the member shall request it in writing.

3. Organization of the Board - The Board shall elect its officers from its own membership, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of an action, a quorum shall be not less than a majority of all the members of the Board, but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided in Section 9-10 of the ordinance. The Board may make, alter and rescind rules and forms for its procedure consistent with ordinances of the Township and laws of the Commonwealth. The Board shall keep full public records of its business and submit a report of its activities to the Township Supervisors once a year.

4. Quorum and Alternate If by any reason of absence or disqualification of a member, a quorum is not reached, the chairman of the Board shall designate as many member alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this Section shall be made on a case by case basis in rotation according to declining seniority among all alternates. (Ord. 1991-6]

(Ord. 1983~2B, 4/30/1984, §9-00; as amended by Ord. 1991-6, 4/29/1991)

§910. Zoning Hearing Board Functions.

1. Hearings-

A. The Board shall conduct hearings and make decisions in accordance with Section 908, Pennsylvania Municipalities Planning Code (Act 170), as amended. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer, the

Planning Commission, the Supervisors, and the Code Enforcement Officer, and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by ordinance and the rules of the Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing. The hearing shall be held within sixty (60) days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.

B. The hearing shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or finding of the hearing officer as final.

C. The parties to the hearing shall be the municipality, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

D. The chairman or acting chairman of the Board or the Hearing Officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

E. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

F. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

G. The Board or the Hearing Officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or Hearing Officer, or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

H. The Board or the Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect

the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

I. The Board or the Hearing Officer, as the case may be shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or the Hearing Officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a Hearing Officer, and there has been no stipulations that his decision of findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer. Where the Board fails to render the decision within the period required by this subsection, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in subsection (A) of this Section. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

J. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him no later than the day following the date of the decision to all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place where the full decision or findings may be examined.

[Ord. 1991-6]

2. Jurisdiction-

A. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

- (1) Substantive challenges to the validity of the land use ordinance, except those brought before the governing body pursuant to §609(1) and §916(1) (a) and (b), PMPC Act 170 and §1000 of this Chapter.

(2) Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said ordinance.

(3) Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.

(4) Appeals from a determination by a municipal engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within the land use ordinance.

(5) Applications for variances from the terms of the zoning ordinance and flood hazard ordinance or such provisions within a land use ordinance.

(6) Applications for special exceptions under the zoning ordinance or floodplain ordinance.

(7) Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of the zoning ordinance.

(8) Appeals from the Zoning Officer's determination.

(9) Appeals from the determination of the zoning officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development.

B. The Planning Commission shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

(1) All applications pursuant for approval of subdivisions or land developments under the express provisions of the ordinance, §§303 and 404 of Chapter 22.

(2) Appeals from the determination of the Zoning Officer or the municipal engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to application for land development under Chapter 22. Where the applicable land use ordinance vests jurisdiction for final administration of subdivision and land development applications in the planning agency, all appeals from determinations under this subsection shall be to the planning agency and all appeals from the decision of the planning agency shall be to court.

(3) Applications for a special encroachment permit, pursuant to §§405 and 406 of Act 247, as amended by Act 170.

(Ord. 1991-6]

3. Applicability of Judicial Remedy - Nothing contained in this Part shall be construed to deny the appellant the right to proceed directly to court where appropriate, pursuant to the Pennsylvania Rules of Civil Procedure No. 1091 (relating to action in mandamus). (Ord. 1991-6]

4. Variances-

A. The Board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance, provided that all the following findings are made, where relevant, in a given case:

(1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.

(2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(3) That such unnecessary hardship has not been created by the appellant.

(4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

(5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

B. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Act and the Zoning Ordinance.

[Ord. 1991-6]

5. Special Exceptions - In this Chapter, special exceptions may be granted or denied by the Board pursuant to expressed standards and criteria. The Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria as specified under conditional uses herein. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of this Chapter. The Board shall pursue the following procedures:

A. The Board's decision to grant a permit for special exception use shall be made only after public notice and hearing~ Such permit

shall apply specifically to the application and plans submitted and presented at said public hearing. Any subsequent amendments or additions shall be subject to review and public hearing by the Zoning Hearing Board as a special exception use.

B. No application for a permit shall be granted by the Zoning Hearing Board for any special exception use until said Board has first received and considered an advisory report thereon from the Planning Commission with respect to the location of such use in relation to the needs and growth pattern of the Township and, where appropriate, with reference to the adequacy of the site area and the arrangement of buildings, driveways, parking areas, off-street truck loading spaces and other pertinent features of the site plan. The Planning Commission shall have thirty (30) days from the date of its receipt of the application within which to file its report thereon. In the event that said Commission shall fail to file its report within such thirty (30) days, such application shall be deemed to have been approved by said Planning Commission.

C. The Commission may have representation at the public hearing held by the Zoning Hearing Board on such application. After receipt of the report, the Zoning Hearing Board shall hear the application in the same manner and under the same procedure as it is empowered by law and ordinance to hear cases and make exceptions to the provisions of the Zoning Chapter. The Zoning Hearing Board may thereafter direct the Zoning Officer to issue such permit if, in its judgment, anyone of such cases will not be detrimental to the health, safety and general welfare of the Township and is deemed necessary for its convenience.

D. A special exception use for which a permit is granted by the Zoning Hearing Board pursuant to the provisions of this section shall be construed to be a conforming use.

(Ord. 1983-2B, 4/30/1984, §9-10; as amended by Ord. 1991-6, 4/29/1991)

§920. Parties Appellant Before the Board. Appeals under subsection 2 of §910 and proceedings to challenge an ordinance under subsection 3 of §910 may be filed with the Board, in writing, by any officer or agency of the Township or any person aggrieved. Requests for a variance under subsection 4 of §910 and special exception under subsection 5 of §910 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

1. Time Limitations - The time limitations for raising certain issues and filing certain proceedings with the Board shall be the following:

A. No issue of alleged defect in the process of enactment of any ordinance or map or any amendment thereto shall be raised in any proceeding filed with the Board later than thirty (30) days from the time such ordinance, map or amendment takes effect, unless the person raising such issue alleges and proves that he failed to receive adequate notice of the enactment or amendment. If such person has succeeded to his interest after the enactment of the ordinances, adequate notice to his predecessor in interest shall be deemed adequate notice to him.

B. No person shall be allowed to file any proceeding with the Board later than thirty (30) days after any application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body of such proceeding is designed to secure reversal or limit the approval in any manner, unless such person alleges and proves that he failed to receive adequate notice of such approval. If such person has succeeded to his interest after such approval, adequate notice to his predecessor in interest shall be deemed adequate notice to him.

2. Stay of Proceedings - Upon filing of any proceeding referred to in this item and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or any agency or body and all official action thereunder shall be stayed, unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property; in which case, the development or official action shall not be stayed otherwise than by a restraining order which may be granted by the Board or the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order -such persons to post bond as a condition to continuing the proceedings before the Board. The question of whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.

§930. Validity of Ordinance; Substantive Questions. The procedure to be followed in bringing the question of the validity of the ordinance shall in accordance with the Pennsylvania Municipalities Planning Code (Act 247), as amended by Act 170, Section 916.1. (Ord. 1991-6, 4/29/1991)

§940. Zoning Appeals to Court.

1. Zoning appeals shall include appeals from the decisions of the Zoning Hearing Board and appeals upon report of the Board in proceedings to challenge the validity of any ordinance or map.

2. Zoning appeals may be taken to court by any party before the Board or any officer or agency of the Township.

3. The procedure to be followed in filing appeals to the courts shall be in accordance with Articles X-A and X, Pennsylvania Municipalities Planning Code (Act 170), as amended. [Ord. 1991-6]

(Ord. 1983-2B, 4/30/1984, §9-30; as amended by Ord. 1991-6, 4/29/1991)

Part 10
Amendments

§1000. Amendments.

1. The Board of Supervisors may, from time to time, on its own motion or on petition or recommendation of the Planning Commission amend, supplement or repeal any of the regulations and provisions of this Chapter.

2. The procedure shall comply with the procedures as outlined by Pennsylvania Municipal Planning Code as now in force or as amended, (Act 247, amended by Act 170) Section 609, Section 609.1, Section 609.2 and Section 610.

(Ord. 1983-2B, 4/30/1984, §10-00; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

Part 11
Definitions

§1100. Rules of Construction of Language.

1. Words used in the present tense include the future tense.
2. Words used in the singular include the plural, and words used in the plural include the singular.
3. The word "lot" includes the word "plot" or "parcel."
4. The word "person" includes an individual, firm or corporation.
5. The word "shall" is always mandatory.
6. The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."
7. Any reference to "R District" shall be interpreted to mean "Forest/Slope Districts, R-2, R-4, R-6 and R-8 Districts."
8. A "building" or "structure" includes any part thereof.
9. Any reference to a "c District" shall be interpreted to mean "Neighborhood Commercial, C-2 and C-3 Districts."
10. Any reference to "M District" shall be interpreted to mean "M-2 and M-3 Districts."
11. "And" indicates that all connected items, conditions, provisions or events shall apply.
12. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
13. "Either... or" indicates that the connected items, conditions, provisions or events may apply singly, but not in any combination.

(Ord. 1983-2B~ 4/30/1984, §11-00)

§1110. Definitions.

ACCESSORY USE or BUILDING - a use or building customarily incidental and subordinate to the principal use or building, and located on same lot with such principal use or building and shall not contain more than two hundred (200) square feet: [Ord. 1991-6]

ALTERATION -any change, rearrangement or addition to, or any relocation of, a building or structure; any modification in construction or equipment.

ATTIC - any area under a roof, with or without a finished floor, which does not meet other requirements for livable floor area.

BUILDING - a combination of any materials, whether portable or fixed, having a roof, to form a structure affording shelter for persons, animals or property.

BUILDING, COMPLETELY ENCLOSED - a "completely enclosed building" is a building separated on all sides from the adjacent open area, or from other buildings or other structures, by a permanent roof and by exterior walls or partial walls, pierced only by windows or normal entrances or exit doors.

BUILDING HEIGHT - the vertical distance measured from the average elevation of the proposed finished grade of the building to the highest point of the roof for flat roofs, to the deck line of mansard (a roof with a double pitch on all sides) roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs. For the purpose of determining maximum permitted height, for principal buildings, such measurement shall be made from the average finished grade at the front setback. For the purpose of side yard or rear yard determination, such measurement shall be made from the average finished grade of the wall extending along such side yard or rear yard.

DWELLING - a building for one or more families, but not including a building of mixed occupancy:

A. DWELLING UNIT - one or more rooms designed for occupancy by one family for cooking, living and sleeping purposes.

B. SINGLE FAMILY DWELLING - a dwelling or housing unit designed for or occupied exclusively by one (1) family. [Ord. 1991-6]

C. TWO FAMILY DWELLING - a building containing two dwelling units and designed or used exclusively for occupancy by two families living independently of each other; or 2 one-family dwellings having a party wall in common.

D. MULTI-FAMILY DWELLING - a building or portion thereof containing three or more dwelling units and designed or used for occupancy by three or more families living independently of each other.

DWELLING GROUP - a group of two or more dwellings located on the same lot and having any yard or open space in common

ENLARGEMENT - an "enlargement" is an increase in floor area of an existing building or an increase in size of an existing structure, or an increase in the area of land used for an existing open use.

EXTENSION - an "extension" is an increase in the amount of existing floor area used, for an existing use in an existing building.

FAMILY - one (1) or more persons living as a single housekeeping or dwelling unit, and individuals who have not attained the age of eighteen (18) years being domiciled with a parent as distinguished from a group occupying a hotel, club, nursing home, dormitory, fraternity or sorority housing unit, including domestic servants and gratuitous guests, together with boarders, roomers and lodgers not in excess of the number allowed by this Chapter as an accessory use. [Ord. 1991-6]

FARM STRUCTURE - any structure necessary to the operation of a farm and for the storage of farm equipment, except dwellings, garages used' for the storage of non-farm vehicles and roadside stands used for the sale of products raised on the premises.

GARAGE, PRIVATE - a detached building or portion of a main building designed or used for the parking or storage of self-propelled vehicles, including commercial vehicles having a rated capacity of not more than one (1) ton, owned and used by the occupants of the premises, and which may

include space for not more than three (3) passenger vehicles used by others and which is not a separate commercial enterprise available to the general public. (Ord. 1991-6]

A. ATTACHED GARAGE - a garage which is structurally attached to a principal building and which may have livable floor area adjoining not more than one wall of such garage.

B. INTEGRAL GARAGE - a garage which is structurally attached to a principal building and which has livable floor area above or adjoining one or more walls of such garage.

GASOLINE SERVICE STATION - any area of land, including structures thereon, that is used primarily for the sale of gasoline or other motor vehicle fuel; accessory uses may include the sale of oil, other lubricating substances or motor vehicle accessories, or facilities for lubricating, washing or .. for the incidental replacement of parts, or motor services to passenger automobiles or trucks not exceeding one and one-half (1½) tons rated capacity, but shall not include general repair, rebuilding or reconditioning of engines, motor vehicles or trailers, or collision service, body repair, frame straightening, painting, undercoating, vehicle steam cleaning, or upholstering.

HOME OCCUPATION - any use customarily conducted entirely within a dwelling and carried on only by the residents thereof, and which is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the character thereof, provided that:

- A. Only customary home appliances are used.
- B. There is no exterior evidence of such home occupation other than a permitted identification sign.
- C. No article is sold or offered for sale except such as may be produced by members of the family residing on the premises.
- D. Any use first permitted in the C or M Districts shall not be interpreted as being a home occupation.

HOTEL - a building containing sleeping rooms in which lodging is provided primarily for transient guests for compensation and which may include public dining facilities.

JUNK YARD - a place where' junk, waste, discarded or salvaged materials are bought, sold, exchanged, sorted, stored, baled, packed, disassembled, handled or abandoned; but not including pawn shops, antique shops, establishments for the sale, purchase or storage of used furniture, household equipment, clothing, used motor vehicles capable of being registered or machinery to be re-used for the purpose for which originally manufactured.

KENNEL- the keeping of more than two dogs that are more than six months old.

LIVABLE FLOOR AREA - the area of finished floors of a dwelling, excluding cellars, garages, breezeways, unenclosed porches, attics, or basements, not designed for human occupancy, and including only such floor area under a sloping roof for which the headroom is not less than five feet. (5') and then only if at least sixty-five percent. (65%) of such floor area has a ceiling height of at least seven feet six inches (7' 6") and if any such floor that is situated above another story has access to the floor

area shall be made from exterior faces of exterior walls or from center lines of party walls.

LOT - a parcel of land occupied or capable of being occupied by a principal building or use, or a group of principal buildings or uses that are united by a common interest or customary accessory buildings or uses, and including such open spaces to be used in connection with such building or uses. A lot mayor may not be a lot of record.

LOT, CORNER - a lot at the junction of and fronting on two or more intersecting streets.

LOT DEPTH - the mean horizontal distance between the front and rear lot lines.

LOT, INTERIOR - a lot other than a corner lot.

LOT LINE, FRONT - where a lot abuts upon only one street, the street line shall be the front lot line. Where a lot abuts upon more than one street the assessment roll of the Township shall determine the front lot line.

LOT LINES - the property lines bounding the lot. Where any property lines parallel a street and is not coincident with the street line, the street line shall be construed as the property line for the purpose of complying with the area and setback regulations of this Chapter.

LOT LINE, REAR - any lot line which is opposite and more or less parallel with the front lot line. In the case of a lot which comes to a point at the rear, the rear lot line shall be an imaginary line, ten feet (10') in length, entirely within the lot parallel to and most distance from the front lot line.

LOT LINE, SIDE - any lot line which is not a front lot line or a rear lot line.

LOT, THROUGH - a lot in which the front lot line and rear lot line abut a street.

LOT WIDTH - the least horizontal distance across the lot between side lot lines, measured at the front setback of a main building erected or to be erected on such lot or at a distance from the front line equal to the required depth of the front yard.

MENAGERIE: an enclosure where wild animals are kept or displayed (Ord. 2004-9-1)

MIXED OCCUPANCY - occupancy of a building in part as a dwelling and in part for some other use not accessory thereto.

MOBILE HOME - a transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, which arrives at a site complete and ready for occupancy, except for minor and incidental unpacking and assembly. operations, and constructed so that it may be used without a permanent foundation. Mobile home is not here defined to include units which have many of the same characteristics, but are constructed so that they must be used on a permanent foundation and are often referred to as module or sectional units.

MOBILE HOME PARK - a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary

for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

MOTEL - a building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units designed primarily for transient automobile travelers and providing accessory off-street parking facilities. The term "motel" includes buildings designated as motor lodges, auto courts and similar appellations.

NONCONFORMING USE - any lawful use of land, premises, building or structure which does not conform to the regulations of this Chapter for the district in which such use is located either at the effective date of the ordinance or as a result of subsequent amendments thereto.

NURSING or CONVALESCENT HOME - any building where persons are housed or lodged and furnished with meals and nursing care for hire.

OIL STRUCTURE - any structure necessary to or customarily used in the production, storage or transportation of crude oil or for the storage of equipment used for such production, storage or transportation.

PUBLIC GARAGE or REPAIR GARAGE - a building used primarily for making repairs to motor vehicles, especially automobiles, motorcycles, and or snowmobiles including overhauling, body work, refinishing, and upholstering, as well as incidental servicing, including greasing, washing adjusting or equipping of automobiles or other motor vehicles, or which is used for storage or rental purposes. (Ord. 1991-6]

REPAIR - replacement or renewal, excluding additions, of any part of a building, structure, device, or equipment, with like or similar materials or parts, for the purpose of maintenance of such building, structure, device or equipment~

RESERVOIR SPACE - a temporary storage space for a vehicle waiting for service or admission.

SATTELITE DISH ANTENNA - any accessory structure capable of receJ.vJ.ng radio or television signals from a transmitter or transmitter relay located in planetary orbit. (Ord. 1-89]

SETBACK -the least horizontal distance from any existing or proposed building or structure to the nearest point in any indicated lot line or street line.

SHOPPING CENTER - an area developed for major commercial purposes which adhere to unified architectural, building and land use standards. Such a development shall be a contiguous land area of not less than twenty-five(25) acres in size, shall adjoin, at least one major highway, and shall be located in proximity to major arterial highway systems. Such a development shall be designed to contain multi-facility structures used for cultural, commercial, entertainment and/or recreational purposes with adequate parking facilities as provided in this Chapter or as determined by the Zoning Hearing Board through its special exception review and approval procedures. Overall. appearance and control mechanism to assure compatibility with surrounding areas are also to be reviewed and approved by the Zoning Hearing Board.

SIGN - a sign is any structure or part thereof, or any device attached to, painted on, or represented on a building or other structure, upon which is displayed or included any letter, work, model, banner, flag, pennant.

insignia, decoration, device, or representation used as, or which is in the nature of an announcement, direction, advertisement, or other attention directing device. A sign shall not include a similar structure or device located within a building except for illuminated signs within show windows.

A sign includes any billboards, but does not include the flag, pendant, or insignia of any nation or association of nations, or of any state, city or other political unit, or of any political, charitable, education, philanthropic, civic, professional, religious, or like campaign, drive, movement or event.

SIGN, ADVERTISING or BILLBOARD - an advertising sign or billboard is a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same zoning lot.

SIGN, FLASHING - a flashing sign is a moving or animated sign or any illuminated sign or which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any revolving illuminated sign shall be considered a flashing sign.

SIGN, ILLUMINATED - an illuminated sign is any sign designed to give forth any artificial light, or designed to reflect light from one or more sources, natural or artificial.

SOLAR ENERGY COLLECTORS - a component of an active solar system used to collect heat from the sun for the heating of space or water in the structure or structures occupying the lot.

STABLE, PRIVATE - an accessory building in which horses are kept for private use and not for hire, remuneration or sale.

STABLE, PUBLIC - a building in which any horses are kept for remuneration, hire or sale.

STORY - that portion of a building between the surface of any finished floor and the surface of the finished floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

STREET - any road, avenue, lane, alley or other way which is an existing public way, or which is shown on an approved plat, or any private right-of-way or easement approved by the Board of Township Supervisors.

STREET LINE - a line separating a lot from a street. In any case where a future street line has been established or approved by the Board of Township Supervisors, such future street line shall be considered as a street line for the purpose of determining lot area and setback requirements.

STRUCTURE - anything constructed or erected, including; but not limited to, buildings, fences, pools (above and in ground), and satellite dishes, which require permanent location on the ground or attachment to something having such location, but not including a trailer. [Ord. 1-89]

STRUCTURAL ALTERATIONS - any change in the supporting members of a building or other structure, such as bearing walls, columns, beams, or girders.

TRANSIENT LODGING FACILITIES - a building or group of buildings under single management, containing both rooms and/or dwelling units available

for temporary rental to transient individuals or families for up to six (6) months, such as fraternity, sorority, dormitories, or hotels. [Ord. 1991-6]

TRAVEL TRAILER - a vehicular portable structure built on a chassis (pick-up) camper, converted bus, tent-trailer, or similar device) designed to be used as a temporary dwelling for travel and recreational purposes, having a body width of not exceeding eight feet (8').

USE - the specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

YARD - that portion of a lot extending open and unobstructed from the ground upward along a lot line.

YARD, FRONT - a yard extending the full length of the front line between the side lot lines. The front yard depth of a lot located on a curve shall be measured from the chord connecting the arc of the front lot line.

YARD, FRONT EQUIVALENT - that portion of a rear yard of a through lot extending along a street line and from the street line for a depth equal to a required front yard. Any front yard equivalent shall be subject to the regulations of this Chapter which apply to front yards.

YARD, REAR - on an interior lot, a yard extending for the full length of the rear lot line between the side lot lines. On a corner lot, a yard extending along a rear lot line between an interior side lot line and an exterior side yard.

YARD, REQUIRED - a yard having a depth or width set forth in the applicable district regulations .• Such width or depth shall be measured perpendicular to lot lines.

YARD, SIDE - a yard extending along a side lot line from the required front yard to the required rear yard, except that, on a corner lot where the side lot line abuts a street, the side yard shall extend from the required front yard to the rear lot line.

A. EXTERIOR SIDE YARD - a side yard extending along a street line. "

B. INTERIOR SIDE YARD - a side yard extending along a lot line of an adjoining lot.

(Ord. 1983-2B, 4/30/1984, §11-10; as amended by Ord. 1-89, 3/13/1989; and by Ord. 1991-6, 4/29/1991)

Part 12

Zoning Map Amendments

<u>Ord./Res.</u>	<u>Date</u>	<u>Subject</u>
Ord. 5/30/1990	5/30/1990	Reclassifying properties situated on the westerly side of South Ave. Extending from the City/Township boundary on South Ave. and extending to the current C-1 District, which begins approximately at the intersection of congress St. and South Ave. from R-6, Residence District to C-1, Business District.
Ord. 7/30/1990 A	7/30/1990	Reclassifying an area of the Township on the northerly side of W. Washington Street and west of Kloss Lane consisting of nineteen (19) acres, more or less, known as parcel number 17-02-300, and a small area to the west of said parcel to include numbers 17-02-300.8 and 17-02-300.1 from F-S to R-2, Residence District.
Ord. 7/30/1990 B	7/30/1990	Reclassifying an area of the Township on the Northerly and southerly sides of Shep Run an equal distance to match the area along State Route #770, which includes parcels 200 to 208. The rezoned area to include parcels 300.1-307 from F-S to R-4, Residence District.
Ord. 7/30/1990 C	7/30/1990	Reclassifying an area of the Township west of Poplin Avenue, north of W. Washington and south of Willard Avenue being parcel numbers 112, 113, 114, 115, and 116 from R-2, Residence District to C-1, Business District.
Ord. 7/30/1990 D	7/30/1990	Reclassifying an area of the Township to a depth of two hundred (200) feet on the easterly side of the Interstate Parkway and one

Ord./Res.

Date

Subject

Hundred seventy-five (175) feet on the westerly side of Interstate Parkway from Sullivan Road to the Bradford Township/Foster Township border.