CHAPTER 27

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[HISTORY: Adopted by the Board of Supervisors of Oxford Township by Ord. 2011-82, 5/16/2011. Amendments noted where applicable.]

PART 1

GENERAL PROVISIONS

§ 27-101. Short Title.

This chapter shall be known and may be cited as the "Oxford Township Zoning Ordinance."

§ 27-102. Purpose.

The purpose of these regulations is to promote and protect the Township's health, safety, general welfare, and morals by:

1. Facilitating coordinated and practical community development.

2. Ensuring proper density of population.

3. Providing access to adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.

4. Protecting and preserving natural resources and local heritage, including agricultural and environmentally sensitive land.

5. Preventing the overcrowding of land, blight, danger and congestion in travel and transportation.

6. Preventing loss of health, life, or property from fire, flood, panic and/or other dangers.

7. Accommodating reasonable overall community growth, including population and employment growth, by providing for development of a variety of residential dwelling types and nonresidential uses.

§ 27-103. Community Development Objectives.

The regulations contained within this chapter are designed to further the following community development objectives:

1. To guide and regulate growth and development by directing it to those areas that provide the greatest level of public services, including sewer, water, recreation facilities, police and fire protection, and access to commercial businesses.

2. To protect the established character and the social and economic well being of both public and private property.

3. To promote the utilization of land for the uses for which it is most appropriate.

4. To provide residential areas protection from incompatible uses.

5. To maintain the rural character of those areas of the Township that are relatively undeveloped.

6. To preserve areas with active farming operations to the greatest extent possible.

7. To allow for the continuation and limited expansion of nonconforming uses.

8. To enhance the value of lands throughout the Township.

9. To promote efficient transportation and to prevent congestion on Township roadways.

PART 2

DEFINITIONS

§ 27-201. Intent.

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this Part.

§ 27-202. General Interpretation.

Unless otherwise expressly stated, the following shall, for the purposes of this chapter, be interpreted in the following manner:

1. Words used in the present tense imply the future tense.

2. Words used in the singular imply the plural.

3. The word "person" includes a partnership or corporation or other legal entity, as well as an individual.

4. The word "shall" or "must" is to be interpreted as mandatory; the word "may" as directory and complied with unless waived.

5. The male gender includes the female gender.

§ 27-203. Specific Words and Phrases.

For the purposes of this chapter, the following words and phrases have the meanings given herein:

ACCESS DRIVE — A private drive, other than a driveway, which provides for vehicular access between a street and a parking area, loading area, drive-in and/or drive-through service window or other facility within a land development.

ACCESSORY IN-HOME CHILD CARE — A dwelling other than the child's own home, operated for profit or not-for-profit, in which child day care is provided at any one time to one, two, or three children unrelated to the operator.

ADULT BOOKSTORE — An establishment in which 10% or more of the occupied sales or display area offers for sale, for rent or lease, for loan, or for use upon the premises any of the following:

A. Pictures, photographs, drawings, prints, images, sculpture, still film, motion-picture film, videotape, or similar visual representations, distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity;

B. Books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts distinguished or characterized by an emphasis on sexual conduct; or

C. Sexual devices.

ADULT CABARET — An establishment, club, tavern, restaurant, theater or hall which features live entertainment distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

ADULT FACILITY — An establishment which is used and occupied for one or more of the following activities: adult bookstore, adult cabaret, adult massage parlor, adult theater, or any other business whose operations, services, or retail stock is characterized by an emphasis on sexual conduct or sexually explicit nudity.

ADULT MASSAGE PARLOR — An establishment whose business is the administration of massage to the anatomy of patrons, regardless whether or not the same includes sexual conduct. This definition does not include a facility operated by a medical practitioner, chiropractor or other professional physical therapist licensed by the Commonwealth of Pennsylvania, nor does it include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

ADULT THEATER — A building, or a room within a building, used for presenting motion-picture film, video, or similar visual representation of materials distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

AGRICULTURAL AND HEAVY EQUIPMENT SALES AND SERVICE — A commercial establishment or use primarily engaged in outdoor and indoor display, sale, lease, rental and storage of farm equipment, tools, implements and machinery, and/or a building used for the repair, improvement and installation of parts and accessories for farm equipment.

AGRICULTURE — An enterprise that is actively engaged in the commercial production and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities and/or livestock and livestock products. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged in by farmers or are consistent with technological development within the agricultural industry. Agriculture does not include the composting of materials originating off the property or the manufacture or sale of landscaping mulch.

AIRPORT/HELIPORT — Facilities for the storage, maintenance, takeoff and landing of any type of aircraft.

ALTERATION — Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders, joists or rafters, or enclosing walls; any revision to a building or structure that would change its use, location, and/or size.

AMENDMENT — A change which includes revisions to the zoning text and/or the Official Zoning Map.[1] The authority for any amendment lies solely with the Board of Supervisors.

ANIMAL HOSPITAL or VETERINARY CLINIC — An establishment used primarily for the treatment of animals by a veterinarian. Overnight and outside boarding of such animals shall be for animals receiving medical or surgical treatment only.

ANTENNA — Any system of wires, poles, rods, reflecting devices, or similar devices used for the transmission or reception of electromagnetic waves. This term shall not include structures that are communication towers or communication antennas.

APPLICANT — Any landowner, lessee or his authorized agent who submits plans, data and/or an application to the Zoning Officer or other designated Township official for the purpose of obtaining approval thereof.

AUTOMOBILE — A self-propelled motor vehicle designed for the conveyance of persons or property, requiring a registration plate by the Commonwealth of Pennsylvania for operation upon public highways, including trucks, recreational vehicles and motorcycles.

BANK — A business establishment in which money is kept for saving or commercial purposes or is invested, supplied for loans, or exchanged.

BASEMENT — An enclosed level of a building located at least partly underground.

BED-AND-BREAKFAST — An accessory use to a single-family detached dwelling that involves the rental of rooms for overnight accommodation and the provision of breakfast to those renting rooms.

BOARDING STABLE or RIDING ACADEMY — An establishment where services related to horses are offered for compensation. Services may include the boarding and care of horses, riding lessons, competitions, shows, and similar uses.

BUFFER YARD — A strip of land that separates one use from another use or feature and that is primarily devoted to landscaping, open space, and screening.

[1]**Editor's Note: The Official Zoning Map is on file in the Township offices.**

BUILDING — Any structure on a lot, having a roof supported by columns or walls, and intended for the shelter, housing or enclosure of persons, animals or property. (See also "structure.")

BUILDING, ACCESSORY — A building subordinate to and detached from the principal building on the same lot and used for purposes customarily incidental to the principal building, but see also "off-lot accessory building." **[Amended by Ord. 2017-112, 5/24/2017]**

BUILDING, ATTACHED — A building which has two or more party walls in common.

BUILDING COVERAGE — The percentage obtained by dividing the total building footprint of all buildings on a lot by the net area of the lot upon which the buildings are located.

BUILDING, DETACHED — A building which has no party wall.

BUILDING FOOTPRINT — The total area of ground occupied by a building.

BUILDING HEIGHT — The total overall height, in feet, of a building, measured from the average grade of the front two corners of the building to the highest point of the roof.

BUILDING, OFF-LOT ACCESSORY — A building permitted in a residential district as a conditional use on a lot that is separate from, but contiguous to and under the same ownership as, the lot containing the principal building. **[Added by Ord. 2017-112, 5/24/2017]**

BUILDING, PRINCIPAL — A building in which is conducted the principal use of the lot on which it is located.

BUILDING, SEMIDETACHED — A building which has only one party wall in common.

CAMPGROUND — A lot, tract or parcel of land upon which two or more campsites are located or established, intended and maintained for occupancy by transients in recreational vehicles or tents.

CAMPSITE — A plot of ground within a campground intended for occupancy by a recreational vehicle or tent.

CARPORT — An accessory structure, not totally enclosed, which is primarily designed or used for parking automobiles.

CARTWAY — The paved portion of a street designed for vehicular traffic and paved areas intended for on-street parking.

CELLAR — See "basement."

CEMETERY — Land used or intended to be used for the burial of the deceased, including columbariums or mausoleums.

CERTIFICATE OF USE AND/OR OCCUPANCY — A certificate, issued by the Zoning Officer, which permits the use of a building in accordance with the approved plans and specifications and certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the zoning permit.

CLUB ROOM, CLUB GROUNDS, or MEETING HALL — Premises or buildings for social, recreational or administrative purposes, for organizations catering exclusively to members and their guests, which are not conducted for profit, provided that there are not conducted any vending stands, merchandising or commercial activities except as required for the membership of such club. Clubs shall include but not be limited to service and political organizations, labor unions, as well as social and athletic clubs. Club rooms, grounds and meeting halls shall not include those of clubs that are adult facilities, golf courses, shooting ranges, nightclubs, campgrounds or airports, unless the respective requirements of this chapter are satisfied.

COMMERCIAL RECREATION — Any facility or use, the main purpose of which is to provide the general public with an amusing or entertaining activity and where tickets are sold or fees are collected for the activity.

COMMERCIAL SCHOOL — An educational facility operated as a gainful business whereby some form of instruction or training is offered to those enrolled. The range of curriculum can include all levels of academic instruction, business and technical programs and artistic, dance, and musical training.

COMMON OPEN SPACE — A parcel or parcels of land or an area of water or a combination of land and water within a development site suitable for and designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures but may contain such improvements as are in the development plan as finally approved and as appropriate for the recreation of residents.

COMMUNICATION ANTENNA — Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communication signals, including, without limitation, omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence-mounted satellite dishes or television antennas or amateur radio equipment, including, without limitations, ham or citizens' band radio antennas.

COMMUNICATION TOWER — Includes wireless telephone exchange, radio or television broadcasting, microrelay stations, and similar features, 50 feet or more in height above the ground surface.

COMPREHENSIVE PLAN — The most recently adopted version of the Official Comprehensive Plan, Oxford Township, Adams County, Pennsylvania, including any amendments.[2]

CONDITIONAL USE — Certain specified uses that are allowed or denied by the Board of Supervisors after recommendation by the Planning Commission pursuant to expressed standards, conditions, and criteria set forth in this chapter.

CONDOMINIUM — Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions, created under either the Pennsylvania Unit Property Act of July 3, 1963,[3] or the Pennsylvania Uniform Condominium Act.[4]

CONTINUING-CARE RETIREMENT FACILITY — A housing establishment designed to serve the housing needs of older persons in a continuing-care environment, providing a full range of accommodations and services which relate to both independent and dependent living. Such facilities should include independent living units, sheltered-care units, nursing-care units, various levels of medical care and related support services.

CONTRACTOR SHOP AND SHOWROOM — Offices, shops, and showrooms for tradesmen, such as building, cement, electrical, plumbing, masonry, painting, roofing, landscapers, excavators and any similar professional or licensed contractor.

CONVENIENCE STORE — An establishment selling a variety of goods, comprised primarily of food and beverages, generally purchased in small quantities. It is the intention of this definition not to include small grocery, specialty or gourmet stores but to include quick-service retail establishments which are characterized by high traffic generation and rapid turnover of customers.

COUNTY — The County of Adams, Commonwealth of Pennsylvania.

COUNTY PLANNING COMMISSION — Adams County Planning Commission.

CREMATORIUM — A building containing a furnace for reducing dead bodies, either animal or human, to ashes by burning.

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[2]Editor's Note: The Comprehensive Plan is on file in the Township offices.

[3]Editor's Note: The Pennsylvania Unit Property Act (68 Pa. Code §§ 700.101-700.805) was repealed in 1980 but may remain in effect for condominiums created prior to the effective date of the repeal.

[4]Editor's Note: See 68 Pa.C.S.A. § 3101 et seq.

CULTURAL FACILITY — A building and/or land open to the public that contains displays and exhibits of a cultural or artistic interest, such as a museum, art gallery, community center, or nature study area.

CUSTOM MANUFACTURING — An establishment primarily engaged in the on-site production of goods by hand manufacturing, which involves only the use of hand tools or domestic mechanical equipment, and the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, candle-making shops and jewelry manufacturing.

DAY-CARE CENTER — A facility where out-of-home care is provided, at any one time for part of a twenty-four-hour day, to two or more persons, where the facility is not being used as a dwelling.

DENSITY — The number of dwelling units per acre of net lot area.

DEVELOPMENT RIGHTS — The rights allocated to the owner of a parcel of land in the Agricultural District from which a permitted number of lots may be subdivided in accordance with the regulations set forth in this chapter.

DRIVE-IN OR DRIVE-THROUGH BUSINESS — A commercial use involving a customer being able to order and receive food or other items or make financial transactions while the customer remains within his/her vehicle.

DRIVEWAY — A private minor vehicular right-of-way providing access between a street and a garage, carport or other parking space for a single-family or two-family dwelling. (See "access drive.")

DWELLING — A building or structure designed for living quarters for one or more families, including mobile homes; but not including motels or hotels, boarding- or rooming houses, nursing homes or other accommodations used for transient occupancy.

DWELLING, MULTIFAMILY — A building containing three or more dwelling units, each having at least one party wall in common with another dwelling unit. All dwelling units are located on the same lot and share with other units a common yard area.

DWELLING, SINGLE-FAMILY ATTACHED — A portion of a building containing one dwelling unit and having two party walls in common with other dwelling units (except end units, which have one party wall). Each dwelling unit is located on a separate lot.

DWELLING, SINGLE-FAMILY DETACHED — A building containing only one dwelling unit on its own lot.

DWELLING, SINGLE-FAMILY SEMIDETACHED — A portion of a building containing one dwelling unit, having one side yard and having one party wall

in common with another dwelling unit. Each dwelling unit is located on a separate lot.

DWELLING, TWO-FAMILY DETACHED — A building containing two dwelling units and having one party wall between the two dwelling units. Both dwelling units are located on the same lot.

DWELLING UNIT — A building or portion thereof arranged or designed for occupancy by one family and having separate cooking and sanitary facilities.

EASEMENT — A limited right of use granted in private land to another party.

EATING ESTABLISHMENT — A public eating place where food is prepared and sold for either on-premises or off-premises consumption, with no drive-in or drive-through service.

FAMILY — One or more persons who live in a dwelling unit and maintain a common household. It may consist of a single person or two or more persons, whether or not related by blood, marriage or adoption. It may also include domestic servants and gratuitous guests but not occupants of a club or group home.

FAMILY CHILD-CARE HOME — A single-family detached dwelling, other than the child's own home, operated for profit or not for profit, in which child day care is provided at any one time to four, five or six children unrelated to the operator.

FAMILY FARM SUPPORT BUSINESS — An accessory use to the primary agricultural use of a property, in which a secondary business is conducted on the farm.

FARM — Any parcel or parcels of land which are used for a principal agricultural use and from which $1,000 (U.S. dollars) or more of agricultural products were produced and sold, or normally would have been sold, during the census year. A farm may include an associated single-family dwelling and other necessary farm structures within the prescribed limits and the use, repair, maintenance and storage of equipment customarily incidental to the primary use.

FARM PRODUCE STAND — An accessory use that involves the selling of farm and garden products primarily produced on the lot where they are offered for sale.

FEED AND GRAIN MILL — An establishment involved in the processing and storage of feed and grain.

FENCE — A man-made barrier placed or arranged as a line of demarcation between lots or to enclose a lot or portion thereof. This definition shall include walls.

FLOOR AREA, GROSS — The sum of the gross horizontal areas of the several floors of a building, excluding cellar, basement and attic floor areas not devoted to the principal use, including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FLOOR AREA, HABITABLE — The sum of the horizontal areas of all rooms used for habitation, such as a living room, dining room, kitchen, bathroom, or bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, closets, nor unheated areas such as enclosed porches. Earth-sheltered dwellings, designed as such, shall include the aggregate of area used for habitation as defined above whether or not all or a portion is below ground level.

FOOTPRINT — See "building footprint."

FOREST AND WILDLIFE PRESERVE — A tract of land utilized in its entirety exclusively for the preservation of the natural environment and the animal species that inhabit it.

FORESTRY — The management of forests and timberlands, when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FRONTAGE — The portion of a lot abutting the street right-of-way.

FUNERAL HOME — An establishment used primarily for human funeral services, which may or may not include facilities on the premises for embalming, performance of autopsies or other surgical procedures, storage of funeral-related supplies and vehicles, and sale of funeral equipment as an accessory activity. It does not include facilities for cremation.

GARAGE, PRIVATE — An accessory building for the storage only of one or more automobiles and/or vehicles accessory and incidental to the primary use of the premises, provided that no business, occupation, or service is conducted for profit therein.

GARDENING, CROPS — Any use of land, unenclosed, except for fencing, for the raising of grass, flowers, vegetables, crops, trees, or other botanical objects of natural growth, generally for the use and/or consumption by the occupants of the premises, but not including accessory structures used for the same purpose.

GOLF COURSE — An area of land, publicly or privately owned, designed for playing the game of golf, including a clubhouse, equipment and material storage and driving ranges.

GREENHOUSE or HORTICULTURAL NURSERY — A use primarily involved in horticulture, which includes the sale of plants grown on the premises and related goods and materials, as well as the storage of equipment customarily incidental and accessory to the primary use.

GROUP HOME — A type of group quarters designed for any number of mentally, emotionally and/or physically disabled persons living and cooking together in a single facility. A group home shall be directly affiliated with a parent institution which provides for the administration of the residents, who may be required to reside on the premises to benefit from the service, through the direction of a professional staff and for supervision of residents by full-time resident staff. This definition shall expressly include care for unwed parents, their children and those who have been physically abused. It is the express intent of this definition to comply with the requirements of the Fair Housing Amendments Act of 1988, P.L. 100-430.

HABITABLE — That portion of a building that contains rooms used for habitation, such as a living room, dining room, kitchen, bedroom, bathroom, closets, hallways, or stairways, but not including unfinished cellars or attics, or service rooms or areas such as utility rooms, nor unheated areas such as enclosed porches.

HABITABLE FLOOR AREA — See "floor area, habitable."

HEAVY EQUIPMENT STORAGE, SALES AND/OR SERVICE FACILITY — The storage, sales and/or service of a moveable or transportable vehicles or other apparatus commonly used in commercial, industrial or construction enterprises, including but not limited to trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, etc.

HELIPAD — An accessory use that includes a pad or area on which one helicopter can land and takeoff.

HOME OCCUPATION — A business or commercial activity, other than a no-impact home-based business, that is conducted as an accessory use to a principal dwelling.

HOSPITAL — A place for the diagnosis, treatment, or other care of humans and having facilities for inpatient care, including such establishments as a sanitarium, sanatorium, or preventorium.

HOTEL — See "motel."

HOUSEHOLD PETS — Small, domestic animals that are customarily kept in the house or residential yard for the company or enjoyment of the owner,

such as, but not limited to, dogs, cats, rabbits, birds, rodents, fish and other such animals that pose no threat, harm or disturbance to neighboring residents or properties. Household pets are not to be considered livestock.

HOUSE OF WORSHIP — A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose, including rectories, convents and church-related schools and day-care facilities. It includes a synagogue, temple, mosque, or other such place for worship and religious activities.

IMPERVIOUS SURFACE — Those paved surfaces that do not absorb precipitation. Areas including but not limited to parking areas, driveways, roads, sidewalks, patios and any similar areas of concrete, brick, stone or asphalt shall be considered impervious surfaces. In addition, all buildings and structures shall be considered as impervious surfaces for computation of lot coverage.

INDOOR RECREATION FACILITY — A use or activity operated as a gainful business, open to the public, for the purpose of leisure-time activities, public recreation or entertainment, including but not limited to an arcade, arena, assembly hall, bingo parlor, bowling alley, gymnasium, health club, miniature golf course, skating rink, swimming pool, tennis court, theater, etc., when operated within a completely enclosed building. This use excludes an indoor shooting range.

INDUSTRIAL ACTIVITIES — Enterprises in which goods are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Uses include but are not limited to those involving manufacturing; processing; packaging; printing, publishing and binding; production; testing of materials, goods and products; conversion and assembly; industrial laundries; repair of large appliances and equipment; machine shops; and welding shops.

INDUSTRIAL DEVELOPMENT — A single, integrated development consisting of industrial uses with accessory commercial uses and having integrated traffic circulation, parking, stormwater management, landscaping and other facilities.

IN-LAW QUARTERS — An accessory dwelling unit placed on a property for occupancy by no more than two persons who are related by blood, marriage or adoption to the occupants of the principal dwelling. At least one of the occupants of the in-law quarters shall require living assistance because he/she is elderly, handicapped, or disabled.

JUNK — Any discarded or used material or article, and shall include but not limited to scrap metal; scrapped, abandoned or junked motor vehicles; machinery; equipment; paper; glass; containers; and structures, whether

stored for resale or otherwise. It shall not include refuse or garbage kept in proper container for the purpose of prompt disposal.

JUNKED MOTOR VEHICLE — Any motor vehicle, or parts thereof, not in running condition, or without current registration or inspection, left or stored in the open and not in such an enclosure as reasonably calculated to prevent children from playing on or about such motor vehicle.

JUNKYARD — Any place where junk is accumulated outside of a fully enclosed building for the purpose of buying, selling, trading, dismantling, processing, or storing.

KENNEL — A use, other than a veterinary office, in which two or more animals older than six months in age, other than livestock, are kept, boarded, raised, bred, or trained for a fee.

LANDOWNER — The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANDSCAPE OPERATION — A facility that manufactures, stores, and/or offers for sale the following, including, but not limited to, sand, mulch, gravel, soil, and stone and provides the necessary processing equipment and transportation vehicles and other apparatuses commonly used in the enterprise, including, but not limited to, trucks, trailers, backhoes and loaders. **[Added by Ord. 2012-86, 8/21/2012, § 1]**

LARGE ANIMAL CONFINEMENT BUILDING OR FEED LOT — A use involving the breeding, raising, or keeping of animals that involves at least one of the following:

A. The use of a building with a footprint larger than 5,000 square feet for animal shelter; or

B. The raising of animals involving an average of two or more animal equivalent units of live weight of livestock or poultry per acre of lot area on an annualized basis. An animal equivalent unit is 1,000 pounds' live weight of animals, on an annualized basis, regardless of the actual number of individual animals comprising the unit. These units shall be calculated as provided under the Pennsylvania Nutrient Management Act and accompanying regulations.

LIVESTOCK — Large animals, including but not necessarily limited to the following: horses, ponies, donkeys, mules, cattle, sheep, goats or swine, but also includes poultry. Livestock shall not be considered household pets.

LOADING SPACE — An off-street space suitable for the loading or unloading of goods and having direct usable access to a street or alley.

LOT — A designated parcel, tract, or area of land held in single and separate ownership, established by a plat or otherwise as permitted by law, and to be used, developed or built upon as a unit.

LOT AREA — The area contained within the property lines of an individual lot, excluding any area within a street right-of-way, but including the area of any easement.

LOT AREA, GROSS — The total area contained within the property lines of an individual lot, including area within street rights-of-way and easements.

LOT AREA, NET — See "lot area."

LOT, CORNER — A lot abutting upon two streets at their intersection.

LOT COVERAGE, MAXIMUM — A percentage which, when multiplied by the lot area, will determine the permitted area that can be covered with an impervious surface.

LOT, DOUBLE-FRONTAGE — A lot fronting on two streets, other than a corner lot.

LOT LINES — The lines bounding a lot as described in the recorded title; also referred to as "property lines."

LOT OF RECORD — A lot which has been recorded in the office of the Adams County Recorder of Deeds on a subdivision plan, deed, or other instrument of conveyance.

LOT, REVERSE-FRONTAGE — A lot extending between and having frontage on two streets, with vehicular access solely from the lesser street.

LOT WIDTH — The distance between the side property lines as measured along a continuous front setback line; for corner lots, the distance between a side property line and a front property line as measured along a continuous front setback line.

MAJOR THOROUGHFARE — A street or highway designated in the Oxford Township Comprehensive Plan as an existing or planned arterial or collector street.[5]

MANUFACTURING — Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

MEDICAL CLINIC — Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to persons on an outpatient basis.

[5]**Editor's Note: The Comprehensive Plan is on file in the Township offices.**

MINERAL EXTRACTION OR RECOVERY OPERATION — The searching for or removal of rock, soil or mineral from the earth by excavating, stripping, mining, leveling, or any other process, but exclusive of excavations or grading involved in the construction of a building; also includes any processing operations in connection with the above activities.

MINERALS — Any aggregate or mass of mineral matter, whether or not coherent. The term includes but is not limited to limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MINI-STORAGE FACILITY — A facility providing for the enclosed storage of household items, recreational equipment and/or classic or antique automobiles, where said items are retained for direct use by their owner, who shall have direct access thereto without intermediate handling by the proprietor of the facility.

MOBILE HOME — A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, 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 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.

MOBILE HOME PARK — A parcel, or contiguous parcels, of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOBILE HOME SALES LOT — An open lot for the retail sale and outdoor display of new or used mobile homes.

MOTEL or HOTEL — A facility which provides temporary lodging to boarders for compensation, and which may include accessory uses such as restaurants or meeting rooms.

MPC — The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended.[6]

MULTIFAMILY RESIDENTIAL CONVERSION — A multifamily dwelling constructed by converting an existing building into two or more dwelling units, without substantially altering the exterior of the building.

[6]**Editor's Note: See 53 P.S. § 10101 et seq.**

MUNICIPAL BUILDING OR USE — A building, structure, area, or use owned and operated by Oxford Township and used to carry out governmental duties and services.

NO-IMPACT HOME-BASED BUSINESS — A business activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, or pickup, delivery or removal functions to or from the premises, in excess of those normally associated with the residential use.

NONCOMMERCIAL KEEPING OF ANIMALS — An accessory use to a principal single-family detached dwelling that is not contained upon a farm, whereupon livestock, as defined herein, are kept for noncommercial and domestic use exclusively by the residents of the site.

NONCONFORMING LOT — A lot, the area or dimension of which was lawful prior to the adoption or amendment of this chapter, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

NONCONFORMING STRUCTURE — A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this chapter, or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this chapter or amendment or prior to the application of this chapter or amendment to its location by reason of annexation. Such nonconforming structures include but are not limited to nonconforming signs.

NONCONFORMING USE — A use, whether of land or of a structure, which does not comply with the applicable use or extent of use provisions in this chapter, or any amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this chapter or amendment or prior to the application of this chapter or amendment to its location by reason of annexation.

NONPROFIT — An educational, religious or charitable use which qualifies as "nonprofit" under Section 501-C of the Internal Revenue Service Code.

OFFICE — A place where the primary use is conducting the affairs of a business, profession, service, or government, including administration, recordkeeping, clerical work, and similar business functions. An office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods or products; or the sale or delivery of any materials, goods, or products which are physically located on the premises. Office supplies used in the office may be stored as an incidental use.

ORDINARY WATERLINE — The point on the bank of a stream or watercourse where the presence and/or action of surface water is so

continuous as to leave a distinctive mark by erosion, destruction of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

OUTDOOR RECREATION FACILITY — A use or activity operated as a gainful business, open to the public upon open land, wholly or partially outside of a building, for the purpose of leisure-time activities, public recreation or entertainment, such as swimming pools, tennis courts, batting and pitching cages, go-carts and skating rinks, but also includes amusement rides or regular live entertainment. This use excludes golf courses and outdoor shooting ranges.

OUTDOOR SHOOTING RANGE — The use of land for archery or the discharge of firearms using live ammunition, including but not limited to target, silhouette, skeet, trap, black powder, self-defense or similar recreational and/or professional shooting activities.

OWNER — See "landowner."

PA DEP — The Pennsylvania Department of Environmental Protection.

PA PUC — The Pennsylvania Public Utility Commission.

PARCEL — Any tract or contiguous tracts of land in the same ownership and contained in the same deed. Land separated by an existing state or Township road shall be considered contiguous.

PARENT TRACT — A lot held in single and separate ownership that existed on the effective date of this chapter (November 13, 2008) and that is located within the A District, from which lots can be created through subdivision. If a lot was not classified as within the A District on November 13, 2008, then this term shall refer to the lot as it existed on the date that it was first classified as within the A District. Lands left after the subdivision are called "remaining lands."

PARK — Any area that is predominately open space, principally for active or passive outdoor recreation which is open to the public. A park may include amenities such as ballfields, tennis courts, trails, rest rooms, picnic tables, cooking grills and similar facilities. A park shall not include improvements for or permit motorized recreation, such as go-carts or arcade games, carnival rides or similar activities.

PARKING GARAGE — A building where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

PARKING GARAGE OR PARKING LOT, OFF-SITE — A parking garage or parking lot located on a lot other than the one generating the need for parking.

PARKING LOT — An open lot where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

PARKING SPACE — An off-street space available for the parking of one motor vehicle and having direct usable access to a street or lane.

PENNDOT — The Pennsylvania Department of Transportation.

PERSONAL SERVICE BUSINESS — An establishment that provides a service oriented to the personal needs of the general public which does not primarily involve retail or wholesale sales or services to businesses. Personal services include barber- and beauty shops, photography studios, shoe repair shops, household appliance repair, and similar businesses. This use shall not include an adult facility.

PLANNED RESIDENTIAL DEVELOPMENT (PRD) — An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of this chapter.

PLAT — A map, plan or layout showing the subdivision of land or land development, whether preliminary or final, and indicating the location and boundaries of individual properties.

PRESERVATION or PROTECTION — When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

PRIME AGRICULTURAL LAND — Land used for agricultural purposes that contains prime agricultural soils.

PRIME AGRICULTURAL SOILS — Soils of the first, second or third class, as defined by the most recent edition of the Adams County Soil Survey.

PRIVATE — Not publicly owned, operated or controlled.

PROCESSING — A function which involves only the cleaning, sorting, sizing, packaging, or any combination thereof, of products and materials.

PUBLIC — Owned, operated, or controlled by a government agency (federal, state, county or municipal, including a corporation created by law for the performance of certain specialized governmental functions).

PUBLIC HEARING — A formal meeting, held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment prior to taking action in accordance with this chapter and the MPC.

PUBLIC MEETING — A forum held pursuant to notice under 65 Pa.C.S.A. Ch. 7 (relating to open meetings).

PUBLIC NOTICE — Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC OR PRIVATE SCHOOL — A public or private educational institution serving children in kindergarten through 12th grade. A school may include one or more buildings. Accessory uses permitted with schools include athletic fields, playgrounds, nature preserves, school bus parking facilities, and other uses that are incidental to the principal school use.

PUBLIC SEWER — A sanitary sewer system that is a public utility.

PUBLIC UTILITIES — Use or extension thereof which is operated, owned or maintained by a municipality or municipal authority or which is privately owned and approved by the Pennsylvania Public Utility Commission for the purpose of providing public sewage disposal, treatment, or both; public water supply, storage, treatment, or any combination thereof; and/or electric-, gas- or oil-generating or treatment facilities, supply works, substations, transmission lines, and/or distribution lines.

PUBLIC UTILITY FACILITY — A facility that is owned or operated by a public utility.

PUBLIC WATER — A water supply system that is a public utility.

RECREATIONAL VEHICLE — Any portable or mobile vehicle used or designed to be used for travel, recreation and/or temporary living purposes. A recreational vehicle shall include a motor home, travel trailer, camper, snowmobile, golf cart, three- or four-wheel all-terrain vehicle, trail/dirt bike, boat, airplane or other similar vehicle.

REMAINING LANDS — The lands of a parent tract remaining after the subdivision of a new lot or lots.

RESEARCH AND DEVELOPMENT LABORATORY — This use includes facilities for basic and applied laboratory research or experimental study, testing or analysis in the natural sciences, including educational activities incidental or accessory to such research. This use shall include but not be limited to biotechnology, pharmaceuticals, genetics, plastics, polymers,

resins, coatings, fibers, fabrics, films, heat transfers, and radiation research, but not facilities for the manufacture or sale of products, except those incidental to research activities. This use shall not require the use of heavy equipment (such as construction equipment) and shall be free of dust, smoke, fumes, odors or unusual vibrations and noise.

RETAIL STORE OR SHOP — A business having as its primary function the sale of merchandise or wares to the end consumer. This definition excludes any use identified as a specific and separate use within this chapter.

RIGHT-OF-WAY LINE — A line defining the edge of a street right-of-way and separating the street from abutting property or lots.

SALDO — The Oxford Township Subdivision and Land Development Ordinance, codified as Chapter 22 of the Code of Ordinances of Oxford Township.

SATELLITE DISH ANTENNA — Any accessory structure capable of receiving radio or television signals from a transmitter or transmitter relay located in planetary orbit.

SAWMILL OPERATIONS — A principal use consisting of a building, structure, or area where timber is cut, sawed or planed, either to finished lumber or as an intermediary step, and may include facilities for the kiln-drying of lumber, and may include the distribution of such products on a wholesale or retail basis. The processing of timber may be from the property on which it is located, from adjoining property or from other properties removed from the sawmill.

SCHOOL, PUBLIC OR PRIVATE — A facility, either public or private, offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

SCREEN or SCREENING — Evergreen and/or deciduous trees and bushes, walls, fences or earth berms of sufficient height and density to conceal from the view of property owners in adjoining districts, or on adjoining lots, the structures and uses on the premises on which the screen is located.

SETBACK — The minimum required horizontal distance between a property line or street right-of-way line and a setback line.

SETBACK AREA — The area bound by property lines, street right-of-way lines and setback lines, within which no building or structure may be placed.

SETBACK AREA, FRONT — The area bound by the street right-of-way line, the side property lines, and the front setback line.

SETBACK AREA, REAR — The area bound by the rear property line, the side property lines, and the rear setback line.

SETBACK AREA, SIDE — The area bound by the side property lines, the side setback lines, and the front and rear setback line.

SETBACK, FRONT — The minimum required horizontal distance between a street right-of-way line and the front setback line projected the full width of the lot.

SETBACK LINE — A line defining the minimum required horizontal distance between a property line or street right-of-way line and a building or structure.

SETBACK, REAR — The minimum required horizontal distance between a rear property line and the rear setback line projected the full width of the lot.

SETBACK, SIDE — The minimum required horizontal distance between a side lot line and the side setback line projected from the front setback line to the side setback line.

SEXUAL CONDUCT — Ultimate sexual acts, normal or perverted, actual or simulated, involving a person or persons, or a person or persons and an animal, including acts of masturbation, sexual intercourse, fellatio, cunnilingus, analingus or physical contact with a person's nude or partially denuded genitals, pubic area, perineum, anal region, or, if such person is female, breast.

SEXUAL DEVICE — Without limitation, any device or paraphernalia that is designed in whole or in part for sexual conduct.

SEXUALLY EXPLICIT NUDITY — A sexually oriented and explicit showing or exhibition, by any means or manner, which presents or exposes to the viewer the following anatomical areas: the human genitals, pubic area, perineum, buttocks or anal region, with less than a fully opaque covering; the covered human male genitals in a discernibly turgid state; the postpubertal, fully or partially developed human female breast with less than opaque covering of a portion thereof below the top of the areola or nipple.

SHOPPING MALL, CENTER OR PLAZA — A group of commercial uses permitted within the zoning district in which it is located, planned and designed to function as a unit, with off-street parking and landscaping provided as an integral part of the unit.

SINGLE AND SEPARATE OWNERSHIP — The ownership of a lot by one or more persons, which ownership is separate and distinct from that of any abutting or adjoining lot.

SOIL CLASSIFICATION — The classification of a soil as defined in the most recent edition of the United States Department of Agriculture, Natural Resource and Conservation Services, Adams County Soil Survey.

SOIL SURVEY — The most recent edition of the United States Department of Agriculture, Natural Resource and Conservation Services, York County Soil Survey.

SOLAR ENERGY EQUIPMENT — Any device, structure or electronics that converts solar energy into electrical energy, heats water or produces hot air or similar function through the use of solar panels. The primary function of solar energy equipment is to reduce on-site consumption of energy produced by a public/private utility company.

SOLAR PANEL — A device containing one or more receptive cells equal to or greater than two square feet, the purpose of which is to convert solar energy into electrical or thermal energy.

SOLID WASTE — Garbage, refuse and other discarded materials, including but not limited to solid and liquid waste materials, resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrements or hazardous waste materials as defined in the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988,[7] and 25 Pa. Code Chapter 273, as amended, supplemented or revised.

SOLID WASTE DISPOSAL AND/OR PROCESSING FACILITY — A property or facility, licensed and approved by the Pennsylvania Department of Environmental Protection, for the disposal or storage of solid waste material, including garbage, refuse and other discarded materials, including but not limited to solid and liquid waste materials, resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrements or hazardous waste materials as defined in the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988,[8] and 25 Pa. Code Chapter 273, as amended, supplemented or revised. The term "solid waste processing facility" includes any appurtenance that supports the operation of the facility, including haul roads, structures or stormwater management facilities.

SPECIAL EXCEPTION — The granting of the right to use land as authorized by the Zoning Hearing Board under the terms, procedures and conditions prescribed herein.

STORAGE — A function involving the deposition of materials, goods, products, or any combination thereof, for safekeeping.

[7]**Editor's Note: See 53 P.S. § 4000.101 et seq,**
[8]**Editor's Note: See 53 P.S. § 4000.101 et seq,**

STORY — That portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between any floor and the ceiling next above it. The first story of a building is the lowest story having at least 75% of its wall area above grade level.

STORY, HALF — A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor.

STREAM — A naturally occurring body of surface water, flowing in a defined bed or channel, shown on the Zoning Map. Flow may be either continuous or only during wet periods.

STREET — A public or private way, excluding driveways and access drives, which affords the principal means of access to abutting properties, intended to be used by vehicular traffic or pedestrians. It includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other dedicated and accepted public right-of-way or private right-of-way.

STREET LINE — See "right-of-way line."

STRUCTURE — Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, but excluding patios, driveways, access drives, walkways and parking areas or other at-grade structures. All structures must meet setback requirements. (See "building.")

STRUCTURE, ACCESSORY — A subordinate structure on a lot, the use of which is customarily incidental to that of the principal structure.

STRUCTURE, PRINCIPAL — A structure which is directly involved in the principal use of the lot on which said structure is located.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE — The Oxford Township Subdivision and Land Development Ordinance, codified as Chapter 22 of the Code of Ordinances of Oxford Township.

SUBORDINATE BUILDING — A building having a footprint less than the principal building. **[Added by Ord. 2016-105, 4/19/2016]**

SWIMMING POOL — Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, aboveground and on-ground swimming pools, hot tubs, and spas.

SWIMMING POOL, PRIVATE — A swimming pool intended for use by a single dwelling unit and its guests.

SWIMMING POOL, PUBLIC — A swimming pool that does not meet the definition of "private swimming pool."

TAVERN — An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. Taverns may also serve food.

TOWNSHIP — Oxford Township.

TRACT — An area of land which may comprise the entire area or subpart of a parcel.

TRUCK OR MOTOR FREIGHT TERMINAL — An area or building that is the origin and/or destination point of short- and long-distance hauling and/or is used for the purpose of storing, transferring, loading and unloading, in addition to truck parking.

UCC — The Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended.[9]

USE — The specific purpose for which land, a building or a structure is designed, arranged, intended, occupied or maintained.

USE, ACCESSORY — A use customarily incidental and subordinate to the principal use or building and located on the same lot with this principal use or building. An accessory use is not permitted on a lot without a principal use, but see also "off-lot accessory building." **[Amended by Ord. 2017-112, 5/24/2017]**

USE, PRINCIPAL — The main or primary use of property, buildings or structures.

VARIANCE — A modification of any provision of this chapter by the Zoning Hearing Board in accordance with the standards of this chapter and the MPC.

VEHICLE FUEL DISPENSING FACILITY — Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sales of motor vehicle accessories at retail only, but not including major repairing, body and fender work, painting, vehicle sales or rental or a vehicle washing facility.

VEHICLE REPAIR AND SERVICE FACILITY — A building on a lot designed and/or used primarily for mechanical and/or body repairs, servicing, or supplying of gasoline or oil to automobiles, recreational vehicles and similar vehicles.

[9]**Editor's Note: See 35 P.S. § 7210.101 et seq.**

VEHICLE SALES OR RENTAL FACILITY — A building and any associated open lot area for the display, sales, and/or rental of new or used automobiles, recreational vehicles, and similar vehicles.

VEHICLE WASHING FACILITY — A building on a lot, designed and used primarily for the washing and polishing of vehicles, and which may provide accessory services related to washing and polishing.

WALL — See "fence."

WAREHOUSE — A building or group of buildings primarily used for the indoor storage, transfer and distribution of equipment and merchandise.

WHOLESALE ESTABLISHMENT — A business devoted to the sale of commodities in quantity, chiefly to retailers, other merchants, or industrial, institutional and commercial users, mainly for resale or business use.

WIND ENERGY EQUIPMENT — Any device, structure or electronics that converts wind energy into electrical energy through the use of a wind turbine. Wind energy equipment is intended to primarily reduce on-site consumption of energy produced by a public/private utility company.

WIND TURBINE — A device that converts wind energy into electricity through the use of a generator and includes the nacelle, rotor, tower and base. A wind turbine is occasionally more commonly referred to as a “windmill” or “wind generator.”

YARD — An area between the principal structure and the property lines or street right-of-way lines.

YARD, FRONT — The area between a street right-of-way line and the principal structure projected the full width of the lot.

YARD, REAR — The area between a rear property line and the front of the principal structure projected the full width of the lot. **[Amended by Ord. 2014-97, 2/12/2014]**

YARD, SIDE — The area between a side property line and the principal structure projected from the front yard to the rear yard.

ZONING MAP — The map of the Township that designates the location and boundaries of zoning districts, as defined and described in this chapter.[10]

ZONING OFFICER — The duly constituted municipal official designated to administer and enforce this chapter in accordance with its literal terms.

[10]**Editor's Note: The Zoning Map is on file in the Township offices.**

ZONING PERMIT — A permit issued indicating that a proposed use, building, or structure is in accordance with the provisions of this chapter and that authorizes an applicant to proceed with said use, building, or structure.

PART 3

DISTRICT REGULATIONS

§ 27-301. Districts and Boundaries.

1. Establishment of Districts. Oxford Township is divided into districts listed below and shown on the map entitled "Oxford Township Zoning Map," which map is hereby incorporated and made part of this chapter by reference.[11]

A	Agricultural
RL	Residential Low-Density
RM	Residential Medium-Density
RH	Residential High-Density
I	Industrial
C	Commercial
EO	Environmental Overlay

2. Interpretation of District Boundaries. Where uncertainty exists regarding the boundaries of the districts as shown on the map entitled "Oxford Township, Adams County, PA, Zoning Map," the following rules shall apply:

   A. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.

   B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

   C. Boundaries indicated as approximately following municipality limits shall be construed as following municipality limits.

   D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

   E. Boundaries indicated as approximately following the center lines of streams, rivers or other bodies of water shall be construed to follow such center lines.

   F. Boundaries indicated as parallel to or extensions of features indicated in Subsection 2A through E 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

[11] **Editor's Note: The Zoning Map is on file in the Township offices.**

circumstances not covered by Subsection 2A through F, the Zoning Hearing Board shall interpret the district boundaries.

H. Lots Split by Boundaries of Districts. If a lot is split by a district boundary, the lot area and lot width requirements of the district in which the principal building, structure, or use is located shall apply to the entire lot. A building, structure, or use may only be located within the zoning district allowing such a building, structure, or use.

§ 27-302. Permitted Uses.

1. The uses permitted in the districts established by this chapter are as shown in the table in § 27-302, Subsection 4. The uses listed as permitted in each district are the only uses permitted in that district.

2. Additional general provisions are set forth in Part 4.

3. Additional provisions for specific uses are set forth in Part 5.

4. Table of Permitted Uses. **[Amended by Ord. 2012-86, 8/21/2012, § 2; by Ord. 2016-105, 4/19/2016; and by Ord. 2017-112, 5/24/2017]**

Use Key

P	Permitted by right
SE	Permitted by special exception
CU	Permitted by conditional use

		Zoning District					
Use	**Reference Section**	**A**	**RL**	**RM**	**RH**	**C**	**I**
Agricultural Uses							
Agriculture and/or farms	§ 27-504	P	P	P	P	P	P
Greenhouse, horticultural nursery	§ 27-522	P	P	P	P	P	P
Landscape operation	§ 27-559	CU	—	—	—	—	CU
Large animal confinement building or feed lot	§ 27-531	SE	—	—	—	—	—
Kennel	§ 27-530	SE	—	—	—	SE	SE

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Riding academy, boarding stable	§ 27-546	P	P	—	—	—	—
Sawmill operation	§ 27-547	SE	—	—	—	—	P

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Residential Uses							
Continuing-care retirement community	§ 27-514	—	—	—	SE	—	—
Group home	§ 27-523	—	—	SE	P	—	—
In-law quarters	§ 27-528	SE	SE	SE	SE	SE	SE
Mobile home park	§ 27-534	—	—	—	—	CU	—
Multifamily dwelling	§ 27-536	—	—	—	SE	—	—
Multifamily residential conversion	§ 27-537	—	—	—	SE	—	—
Single-family detached dwelling	—	P	P	P	P	—	—
Single-family semidetached dwelling	—	—	—	P	P	—	—
Single-family attached dwelling	§ 27-549	—	—	—	P	—	—
Two-family dwelling	—	—	—	—	P	—	—
Commercial Uses							
Adult facility	§ 27-503	—	—	—	—	—	CU
Agricultural and heavy equipment sales and service	§ 27-505	—	—	—	—	P	P
Airport, heliport	§ 27-506	—	—	—	—	CU	CU
Animal hospital or veterinary clinic	§ 27-507	SE	—	—	—	SE	—
Bank or financial institution	—	—	—	—	—	P	—
Campground	§ 27-509	SE	—	—	—	—	—

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Commercial school	—	—	—	—	—	P	—
Communication antennas mounted on an existing structure	§ 27-512	P	—	—	—	P	P
Communication tower	§ 27-513	SE	—	—	—	SE	SE
Contractor shop and showroom	—	—	—	—	—	SE	P
Convenience store	—	—	—	—	—	P	—
Crematorium	§ 27-515	—	—	—	—	—	SE
Day-care center	—	—	—	—	—	P	—
Drive-in or drive-through business	§ 27-516	—	—	—	—	SE	—
Eating establishment	—	—	—	—	—	P	P
Funeral home	—	—	—	—	—	P	—
Golf course	§ 27-521	SE	SE	—	—	—	—
Indoor recreation facility	—	—	—	—	—	P	—
Medical clinic	—	—	—	—	—	P	—
Mini-storage facility	§ 27-533	—	—	—	—	SE	P
Mobile home sales lot	§ 27-535	—	—	—	—	SE	—
Motel or hotel	—	—	—	—	—	P	—
Office	—	—	—	—	—	P	P
Outdoor recreation facility	§ 27-540	—	—	—	—	P	—
Parking garage or parking lot, off-site	§ 27-542	—	—	—	—	SE	SE
Personal service business	—	—	—	—	—	P	—

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Research and development laboratory	§ 27-545	—	—	—	—	SE	P
Retail store or shop	—	—	—	—	—	P	—
Shopping mall, center or plaza	§ 27-548	—	—	—	—	SE	—
Tavern	§ 27-551	—	—	—	—	SE	—
Vehicle fuel dispensing facility	§ 27-554	—	—	—	—	SE	—
Vehicle repair and service facility	§ 27-555	—	—	—	—	P	P
Vehicle sales or rental facility	§ 27-556	—	—	—	—	P	—
Vehicle washing facility	§ 27-557	—	—	—	—	P	P
Industrial Uses							
Feed and grain mill	—	—	—	—	—	—	P
Heavy equipment storage, sales and/or service facility	—	—	—	—	—	—	P
Industrial activities	—	—	—	—	—	—	P
Industrial development	§ 27-527	—	—	—	—	—	SE
Junkyard	§ 27-529	—	—	—	—	—	CU
Mineral extraction or recovery operation	§ 27-532	—	—	—	—	—	SE
Solid waste disposal and/or processing facility	§ 27-550	—	—	—	—	—	SE

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Truck or motor freight terminal	§ 27-553	—	—	—	—	—	P
Warehouse	—	—	—	—	—	—	P
Wholesale establishment	—	—	—	—	—	—	P
Institutional and Public Uses							
Cemetery	§ 27-510	SE	SE	SE	SE	—	—
Cultural facility	—	—	—	—	—	P	—
House of worship	§ 27-526	P	P	P	P	P	—
Hospital	—	—	—	—	—	SE	—
Municipal building or use	—	P	P	P	P	P	P
Park	—	P	P	P	P	P	P
Public or private school	§ 27-543	SE	P	P	P	—	—
Public utility facility	§ 27-544	SE[1]	SE[1]	SE[1]	SE[1]	P	P
Miscellaneous Uses							
Club room, club grounds or meeting hall	§ 27-511	P	SE	SE	SE	P	—
Forestry	§ 27-520	P	P	P	P	P	P
Forest and wildlife preserve	—	P	—	—	—	—	—
Outdoor shooting range	§ 27-541	SE	—	—	—	—	SE
Accessory Uses							
Accessory buildings, structures, and uses	—	P	P	P	P	P	P

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Accessory buildings, structures and uses - off-lot	§ 27-560	—	CU	CU	CU	—	—
Accessory in-home child care	—	P	P	P	P	—	—

Use	Reference Section	Zoning District A	RL	RM	RH	C	I
Bed-and-breakfast inn	§ 27-508	SE	SE	SE	—	SE	SE
Family child-care home	§ 27-517	SE	SE	SE	SE	—	—
Family farm support business	§ 27-518	P	—	—	—	—	—
Farm produce stand	§ 27-519	P	P	P	P	P	P
Helipad	§ 27-524	SE	SE	—	—	SE	SE
Home occupation	§ 27-525	CU	CU	CU	CU	CU	CU
No-impact home-based business	§ 27-538	P	P	P	P	P	P
Noncommercial keeping of animals	§ 27-539	P	P	P	P	P	P
Temporary housing for farm workers	§ 27-552	SE	—	—	—	—	—

NOTES:

[1] Public sewer and water transmission facilities proposed and approved as part of a subdivision or land development plan shall be a permitted use and shall not require special exception approval.

§ 27-303. All Other Uses.

A use not specifically permitted in any of the zoning districts shall be allowed by special exception in a zoning district where similar uses are allowed, provided that the applicant can demonstrate to the Zoning Hearing Board that the proposed use will not constitute a public or private nuisance and will not generate any physical, environmental, social, or safety impacts greater than those generated by other permitted uses in the zoning district. In the granting of such special exception, the Zoning Hearing Board may attach reasonable conditions to ensure the compatibility of the use with the zoning district.

§ 27-304. Uses With Nuisance Effect.

1. In no case is a use permitted which, by reason of noise, dust, odor, appearance, or other objectionable factor, creates a nuisance, hazard, or

other substantial adverse effect upon the reasonable enjoyment of the surrounding property.

2. Irrespective of Subsection 1 above, normal agricultural operations shall be exempt from this provision pursuant to the Pennsylvania Right to Farm Law,[12] so long as the agricultural operation does not have a direct adverse effect on the public health and safety.

§ 27-305. Agricultural District (A).

1. Purpose. The Agricultural District serves to allow the continuation of agricultural production in areas where this use predominates and in areas with a high concentration of prime agricultural soils. A limited number of nonagricultural uses are allowed to reduce the negative effects those uses can have on agriculture. The number of lots permitted through subdivision is restricted to conserve large tracts of land for continued agricultural use. The Agricultural District is not intended to be served with public water and sewer; however, some portions of the district do lie adjacent to existing utilities. Those uses that have direct access to those utilities should utilize them to the greatest extent possible.

2. Use Regulations. No building or structure may be erected or used and no land may be used or occupied except for uses indicated in § 27-302.

3. Dimensional Criteria and Requirements.

Requirement	Both Public Sewer and Public Water	Either Public Sewer or Public Water	No Pubic Sewer and No Public Water
Lot area			
Single-family detached dwelling[1]	Minimum 30,000 square feet Maximum 120,000 square feet	Minimum 40,000 square feet Maximum 120,000 square feet	Minimum 80,000 square feet Maximum 120,000 square feet
Agriculture and/or farms	Minimum 10 acres	Minimum 10 acres	Minimum 10 acres
All other uses	Minimum 1 acre	Minimum 1 acre	Minimum 1 acre
Minimum lot width	90 feet	100 feet	140 feet
Minimum front setback			
Arterial road	50 feet	50 feet	50 feet
Collector road	35 feet	35 feet	35 feet
Local road	25 feet	25 feet	25 feet

[12]**Editor's Note: See 3 P.S. § 951 et seq.**

Requirement	Both Public Sewer and Public Water	Either Public Sewer or Public Water	No Pubic Sewer and No Public Water
Minimum side setback	20 feet	20 feet	20 feet
Minimum rear setback	25 feet	25 feet	25 feet
Maximum lot coverage	20% of lot area	20% of lot area	20% of lot area
Maximum building height	50 feet	50 feet	50 feet

NOTES:

[1] The maximum lot area may be increased where required to meet DEP sewage planning requirements in accordance with § 27-411. Lot area may also be increased in accordance with § 27-305, Subsection 4D(3).

4. Limitation on Subdivisions.

A. Parent Tract. Upon each parent tract, as it existed on the effective date of this chapter (November 13, 2008), there shall be allocated development rights and thereby granted the right to subdivide the number of lots listed in the table below. The number of permitted development rights initially granted to the parent tract shall not be increased by the subdivision of the parent tract, nor shall any lot subsequently subdivided from its parent tract, regardless of size, qualify for any additional development rights. The subsequent owner of the parent tract shall be bound by the actions of previous owners in that such current owner may subdivide for purposes of additional uses only that number of lots, if any, remaining from the original number of development rights permitted by this section. Any subsequent owner of a new lot after subdivision shall be bound by the actions of any and all previous owner(s).

Area of Parent Tract (acres)	Permitted Number of Development Rights
0 to 7	1
7.01 to 15	2
15.01 to 25	3
25.01 to 40	4
40.01 to 60	5
60.01 to 90	6
Greater than 90	6 + 1 for each additional 30 acres, or fraction thereof

B. New Lots. Each new lot subdivided (including a lot to be added onto an adjacent lot) in the Agricultural District shall require the use of one permitted development right, unless exempted under § 27-305, Subsection 4G.

C. New Principal Uses. Each new principal use shall be located upon a separate and approved lot, whether intended for transfer of title or not.

D. Area of Lots.

(1) All lots changed in size by transfer of land between existing lots shall meet the minimum and maximum lot area and minimum width requirements of § 27-305, Subsection 3.

(2) All lots created by subdivision shall meet the minimum and maximum lot area and minimum width requirements of § 27-305, Subsection 3. However, the remaining lands do not need to meet the maximum lot area requirement of § 27-305, Subsection 3, provided that the use of the lot does not change from that which existed prior to the subdivision.

(3) A lot proposed to be subdivided for residential use may be larger than 120,000 square feet, provided that one permitted subdivision granted per § 27-305, Subsection 4, is used for each 120,000 square feet, or fraction thereof, of lot area. For example, a 10.3 acre (448,668 square feet) lot may be created by using four permitted subdivisions (448,668 square feet/120,000 square feet = 3.74 permitted subdivisions, rounded up to 4).

E. Location of Subdivided Lots. Lots subdivided for a use other than agriculture and/or farms shall be located on a site that the applicant proves to the satisfaction of the Board of Supervisors to be the least agriculturally productive in terms of soil type, slope, size, shape, or other physical feature of the site.

F. Subdivision Plans. Any subdivision plan for lands within the Agricultural District shall include the following information:

(1) Documentation of the parent tract area.

(2) A calculation of all permitted development rights granted to the parent tract.

(3) A history of the use of the permitted development rights.

(4) The allocation of any remaining permitted development rights among the various lots created. The plan shall clearly indicate which lot or lots carry with them any unused development rights.

G. Exemptions from Subdivision Limitations. The following subdivisions do not require the use of a permitted subdivision:

(1) Subdivisions that create a lot which will be transferred to the Township, a municipal authority created by the Township, another entity with the power of eminent domain, a fire company, or any other governmental agency for a public project.

(2) Creation of a lease area for use solely by a communication tower or public utility.

(3) Subdivisions that transfer one acre or less from one lot to an adjacent lot, provided that all lots meet the minimum and maximum area and dimensional requirements of § 27-305, Subsection 3, after the transfer.

(4) Subdivisions that transfer land from one lot to an adjacent lot, provided that all lots after the transfer are 25 acres or greater in area.

(5) Subdivisions where all lots created, including the remaining lands, are 25 acres or greater in area.

§ 27-306. Residential Low-Density District (RL).

1. Purpose. The Residential Low-Density District provides adequate space for the expansion of existing lower-density areas that contain a mixture of agricultural, rural residential, and village residential uses. By limiting the amount of residential development, the more rural nature of these areas will be preserved. Public utilities may or may not be available to serve development within this district.

2. Use Regulations. No building or structure may be erected or used and no land may be used or occupied except for uses indicated in § 27-302.

3. Dimensional Criteria and Requirements.

Requirement	Both Public Sewer and Public Water	Either Public Sewer or Public Water	No Pubic Sewer and No Public Water
Minimum lot area (square feet)			
Single-family detached dwelling	30,000	40,000	80,000
All other uses	30,000	40,000	80,000
Minimum lot width (feet)			
Single-family detached dwelling	90	100	140

Requirement	Both Public Sewer and Public Water	Either Public Sewer or Public Water	No Pubic Sewer and No Public Water
All other uses	90	100	140
Minimum front setback (feet)			
Arterial road	50	50	50
Collector road	35	35	35
Local road	25	25	25
Minimum side setback (feet)	10	10	10
Minimum rear setback (feet)	25	25	25
Maximum lot coverage (percent of lot area)	35%	30%	20%
Maximum building height (feet)	35	35	35

4. Required Utilities. Each principal use shall be provided with public water and sewer service if it is determined by the Township Engineer that public water and sewer capacity is available and that it is feasible to have the service extended to serve the principal use.

§ 27-307. Residential Medium-Density District (RM).

1. Purpose. The Residential Medium-Density District provides adequate space for the orderly and efficient expansion of existing residential development within the Township. It is expected that these areas will be served by public sewer and water, thereby encouraging compact, cohesive neighborhoods that are well served by community facilities and services. The Medium-Density Residential District also serves to promote and retain a pleasant residential atmosphere by ensuring residential development is well planned and designed to complement the surrounding physical environment.

2. Use Regulations. No building or structure may be erected or used and no land may be used or occupied except for uses indicated in § 27-302.

3. Dimensional Criteria and Requirements: **[Amended by Ord. 2015-103, 5/18/2015]**

Requirement	Both Public Sewer and Public Water	Public Sewer	No Public Sewer and No Public Water
Minimum lot area (square feet)			

Requirement	Both Public Sewer and Public Water	Public Sewer	No Public Sewer and No Public Water
Single-family detached dwelling	20,000	40,000	80,000
Single-family semidetached dwelling	15,000		80,000
All other uses	30,000	40,000	80,000
Minimum lot width (feet)			
Single-family detached dwelling	75	100	140
Single-family semidetached dwelling	65		140
All other uses	100	100	140
Minimum front setback (feet)			
Arterial road	50	50	50
Collector road	35	35	35
Local road	25	25	25
Minimum side setback (feet)	10	10	10
Minimum rear setback (feet)	25	25	25
Maximum lot coverage (percent of lot area)	35%	30%	20%
Maximum building height (feet)	35	35	35

4. Required Utilities. Each principal use shall be provided with public water and sewer service if it is determined by the Township Engineer that public water and sewer capacity is available and that it is feasible to have the service extended to serve the principal use.

§ 27-308. Residential High-Density District (RH).

1. Purpose. The High-Density Residential District provides adequate space for the orderly and efficient use of land to house greater numbers of people. It is expected that these areas will be served by public sewer and water. This district is located in areas where employment, shopping, entertainment, and recreational facilities are nearby to serve the residents.

2. Use Regulations. No building or structure may be erected or used and no land may be used or occupied except for uses indicated in § 27-302.

3. Dimensional Criteria and Requirements:

Requirement	Both Public Sewer and Public Water	No Public Sewer and/or No Public Water
Minimum lot area (square feet)		
Single-family detached dwelling	10,000	80,000
Single-family semidetached dwelling	8,000	80,000
Single-family attached dwelling	2,500	Not permitted
Two-family dwelling	15,000	Not permitted
Multifamily dwelling	2,500 per unit	Not permitted
All other uses	15,000	80,000
Minimum lot width (feet)		
Single-family detached dwelling	60	140
Single-family semidetached dwelling	50 feet	140
Single-family attached dwelling	25	Not permitted
Two-family dwelling	75	Not permitted
Multifamily dwelling	100	Not permitted
All other uses	75	140
Maximum lot length (feet)		
Single-family attached dwelling	180	Not permitted
Minimum front setback (feet)		
Arterial road	50	50
Collector road	35	35
Local road	25	25
Minimum side setback (feet)	10	10
Minimum rear setback (feet)	25	25
Maximum lot coverage (percent of lot area)	65%	20%
Maximum building height (feet)	35	35

4. Required Utilities. Each principal use shall be provided with public water and sewer service if it is determined by the Township Engineer that public water and sewer capacity is available and that it is feasible to have the service extended to serve the principal use.

§ 27-309. Commercial District (C).

1. Purpose. The Commercial District shall serve as the primary location for existing and future commercial enterprises within the Township. The businesses located within this district will generally serve Oxford Township and the surrounding municipalities, but more regional uses could locate here. These uses will serve the needs of residents and businesses within the Township and will contribute to the Township's tax base and economy. Lot size is generally not regulated but is dictated by the other dimensional requirements within the district.

2. Use Regulations. No building or structure may be erected or used and no land may be used or occupied except for uses indicated in Table 27-302.

3. Dimensional Criteria and Requirements:

Requirement	**Any Permitted Utilities**
Minimum lot area	No minimum
Minimum lot width	Adequate width for access
Minimum front setback	50 feet
Arterial road	50 feet
Collector road	35 feet
Local road	25 feet
Minimum side setback	25 feet
Minimum rear setback	25 feet
Maximum lot coverage	75% of lot area
Maximum building coverage	65% of lot area
Maximum building height	45 feet

4. Required Utilities. Each principal use shall be provided with public water and sewer service if it is determined by the Township Engineer that public water and sewer capacity is available and that it is feasible to have the service extended to serve the principal use.

§ 27-310. Industrial District (I).

1. Purpose. The Industrial District promotes the continuation and expansion of existing industrial activities while providing for a wide range of new compatible industrial development, which contributes to the well-being of the Township. Because of the possible proximity of industrial development to

residential and commercial areas, small startup businesses and light industry are encouraged; while other heavier, potentially more objectionable uses require special exception approval and include restrictions and design standards, assuring both attractive and useful surroundings.

2. Use Regulations. No building or structure may be erected or used and no land may be used or occupied except for uses indicated in § 27-302.

3. Dimensional Criteria and Requirements:

Requirement	**Any Permitted Utilities**
Minimum lot area	No minimum
Minimum lot width	Adequate width for access
Minimum front setback	50 feet
Minimum side setback	25 feet
Minimum rear setback	25 feet
Maximum lot coverage	75% of lot area
Maximum building coverage	65% of lot area
Maximum building height	45 feet

4. Required Utilities. Each principal use shall be provided with public water and sewer service if it is determined by the Township Engineer that public water and sewer capacity is available and that it is feasible to have the service extended to serve the principal use.

§ 27-311. Environmental Overlay District (EO).

1. Purpose. The Environmental Overlay District promotes conservation of land in the Township possessing natural features identified as essential to the environmental health, economy and rural character of the community. These areas include lands with development constraints, such as steep slopes, wetlands and floodplains, and stream corridors. Protection of natural features provides benefits such as soil erosion control, improved soil quality, enhanced water quality by means of filtering out harmful substances from runoff, enriched habitat and biodiversity, flood control, and the protection of buildings, roads and other property: Therefore, to protect life and property and preserve the natural and open space character of the Township, as well as the physical and environmental amenities of these areas, new growth and development is directed to appropriate development areas, away from lands containing the restricted development features.

2. Delineation of Environmental Overlay District. For purposes of this chapter, areas contained within the Environmental Overlay District shall include the following:

   A. Steep slopes: any portion of a property with slopes in excess of 15%.

B. Wetlands: any portion of a property within a designated wetland, as determined by current state and/or federal guidelines.

C. Floodplains: any portion of property within a one-hundred-year floodplain, as determined by the most recent Flood Insurance Study prepared by the Federal Emergency Management Agency (FEMA) or by a floodplain analysis performed by a qualified professional engineer.

D. Stream corridors: any portion of a property located within 25 feet of the ordinary waterline of any stream or watercourse.

3. Abrogation and Greater Restrictions. This section is intended to create an overlay district. All of the regulations of the underlying district shall remain in full force and effect. Where there exists any conflict between the provisions or requirements of the Environmental Overlay District and those of any underlying district, the more-restrictive of the two provisions shall apply.

4. Permitted Uses. The development and/or use of any land will be permitted, subject to the provisions of this section, provided that the development or uses adhere to all the requirements of the underlying district.

5. Design and Performance Standards.

A. Conservation of Steeply Sloped Lands.

(1) No site disturbance shall be allowed on slopes exceeding 25%.

(2) Disturbance on slopes between 15% and 25% shall require the submission of a detailed site grading plan, which shall contain, at a minimum, the following information:

(a) Existing contours.

(b) Existing areas within the restricted development overlay district, as defined herein.

(c) The location of existing and proposed structures, including vehicular accesses.

(d) Proposed erosion and sedimentation control measures.

(e) Proposed limits of disturbance.

(f) A tabulation of the acreage of the area within the Environmental Overlay District which would be impacted by the proposed activity.

B. Conservation of Wetlands.

(1) Any portion of a property within a delineated wetlands area is not be altered, regraded, filled, piped, diverted, or built upon except in conformance with the regulations of the PA DEP and the U.S. Army Corps of Engineers.

(2) Any landowner proposing an activity requiring a federal or state permit shall obtain such permit before approval by the Township.

(3) All uses and activities shall minimize, to the extent possible, the destruction, degradation, or adverse impact on a wetland.

(4) Wells and septic systems shall not be located in wetland areas.

(5) Stormwater management facilities shall not be located in wetland areas unless the wetlands are used as part of the facility.

C. Conservation of Floodplain Areas.

(1) Any portion of a property within a designated floodplain area shall not be altered, regraded, filled, or built upon except only in strict compliance with the provisions of this chapter, the Township Floodplain Ordinance,[13] and with all other applicable Township ordinances.

D. Conservation of Stream Corridors.

(1) Stream corridors shall not be altered, regraded, filled, or used for any purpose, excluding agricultural land uses, except in conformance with this section.

(2) Stream corridors shall be comprised of and maintained at all times in an undisturbed vegetative buffer or filter strip to intercept sediment and pollutants from runoff occurring overland before they reach the stream, thereby protecting local water resources and the environment. Ordinary turf grass, mowed on a regular basis, shall not satisfy these filter strip requirements. The buffer shall consist of existing or new vegetation, or a combination thereof, in the following order of preference:

(a) Existing hedgerow, woodlot, brush and/or uncultivated fields which are naturally occurring along the stream.

(b) A combination of existing vegetation (such as above) and newly established vegetation.

[13]**Editor's Note: See Ch. 8, Floodplains.**

(c) A newly established area of trees, bushes and grasses, where no vegetation existed prior to development.

(3) Where it is necessary to cross a stream or watercourse with a street, access road or driveway, such crossing shall be perpendicular to the thread of the stream or waterway and shall minimize the disturbance to the vegetative filter strip. If any vegetation is proposed to be disturbed, the disturbed area must be replaced so that the resulting size of the vegetative filter strip remains the same.

(4) Where it is necessary to provide for livestock crossings of a stream or watercourse, farmers must obtain a permit issued by the Pennsylvania Department of Environmental Protection. Additionally, farmers are encouraged to work with the Adams County Conservation District to establish best management practices (BMPs) to protect the stream.

(5) Any changes in an existing stream or watercourse, stream channel or other drainageway must be approved by and a permit issued by the appropriate state and/or federal agency.

PART 4

GENERAL REGULATIONS

§ 27-401. Purpose.

The purpose of this Part is to provide additional requirements applicable to all uses in all zoning districts. These regulations are intended to supplement the district regulations contained in Part 3. Where the regulations of Part 4 conflict with those contained Part 3, the regulations of Part 4 shall apply. In all other instances of conflict, the more-restrictive regulation shall apply.

§ 27-402. Accessory Uses and Structures. [Amended by Ord. 2014-97, 12/12/2014; by Ord. 2016-105, 4/19/2016; and by Ord. 2017-112, 5/24/2017]

1. An accessory structure attached to a principal building is considered a part of the principal building for all regulatory purposes.

2. Accessory structures shall not be located in the front yard, unless permitted by this chapter as set forth in § 27-412 or permitted as an off-lot accessory building.

3. An accessory use or structure shall not be established or constructed on a lot without a principal use or structure, except as an off-lot accessory building.

4. Maximum Allowable Footprint.

   A. For residential properties, the sum of the building footprint of all accessory buildings shall not exceed following maximum allowable footprints based on the type of principal dwelling:

Principal Dwelling Type	Maximum Allowable Footprint of All Accessory Buildings
Single-story dwelling (ranch)	1 times the footprint of the principal dwelling less 1 square foot
Multistory dwelling	1.5 times the footprint of the principal dwelling

   B. Storage sheds 100 square feet or smaller are exempt from this section, but see § 27-403.

   C. For purposes of this subsection, the following examples are illustrative:

      Example 1: Principal dwelling type is a single-story ranch with a footprint measured as 1,200 square feet. Maximum allowable footprint of accessory buildings is calculated as follows:

1 x 1,200 sq. ft. - 1 sq. ft. = 1,199 square feet maximum allowable footprint for accessory buildings.

Example 2: Principal dwelling type is a two-story cape cod with a footprint measured as 1,200 square feet. Maximum allowable footprint of accessory buildings is calculated as follows:

1.5 x 1,200 sq. ft. = 1,800 square feet maximum allowable footprint for accessory buildings.

§ 27-403. Storage Sheds. [Amended by Ord. 2017-112, 5/24/2017]

1. Storage sheds shall not exceed 100 square feet in area or eight feet in height.

2. Storage sheds shall be located in a side or rear yard, unless permitted as an off-lot accessory building.

3. Storage sheds shall be at least five feet from side and rear property lines.

§ 27-404. Detached Garages and Other Accessory Buildings. [Amended by Ord. 2017-112, 5/24/2017]

1. These buildings shall be located in a side or rear yard, unless permitted as an off-lot accessory building.

2. A detached garage may be located in a front yard, provided that it is at least 75 feet from the road right-of-way.

3. These buildings shall be located at least 10 feet from side and rear property lines.

§ 27-405. Fences and Walls.

1. Fences and walls shall not obstruct clear sight triangles at intersections or otherwise obscure the view of vehicles on the roadway.

2. Any fence or wall may be located up to but not on a property line, easement or right-of-way.

3. On a lot used for residential purposes, any fence or wall located within a front yard shall not exceed four feet in height. A fence shall not exceed six feet in other locations.

4. On a lot used for agricultural purposes, a fence or wall used to contain animals shall not exceed 10 feet in any location. Fences and walls not used for animal containment shall comply with Subsection 3 above.

5. On a lot used for commercial or industrial purposes, any fence or wall located within a front yard shall not exceed six feet in height. A fence shall not exceed eight feet in height in other locations.

6. Taller fences may be permitted around tennis courts and where the applicant proves that such fence is required to protect the public safety around a specific hazard. In such instances, the fence shall meet minimum setback requirements for the underlying zoning district.

7. Barbed wire shall not be used in fences on a lot used for residential purposes. On commercial and industrial lots, a maximum of 3 strands of barbed wire may exceed the maximum fence height.

8. No fence or wall shall be constructed of fabric, junk, vehicles, drums, barrels, or similar items.

9. Retaining walls that are necessary to hold back slopes shall not be required to meet the above wall regulations. They shall comply with the following:

   A. Any retaining wall over eight feet in height shall be set back a minimum of 15 feet from the lot line of an existing dwelling.

   B. In a residential district, no retaining wall greater than three feet in height shall be permitted within a front setback area or within 10 feet of a side or rear property line in.

   C. Any railings or guards required by the PA UCC shall be installed.

§ 27-406. Swimming Pools.

1. A private swimming pool shall be located as follows:

   A. The pool and associated deck and walkway areas shall be set back at least 10 feet from side and rear lot lines.

   B. The pool shall be located in a side or rear yard.

   C. The pool may be located in a front yard, provided that it is at least 75 feet from the street right-of-way line.

2. A public swimming pool shall comply with the setback requirements of the zoning district or shall be set back at least 20 feet from property lines, whichever is greater.

3. When a swimming pool is a principal use, it shall be regulated as an outdoor recreation facility.

4. The pool shall be enclosed by a fence or barrier conforming to the requirements of the Pennsylvania Uniform Construction Code (UCC). In the event that the UCC is repealed or is otherwise not applicable, the fence shall conform to the current edition of the International Building Code or its successor code. A pool shall not be filled with water until the required fence is installed.

5. Water from the pool shall not be discharged across neighboring properties.

§ 27-407. Antennas.

1. Within residential and agricultural districts:

   A. All antennas shall be an accessory use to the permitted principal use. Any other antenna shall be regulated as a communication antenna or communication tower in accordance with this chapter.

   B. Antennas shall not exceed the maximum height of the zoning district.

   C. Antennas shall be attached to the principal structure or shall meet all minimum setback requirements if not attached to the principal structure.

2. Within commercial and industrial districts:

   A. All antennas shall be an accessory use to the permitted principal use. Any other antenna shall be regulated as a communication antenna or communication tower in accordance with this chapter.

   B. Antennas, including satellite dish antennas, mounted on a building shall not be higher than 10 feet above the highest point of the building.

   C. Freestanding antennas shall not exceed the maximum height of the zoning district. Any antenna that exceeds this height shall be regulated as a communication tower in accordance with this chapter.

   D. Antennas should be screened architecturally or with landscaping to the greatest extent possible.

§ 27-408. Keeping of Household Pets.

1. Pets may be kept as an accessory use to any residential use.

2. Only animals that are domesticated, customarily kept as pets within the local area, and compatible with residential character may be kept as pets. Examples of permitted pets include cats, dogs, rabbits, small birds, gerbils, lizards, and guinea pigs.

3. The following animals may not be kept as pets: deer, bears, wolves, wolf-dog hybrids, venomous snakes toxic to humans, and any animal defined as "exotic wildlife" by the Pennsylvania Game and Wildlife Code.

4. No more than six animals over six months of age may be kept as pets on any property.

5. Pets shall not be kept in a manner that creates a nuisance, including noise or odor, a health hazard, or a public safety hazard. All fecal matter shall be disposed of in a sanitary way.

6. All animal runs, cages, or enclosures shall be located in a rear yard and shall be at least 10 feet from a side or rear property line.

7. The Zoning Hearing Board, by granting of a special exception, may modify any keeping of pets requirements, provided that the applicant proves that the property where the animal(s) will be kept is rural and undeveloped and there will be no impacts to neighboring properties. The Zoning Hearing Board may attach any conditions necessary to ensure that impacts are not created.

§ 27-409. Outdoor Display and Sales Area.

1. Passenger vehicles, motorcycles, boats, recreational vehicles and similar items may be displayed outdoors.

   A. Items not exceeding 15 feet in width and 30 feet in length shall be set back 10 feet from all property lines and right-of-way lines.

   B. Items exceeding the above measurement shall be set back 20 feet from all property lines and right-of-way lines.

2. Outdoor display and sales areas for items other than those listed above shall comply with all setback regulations of the zoning district.

3. The above setbacks shall be maintained with a vegetative ground cover or landscaping.

4. No display or sales area may be located within the existing or future street right-of-way, a sidewalk or similar pedestrian area, an area used for required parking or loading, or a clear sight triangle.

§ 27-410. Outdoor Storage.

1. Recreational vehicles, boats, trailers, and trucks: no regulations.

2. Outdoor Stockpiling.

   A. In all zones, no outdoor stockpiling of any material is permitted within the front yard.

   B. In residential districts, the outdoor stockpiling of materials, other than firewood, for more than six months is prohibited. In agricultural districts, the outdoor stockpiling of materials, other than firewood, for more than six months is prohibited unless the use is a landscape operation as defined in § 27-203. **[Amended by Ord. 2012-86, 8/21/2012, § 3]**

   C. In commercial and industrial districts, outdoor stockpiling is permitted in side and rear yards but shall not be located in any required buffer yard.

3. Trash, Garbage, Refuse, and Junk.

   A. Unless otherwise authorized by this chapter, no outdoor accumulation of trash, garbage, refuse, or junk is permitted for a period exceeding 15 days.

   B. All trash dumpsters shall be screened from view with an opaque fence or wall.

4. Unlicensed Vehicles. Unlicensed vehicles are regulated by Chapter 10, Part 2, of the Oxford Township Code of Ordinance.

§ 27-411. Lot Area and Width Modifications.

1. The minimum lot area shall be increased to match any requirement imposed by the DEP as part of approval of a sewage facilities planning module.

2. In the A District, a lot may exceed the maximum lot area when required by the DEP as part of approval of a sewage facilities planning module. In such cases, the lot shall be no larger than that required by the DEP.

3. Subdivisions and land developments may create lots of common open space that do not meet minimum lot area and width requirements, provided that ownership and maintenance are adequately set forth in documents that are reviewed and approved by the Township Solicitor.

4. Flag lots shall be permitted only if no other reasonable method of providing access to a lot is available.

A. The flagpole or access strip shall be at least 25 feet wide for its entire length.

B. The flagpole shall make no more than two changes in direction, neither of which shall exceed 90°.

C. No structures other than small accessory structures may be placed within the flagpole. Examples include a mailbox, lightpost, or house numbers.

D. Required setbacks shall be provided in the main portion of the lot. The front setback shall be placed along the property line or lines that are closest to the street of access. Other setbacks shall be designated in relation to the front setback.

E. Flag lots shall not be adjacent to each other.

§ 27-412. Setback and Yard Modifications.

1. Corner Lots. For a corner lot, each yard that abuts a public street shall be considered a front yard and shall meet the requirements for front setbacks. The remaining sides of the lot shall be considered side yards with side setbacks.

2. Multiple Frontages. When a lot fronts on more than one street, a minimum front yard setback shall be provided for each street of frontage. Remaining yards and setbacks shall be provided in relation to the orientation of the building.

3. Bus Shelters. Bus shelters may be located within a required front yard, provided that they are located at least one foot behind the right-of-way line.

4. Reduced Front Setback. In built-up areas, the front setback may be reduced to the average depth of the front yards of all principal structures located within 200 feet of and on the same side of the street as the lot in question. In no case shall a structure be located within an existing right-of-way or within a right-of-way that would be required by the standards of the Subdivision and Land Development Ordinance.[14]

5. Single-Family Attached and Single-Family Semidetached Dwellings. The side yard setback for the portion of the dwelling with a common wall for single-family attached and single-family semidetached dwellings sharing at least one party wall is reduced to zero. All accessory uses and structures shall meet the applicable setback requirements for that use, structure and/or district in which it is located set forth in this chapter.

6. Projections into Setback Areas.

[14]**Editor's Note: See Ch. 22, Subdivision and Land Development.**

A. Cornices, eaves, roof overhangs, sills or other similar architectural features may project into the setback area a maximum of three feet.

B. Steps, stoops, fire escapes, handicapped ramps, and outside doors for basement access may project into a setback area, provided that they are at least two feet from property and right-of-way lines.

C. Stoops, patios, decks, porches, carports and similar features may not project into a setback area.

7. Unique and Irregularly Shaped Lots. All unique and irregularly shaped lots, including but not limited to wedge-shaped lots, shall maintain the following setbacks:

A. Front setback along all street frontages.

B. Rear setback opposite front setback.

C. Side setbacks along all abutting property lines.

§ 27-413. Height Modifications.

1. The maximum height limitations of this chapter shall not apply to the following:

A. Barns, silos, and similar agricultural buildings and structures that are accessory to a principal agricultural use.

B. Water towers.

C. Clock or bell towers.

D. Steeples and religious symbols attached to a house of worship.

E. Electrical transmission lines.

F. Elevator shafts, skylights, and chimneys.

G. Windmills.

H. Heating/ventilating/air conditioning equipment.

I. Industrial mechanical equipment areas that are not occupied by humans.

J. Other appurtenances usually required to be and customarily placed above the roof level and not intended for human occupancy.

§ 27-414. Frontage onto Improved Street.

Every principal structure hereafter placed or constructed shall be on a lot that directly abuts an existing public street, a street proposed for dedication to the Township by the subdivision plan that created the lot, or a private street meeting

the requirements of the Township Subdivision and Land Development Ordinance.[15] No newly placed or constructed structure shall front on an existing or proposed alley. When a lot has frontage on more than one street, principal access shall be from the street of lesser classification or the street that provides the safest ingress and egress.

§ 27-415. Clear Sight Triangles.

1. A clear sight triangle shall be located at each intersection. The clear sight triangle shall be created by measuring 100 feet along each street center line from the point where the center lines intersect.

2. Within the clear sight triangle, the area between three feet and 10 feet above grade shall be kept free of obstructions and plantings.

§ 27-416. Number of Principal Structures and Uses Per Lot.

1. A lot within a commercial or industrial district may include more than one permitted principal use per lot and/or more than one permitted principal structure per lot, provided that the most-restrictive requirements for each use or structure shall apply to the lot as a whole.

2. A lot within a residential or agricultural district shall not include more than one principal use or structure unless specifically permitted by this chapter.

§ 27-417. Minimum Habitable Floor Area.

1. Single-family detached, semidetached, and attached dwellings shall contain at least 700 square feet of habitable floor area.

2. All other dwellings shall contain at least 400 square feet of habitable floor area.

§ 27-418. Nonconformities.

1. Proof and Registration of Nonconformities. It shall be the responsibility of, with the burden of proof upon, a party asserting a nonconformity to provide the evidence that it is lawful. A property owner may request a written statement of nonconformity from the Zoning Officer after providing sufficient evidence of such nonconformity.

2. Continuation of Nonconformities.

   A. A lawful nonconforming use, structure or lot, as defined by this chapter, may be continued and may be sold and continued by new owners.

[15] **Editor's Note: See Ch. 22, Subdivision and Land Development.**

B. Any expansion of, construction upon or change in use of a nonconformity shall only occur in conformance with this section.

C. If an existing use, structure, or lot was not lawfully established, it shall not have any right to continue as a nonconformity.

3. Nonconforming Structures.

A. A nonconforming structure shall be permitted to be reconstructed or expanded, provided that:

(1) Such action will not increase the severity or amount of the nonconformity or create any new nonconformity.

(2) Any expanded area will comply with the applicable setbacks in that zoning district and other requirements of this chapter.

(3) In the case of a nonconforming structure which is used by a nonconforming use, any expansion shall also meet the requirements of this section regarding nonconforming uses.

B. As a special exception, the Zoning Hearing Board may approve a reduction of up to 50% in a side or rear setback for an existing dwelling if the applicant proves such setback is necessary to allow a customary addition of such dwelling or a replacement of an existing undersized dwelling with a new dwelling. This subsection shall not allow a reduction in setback to increase the number of dwelling units on the lot.

4. Nonconforming Lots.

A. Where a vacant nonconforming lot is under the same ownership as an adjacent lot or lots, the lots shall be combined or re-subdivided to create a lot or lots that conform to the dimensional requirements of this chapter or that have the smallest amount of dimensional nonconformity possible.

B. A vacant nonconforming lot which cannot be made more conforming as described above may be constructed upon, provided that all of the following additional requirements are met:

(1) Minimum setback requirements shall be met.

(2) If an on-lot septic system or well is used, the requirements for such shall be met. In no case shall a lot using an on-lot septic system be less than 80,000 square feet in area.

C. A nonconforming lot with a principal building or use may be constructed upon in any fashion or have its use changed, provided

that all applicable sections of this chapter are met, other than the original nonconforming aspect of the lot.

5. Expansion of a Nonconforming Nonresidential Use. A nonconforming use or a building used by a nonconforming use shall not be expanded, except in accordance with the following provisions:

   A. An expansion of more than 5% in total building floor area shall require special exception approval from the Zoning Hearing Board.

   B. Such reconstruction or expansion shall be only upon the same lot that the nonconforming use was located upon at the time the use became nonconforming.

   C. The total building floor area used by a nonconforming use or the total land area covered by the nonconforming use, whichever is more restrictive, shall not be increased by more than 50% beyond what existed in the nonconforming use at the time the use first became nonconforming. This maximum increase shall be measured in aggregate over the entire life of the nonconformity. All expansions of the nonconforming use and/or building(s) that occurred since the use originally became nonconforming shall count towards the maximum increase.

   D. Any expansion of a nonconforming use shall meet the required setbacks and other requirements of this chapter, unless the Zoning Hearing Board grants a variance.

6. Expansion of a Nonconforming Residential Use. An existing nonconforming residential use may be expanded by right, provided that:

   A. The number of dwelling units or rooming house units are not increased.

   B. The expansion meets all applicable setbacks.

   C. No new types of nonconformities are created.

   D. A nonconformity is not made more severe.

7. Nonconforming Signs. The provisions of this chapter shall not provide a right to expand or extend a nonconforming sign. Instead, any expansions or extensions of a nonconforming sign shall comply with this chapter.

8. Damaged or Destroyed Nonconformities. A nonconforming structure or nonconforming use that has been destroyed or damaged may be rebuilt in a nonconforming fashion only if:

   A. The application for a zoning permit is submitted within six months after the date of damage or destruction.

B. Work begins in earnest within six months after the zoning permit is issued and continues without undue delay until finished.

C. No nonconformity may be newly created or increased by any reconstruction. The property shall be properly secured during such time in such a way to keep out trespassers and to avoid harm to neighboring properties.

9. Abandonment of a Nonconformity.

A. If a nonconforming use of a building or land is discontinued, razed, removed or abandoned for 12 or more months, subsequent use of such building or land shall conform with the regulations of the district in which it is located, except as provided for in § 27-1311H.[16]

B. The applicant shall be responsible to provide clear and convincing evidence that the nonconformity was not abandoned.

C. An existing lawful separate dwelling unit may be unrented for any period of time without being considered "abandoned" by this section.

10. Changes from One Nonconforming Use to Another.

A. Once changed to a conforming use, a structure or land shall not revert to a nonconforming use.

B. A nonconforming use may be changed to a different nonconforming use only if approved as a special exception by the Zoning Hearing Board. However, special exception approval is not needed for a simple change within an existing building from one lawful nonconforming retail store use to another retail store use or from one lawful nonconforming personal service use to another personal service use, provided that the new use complies with any Zoning Hearing Board conditions that applied to the previous use and is not more objectionable in external effects than the previous use.

C. Where special exception approval is required for a change of a nonconforming use, the Board shall determine whether the applicant has provided sufficient proof to show that the proposed new use will be equal or less objectionable in external effects than the preexisting nonconforming use with regard to:

(1) Traffic safety and generation (especially truck traffic).

(2) Noise, dust, fumes, vapors, gases, odor, glare, vibration, fire, hazardous substances, and explosive hazards.

(3) Amount and character of outdoor storage.

[16]**Editor's Note: Reference from original text.**

(4) Hours of operation if the use would be close to dwellings.

(5) Compatibility with the character of the surrounding area.

D. A nonconforming use shall not be changed to a nonconforming adult use.

11. District Changes. Any uses, structures or lots that become nonconforming because of a zoning district change shall be regulated under this section on nonconformities.

§ 27-419. Landscaping, Buffer Yards, and Screening.

1. Ground Cover. Any part of a site which is not used for structures, parking or loading spaces and aisles, driveways or access drives, sidewalks, and designated storage areas shall be planted with an all-season well-maintained vegetative ground cover. The landscaped area shall be kept free from trash, rubbish, and noxious weeds.

2. Buffer Yards.

A. When a lot used for residential purposes has a rear yard abutting a street or road, a ten-foot-wide buffer yard shall be provided.

B. Wherever a new or expanded nonresidential use other than agriculture abuts an existing residentially used property or a property zoned for residential uses, a buffer yard shall be provided.

(1) The buffer yard shall be a minimum of 30 feet in width.

(2) The buffer yard shall be increased to a minimum of 50 feet where a building exceeds 100,000 square feet of gross floor area.

(3) The buffer yard shall be increased to a minimum of 70 feet along any side of a building where a loading dock is proposed.

(4) For existing nonresidential uses that are expanding, the buffer yard shall only be required for areas of the lot with new uses or structures.

C. A buffer yard may overlap with a required setback, provided that the greater width of the two is maintained.

D. The width of a buffer yard shall be measured from the right-of-way line, property line, or zoning district boundary line, whichever is applicable.

E. The buffer yard shall be comprised entirely of landscaping and screening. The only permitted structures are fences used for screening purposes.

3. Screening. Every buffer yard shall be provided with landscaping that visually screens the use from adjacent properties.

A. The screen shall principally contain evergreen trees with a minimum height at planting of four feet. The trees shall be able to produce a mostly solid year-round visual screen of six feet in height within three years. The trees shall be planted in a staggered or offset fashion to allow for future growth.

B. Arborvitae shall not be used for screening.

C. Any screen with more than 20 trees shall contain a mixture of species interspersed throughout the screen.

D. The screen shall contain one deciduous tree for each 75 feet of length of the screen.

E. A fence or sections of fence may be used within the screen; however, the fence shall only provide supplementary screening. Principal screening shall be provided by landscaping. Any fence used for screening shall be placed toward the interior of the nonresidential lot and may not directly abut the street right-of-way.

F. A fence or wall in excess of the maximum height for fences and walls permitted by this chapter may be permitted by the Board of Supervisors when approving a land development plan, provided that the fence or wall meets the setbacks required by the zoning district.

G. An earthen berm may be used within the screen to provide additional screening.

§ 27-420. Occupation of a Recreational Vehicle (RV).

1. A recreational vehicle, camping trailer or travel trailer or the like shall not be inhabited for more than seven consecutive days except as may be specifically approved otherwise within a campground.

2. No inhabited recreational vehicle, camping trailer or travel trailer or the like shall be parked within a public right-of-way.

3. The inhabitants of any occupied recreational vehicle, camping trailer or travel trailer or the like, as permitted in this section, shall be limited to the out-of-town guests or visitors to the residents of the property on which the vehicle is parked.

PART 5

SPECIFIC REGULATIONS

§ 27-501. Purpose.

The purpose of this Part is to provide additional requirements applicable to specific uses permitted in the various zoning districts. These regulations are intended to supplement the district regulations contained in Part 3. Where the regulations of Part 5 conflict with those in other parts of this chapter, the regulations of Part 5 shall apply.

§ 27-502. Additional Requirements.

In addition to the specific standards set forth in this Part, all other standards of this chapter must be met prior to approval of any use.

§ 27-503. Adult Facility.

Where permitted, this use is subject to the following:

1. An adult facility shall not be located within 500 feet of the lot line of any lot containing a residential use or a zoning district that permits residential uses.

2. An adult facility shall not be located within 1,000 feet of the lot line of any lot containing a church, school, library, park, playground, day-care center, or any other adult facility.

3. Any building or structure used and occupied as an adult facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film or services are exhibited or displayed; and no sale materials, merchandise, film or other offered items of service shall be visible from outside the building or structure.

4. No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film or service offered therein.

5. Every entrance to the structure shall be posted with a notice that the use is an adult facility and that persons under the age of 18 are not permitted to enter and warning all others that they may be offended upon entry.

6. No unlawful sexual activity or conduct shall be performed or permitted.

7. No adult use may change to another adult use, except upon approval of an additional conditional use by the Board of Supervisors.

§ 27-504. Agriculture and/or Farms.

All agricultural uses and farms involving the breeding, raising, or keeping of animals shall comply with the following:

1. In all districts, the minimum lot size shall be 10 acres.

2. Barns and other structures used for animal shelter shall be located:

   A. At least 100 feet from any property line or right-of-way line.

   B. At least 100 feet from any perennial stream, creek, river, spring, lake, pond, or reservoir and be located outside of any floodplain.

   C. At least 100 feet from an active public water supply drinking well or an active intake for a public water supply.

3. Feed stations, cribs, sheds, and similar agricultural accessory buildings shall be located at least 50 feet from any property line.

4. Manure storage areas shall meet the setback requirement of the Nutrient Management Act or, if not regulated by this act, be set back 100 feet from property lines.

5. In a district other than the A District, no new agricultural buildings shall be constructed which, by their size and nature, will inhibit future nonagricultural development.

6. Fencing shall be used as necessary to prevent animals from entering streets and unauthorized property.

7. Fencing for animal containment and property delineation may be located up to, but not on, a property line, provided that it is no taller than six feet. Any fencing greater than six feet in height shall be a minimum of 10 feet from any property line or right-of-way line.

8. New or expanded livestock or poultry operations shall provide evidence of compliance with the Nutrient Management Act and related regulations, erosion and sedimentation control regulations, and all other state and federal regulations.

§ 27-505. Agricultural and Heavy Equipment Sales and Service.

No unenclosed storage of parts, supplies, trash, or machinery that, because of age or condition, is inoperable shall be permitted. Storage of such items shall be either within a building or in an area at the side or rear of the principal building enclosed by a six-foot-high fence and screened from adjoining properties.

§ 27-506. Airport, Heliport.

Where permitted, this use is subject to the following:

1. All federal and state operational and safety requirements shall be met.

2. The minimum lot area is 30 acres.

3. The approach area to any of the proposed runways or landing strips shall not be located within 2,500 feet of the residential or village districts, including residential districts within adjacent municipalities.

4. Any building, hanger or structure shall be located a sufficient distance away from the landing strip in accordance with the recommendations of all applicable federal and/or state laws.

5. The applicant shall furnish evidence of the obtainment of a license from all applicable federal and/or state agencies to the Township prior to occupancy approval by the Township.

§ 27-507. Animal Hospital or Veterinary Clinic.

Where permitted, this use is subject to the following:

1. The primary use shall be the medical attention and professional care of animals, with incidental boarding only of animals receiving treatment.

2. All animal boarding buildings that are not completely enclosed and any outdoor animal pens, stalls or runways shall be located within the rear yard and screened from adjoining properties and shall be a minimum of 100 feet from all property lines.

3. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of animals. All such enclosures shall be set back a minimum of 10 feet from all property lines.

4. Accumulation and storage of manure or other odor-producing substances shall not be permitted in the Commercial District.

5. The applicant shall demonstrate proof of an approved means of disposal of all solid, medical and hazardous waste.

§ 27-508. Bed-and-Breakfast Inn.

Where permitted, this use is subject to the following:

1. The operations shall be conducted so as to be clearly incidental and accessory to the primary use of the site as a single-family detached dwelling.

2. In the C and I Districts, a bed-and-breakfast inn shall only be conducted in a dwelling existing on the date this chapter was first enacted.

3. There shall be a maximum of four guest rooms permitted in the RM District.

4. There shall be a maximum of six guest rooms permitted in the A, RL, C, and I Districts.

5. No external modification of the building which would alter the residential character is permitted, except for permitted signs and the provision of required life safety features, such as fire escapes.

6. The use must comply with local regulations, including but not limited to fire, health and building codes.

7. Meals shall be offered only to registered overnight guests.

8. One off-street parking space shall be provided for each guest room in addition to those required for the dwelling unit.

9. Either public water and public sewer approved by the PA DEP must be utilized or else satisfactory evidence must be submitted to assure that the new or existing on-site system is capable of adequately serving the proposed use or additional units.

§ 27-509. Campground.

Where permitted, this use is subject to the following:

1. The minimum lot area is 10 acres.

2. All campsites shall be located at least 100 feet from any property line.

3. Each campsite shall be at least 500 square feet in area and shall provide parking space for one automobile which will not interfere with movement of traffic or provide equivalent parking in a common parking area.

4. There shall be a maximum of 15 campsites per acre of lot area in any campground.

5. An internal road system shall be provided. The pavement width for the access drive entranceway shall be at least 24 feet. The pavement width for internal drives shall be a minimum of 16 feet. All internal drives must be improved to a mud-free, dust-free condition.

6. All outdoor play areas shall be set back at least 100 feet from any property line and screened from adjoining properties.

7. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

8. If the nature of the campground is such that it will generate a high volume of vehicular traffic, then access should be via a street designed to handle such volume.

9. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of 100 feet from any property line.

10. Any accessory retail or service commercial uses shall be set back at least 100 feet from any property line. Such accessory commercial uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for such uses shall have vehicular access from the campground's internal road rather than the public street.

11. A site manager shall be available on the site at all times.

12. The campground must comply with all applicable state and local laws and regulations.

13. Either public water and public sewer approved by the PA DEP must be utilized or else satisfactory evidence must be submitted to assure that the new or existing on-site system is capable of adequately serving the proposed use or additional units.

§ 27-510. Cemetery.

Where permitted, this use is subject to the following:

1. All burial plots or facilities shall be located at least 100 feet from all property or street lines.

2. The applicant must demonstrate that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.

3. No burial plots or facilities are permitted within the Environmental Overlay District.

4. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

5. Pet cemeteries must meet all of the above applicable requirements.

§ 27-511. Club Room, Club Grounds, Meeting Hall.

Where permitted, this use is subject to the following:

1. All outdoor recreation/activity areas shall be set back at least 50 feet from any property line.

2. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

3. Parking areas must be set back at least 50 feet from any adjoining agricultural use or residential use or district.

4. Either public water and public sewer approved by the PA DEP must be utilized or else satisfactory evidence must be submitted to assure that the new or existing on-site system is capable of adequately serving the proposed use or additional units.

§ 27-512. Communication Antennas Mounted on an Existing Structure.

Where permitted, this use is subject to the following:

1. Communications antennas mounted on an existing structure shall not protrude above the top of the structure more than 10 feet.

2. The applicant shall furnish verification from an independent structural engineer registered in Pennsylvania that the existing structure can withstand the additional weight and loads created by the antennas.

3. Any accessory building or structure shall not be larger than what is absolutely necessary to house the equipment necessary to permit the communication tower to operate as intended. All accessory buildings and structures shall be grouped together in as small an area as possible and shall meet the minimum setback requirements of the underlying zoning district.

4. A landscape screen shall be provided around all fencing and accessory buildings and structures to shield them from public views and adjoining properties. The screen shall consist of evergreen trees that are a minimum of six feet tall at time of planting. This landscape screen may be omitted if the accessory buildings are shielded from view from all directions by existing structures.

§ 27-513. Communication Tower.

Where permitted, this use is subject to the following:

1. The applicant shall demonstrate, using technological evidence, that the communication tower must be located where it is proposed in order to satisfy the communication need or gap in the existing communication network.

2. The applicant shall demonstrate that it has contacted owners of tall structures within a one-fourth-mile radius from the proposed site, requested permission to install its antenna (or other transmission and receiving device) on those structures and was denied permission for reasons other than economic ones. Tall structures include but are not limited to smokestacks, water towers, tall buildings, utility transmission poles, and all other communication towers.

3. No communication tower shall be allowed within a one-mile radius of another communication tower.

4. Access shall be provided to the communication tower and its accessory structures by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet with a dust-free, all-weather surface for its entire length.

5. All communication towers must be designed to allow at least three additional antenna structures to be located on them, including but not limited to those of other communication companies and emergency services.

6. All communications towers and their associated assemblies and structures must meet the American National Standards Institute, Electrical Industry Association, Telecommunications Industry Association steel tower specifications requirements. An independent structural engineer registered in Pennsylvania shall attest to the proposed tower's ability to meet these requirements and certify proper construction of the foundation and erection of the tower, including the ability to carry multiple communications antennae.

7. Communication towers shall be set back from all inhabited structures, electrical transmission lines, and property lines a distance equal to the height of the communication tower. The Zoning Hearing Board may allow the setback from adjacent property lines to be reduced, provided that the applicant provides the Township with proof that an easement(s) satisfactory to the Township has (have) been obtained from landowner(s) of all lands located within the tower setback area. Such easement(s) shall prohibit erection of any structures or electrical transmission lines and shall provide that the owner of the tower shall assume all liability for any damage or injury to person or property attributable to the communication tower within the easement area.

8. All communication towers shall be secured at the property boundary or at the communication tower base, including any support structures, with a chain-link fence which shall be at least six feet in height with three strands of barbed wire on the top of the fence. In addition to boundary security, all communication towers shall have an integral security platform or other means to prevent unauthorized climbing of the communication tower.

9. Any accessory building or structure shall not be larger than what is absolutely necessary to house the equipment necessary to permit the communication tower to operate as intended. All accessory buildings and structures shall be grouped around the base of the communication tower in as small an area as possible and shall meet all minimum setback requirements of the zoning district in which they are located.

10. A landscape screen shall be provided around all fencing and accessory buildings and structures to shield them from public views and adjoining properties. The screen shall consist of evergreen trees that are a minimum of six feet tall at time of planting. This landscape screen may be omitted if the accessory buildings are shielded from view from all directions by existing structures.

11. All communication tower owners will provide the Township with a statement that the emission of radio waves emanating from the tower will neither cause harm to an individual by its operation nor cause measurable radio interference to the reception or operation of AM radios, TV and FM reception, car or cellular or portable phones, heart pacemakers, garage door openers, remote-control units for models, and other radio-dependent devices in general use within the Township and that it is in compliance with all FCC regulations.

12. If measurable radio interference does result from the installation and use of the communication tower, the owner of the communication facility will be required to cease operation immediately until the problem is corrected or, if the problem is not correctable, to abandon operation entirely and dismantle the tower.

13. The owner of any communication tower will be required to routinely submit to the Township proof of an annual inspection and communication tower maintenance program. Any structural faults thus noted will be immediately corrected by the owner. Failure to provide proof of certified inspection will result in notification to the owner to cease operation and dismantle the communication tower.

14. The communication tower owner is required to notify the Township immediately upon cessation or abandonment of the operation. The communication tower owner shall then have 90 days in which to dismantle and remove the communication tower from the property. The tower owner shall provide financial security in a form and amount acceptable to the Township to secure the expense of dismantling and removing the tower.

15. In addition to the above standards, all other performance standards applicable to the zoning district in which the communication tower is to be located shall apply to the communication tower and any associated support facilities or structures. This shall require that all applicable plans shall be submitted to the Township for review and approval with a development application for the communication tower.

16. The owner of the communication tower shall be required to provide a certificate of insurance to the Township providing evidence of liability insurance of not less than $1,000,000 and naming the Township as an additional insured on the policy or policies of the owner and/or lessee.

§ 27-514. Continuing-Care Retirement Community.

Where permitted, this use is subject to the following:

1. Minimum total lot area: 10 acres.

2. Maximum impervious coverage: 50% of lot area.

3. Water and sewer facilities shall be public systems or approved private systems. No individual on-site systems shall be approved for retirement communities.

4. The maximum number of dwelling units in a group of attached, row, or townhouse dwellings shall be eight.

5. No attached, row or townhouse unit buildings shall exceed 180 feet in length.

6. Separating each dwelling unit in either attached, row or townhouse units shall be an eight-inch masonry fire wall extending from the footing to the roof.

7. The length of multiple-dwelling buildings or apartment buildings shall not be limited; however, for multiple dwellings or apartment units, there shall be no architecturally unbroken building face of more than 180 linear feet. A building face shall be considered architecturally broken if there is a deflection in the building axis of at least 30° or, where there is no deflection in the building axis of at least 30°, an integral architectural feature of the building projects from the building face a minimum of six feet for a minimum distance of 10 feet along the building face. Such architectural feature shall extend the entire height of the building included within stories.

8. One and one-half parking spaces shall be provided for each dwelling unit for single-family detached, semidetached, row or townhouse type units.

9. One and one-fourth parking spaces shall be provided for each dwelling unit for multiple dwellings or apartment units.

10. One space for each employee and staff member on the largest shift plus one space for each four beds shall be provided for nursing homes, personal-care facilities and other care facilities.

11. For the purpose of determining building setbacks in regard to a side or rear lot line for a continuing-care retirement community, a side or rear lot line shall be defined as the boundary between properties controlled or owned by the continuing-care retirement community and contiguous properties not

owned or controlled by the continuing-care retirement community. Minimum building setback lines for all buildings within a continuing-care retirement community shall conform to the following:

A. From public street right-of-way lines:

(1) Twenty-five feet from the right-of-way line on minor streets.

(2) Thirty feet from the right-of-way line on collector streets.

(3) Fifty feet from the right-of-way line on arterial streets and roads.

(4) Where an existing building setback line is established on at least 50% of the properties in a block in which the proposed development is located, or within 200 feet immediately adjacent to the proposed development, the above minimum setbacks may be increased or decreased in order to conform with such established line.

(5) Multiple-story buildings shall be set back one times the height of the building, but not less than 30 feet for minor and collector streets and 50 feet for arterial streets.

B. From exterior side or rear lot lines, where the adjoining use is other than residential:

(1) All side and/or rear setbacks shall be not less than 25 feet for residential uses; except for multistory buildings over two stories in height, which shall be set back not less than one times the height of the building or not less than 30 feet, whichever is greater.

(2) All side and/or rear setbacks for uses other than residential shall be set back not less than 15 feet; except for multistory buildings over two stories in height, which shall be set back not less than one times the height of the building or not less than 30 feet, whichever is greater.

C. From exterior side or rear lot lines where the adjoining use is residential:

(1) All side and/or rear setbacks shall be not less than 25 feet for residential uses; except for multistory buildings over two stories in height, which shall be set back not less than one times the height of the building or not less than 30 feet, whichever is greater.

(2) All side yard setbacks for uses other than residential shall be not less than 25 feet; except for multistory buildings over two

stories in height, which shall be set back not less than one times the height of the building or not less than 30 feet, whichever is greater.

(3) All rear yard setbacks for uses other than residential shall be not less than 50 feet.

12. The minimum distance between a single-family detached dwelling or a semidetached dwelling and a separate single-family detached dwelling or semidetached dwelling within the interior of the community shall not be less than 20 feet.

13. The minimum distance between attached, row or townhouse buildings within the interior of the community shall not be less than 25 feet.

14. The minimum distance between multiple-dwelling or apartment unit buildings within the interior of the community shall be equal to two times the height of the highest building but not less than 60 feet. The minimum distance between multiple-dwelling or apartment unit buildings and single-family detached, semidetached, attached, row or townhouse units shall not be less than 60 feet.

15. Recreation areas or conservation of natural feature areas shall be provided for each phase of residential development of a continuing-care retirement community according to the following:

A. An area of the continuing-care retirement community shall be permanently set aside for noncommercial, common open space purposes, such as recreation or conservation of natural features. These noncommercial open space areas shall be suitable for the designated purpose and shall contain no structure or parking facility except as related to and incidental to open space use.

B. The size of the area to be provided for such use shall be determined in accordance with § 22-407, Subsection 7A(5),[17] of this Part, titled "Multiple Dwellings or Apartment Units."

16. If no alternative walk system is designed, sidewalks may be required on each side of a continuing-care retirement community access drive. If an alternative walk system is designed for pedestrian circulation to community facilities, recreation, or natural feature areas, sidewalks shall not be required along said access drives unless said sidewalks are proven necessary for public safety. Sidewalks along access drives or alternative walk systems shall have concrete or bituminous surfacing.

17. Privately owned and maintained access drives within a continuing-care retirement community tract shall conform to the design standards for minor streets as stated in § 22-403, except that the following shall apply:

[17]**Editor's Note: Reference as in original.**

A. The minimum cartway width for one lane of traffic which is used solely for access to nonresidential service facilities shall be 12 feet; provided, however, that if said cartway extends for over 100 feet, a sufficient turnaround shall be provided.

B. Ninety-degree parking areas shall be permitted outside of but immediately adjacent to access drives. Each parking space shall provide at least 200 square feet of space, exclusive of access drives.

C. The minimum center-line radius of the cartway for an access drive curve shall be 75 feet.

D. The cross section of access drives shall be constructed according to § 22-502, Subsection A(1),[18] except that the subgrade and cartway surface may be sloped for positive drainage through a cross slope, a crowned section, or a reverse crowned section.

E. Access drives shall be located in safe relationship to buildings to provide adequate sight distance within the tract interior.

F. Curbing and gutters shall not be required in a continuing-care retirement community except to conform to the following:

(1) Pennsylvania Department of Transportation standards where access drives intersect state roads.

(2) Curbing shall be provided from where access drives intersect public street cartways back to the street right-of-way line.

(3) Curbing shall be provided where necessary for stormwater management.

G. Curbs to be constructed within the Township shall conform to § 22-503, Subsection 5, of this chapter.[19]

§ 27-515. Crematorium.

Where permitted, this use is subject to the following:

1. The unit must be located so as not to create a fire hazard, to be in a well-ventilated area and to be secured when not in use.

2. The building must be located at least 300 feet from any adjoining property lines.

3. The facility must comply with all applicable state and local laws and regulations, including but not limited to water systems, sewage disposal systems and solid waste disposal systems.

[18] **Editor's Note: Reference as in original.**
[19] **Editor's Note: Reference as in original.**

§ 27-516. Drive-In or Drive-Through Business.

Where permitted, this use is subject to the following:

1. The property shall front on a road that is designed to handle the volume of traffic that the use will generate.

2. Drive-through windows shall be located on the side or rear of buildings.

3. All drive-in and drive-through lanes shall be separated from the parking lot's passageways and interior access drives providing access to parking spaces.

4. Any structure associated with the drive-through business, such as a canopy, menu board, or exterior speaker/microphone system, shall meet the minimum setback regulations of the underlying district and shall be arranged and/or screened to prevent objectionable noise and visual impact on adjoining properties.

5. All exterior seating/play areas shall be screened and buffered.

6. On-site stacking lanes shall accommodate eight vehicles within the property lines, shall be situated to prevent vehicle backups onto adjoining roads, shall not block access to on-site parking and loading spaces, and shall not block pedestrian routes through and within the parking lot.

§ 27-517. Family Child-Care Home.

Where permitted, this use is subject to the following:

1. Facility operators shall be responsible for meeting all state and federal licensing and registration requirements and shall provide proof of compliance. Operators shall provide copies of all certificates and licenses to the Township.

2. Outdoor play areas shall be provided and shall be sufficiently enclosed to provide for the health and safety of the children.

3. The facility shall be conducted so as to be clearly incidental and accessory to the primary use of the property as a single-family detached dwelling.

4. Either public water and public sewer approved by the PA DEP must be utilized or else satisfactory evidence must be submitted to assure that the new or existing on-site system is capable of adequately serving the proposed use or additional units.

§ 27-518. Family Farm Support Business.

Where permitted, this use is subject to the following:

1. Family farm support businesses shall only be conducted on a farm of 10 acres or greater.

2. Family farm support businesses may involve any one of a wide range of uses, so long as it remains secondary to and compatible with the active farm use. Examples of acceptable family farm support businesses include but are not limited to welding shop, machine shop, lawn furniture manufacturing, custom butchering, quilt making, and farm machinery repair. The farm occupation shall not involve an adult use or junkyard.

3. Retail sales shall be limited to incidental sales of products that are manufactured, assembled, or created by the business on the property.

4. No more than the equivalent of two full-time nonresidents shall be employed by the family farm support business, and at least one owner of the business must reside on the site.

5. The use must be conducted within a completely enclosed building. Where practicable, the use shall be conducted within an existing farm building. However, any new building constructed for use by the farm occupation shall be located behind the farm's principal buildings or must be no less than 100 feet from any adjoining road right-of-way or property line.

6. All parking, loading, and outdoor storage areas shall be screened from adjoining roads and properties. Outdoor storage must be located behind the building containing the farm occupation.

7. Any new building constructed for use by the business shall be of a design so that it can be readily converted to agricultural use or removed if the business is discontinued.

8. All portions of the family farm support business, including outdoor storage and parking, shall be set back 100 feet from all property lines and 300 feet from land within the RL, RM, or RH Zoning District.

9. The business shall occupy no more than 4,000 square feet of gross floor area and no more than one acre of lot area. Any access drive serving both the business and the farm shall not be calculated as land serving the business.

10. Signs shall be permitted in accordance with Part 6.

§ 27-519. Farm Produce Stand.

Where permitted, this use is subject to the following:

1. At least 75% of the products sold must have been produced on the same property where offered for sale or on other lands owned or leased in the Commonwealth of Pennsylvania by the same owner or lessee of the property.

2. There shall not be more than one roadside stand on any one lot.

3. A building may be erected, provided that it does not exceed 400 square feet in floor area.

4. A farm produce stand may be located in any yard area, provided that it is at least 10 feet from the street right-of-way and property lines.

5. The stand shall be accessed from a driveway that meets the standards of this chapter.

6. Parking meeting the standards of this chapter is required, except that paving shall not be required.

§ 27-520. Forestry.

Forestry activities, including timber harvesting, shall be a permitted use by right in all zoning districts, subject to the following regulations:

1. There shall be no minimum lot area required to conduct forestry activities. Any lot subdivided exclusively for cultivating and selling trees for commercial purposes shall be considered an agricultural operation (silviculture) and shall therefore meet the applicable provisions for agriculture and/or farms in § 27-504.

2. As used in this section, the following terms shall have the meanings given below:

   FELLING — The act of cutting a standing tree so that it falls to the ground.

   FORESTRY — The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

   LANDING — A place where logs, pulpwood, or firewood are assembled for transportation to processing facilities.

   LANDOWNER — An individual, partnership, company, firm, association, or corporation that is in actual control of forestland, whether such control is based on legal or equitable title or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner, and any agents thereof acting on their behalf, such as forestry consultants, who set up and administer timber harvesting.

   LOP — To cut tops and slash into smaller pieces to allow the material to settle close to the ground.

   OPERATOR — An individual, partnership, company, firm, association, or corporation engaged in timber harvesting, including the agents, subcontractors, and employees thereof.

PRECOMMERCIAL TIMBER STAND IMPROVEMENT — A forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does not yield a net income to the landowner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.

SKIDDING — Dragging trees on the ground from the stump to the landing by any means.

SLASH — Woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

STAND — Any area of forest vegetation whose site conditions, past history, and current species composition are sufficiently uniform to be managed as a unit.

TIMBER HARVESTING, TREE HARVESTING, OR LOGGING — That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

TOP — The upper portion of a felled tree that is unmerchantable because of small size, taper, or defect.

3. For all timber harvesting operations, the landowner shall notify the Township Zoning Officer at least three business days before the operation commences and within three business days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date of the operation.

4. Every landowner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified by this chapter. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Township Zoning Officer upon request. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

5. As a minimum, the logging plan shall include the following:

   A. Design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landings.

B. Design, construction, and maintenance of water-control measures and structures, such as culverts, broad-based dips, filter strips, and water bars.

C. Design, construction, and maintenance of stream and wetland crossings.

D. The general location of the proposed operation in relation to municipal and state highways, including any accesses to those highways.

E. Each logging plan shall include a sketch map or drawing containing the following information:

(1) Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within that property.

(2) Significant topographic features related to potential environmental problems.

(3) Location of all earth-disturbance activities, such as roads, landings, and water-control measures and structures.

(4) Location of all crossings of waters of the commonwealth.

(5) The general location of the proposed operation to municipal and state highways, including any accesses to those highways.

6. The logging plan shall address and comply with the requirements of all applicable state laws and regulations, including but not limited to the following:

A. Erosion and sedimentation control regulations contained in 25 Pa. Code, Chapter 102, promulgated pursuant to the Clean Streams Law (35 P.S. § 691.1 et seq.);

B. Stream crossing and wetlands protection regulations contained in 25 Pa. Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. § 693.1 et seq.).

7. Any permits required by state laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of 25 Pa. Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map required above, provided that all information required is included or attached.

8. The following requirements shall apply to all timber harvesting operations in the Township:

A. Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.

B. No tops or slash shall be left within 25 feet of any public thoroughfare or private roadway providing access to adjoining residential property.

C. All tops and slash between 25 and 50 feet from a public roadway or private roadway providing access to adjoining residential property or within 50 feet of adjoining residential property shall be lopped to a maximum height of four feet above the surface of the ground.

D. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.

E. All trash and garbage resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.

9. Pursuant to Title 75, Pennsylvania Consolidated Statutes, Chapter 49, and Title 67, Pennsylvania Code, Chapter 189, the landowner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic and may be required to furnish a bond to guarantee the repair of such damages.

10. The Township Zoning Officer may go upon the site of any timber harvesting operation before, during, or after active logging to:

A. Review the logging plan or any other required documents for compliance with Subsections 1 through 8; and

B. Inspect the operation for compliance with the logging plan and other on-site requirements of these regulations.

§ 27-521. Golf Course.

Where permitted, golf courses shall be subject to the following:

1. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, access drive, or driveway.

2. Golf paths shall be graded so as to discharge stormwater runoff. Surface conditions of paths shall be adequately protected from an exposed soil condition. The golf course design shall minimize golf crossings of streets, access drives and driveways. Easily identifiable golf paths must be provided for crossing of streets, access drives or driveways. The golf course design shall both discourage random crossing and require use of golf path crossings

of streets, access drives and driveways. Golf path crossings shall conform with the following:

A. Each crossing shall be perpendicular to the traffic movement.

B. Only one street, access drive or driveway may be crossed at each location.

C. The crossing must be provided with a clear sight triangle and proper sight distance as required of street intersections by the Township Subdivision and Land Development Ordinance.[20]

D. The golf cart path shall not exceed a slope of 8% within 25 feet of the cartway crossing.

E. Golf path crossings shall be signed warning motorists and pedestrians and golfers. The surface of the golf path shall be brightly painted with angle strips.

F. Golf path crossings on collector or arterial streets shall consist of a tunnel that is located below street grade. The golf course design shall both prohibit on-grade crossing of collector or arterial streets and require the use of a tunnel. The construction of the collector or arterial roadway tunnel shall comply with PennDOT standards.

3. All golf course buildings shall be set back 75 feet from any adjoining road rights-of-way and 100 feet from any side or rear property lines.

4. Golf courses may include the following accessory uses, provided that such uses are reasonably sized and are located so as to provide incidental service to the golf course employees and users:

A. Restaurant, snack bar, lounge and banquet facilities.

B. Locker and rest rooms.

C. Pro shop.

D. Administrative offices.

E. Golf cart and maintenance equipment storage and service facilities.

F. Fitness and health equipment, including workout machines, spas, whirlpools, saunas, and steam rooms.

G. Game rooms, including card tables, billiards, ping-pong, and other similar table games.

H. Babysitting rooms and connected fence-enclosed play lots.

[20]**Editor's Note: See Ch. 22, Subdivision and Land Development.**

I. Driving range, provided that no lighting is utilized.

J. Practice putting greens.

K. Tennis courts.

L. Playground equipment.

M. Freestanding maintenance equipment and supply buildings and storage yard.

5. All outdoor storage of maintenance equipment and/or golf carts shall be set back at least 100 feet and screened from adjoining residential structures and roads.

6. All dumpsters and off-street parking and/or loading areas shall be screened from adjoining or nearby residences. In addition, all off-street loading and dumpsters shall be screened from adjoining roads.

§ 27-522. Greenhouse, Horticultural Nursery.

1. The use shall be operated primarily as a wholesale operation in the A, RL, RM, RH, and I Districts, with any on-site retail sales conducted as a farm produce stand in accordance with the regulations for that use. However, sales may be conducted within a greenhouse building instead of a temporary stand. The sales area shall be limited to a maximum of 400 square feet.

2. In the C District, the use may be operated as both a wholesale and retail operation in accordance with the regulations for the C District.

§ 27-523. Group Home.

Where permitted, this use is subject to the following:

1. The applicant shall obtain all necessary licenses and registrations. Copies of all licensing documents shall be supplied to the Township.

2. The applicant shall demonstrate compliance with all applicable state and federal regulations governing group homes.

3. Either public water and public sewer approved by the PA DEP must be utilized or else satisfactory evidence must be submitted to assure that the new or existing on-site system is capable of adequately serving the proposed use or additional units.

4. The applicant shall demonstrate that adequate parking is available for all vehicles that will park at the group home.

5. The property shall be owned or leased by the public service agency sponsoring the group home.

6. At least one supervisor shall be present in the group home at all times.

§ 27-524. Helipad.

A helipad may be provided as an accessory use, subject to the following:

1. The helipad shall not include any hangar or helicopter storage building, nor shall it include refueling equipment or fuel.

2. The helipad shall not be used for more than four takeoffs or landings in any twenty-four-hour period.

3. The helipad shall not include storage area for more than one helicopter. No more than one helicopter may use the helipad at a time.

4. All portions of the helipad and any associated structures shall be set back at least 200 feet from all property lines and right-of-way lines and at least 300 feet from existing dwellings.

§ 27-525. Home Occupation. [Amended by Ord. 2014-97, 2/12/2014; and by Ord. 2016-105, 4/19/2016]

1. Subject to the requirements below, the following home occupations may be performed in a dwelling unit or accessory building: physician, dentist, clergyman, lawyer, engineer, accountant, architect, teacher, artist, licensed insurance or real estate agent, seamstress, barber, beautician and similar service occupations and professions which have minimal impact on the surrounding area.

   A. If the home occupation is conducted within a dwelling unit, it shall only be conducted in a single-family detached dwelling.

   B. The following standards apply based on the proposed location of the home occupation in either the dwelling or an accessory building:

Standards	Within Dwelling	Within Accessory Building
Maximum number of persons not residing in the dwelling permitted to be employed in home occupation	2	As established by the Board following a conditional use hearing but not to exceed 5

Standards	Within Dwelling	Within Accessory Building
Maximum area within the structure to be devoted to home occupation	30% of the footprint of the principal dwelling	65% of the maximum allowable footprint of the accessory building (See § 402, Subsection 4, of this chapter to calculate the maximum allowable footprint referenced above.)
Character and external appearance	That of a dwelling	That of an accessory building in harmony with the character of the neighborhood and zoning district
External, visible display of products	Prohibited	Prohibited
Signage	In accordance with Part 6	In accordance with Part 6
Maximum number of pupils, clients or customers to be served at the same time	6	As established by the Board following a conditional use hearing but not to exceed 10
Minimum parking beyond that required by principal dwelling use	3 plus one for each nonresident employee	2.5 for each nonresident employee

C. All retail sales shall be either goods produced on the premises or products used in connection with the permitted home occupation.

D. Only one home occupation shall be permitted per lot.

E. For any home occupation on a lot, the operation of same shall be limited to being operated in either the principal dwelling or in an accessory building and shall not be operated in both.

F. Garages shall not be considered parking areas for home occupations.

G. As a condition of approval, the Board of Supervisors may modify the maximum number of permitted employees, the maximum number of permitted pupils and the required minimum parking spaces based on the specific situation of a proposed home occupation.

§ 27-526. House of Worship.

Where permitted, this use is subject to the following:

1. A place of worship may also include customary accessory uses, such as a rectory, convent, parsonage, religious school, child care, and cemetery.

2. Any accessory uses shall be located on the same lot as the place of worship.

3. Child-care facilities shall comply with the regulations for that use contained within this section.

4. Parking may be shared by the place of worship and its accessory uses, provided that the times of use will not overlap. Where times of use overlap, parking shall be provided for both uses.

5. The use shall be located on and gain access from a collector or arterial road if the largest room of assembly is designed for 500 people or more.

§ 27-527. Industrial Development.

Where permitted, this use is subject to the following:

1. The use may contain any number of uses otherwise permitted in the Industrial District.

2. The land to be developed may contain multiple lots but must be planned for and developed as one unit. The entire development must be covered on one preliminary plan application filed under the Oxford Township Subdivision and Land Development Ordinance.[21]

3. More than one use may be placed on a lot, provided that principal buildings are separated by at least 25 feet and all other dimensional requirements of the zoning district are met.

4. Access must be via a street designed to handle the volume of traffic anticipated to be generated by the use.

5. The site shall be planned to function as a unit with coordinated streets, access drives, parking areas, stormwater management, landscaping, and buffering.

6. Up to 10% of the total gross floor area contained within an industrial development may be used for retail and service businesses that serve the needs of workers within the industrial development. Such uses include but

[21] **Editor's Note: See Ch. 22, Subdivision and Land Development.**

are not limited to restaurants, dry cleaners, vehicle fuel dispensing facilities, banks, day-care centers, and health clubs. The retail and service businesses shall be developed in conjunction with or after the industrial businesses, such that at no time may the amount of gross floor area used for retail and service businesses exceed 10% of the total gross floor area that has been developed within the industrial development.

7. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-528. In-Law Quarters.

Where permitted, this use is subject to the following:

1. The in-law quarters shall be accessory to an existing or proposed dwelling.

2. The in-law quarters shall not exceed 1,000 square feet.

3. The in-law quarters shall observe all required zoning setbacks and lot coverage limitations, and only one unit is permitted per lot as an accessory to each principal dwelling.

4. The in-law quarters shall be occupied by either an elderly, handicapped or disabled person related to the occupants of the principal dwelling by blood, marriage or adoption.

5. The in-law quarters shall be occupied by a maximum of two people.

6. If the unit is a stand-alone structure, the unit shall be removed within 120 days from the time of discontinuance of use. If the unit is attached with access to or contained within a principal dwelling, the unit must be converted to general use of the principal dwelling and may not be utilized as a separate dwelling unit (i.e., apartment, boarding room, etc). **[Amended by Ord. 2014-97, 2/12/2014]**

7. Utility connections for in-law quarters.

   A. For sewage disposal, water supply and all other utilities, the in-law quarters may be connected to those systems serving the principal dwelling. Separate utility connections or systems shall be constructed or used only if it is not practical to connect to the systems serving the principal dwelling. All connections shall meet the applicable utility company standards.

   B. If on-site sewer or water systems are to be used, the applicant shall submit evidence to the Township demonstrating the total number of occupants in both the principal dwelling and the in-law quarters will not exceed the maximum capacities for which the one-unit systems were designed, unless those systems are to be expanded, in which case

the expansion approvals are to be submitted. Any connection to or addition to an existing on-site sewer system shall be subject to the review of the Township Sewage Enforcement Officer and shall follow DEP guidelines and regulations.

8. A minimum of one all-weather, off-street parking space, with ingress and egress to the street, shall be provided for the in-law quarters, in addition to that required for the principal dwelling.

§ 27-529. Junkyard.

Where permitted, this use is subject to the regulations contained in the Oxford Township Junkyard and Refuse Ordinance, Chapter 13 of the Oxford Township Code of Ordinances.[22] Applicants shall demonstrate compliance with all regulations of that chapter and any other local, state, and federal regulations.

§ 27-530. Kennel.

Where permitted, this use is subject to the following:

1. All kennels shall be licensed by the Commonwealth of Pennsylvania and shall be constructed and maintained in accordance with all applicable state laws.

2. Minimum lot area: two acres.

3. All animal boarding buildings that are not completely enclosed and any outdoor animal pens, stalls or runways shall be located within the rear yard, shall be enclosed to prevent the escape of animals, and shall be a minimum of 100 feet from all property lines.

4. All animals must be housed within a structure except while exercising. No animals shall be allowed outside from 8:00 p.m. to 8:00 a.m.

5. Satisfactory evidence must be presented to indicate that adequate disposal of animal waste will be provided in a manner that will not create a public health hazard or nuisance.

6. The applicant shall demonstrate a plan to prevent noise problems caused by the animals in the kennel operation.

7. Where such use is adjacent to residential properties, buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

[22] **Editor's Note: See Ch. 13, Part 1.**

§ 27-531. Large Animal Confinement Building or Feed Lot.

Large animal confinement buildings, as defined herein, shall comply with all applicable regulations of § 27-504 and the following:

1. Minimum lot area: 20 acres.

2. Large animal confinement buildings shall be set back the following:

   A. At least 500 feet from all public road rights-of-way.

   B. At least 1,000 feet from property lines.

   C. At least 1,000 feet from any perennial stream, creek, river, spring, lake, pond, or reservoir.

   D. At least 1,500 feet from a lot in the RL, RM, or RH District or any existing dwelling in any district.

      (1) This setback shall not apply to dwellings in the A District that are owned by the operator of the agricultural use or other dwellings in the A District where the owner has provided a notarized statement waiving such setback.

§ 27-532. Mineral Extraction or Recovery Operation.

Where permitted, the commencement or expansion of this requires special exception approval by the Zoning Hearing Board. The use shall comply with the following:

1. Any mineral extraction or recovery operation:

   A. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties.

   B. May not adversely affect any public or private water supply source.

   C. May not adversely affect the logical, efficient, and economical extension of public services, facilities and utilities throughout the Township.

   D. May not create any significant damage to the health, safety or welfare of the Township and its residents and property owners.

   E. May not result in the land area subject to quarrying being placed in a condition which will prevent the use of that land for economically and ecologically productive uses upon completion of the operation.

   F. Must comply with all current applicable federal, state and local regulations.

2. A substantial fence or earthen barrier measuring at least six feet in height must surround the area of actual quarrying to prevent unauthorized persons from entering the area to their potential endangerment.

3. Where adjacent to a residential use or district or a public street right-of-way or where a mineral extraction or recovery operation will substantially impair the beauty and character of the surrounding countryside, trees and shrubs must be planted, or attractive earth barriers erected, to screen the operation, as far as practical, from normal view.

4. Truck access to any mineral extraction or recovery operation shall be via a street capable of handling heavy truck traffic and shall be arranged as to minimize danger to traffic and nuisance to neighboring properties.

5. The following setbacks shall be required:

   A. No part of a mineral extraction or recovery pit, stockpiles, waste piles, processing equipment, operational equipment, private access road, truck parking area, or scales may be closer than 100 feet to a property line or public street right-of-way line.

   B. No stockpiles, waste piles or processing equipment may be closer than 1,000 feet to a residential district.

   C. No private access road, truck parking area, scales, or operational equipment may be closer than 500 feet to the RL, RM, or RH District.

6. Rehabilitation Requirements for Mineral Extraction or Recovery Operations.

   A. Rehabilitation Required. Within two years after the termination of mineral extraction or recovery operations, the area of actual quarrying operations must be rehabilitated to a condition of reasonable physical attractiveness and, as practical, restored. The applicant shall demonstrate compliance with the rehabilitation standards of Act 219, the Non-Coal Surface Mining and Reclamation Act.[23]

§ 27-533. Mini-Storage Facility.

Where permitted, this use is subject to the following:

1. Parking for the individual storage units shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide where access to storage units is only on one side of the aisle and at least 24 feet wide where access to storage units is on both sides of the aisle.

2. If a manager's/business office is established on the site, at least two parking spaces must be provided adjacent to the office.

[23] **Editor's Note: See 52 P.S. § 3301 et seq.**

3. The servicing or repair of stored equipment shall not be conducted on the premises. Also, no business activities shall be conducted within the storage units.

4. The storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals is prohibited.

5. If an outdoor storage area is to be provided, it shall only be for parking and storage of recreational vehicles, boats, off-road vehicles and similar items. Required parking shall not be provided within the outdoor storage area. All vehicles in the outdoor storage area shall have an up-to-date registration, license, and inspection and shall be operable and capable of moving under their own power.

6. Security fencing may be provided in any yard area, provided that it complies with § 27-405.

§ 27-534. Mobile Home Park.

Where permitted, this use is subject to the requirements of Chapter 14 of the Oxford Township Code of Ordinances relating to mobile homes and mobile home parks. Applicants shall demonstrate compliance with all regulations of that chapter and any other state and federal regulations.

§ 27-535. Mobile Home Sales Lot.

All mobile home display areas shall meet the minimum setback standards of the underlying zoning district.

§ 27-536. Multifamily Dwelling.

Where permitted, this use is subject to the following:

1. Where more than one multifamily dwelling is located on a single lot or parcel, the minimum distance between any two principal buildings shall be equal to the height of the taller of the two buildings or 20 feet, whichever is greater, and buildings shall be sited to provide privacy to individual units.

2. Buildings arranged as townhouses (i.e., all dwelling units are arranged side by side in one row with no dwelling unit located over another) shall be limited to a maximum length of six dwelling units or 180 feet, whichever is less. All other buildings shall not exceed 180 feet in length.

3. Both public water and public sewer approved by the PA DEP must be utilized.

4. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-537. Multifamily Residential Conversion.

Where permitted, a single-family detached dwelling existing on the date of enactment of this chapter may be converted into a multifamily dwelling meeting the following requirements:

1. The converted dwelling may not contain more than three dwelling units.

2. The minimum lot area shall be calculated the same as for a multifamily dwelling in the district in which it is located.

3. The character of the existing structure shall be maintained except for the addition of required life safety features, such as fire escapes.

4. Parking, minimum habitable floor area, and all other applicable requirements of this chapter shall be met.

5. Either public water and public sewer approved by the PA DEP must be utilized or else satisfactory evidence must be submitted to assure that the new or existing on-site system is capable of adequately serving the proposed use or additional units.

6. The structure shall comply with all state and local applicable rules and regulations, including but not limited to fire, health, safety and building codes.

§ 27-538. No-Impact Home-Based Business.

Where permitted, this use is subject to the following:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

2. The business shall employ no employees other than family members residing in the dwelling.

3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

4. There shall be no outside appearance of a business use, including but not limited to parking, signs or lights.

5. The business activity may not use any equipment or processes which create noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

6. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.

8. The business may not involve any illegal activity.

§ 27-539. Noncommercial Keeping of Animals.

Where permitted, such use shall be accessory and clearly incidental to the primary residential use of the property for a single-family detached dwelling. Livestock, small animals, or poultry shall be kept for pleasure or to provide food for the residents of the premises where the animals are kept.

1. The minimum lot area required for the first animal is three acres. Additional lot area above three acres shall be provided for each additional animal as follows:

   A. One acre for each animal with an average adult weight greater than 100 pounds.

   B. One-half acre for each animal with an average adult weight between 25 and 100 pounds.

   C. One tenth acre for each animal with an average adult weight less than 25 pounds.

2. A maximum of 50 animals shall be permitted on any one lot.

3. All animals shall, except while pasturing, grazing, feeding or exercising, be housed in a building erected and maintained for that purpose. Such buildings shall be set back at least 100 feet from any property line.

4. All manure storage areas shall be set back at least 100 feet from any property line and shall be properly maintained so as not to be objectionable at the property line or to create a public health hazard or nuisance.

5. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals or poultry. All such enclosures shall be set back at least 10 feet from any property line.

§ 27-540. Outdoor Recreation Facility.

Where permitted, this use is subject to the following:

1. Outdoor recreation facilities involving outdoor activities covering more than one acre of ground shall provide buffering and screening through the use of landscaping and fencing to reduce any visual or audible impacts on adjacent properties.

2. Structures exceeding the maximum permitted height shall be allowed, provided that they are set back from property and right-of-way lines a

distance equal to their height plus the minimum setback requirement of the zoning district in which they are located. Such structures shall not be for occupancy.

3. Parking shall be required in accordance with Part 7. Overflow parking areas should be provided to accommodate peak usage periods. The overflow parking areas may be grass or gravel but shall only be connected to internal access drives and not directly to an adjacent roadway.

4. Any collection of parking or entry fees shall be conducted in such a manner that does not cause vehicles to back up onto adjacent roadways.

§ 27-541. Outdoor Shooting Range.

Where permitted, this use is subject to the following:

1. The applicant shall demonstrate that the use will utilize adequate safety techniques with regards to adjacent properties.

2. The applicant shall demonstrate that noise created by the use will not negatively impact the adjacent properties.

3. Adjacent areas must be predominantly undeveloped or of an industrial nature.

4. The range area must be at least 200 feet from any property or street right-of-way line. The use must also be located at least 1,000 feet from the property line of any existing residential use or district.

5. An earthen background berm must be provided within 20 feet of the farthest target post to prevent wild or ricocheting bullets or arrows. Such berm must extend at least five feet above the height of the highest target. The crest of the berm at the required height limit shall be at least four feet in width.

6. Earthen side berms must be provided immediately adjacent to the range and shall extend from the firing line to the background berm. The side berms shall meet the same design qualifications as set forth for background berms above.

7. Warning signs must be posted at least 10 feet from the outside of the berms.

8. The firing range shall be free of gravel and other hard surface materials and shall be adequately drained.

9. Adult supervision must be provided for children under 16 years of age.

10. Hours of operation shall be limited to between the hours of 7:00 a.m. and 9:00 p.m.

§ 27-542. Parking Garage or Parking Lot, Off-Site.

Where a parking garage or parking lot is being provided on a lot other than the lot containing the use generating the need for parking, the following provisions shall apply:

1. All parking lots and garages shall meet all provisions of Part 7 regarding vehicular access and required parking.

2. A parking garage shall meet all setback and height requirements of the district in which it is located.

3. The applicant shall provide evidence that the required number of parking spaces for each use utilizing the parking garage or lot is available and reserved for that use through a lease agreement or other arrangement acceptable to the Zoning Hearing Board.

4. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-543. Public or Private School.

Where permitted, this use is subject to the following:

1. All buildings shall be set back at least 50 feet from side and rear property lines. The minimum front setback requirement of the district in which the school is located shall apply.

2. Any outdoor play area provided shall be located in a side or rear yard and shall be set back at least 25 feet from all property lines.

3. Vehicle passenger dropoff and pickup areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site.

4. Traffic circulation shall be designed to minimize congestion on adjacent roadways during peak dropoff and pickup times.

5. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-544. Public Utility Facility.

Where permitted, this use is subject to the following:

1. The following uses shall not be permitted in agricultural or residential districts:

   A. The storage of vehicles or equipment used in the maintenance of a utility.

B. Buildings and areas used for maintenance workers and maintenance activities.

C. Buildings used to house general office, billing, planning, and operations work.

2. None of the above shall prevent a public utility facility in an agricultural or residential district from containing office areas or maintenance vehicles, buildings, or areas that are essential to operation of the immediate facility.

3. The use shall emit no obnoxious noise, glare, dust, odor, vibration, electrical disturbance or any other objectionable impact beyond the property lines.

4. The external design of the building or structure shall be in conformity with the buildings in the surrounding area to the greatest extent possible.

5. There shall be no specific minimum lot area or lot width; however, each lot shall provide front, side and rear setbacks in accordance with the district in which it is located.

§ 27-545. Research and Development Laboratory.

Where permitted, this use is subject to the following:

1. Consideration shall be given to traffic problems. If the nature of the use is such that it will generate a high volume of vehicular traffic, then access should be via a street designed to handle such volume.

2. Truck loading and unloading areas shall be shielded from the main roads servicing the facility.

3. Accessory buildings, when such are required for the function of the principal use(s), are permitted, provided that all such accessory buildings comply with all setbacks and screening as are required for principal buildings.

4. Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial wastes as determined by the Zoning Officer.

§ 27-546. Riding Academy, Boarding Stable.

Where permitted, this use is subject to the following:

1. Minimum lot area: 10 acres.

2. All animals, except while exercising or pasturing, shall be confined to a building erected for that purpose. All such buildings shall be set back at least 100 feet from property lines.

3. All stalls shall be maintained so as to minimize odors.

4. All outdoor training or show facilities or areas shall be set back at least 50 feet from all property lines.

5. All outdoor training, show, riding, boarding or pasture areas shall be enclosed by a minimum four-foot-high fence, which shall be located at least 10 feet from all property lines.

6. All animal wastes shall be properly stored and disposed of in a manner that will not create a public health hazard or nuisance.

7. Parking shall be provided in accordance with Part 7. Grassed overflow parking areas shall gain access from internal driveways and not from adjacent roadways.

8. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-547. Sawmill Operation.

Where permitted, this use is subject to the following:

1. Unless contained within a completely enclosed building, no saw or other machinery shall be less than 75 feet from any property or street right-of-way line.

2. All power saws and machinery shall be secured against tampering and locked when not in use.

3. All machinery used in the sawmill operation shall be located at least 500 feet from any RM or RH District.

4. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-548. Shopping Mall, Center, or Plaza.

Where permitted, this use is subject to the following:

1. The use may contain any number of uses otherwise permitted in the Commercial District.

2. Access must be via a street designed to handle the volume of traffic anticipated to be generated by the use.

3. The site shall be planned to function as a unit with coordinated streets, access drives, parking areas, stormwater management, landscaping, and buffering.

4. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

§ 27-549. Single-Family Attached Dwelling.

Where permitted, this use is subject to the following:

1. No grouping shall contain more than six dwelling units nor exceed an overall length of 180 feet.

2. Both public water and public sewer approved by the PA DEP must be utilized.

3. No side setbacks are required on sides where a dwelling is attached to an adjacent dwelling.

4. Access easements shall be provided around each group of dwellings so that interior dwellings have access to their rear yards without traveling through the dwelling.

§ 27-550. Solid Waste Processing and/or Disposal Facility, Recycling Facility.

Where permitted, these uses are subject to the following:

1. Any processing of solid waste, including but not limited to incineration, composting, shredding, compaction, material separation, recycling, refuse-derived fuel and pyrolysis, shall be conducted within a wholly enclosed building.

2. No solid waste shall be deposited or stored and no building or structure shall be located within 100 feet of any property line or within 500 feet of any residential use or district.

3. A buffer yard at least 50 feet wide shall be located along all property lines. No structures, storage, parking or any other related activity or operation shall be permitted within this area. The buffer shall be naturally landscaped and have no impervious cover.

4. Any area used for the unloading, transfer, storage, processing, incineration or deposition of solid waste must be completely screened from ground-level view from adjacent properties and roadways. (The use of an earthen berm is encouraged where practicable). In addition, such areas must also be completely enclosed by an eight-foot-high fence, with no openings greater than two inches in any direction.

5. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences and gates, or other positive means designed to deny access to the area at unauthorized times or locations.

6. Hazardous waste as described by the PA DEP shall not be disposed of within the proposed facility.

7. The unloading, processing, transfer and deposition of solid waste shall be continuously supervised by a qualified facility operator.

8. Any waste that cannot be used in any disposal process, or material that is to be recycled, shall be stored in leakproof and vectorproof containers. Such containers shall be designed to prevent their being carried by wind or water.

9. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required. If the source is from a municipal system, the applicant shall submit documentation that the public authority will supply the water needed.

10. A water feasibility study must be provided to enable the Township to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility study shall be reviewed by the Township Engineer. A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge, considering the water withdrawn by the proposed development, shall not be approved by the Township. A water feasibility study shall include the following information:

    A. Calculations of the projected water needs.

    B. A geologic map of the area with a radius of at least one mile from the site.

    C. The location of all existing and proposed wells within 1,000 feet of the site, with a notation of the capacity of all high-yield wells.

    D. The location of all existing on-lot sewage disposal systems within 1,000 feet of the site.

    E. The location of all streams within 1,000 feet of the site and all known point sources of pollution.

    F. Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.

G. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams and the groundwater table.

H. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

11. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on current traffic flows on this road system and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to ensure safe turning movements to and from the site and safe through movement on the existing road.

§ 27-551. Tavern.

Where permitted, this use is subject to the following:

1. Buffers and screens shall be provided as necessary to adequately protect neighboring properties from any adverse effects of the use or vehicular traffic. This includes but is not limited to fences, walls, plantings and open spaces.

2. The use shall not constitute a public or private nuisance.

3. The use shall meet all applicable state and local regulations.

§ 27-552. Temporary Housing for Farm Workers.

Where permitted, this use is subject to the following:

1. Minimum lot size: 50 acres.

2. Only one housing unit is permitted per farm.

3. The housing unit must be temporary and clearly accessory in nature, which is either mobile homes or manufactured homes capable of being removed if no longer used for temporary housing for farm workers.

4. At least one resident of the housing unit shall be employed full-time on the farm on which it is located.

5. The housing unit shall be supplied with an approved sewage disposal system and water service.

6. The housing unit shall house not more than two times the number of bedrooms available in the unit.

§ 27-553. Truck or Motor Freight Terminal.

Where permitted, this use is subject to the following:

1. Access shall be via a collector street as designated by the Township's Comprehensive Plan.

2. A buffer yard at least 150 feet wide must be located on the terminal site in all situations where the site adjoins a residential district or a residential use. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for parking, building, loading or storage purposes.

3. Storage of materials shall conform to all applicable state and federal regulations.

4. Satisfactory provision shall be made to minimize harmful or unpleasant effects, such as noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial wastes.

§ 27-554. Vehicle Fuel Dispensing Facility.

Where permitted, this use is subject to the following:

1. Fuel pumps and canopies shall be set back 30 feet from all street rights-of-way or shall meet the minimum front setback requirement of the district in which they are located, whichever is greater. Additionally, they shall meet all other minimum setback requirements.

2. Adequate space shall be provided for vehicle fuel delivery vehicles so that, when they are present, they shall not block access drives or cause traffic to back up onto public streets.

3. All luminaries mounted on or recessed into the fuel canopy shall be fully shielded and utilize flat lenses.

§ 27-555. Vehicle Repair and Service Facility.

Where permitted, this use is subject to the following:

1. All service and repair activities shall be conducted within a wholly-enclosed building.

2. All exterior vehicle storage areas shall be screened from view of any adjoining residential district or use.

3. All vehicles shall be repaired and removed from the site within a six-week period.

4. The outdoor storage of tires, vehicle parts, or inoperable vehicles shall only be within an area fully enclosed by an opaque fence or wall at least six feet in height. The fence or wall shall be maintained in good repair. Each tire,

vehicle part, or inoperable vehicle shall be removed from the site within six weeks.

5. Satisfactory provision shall be made to minimize harmful or unpleasant effects, such as noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial wastes, as determined by the Zoning Officer.

§ 27-556. Vehicle Sales or Rental Facility.

Where permitted, this use is subject to the following:

1. The storage of unlicensed vehicles on the premises is prohibited, except for new or used vehicles that are for sale or are considered rental.

2. All merchandise shall be stored within a building.

3. Retail sale of gasoline is prohibited.

§ 27-557. Vehicle Washing Facility.

Where permitted, this use is subject to the following:

1. Trash receptacles must be provided and routinely emptied to prevent the scattering of litter.

2. Sufficient stacking lanes shall be provided to prevent vehicle backup on adjoining roads.

§ 27-558. Wind Energy and Solar Energy Equipment.

1. Wind energy equipment and solar energy equipment shall be permitted as an accessory structure in all zones and districts, subject to and in accordance with the provisions of Subsections 2. and 3, respectively, of this section below.

2. Wind Energy Equipment. Any wind energy equipment authorized by this chapter shall be considered accessory structures, and the generation of energy as an accessory use to the principal use in any zoning district and shall be subject to and comply with the following:

   A. Wind energy equipment shall be located on the same lot as the principal use.

   B. Power generated by wind energy equipment shall not exceed 50 kilowatts of maximum output capacity for residential uses or 100 kilowatts of maximum output capacity for nonresidential uses. There shall be no commercial use of the wind energy equipment for generation of energy, except for energy purchased by a public utility in accordance with law or other government regulations.

C. No wind energy equipment shall be located in the front yard.

D. Wind energy equipment shall comply with all minimum side and rear setback requirements of the applicable zoning district.

E. Wind energy equipment shall not exceed a height of 100 feet. The height of a wind turbine shall be measured from the average approved finished grade at the perimeter of the base of the turbine to the highest vertical point of the rotor at its maximum vertical position.

F. Only a single pole or monopole structure shall be permitted for the wind turbine. The pole shall be self-supporting upon its foundation without the use of guy wires or other supports.

G. Wind turbines shall not be artificially lighted.

H. Wind energy equipment shall comply with all applicable requirements of the Federal Aviation Administration.

I. Wind turbines shall be set back from any occupied building, property line, street ultimate right-of-way, utility building or structure, utility right-of-way or easement, or liquid fuel source a distance of not less than 1.5 times the height, measured from the average approved finished grade at the perimeter of the base to the highest vertical point of the rotor at its maximum vertical position.

J. Clearly visible warning signs concerning falling objects shall be placed within the rear yard setback at one-hundred-foot intervals, to the extent possible, to warn against ice and rotor throws. Signs are to be placed a minimum of three feet from the ground and a minimum of one square foot, but not exceeding two square feet, in surface area.

K. Wind turbines shall be equipped with a braking system to limit rotor rotation speed to within the design limits.

L. The minimum height of the lowest position of the wind turbine rotor shall be 15 feet above the surface of the ground.

M. A ladder or steps affixed to a wind turbine shall not be provided any lower than 15 feet above its base.

N. The design color and other visual features of the wind turbine shall be white, off-white or grey.

O. All exterior utilities, cables, electrical lines, and other connections shall be located in a conduit and buried underground.

P. All ground-mounted electrical aid control equipment shall be labeled and secured to prevent unauthorized access.

Q. There shall be no antennae, advertising or other items or material affixed to or otherwise placed on the wind energy equipment, except those required for safety or identification of the manufacturer.

R. Operation of the wind energy equipment shall comply with the physical performance requirements of this chapter.

S. The wind energy equipment shall meet and be installed in accordance with all applicable requirements of the Township Building Code.

3. Solar Energy Equipment. Any solar energy equipment authorized by this chapter shall be considered accessory structures and the generation of energy or heat as an accessory use to the principal use in any zoning district and shall submit to and comply with the following:

A. Solar energy equipment shall be located on the same lot as the principal use.

B. Solar energy equipment shall comply with all minimum side and rear setback and height requirements of the applicable zoning district.

C. Power generated by solar energy equipment shall not exceed 50 kilowatts of maximum output capacity per principal residential use or 100 kilowatts of maximum output capacity per principal nonresidential use. There shall be no commercial use of the solar energy equipment for generation of energy, except for energy purchased by a public utility in accordance with the law or other government regulations.

D. Solar panels shall comply with the physical performance requirements contained in this chapter.

E. The solar energy equipment shall meet and be installed in accordance with all applicable requirements of the Township Building Code.

F. No freestanding solar energy equipment shall be located in the front yard. Solar energy equipment affixed to the roof of the principal structure and visible from the front yard shall be permitted.

§ 27-559. Landscape Operation. [Added by Ord. 2012-86, 8/21/2012, § 4]

Where permitted, this use is subject to the following:

A. Access shall be via an arterial or collector road as identified in the Oxford Township Comprehensive Plan.

B. All merchandise, except stockpiled materials and vending machines, shall be stored within a building.

C. An area enclosed by a wall or fence, screened from view of adjoining properties, shall be provided whenever outdoor stockpiling is required. No materials may be stored so as to create a fire hazard.

D. Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration, smoke and dust.

E. Buffer yards shall be in accordance with § 27-419.

F. Where adjacent to a residential use or district or where the outdoor stockpiling of materials will substantially impair the beauty and character of the surrounding neighborhood, trees and shrubs must be planted or attractive earth barriers erected to screen the operation as far as practical from normal view.

§ 27-560. Off-Lot Accessory Buildings. [Added by Ord. 2017-112, 5/24/2017]

Off-lot accessory buildings are subject to the following requirements:

1. Permitted in a residential district only.

2. The lot containing the off-lot accessory building shall be contiguous to, and under the same ownership as, the lot containing the principal building, structure and/or use.

3. Any existing sidewalk on the lot containing the principal building, structure or use shall be extended and constructed across the length of the lot containing the off-lot accessory building.

4. No business or commercial activity or home occupation shall be conducted in the off-lot accessory building.

5. Off-lot accessory buildings shall be limited to personal workshops, detached private garages, storage sheds or other noncommercial uses similar in nature to these uses.

6. Off-lot accessory buildings shall not exceed the size and dimensions of the existing principal building or structure.

PART 6

SIGNS

§ 27-601. Applicability.

1. Purpose. The purpose of this Part 6 is to:

   A. Allow for signs as a means of visual communications while creating standards that ensure the overall aesthetic quality of those signs.

   B. Set forth reasonable time, place, and manner standards that do not infringe on free speech rights.

   C. Prohibit a sign that would be distracting to motorists.

   D. Minimize adverse effects on nearby properties.

   E. Enhance the economic value of the community.

2. This Part shall apply to all signs, whether constructed prior to or after the enactment of these regulations.

3. A zoning permit shall be required for the erection of a new sign or any change to an existing sign that is shown as requiring a permit by the tables in § 27-607.

§ 27-602. Definitions.

As used in this Part 6, the following terms shall have the meanings given below:

AGRICULTURAL SIGN — An identification sign for a farm, farm occupation, or accessory drive-in produce stand.

BANNER SIGN — A temporary sign composed of a flexible fabric-like material that advertises a special event, including but not limited to sales, going-out-of-business, new management, grand openings, and events held by religious, charitable, and public service organizations.

BILLBOARD — A sign that is either attached to a building or freestanding, upon which images and/or messages are placed. The images and/or messages advertise business, products, services, or other messages that are not related to the property upon which the sign is placed.

CENTER SIGN — An identification sign for a shopping center, office complex, industrial park, or similar center.

CONTRACTOR SIGN — A sign that carries the name and general information about a contractor performing work on the property on which the sign is located.

DIRECTIONAL SIGN — A sign that provides directional information to visitors of a property and contains no commercial messages.

FREESTANDING SIGN — An identification sign not attached to a building. The sign may be attached to a structure, provided that the sole use of the structure is to support the sign.

FRONT DOOR SIGN — An identification sign located near the primary front access door.

GARAGE SALE SIGN — A sign, located on the property where a garage or yard sale will be held, advertising the date and time of the sale.

GOVERNMENT SIGN — A sign owned by a government agency that provides a public service function.

HOME OCCUPATION SIGN — An identification sign for a home occupation.

IDENTIFICATION SIGN — A sign used to identify the name and display information about the individual, business, organization, agency, institution, facility, or development located on the same property as the sign.

INFORMATIONAL SIGN — A sign that provides general information to visitors of a property and contains no commercial messages.

ISSUE SIGN — A sign that provides an opinion of a public or private nature, that endorses a candidate in a political contest, or that addresses a ballot issue.

OPEN HOUSE SIGN — A sign that identifies an open house or directs the public to such a house.

PERMANENT SIGN — A sign that is intended to be displayed for an indefinite period of time.

REAL ESTATE SIGN — A sign that provides information about the sale, rental, or lease of the property, or portion thereof, on which the sign is located.

REAR DOOR SIGN — An identification sign located near the rear door.

RESIDENTIAL DEVELOPMENT SIGN — An identification sign located near the entrance to a residential development.

SIDEWALK SIGN — An A-frame or similar movable identification sign that is displayed outside a business only during business hours.

SIGN — A device for visual communications that is used to bring a subject to the attention of the public. Signs include: lettering, logos, trademarks, or other symbols located on a building or elsewhere on a property; signs attached to windows that are readily visible and intended to be seen by passersby; flags and insignia of any organization; banners; streamers, tinsel, pennants, spinners, reflectors, ribbons and similar materials; and inflatable objects. Signs do not include: architectural features; backlit awnings with no lettering, logos, or other symbols; signs within a buildings intended to be seen only within the building; and legal outdoor displays of merchandise.

TEMPORARY SIGN — A sign that, because of its shape, size, weight, or design, is able to be transported from one location to another by hand or by a vehicle and is not permanently attached to a support structure, building, or the ground. This includes signs that can be towed as a trailer and vehicles or trailers whose primary purpose is to function as a sign.

WALL SIGN — An identification sign that is attached to or painted on the wall, canopy, or facade of a principal building.

WINDOW SIGN — A sign attached to a window or transparent door that is readily visible and at least partially readable from an exterior lot line.

§ 27-603. General Regulations.

1. Signs shall reflect the general character of the neighborhood.

2. Signs shall be constructed of durable materials and shall be maintained in good condition and repair.

3. When a sign becomes unsafe, the Zoning Officer shall give written notice to the property owner or lessee to repair or remove the unsafe sign.

4. Unless otherwise permitted within this chapter, all signs shall only include information related to the property on which they are located.

5. Any sign shall be removed within three months if the use for which it was erected no longer exists. This shall not apply to a vacant building that is clearly being offered for sale or lease to new tenants, provided that the commercial message of the sign is removed or covered.

6. No temporary signs shall be permitted unless specifically authorized herein.

7. Permanent signs shall be securely and permanently attached to their support structure, a building, or the ground.

8. Signs shall not have any lighting that constitutes a public safety or traffic hazard.

9. Signs shall not imitate in any way an official traffic sign or signal or other governmental sign, such as using the words "stop" or "danger" or by using red, green, or yellow lights.

10. Signs shall not include a revolving or flashing light resembling an emergency vehicle or facility.

11. Signs shall not advertise products or services that are in any way illegal.

12. Signs shall not include words, phrases, or pictures that are considered to be vulgar, obscene, or pornographic.

13. Streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons or similar items shall not be displayed outside a building.

14. Signs shall not include animated, sequential, intermittent, flashing, oscillating, or rotating elements other than time-and-temperature displays.

15. Signs shall not emit smoke, vapors, particles, sounds, or odors.

16. Open flames shall not be used in a sign or to otherwise attract attention.

17. Searchlights, beacons, lasers, and similar lights shall not be used to attract attention.

18. The light from an illuminated sign shall not adversely affect the safe vision of operators of motor vehicles on nearby roads, driveways, and parking areas; any residential zoning district; or any part of a building used for residential purposes. Special attention shall be paid to the proper shielding of externally illuminated signs.

§ 27-604. Sign Location.

1. No sign shall be located within a street right-of-way, except a government sign or other sign approved by the Board of Supervisors or the Pennsylvania Department of Transportation.

2. No sign shall be located in an easement for stormwater, public water, public sewer, or similar use.

3. No sign shall be attached to a utility pole, fence, tree, fire hydrant or other object not intended to hold a sign.

4. No sign shall be located in a clear sight triangle or other area required to be kept clear by this chapter or another ordinance.

5. Freestanding signs shall be set back 10 feet from side and rear property lines.

6. Sign setback distances shall apply to all portions of the sign and the support structure.

7. No sign shall be located so as to block a sidewalk, fire escape, access door or any other area designed for pedestrian use.

8. A sign located over a pedestrian area shall be at least eight feet above the walking surface.

9. A sign located over a vehicle driving area shall be at least 18 feet above the driving surface.

§ 27-605. Sign Dimensions.

1. Sign Area. The area of a sign shall be the area of the smallest rectangle, triangle, or circle that will encompass all letters, symbols, figures, designs, or other display elements of the sign.

   A. When the sign is a separate unit, the area shall include any borders, framing, trim, background and space between elements. Structural support members shall not be included unless they contain design or display elements.

   B. When the sign consists of individual elements attached to or painted on a wall or otherwise has no definable edges, the area shall include all color, artwork, or other means used to differentiate the sign from the surface to which it is attached.

   C. The maximum area of a sign shall be applied to each sign face, provided that the faces are no more than five feet apart at any point.

2. Sign Height. The height of a sign shall be measured from the average ground level beneath the sign to the highest point of the sign.

   A. The ground elevation at the base of a sign shall not be artificially increased so as to increase the maximum height of the sign.

   B. No sign shall exceed the height limitation of a zoning district.

   C. Wall signs shall not extend higher than the top of the wall to which they are attached.

3. Sign Projection. Any sign attached to a wall or other surface shall project no more than 12 inches away from the surface to which it is attached.

§ 27-606. Nonconforming Signs.

1. Signs legally existing at the time of enactment or amendment of this chapter which do not conform to the requirements of this chapter shall be considered nonconforming signs.

2. Nonconforming signs may continue to be used and may be modified and replaced, provided that the modified or new sign is not more nonconforming in any way.

3. Nonconforming signs shall be removed in accordance with § 27-603, Subsection 5.

§ 27-607. Specific Sign Requirements.

The following two tables list specific requirements for permanent and temporary signs.[24]

[24]**Editor's Note: The sign tables are included at the end of this chapter.**

PART 7

VEHICULAR ACCESS

§ 27-701. Access Drives.

1. Each lot shall have no more than two access drives. Multiple access drives along a frontage shall be located at least 100 feet from each other, measured center line to center line.

2. When a lot has frontage on more than one street, principal access shall be from the street of lesser classification or the street that provides the safest ingress and egress.

3. Access drives shall not be located within the clear sight triangle of an adjacent intersection.

4. An access drive that intersects with a state-owned roadway shall require a PennDOT highway occupancy permit.

5. Access drives must be located in safe relationship to sight distance and barriers to vision.

6. Access Drives for Single-Family Dwellings.

   A. Access drives shall be at least 10 feet in width and shall not exceed 20 feet in width at the right-of-way line and for an additional 10 feet beyond the right-of-way line toward the dwelling that they serve.

   B. Access drives shall be paved a minimum of 15 feet from the edge of the street cartway and shall be designed to keep stones and other access drive material off of the street.

   C. Access drives that enter a street other than a minor street shall be designed and constructed with adequate turnaround area so that vehicles may enter the street in a forward direction.

   D. Access drives shall not exceed 5% slope within 25 feet of the right-of-way line.

   E. Where an access drive enters a bank through a cut, the shoulder of the cut may not exceed 50% in slope within 25 feet of the point where the access drive intersects the street right-of-way.

   F. An access drive shall not cross a street right-of-way line:

      (1) Within five feet of a property line, except for common access for two dwellings.

(2) Within 50 feet of the right-of-way of an intersecting street when entrance is from an arterial street.

(3) Within 35 feet of the right-of-way line of an intersecting street when entrance is from a collector street.

(4) Within 25 feet of the right-of-way line of an intersecting street when entrance is from a minor street.

(5) Within 15 feet of a fire hydrant.

7. Access Drives for Multifamily Dwellings and Nonresidential Uses.

A. Access drives shall be at least 12 feet in width for each lane of traffic. The maximum width of an access drive at the right-of-way line shall be 35 feet.

B. Access drives shall be paved a minimum of 50 feet from the edge of the street cartway and shall be designed to keep stones and other access drive material off the street.

C. Where multiple adjacent uses will require access to a collector or arterial roadway, the Township may require the use of a shared access drive or access drives to reduce traffic hazards and congestion.

D. Access drives shall not exceed 8% slope within 40 feet of the right-of-way line.

E. Seventy-five-foot clear sight triangles shall be provided where the access drive intersects the street.

§ 27-702. Required Off-Street Parking.

1. Off-street parking spaces shall be required in accordance with the table in § 27-702, Subsection 6, below and this Part 7 when a new building or use is established; when an existing building or use is altered, enlarged, or expanded so as to require additional parking; and when an existing building or use is changed to a different use that requires additional parking.

2. Any use not specifically listed shall comply with the most-similar use.

3. When multiple uses are involved, required parking shall be calculated for each independent use; and the sum total number of required parking spaces shall be provided.

4. Required spaces shall be provided on the same lot as the use requiring the spaces.

5. The Zoning Hearing Board may approve a modification of the required number and/or location of parking spaces by special exception where the

applicant provides proper justification. (See § 27-542 regarding off-site parking.)

A. Proper justification shall require the provision of studies of existing cases of similar uses or situations; reports or recommendations produced by recognized engineering, parking, or planning organizations; or other data that is authoritative or produced by a person with appropriate professional credentials.

B. Parking may be reduced where multiple uses have a common parking lot and share customers or have different times of peak usage, provided that proper justification is provided for the requested reduction.

C. Where the Zoning Hearing Board grants approval of shared parking arrangements or parking spaces located on a lot other than the one containing the use requiring the parking, appropriate easements or agreements ensuring continued access to the parking lot and the availability of the required number of parking spaces shall be required.

6. Table of Required Off-Street Parking Spaces. **[Amended by Ord. 2012-86, 8/21/2012, § 5]**

Use	**Required Parking Spaces**
Agricultural Uses	
Landscape operation	1 per employee plus 1 for each 1,000 square feet of area designated for the stockpiling of materials
Riding academy, boarding stable	1 per horse boarded, plus 1 per pupil of the largest class
Residential Uses	
Continuing-care retirement community	See § 27-514
Group home	1 per 2 occupants
In-law quarters	1
Single-family detached or semidetached dwelling unit	2 per dwelling unit
Single-family attached and multifamily dwelling units	2 per dwelling, with the spaces permitted to be located in the dwelling's garage or driveway; plus 1 per 2 dwelling units, with the space located in a parking lot
Commercial Uses	
Animal hospital or veterinary office	5 per veterinarian

Use	Required Parking Spaces
Bank or financial institution	1 per 300 square feet of gross floor area
Campground	1 per campsite
Commercial school	1 per 3 students of maximum capacity, plus 1 per employee
Contractor shop and showroom	1 per 400 square feet of showroom floor area
Convenience store	1 per 200 square feet of gross floor area
Crematorium	1 per employee
Day-care center	1 per 10 children, plus 1 per employee
Bar, tavern	1 per 50 square feet of gross floor area
Funeral home	1 per 200 square feet of gross floor area
Golf course	4 per hole, plus 1 per employee, plus 50% of required spaces for accessory uses
Indoor recreation facility	1 per 4 persons of maximum capacity
Kennel	1 per 5 boarding spaces, plus 1 per employee
Medical clinic	5 per doctor, dentist, or physician's assistant
Mobile home sales lot	1 per 5 dwellings displayed
Motel or hotel	1.5 per sleeping room, plus any spaces required for accessory uses
Office	1 per 300 square feet of gross floor area
Outdoor recreation facility	1 per 4 persons of maximum capacity
Personal service business	1 per 300 square feet of gross floor area
Research and development laboratory	1 per 3 employees
Restaurant	1 per 2.5 seats
Retail store	1 per 300 square feet of gross floor area
Shopping mall, center or plaza	1 per 300 square feet of gross floor area
Theater or auditorium	1 per 3.5 seats

Use	Required Parking Spaces
Vehicle repair and service facility	5 per repair bay, plus 1 per employee on the largest shift
Vehicle sales or rental facility	1 per 10 vehicles displayed or stored on site
Vehicle washing facility	2 per wash or vacuum station provided in stacking areas in front of the stations, plus 1 per employee
Industrial Uses	
Landscape operation	1 per employee plus 1 for each 1,000 square feet of area designated for the stockpiling of materials
Manufacturing uses	1 per 3 employees
Warehouse uses	1 per 2 employees
Institutional and Public Uses	
Hospital	1 per 2 beds
House of worship	1 per 4 seats in the room of greatest capacity (every 24 inches of an undivided pew shall equal 1 seat)
Municipal buildings and services	No requirement
Public or private school	1 per 20 students in grades K-10, plus 1 per 5 students above grade 10, plus 1 per employee
Public utility facility	1 per employee
Miscellaneous Uses	
Club room	1 per 50 square feet of gross floor area
Outdoor shooting range	1.5 per shooting station
Accessory Uses	
Bed-and-breakfast inn	1 per rental sleeping room
Farm produce stand	1 per 200 square feet used for display area and/or farm stand
Home occupation	3, plus 1 per nonresident employee (see § 27-525)

§ 27-703. Parking Lots.

1. Applicability. A parking lot shall be utilized to provide off-street parking for every use except a single-family dwelling.

2. Size of Spaces and Marking. Parallel spaces shall have minimum dimensions of eight feet by 23 feet. Nonparallel spaces shall have minimum dimensions of 10 feet by 20 feet. Individual spaces shall be delineated by paint striping

or other pavement markings to show their location. **[Amended by Ord. 2014-97, 2/12/2014]**

3. Handicapped Parking Spaces. The amount, location, and design of handicapped parking spaces and accessible routes to a building shall comply with the Americans With Disabilities Act Accessibility Guidelines for Buildings and Facilities.

4. Aisle Width. Aisles between rows of parking spaces shall meet the following minimum widths:

Parking Angle	One-Way Traffic (feet)	Two-Way Traffic (feet)
90°	20	24
60°	18	22
45°	14	20
30°	12	20
Parallel	11	20

5. Surfacing. Parking lots shall be surfaced with asphalt, concrete, pavers, or other low-dust material approved by the municipality.

6. Drainage. Parking lots shall be graded to provide adequate drainage to avoid areas of ponding and shall have an approved stormwater management plan.

7. Speed Bumps. Speed bumps and other speed-control devices are permitted, provided that they are clearly delineated with paint or pavement color and are marked with signs. They shall not be permitted where they will cause vehicles to back up onto adjacent public roadways.

8. Stacking Areas. Parking lots shall be designed to provide adequate stacking area for vehicles entering the parking lot so that public roadways are not blocked. Stacking areas shall also be provided for vehicles leaving the parking lot so that parking spaces and aisles are not blocked.

9. Landscaping.

   A. Parking lots shall be effectively landscaped with trees and shrubs:

      (1) To reduce the visual impact of glare, headlights, and parking lot lighting;

      (2) To delineate driving lanes and define rows of parking;

      (3) To provide shade in order to reduce the amount of reflected heat; and

      (4) To improve the aesthetics of parking lots.

B. Parking lots shall be separated from street right-of-way lines with a landscape strip planted with an all-weather ground cover or other landscape plantings. The width of the landscape strip shall be based on the number of spaces within the parking lot.

Spaces in Parking Lot	Landscape Strip Width (feet)
1 to 100	10
101 to 250	15
251 or more	20

C. A ten-foot-wide landscape strip shall be provided along rear and side property lines.

D. The ends of all parking rows shall be separated from the driving lanes by planting islands.

E. In residential developments, parking lots shall be divided by planting strips into smaller parking areas of no more than 20 stalls.

F. In nonresidential developments, parking lots shall be divided by planting strips into smaller parking areas of no more than 60 stalls. There shall be no more than two consecutive rows of parking spaces, regardless of the number of spaces in the row, without the installation of such planting strips.

G. All planting strips shall be a minimum width of four feet. Such strips shall run the entire length of the parking row, be underlain by soil, be mounded at a minimum slope of 12:1 and a maximum slope of 4:1, and be protected by curbing. Planting strips shall contain one shade tree for every 30 feet, plus shrubs and/or ground cover over the entire planting strip.

H. Planting islands shall be a minimum of nine feet by 18 feet, be underlain by soil, be mounded at a minimum slope of 12:1 and a maximum slope of 4:1, and be protected by curbing. Each planting island shall contain at least one shade tree plus shrubs and/or ground cover over the entire island.

I. Required trees shall have a trunk diameter of at least two inches at a point four feet above the finished grade level at the time of planting.

J. Where screening is required for a use by § 27-419, the screening shall also be provided for the use's parking lot(s).

10. Curb Stops. Curb stops or other means shall be used to ensure that parked vehicles do not overhang onto walking areas, sidewalks, or landscape areas.

11. Backing onto Roadway. Parking lots shall be arranged so that no vehicle will be required to back onto a public roadway.

12. Lighting. When a parking lot will be used after dark, lighting shall be provided. When lighting is provided, it shall be directed inward and downward onto the parking lot. It shall not create a glare on adjacent lots or streets. The placement of light standards shall be coordinated with interior landscaping to avoid conflicting with the effectiveness of the light fixtures.

13. Connection to Street. The parking lot shall only be connected to a street or streets by an access drive meeting the requirements of this Part and the Township Subdivision and Land Development Ordinance.[25]

14. Cross-Access. Parking lots for adjacent uses shall be connected to each other to enable cross-access between the uses. Appropriate easements and agreements shall be provided to ensure the continued right of access.

15. Prohibited Uses of a Parking Lot.

    A. Parking lots are for the sole purpose of accommodating passenger vehicles of persons associated with a use. Parking lots shall not be used for the following purposes:

        (1) The sale, display, or storage of any type of merchandise.

        (2) The parking of vehicles accessory to the use.

        (3) Performing services on vehicles.

        (4) Loading and unloading functions, except minor and incidental package delivery.

    B. These prohibitions shall not apply to churches, community organizations, and similar nonprofit organizations that are holding a fund-raiser, such as a car wash or plant sale. Each organization shall hold no more than one day of fund-raising activity every three calendar months.

§ 27-704. Required Off-Street Loading Spaces.

1. Off-street loading spaces shall be required in accordance with the table below and this Part 7, when a new building or use is established; when an existing building or use is altered, enlarged, or expanded so as to require additional loading spaces; and when an existing building or use is changed to a different use that requires additional loading spaces.

2. Table of Required Off-Street Loading Spaces. **[Amended Ord. 2012-86, 8/21/2012, § 5]**

[25] **Editor's Note: See Ch. 22, Subdivision and Land Development.**

Use	Required Loading Spaces	Required Loading Space Size (L x W x H)
Landscape operation	1 for each 10,000 square feet of total area designated for the stockpiling of materials	65' x 12' x 15'
Office, bank, theater, auditorium, hospital or other institution, recreational establishment	1 for a gross floor area of 10,000 square feet to 100,000 square feet, plus 1 for each additional 100,000 square feet or fraction thereof	40' x 12' x 15'
All other commercial uses	1 for a gross floor area of 5,000 to 25,000 square feet, plus 1 for each additional 50,000 square feet or fraction thereof	40' x 12' x 15'
Manufacturing and industrial	1 for a gross floor area of 2,000 to 25,000 square feet, plus 1 for each additional 50,000 square feet or fraction thereof	65' x 12' x 15'
Wholesale or storage	1 for a gross floor area of 1 to 10,000 square feet, plus 1 for each additional 20,000 square feet or fraction thereof	65' x 12' x 15'

3. Surfacing. All loading spaces must be surfaced with asphalt or concrete.

4. Location. Loading spaces shall be located so that vehicles do not need to back over public roadways. Loading spaces shall be separate from and shall not interfere with parking lots, pedestrian walkways, or other areas associated with customer, client, or employee traffic. Loading spaces shall be placed to the side or rear of commercial establishments.

5. Connection to Street. The loading spaces shall only be connected to a street or streets by a access drive meeting the requirements of this Part and the Township Subdivision and Land Development Ordinance.[26]

6. Drainage. Loading spaces shall be graded to provide adequate drainage to avoid areas of ponding and shall have an approved stormwater management plan.

7. Lighting. When a loading space will be used after dark, lighting shall be provided. When lighting is provided, it shall be directed inward and

[26]**Editor's Note: See Ch. 22, Subdivision and Land Development.**

downward onto the parking lot. It shall not create a glare on adjacent lots or streets.

8. Screening. The screening requirements of § 27-419 shall apply to loading spaces and areas.

PART 8

ZONING HEARING BOARD

§ 27-801. Creation and Membership of Zoning Hearing Board.

1. There is hereby created for the Township a Zoning Hearing Board. The membership of the Zoning Hearing Board shall, upon the determination of the Board of Supervisors, consist of either three or five residents of the municipality appointed by resolution by the Board of Supervisors. The terms of office of a three-member board shall be three years and shall be so fixed that the term of office of one member shall expire each year. The terms of office of a five-member board shall be five years and shall be so fixed that the term of office of one member of a five-member board shall expire each year. If a three-member board is changed to a five-member board, the members of the existing three-member board shall continue in office until their term of office would expire under prior law. The Board of Supervisors shall appoint two additional members to the Zoning Hearing Board with terms scheduled to expire in accordance with the provisions of this section. The Zoning Hearing Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other elected or appointed office in the municipality, nor shall any member be an employee of the municipality.

2. The Board of Supervisors may appoint by resolution at least one but no more than three residents of the municipality to serve as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be three years. When seated pursuant to the provisions of § 27-802, an alternate shall be entitled to participate in all proceedings and discussions of the Zoning Hearing Board to the same and full extent as provided by law for Zoning Hearing Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Part and as otherwise provided by law. Alternates shall hold no other elected or appointed office in the municipality, including service as a member of the Planning Commission or as a Zoning Officer, nor shall any alternate be an employee of the municipality. Any alternate may participate in any proceeding or discussion of the Zoning Hearing Board but shall not be entitled to vote as a member of the Zoning Hearing Board nor be compensated pursuant to § 27-803 unless designated as a voting alternate member pursuant to § 27-802.

3. Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors, taken after the member has received 15 days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

§ 27-802. Organization of Zoning Hearing Board.

1. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Zoning Hearing Board; but the Zoning Hearing 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 Zoning Hearing Board as provided in § 27-805.

2. The Chairman of the Zoning Hearing Board may designate alternate members of the Zoning Hearing Board to replace any absent or disqualified member; and if, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Zoning Hearing Board shall designate as many alternate members of the Zoning Hearing Board to sit on the Zoning Hearing Board as may be needed to reach a quorum. Any alternate member of the Zoning Hearing Board shall continue to serve on the Zoning Hearing Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Zoning Hearing Board has made a final decision on 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.

3. The Zoning Hearing Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the municipality and laws of the commonwealth. The Zoning Hearing Board shall keep full public records of its business, which records shall be the property of the municipality, and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

§ 27-803. Expenditures for Services.

Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors. Alternate members of the Zoning Hearing Board may receive compensation, as may be fixed by the Board of Supervisors, for the performance of their duties when designated as alternate members pursuant to § 27-802, but in no case shall such compensation exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

§ 27-804. Jurisdiction.

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

1. Substantive challenges to the validity of any land use ordinance, except those brought before the Board of Supervisors pursuant to Sections 609.1 and 916.1(a)(2) of the MPC.

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 30 days after the effective date of said ordinance. Where the ordinance appealed from is the initial Zoning Ordinance of the Township and a Zoning Hearing Board has not been previously established, the appeal raising procedural questions shall be taken directly to court.

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 the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provision within a land use ordinance.

5. Applications for variances from the terms of this chapter and the Flood Hazard Ordinance or such provisions within a land use ordinance, pursuant to § 27-806.

6. Applications for special exceptions under this chapter or the Floodplain or Flood Hazard Ordinance or such provision within a land use ordinance, pursuant to § 27-807.

7. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provision of this chapter.

8. Appeals from the Zoning Officer's determination under Section 916.2, Procedure to Obtain Preliminary Opinion, of the MPC.

9. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same related to development not involving subdivision and land development or planned residential development applications.

§ 27-805. Public Hearings.

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

1. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer, and to any person who, at least 15 days prior to the scheduled hearing date, has made timely request for the same. Written notice of the public hearing shall be mailed to the addresses to which real estate tax bills are sent for all real estate property adjoining the property for which an application has been submitted. Written notices shall be mailed at least 14 days prior to the hearing. In addition to the written notice provided herein, written notice of the hearing shall be conspicuously posted on the affected parcel of land at least seven days prior to the hearing.

2. The Board of Supervisors may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation of the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.

3. The first hearing before the Zoning Hearing Board or hearing officer shall be commenced within 60 days from the date of receipt of the applicant's application, unless the applicant has agreed, in writing, to an extension of time. Each subsequent hearing before the Zoning Hearing Board or hearing officer shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the Zoning Hearing Board or hearing officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete his case-in-chief, provided that the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and municipality, be granted additional hearings to complete their opposition to the application, provided that the applicant is granted an equal number of additional hearings for rebuttal.

4. The hearings shall be conducted by the Zoning Hearing Board; or the Zoning Hearing Board may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Zoning Hearing Board; however, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the

decision of the hearing, waive decision or findings by the Zoning Hearing Board and accept the decision of the hearing officer as final.

5. Parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Zoning Hearing Board, and any other person, including civic or community organizations, permitted to appear by the Zoning Hearing Board. The Zoning Hearing 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 Zoning Hearing Board for that purpose.

6. The Chairman or Acting Chairman of the Zoning Hearing Board or the hearing officer presiding shall have the 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.

7. 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.

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

9. The Zoning Hearing 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 Zoning Hearing Board. The cost of the original transcript shall be paid by the Zoning Hearing Board if the transcript is ordered by the Zoning Hearing Board or hearing officer or shall be paid by the person appealing from the decision of the Zoning Hearing 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.

10. The Zoning Hearing 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 its solicitor, unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.

11. The Zoning Hearing 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 45 days after the last hearing before the Zoning Hearing Board or 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 therefor. Conclusions based on any provisions of the Pennsylvania Municipalities Planning Code, as amended, or 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 light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Zoning Hearing Board shall make his report and recommendations available to the parties within 45 days; and the parties shall be entitled to make written representations thereon to the Zoning Hearing Board prior to final decision or entry of findings; and the Zoning Hearing Board's decision shall be entered no later than 30 days after the report of the hearing officer. Where the Zoning Hearing Board fails to render the decision within the period required by this subsection, or fails to commence or complete as required in § 27-805, Subsection 3, of this chapter, 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 Zoning Hearing Board to meet or render a decision as hereinabove provided, the Zoning Hearing Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in § 27-805, Subsection 1. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

12. 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 not later than the day following its date. To all other persons who have filed their name and address with the Zoning Hearing Board not later than the last day of the hearing, the Zoning Hearing Board shall provide, by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

13. Whenever the Zoning Hearing Board imposes a condition or conditions with respect to the granting of an application or appeal, this condition must be stated in the decision of the Zoning Hearing Board and in the permit issued pursuant to the order by the Zoning Officer. This permit remains valid only as long as the conditions or conditions upon which it was granted or the conditions imposed by this chapter are adhered to.

§ 27-806. Variances.

1. Filing of Variance. An application may be made to the Zoning Hearing Board for a variance where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant. The Zoning Hearing Board may, by rule, prescribe the form of application and may require preliminary application to the Zoning Officer. The application shall include all information required by § 27-901 for a zoning permit. In addition, the

application must include the names and addresses of adjoining property owners, including those directly across a public street.

2. Referral to Planning Commission. All applications for a variance shall be referred to the Township Planning Commission for review.

3. Standards for Variances. The Zoning Hearing Board may grant a variance, provided that all of the following findings are made where relevant in a given case:

   A. 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 this chapter in the neighborhood or district in which the property is located.

   B. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

   C. The unnecessary hardship has not been created by the appellant.

   D. 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.

   E. 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.

4. Conditions. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the MPC and this chapter.

5. Decision. The Zoning Hearing Board's decision on a variance application shall be made only after public hearing in accordance with the provisions of § 27-805 of this chapter.

6. Time Limits. **[Amended by Ord. 2017-112, 5/24/2017]**

   A. Unless authorized or extended by the Zoning Hearing Board, when a land development plan is required, a variance authorized by the Zoning Hearing Board expires if the applicant fails to submit a land development plan within one year from the date of the authorization of the variance or if the applicant timely submits a land development

plan but fails to obtain a zoning permit or use certificate within six months from the date of approval of the land development plan.

B. Unless authorized or extended by the Zoning Hearing Board, when a land development plan is not required, a variance authorized by the Zoning Hearing Board expires if the applicant fails to obtain a zoning permit or use certificate within one year from the date of the authorization of the variance.

§ 27-807. Special Exceptions.

1. Filing of Special Exceptions. For any use or activity permitted by special exception, a special exception must be obtained from the Zoning Hearing Board. The application shall include all information required by § 27-901 for a zoning permit. In addition, the special exception application must show the following:

   A. Ground-floor plans and elevations of proposed structures.

   B. Names and addresses of adjoining property owners, including those directly across a public street.

2. Temporary Special Exceptions.

   A. A temporary special exception may be granted for a nonconforming use or structure, existing or new, which:

      (1) Is beneficial to the public health or general welfare.

      (2) Is necessary to promote the proper development of the community.

      (3) Is seasonal in nature.

   B. A temporary special exception may be issued for a period not exceeding one year and may be renewed for an aggregate period not exceeding three years. All applications for renewal shall be submitted at least 30 days prior to the expiration of the permit. The nonconforming structure or use must be completely removed within 30 days of the expiration of the special exception or failure of the use to conform with the special exception conditions, without cost to the Township.

3. Referral to Planning Commission. All applications for special exceptions shall be referred to the Township Planning Commission for review.

4. Conditions. The Zoning Hearing Board, in approving special exception applications, may attach conditions considered necessary to protect the public welfare and to implement the purposes of the MPC, the Township

Comprehensive Plan, and this chapter. The conditions may be more restrictive than those established for other uses in the same district.

5. General Standards. A special exception may be granted when the Zoning Hearing Board finds from a preponderance of the evidence produced at the hearing that all the following are true:

   A. The proposed use, including its nature, intensity and location, is in harmony with the orderly and appropriate development of the district.

   B. That adequate water supply, sewage disposal, storm drainage and fire and police protection are or can be provided for the use.

   C. That the use of adjacent land and buildings will not be discouraged and the value of adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences.

   D. That the use will have proper location with respect to existing or future streets giving access to it and will not create traffic congestion or cause industrial or commercial traffic to use residential streets.

   E. That the specific standards set forth for each particular use for which a special exception may be granted have been met.

6. The applicant for a special exception shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact, which are to be determined by the Zoning Hearing Board.

7. Special Standards. In addition to the general standards for all special exceptions as contained in this section, the specific standards for particular uses as listed in Part 5 or elsewhere in this chapter must be met prior to the granting of a special exception.

8. Decision. The Zoning Hearing Board's decision on a special exception application shall be made only after public notice and public hearing in accordance with the provisions of § 27-805 of this chapter.

9. Time Limits. **[Amended by Ord. 2017-112, 5/24/2017]**

   A. Unless authorized or extended by the Zoning Hearing Board, when a land development plan is required, a special exception authorized by the Zoning Hearing Board expires if the applicant fails to submit a land development plan within one year from the date of the authorization of the special exception or if the applicant timely submits a land development plan but fails to obtain a zoning permit or use certificate within six months from the date of approval of the land development plan.

B. Unless authorized or extended by the Zoning Hearing Board, when a land development plan is not required, a special exception authorized by the Zoning Hearing Board expires if the applicant fails to obtain a zoning permit or use certificate within six months from the date of the authorization of the special exception.

PART 9

ADMINISTRATION

§ 27-901. Zoning Permits.

1. A zoning permit is required for any of the following:

   A. A change in use of land or structures.

   B. The erection or construction of a structure or portion thereof.

   C. The moving, improvement, enlargement, or alteration of an existing structure.

   D. The alteration or development of any real estate, including mining, dredging, grading, filling, excavation, or drilling.

   E. The erection or alteration of a sign.

   F. The construction of impoundments for water or animal wastes.

2. Zoning Permit Exemptions. A zoning permit is not required for maintenance and repairs that do not alter the use or exterior dimensions of a structure.

3. The zoning permit application must be accompanied by a site plan, drawn to scale, that includes the following information:

   A. The location and dimensions of the lot.

   B. The names and widths of abutting streets and highways.

   C. Locations, dimensions, and uses of existing and proposed structures and yards on the lot and, as practical, of any existing structures within 100 feet of the proposed structure but off the lot.

   D. Locations of existing on-site water wells and septic systems on the lot and if served by such facilities.

   E. Proposed off-street parking and loading areas, access drives, and walks, landscaping, lighting, signs, storage areas, fences, walls, sewage disposal system, and any other significant features to be part of the proposed construction or development.

4. The zoning permit application must include a statement of the intended use and any existing use of the structure or land.

5. The Zoning Officer shall act on applications for a zoning permit in accordance with § 27-904, Subsection 4.

6. Work on the proposed construction or development shall begin within six months and shall be completed within 12 months after the date of issuance of the zoning permit or the permit shall expire, unless a time extension is granted, in writing, by the Zoning Officer. Time extensions shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the Zoning Officer to approve such a request.

§ 27-902. Certificates of Use and Occupancy.

1. A certificate of use and occupancy shall be required prior to the use and/or occupancy of any structure, land, or portion thereof for which a zoning permit is required. The certificate of use and occupancy shall be issued by the Zoning Officer upon his or her determination that the use and/or occupancy of a structure or land complies with this chapter.

2. The application for a certificate of use and occupancy must include a statement of the intended use and any existing use of the structure or land. The certificate continues in effect as long as the use of the structure or land for which it is granted conforms with this chapter.

3. The Zoning Officer shall act on applications for a certificate of use and occupancy in accordance with § 27-904, Subsection 5.

§ 27-903. Conditional Uses.

1. Filing of Conditional Uses. For any use or activity permitted by conditional use, a conditional use approval must be received from the Board of Supervisors. The application shall include all information required by § 27-901 for a zoning permit. In addition, the conditional use application must show the following:

   A. Ground-floor plans and elevations of proposed structures.

   B. The names and addresses of adjoining property owners.

   C. A copy of the County of Adams Tax Map for the parcel showing the abutting parcels. **[Added by Ord. 2016-105, 4/19/2016]**

   D. Clear, legible photographs of the subject property, including at least one street view of the subject property. **[Added by Ord. 2016-105, 4/19/2016]**

   E. An aerial depiction of the subject property from Google Maps© or other such publically available imaging software. **[Added by Ord. 2016-105, 4/19/2016]**

F. For a home occupation, scaled drawings of the existing principal dwelling and existing accessory building or proposed accessory building. **[Added by Ord. 2016-105, 4/19/2016]**

2. Referral to Planning Commission. All applications for a conditional use shall be referred to the Township Planning Commission for a review.

3. Conditions. The Board of Supervisors, in approving conditional use applications, may attach conditions considered necessary to protect the public welfare and to implement the purposes of the MPC, the Township Comprehensive Plan, and this chapter. The conditions may be more restrictive than those established for other uses in the same district.

4. General Standards. A conditional use may be granted when the Board of Supervisors finds, from a preponderance of the evidence produced at the hearing, that all the following are true:

A. The proposed use, including its nature, intensity and location, is in harmony with the orderly and appropriate development of the district.

B. That adequate water supply, sewage disposal, storm drainage and fire and police protection are or can be provided for the use.

C. That the use of adjacent land and buildings will not be discouraged and the value of adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences.

D. That the use will have proper location with respect to existing or future streets giving access to it and will not create traffic congestion or cause industrial or commercial traffic to use residential streets.

E. That the specific standards set forth for each particular use for which a conditional use may be granted have been met.

5. The applicant for a conditional use shall have the burden of proof, which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Board of Supervisors.

6. Special Standards. In addition to the general standards for all conditional uses as contained in this section, the specific standards for particular uses as listed in Part 5 or elsewhere in this chapter must be met prior to the granting of a conditional use.

7. Hearing and Decision. A decision on a conditional use application shall only be made after the Board of Supervisors holds a hearing in accordance with the following:

A. Written notice of the public hearing shall be mailed to the addresses to which real estate tax bills are sent for all real estate property

adjoining the property for which an application has been submitted. Written notices shall be mailed at least 14 days prior to the hearing.

B. The hearing shall be conducted by the Board of Supervisors, or the Board of Supervisors may appoint any member or an independent attorney as a hearing officer. The decision or, where no decision is called for, the findings shall be made by the Board of Supervisors. 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 of Supervisors and accept the decision or findings of the hearing officer as final. In granting a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this chapter, as it may deem necessary to implement the purposes of this chapter.

C. During the hearing or any continuation thereof, the Board of Supervisors may recess the proceedings for a site view of the subject property, wherein the applicant and all interested parties shall be permitted to attend. **[Added by Ord. 2016-105, 4/19/2016[27]]**

D. The Board of Supervisors shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before the Board of Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. Conclusions based on any provisions of this chapter or 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.

E. Where the Board of Supervisors fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in Section 908(1.2) of the MPC, 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 of Supervisors to meet or render a decision as hereinabove provided, the Board of Supervisors shall give public notice of the decision within 10 days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this chapter. If the Board of Supervisors shall fail to provide such notice, the applicant may do so.

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[27]**Editor's Note: This ordinance also redesignated former Subsections C through E as Subsections D through F, respectively.**

F. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. 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 its date.

8. Time Limits. **[Amended by Ord. 2017-112, 5/24/2017]**

A. Unless authorized or extended by the Board of Supervisors, when a land development plan is required, a conditional use authorized by the Board of Supervisors expires if the applicant fails to submit a land development plan within one year from the date of the authorization of the conditional use or if the applicant timely submits a land development plan but fails to obtain, where required to do so, a zoning permit within six months from the date of approval of the land development plan.

B. Unless authorized or extended by the Board of Supervisors, when a land development plan is not required, a conditional use authorized by the Board of Supervisors, expires if the applicant fails to obtain, where required to do so, a zoning permit within one year from the date of the date of the authorization of the conditional use.

§ 27-904. Enforcement; Zoning Officer.

1. Appointment and Powers. For the administration of this chapter, a Zoning Officer, who shall not hold any elective office in the Township, shall be appointed by the Board of Supervisors. The Zoning Officer shall meet qualifications established by the Township and shall be able to demonstrate to the satisfaction of the Township a working knowledge of municipal zoning. The Zoning Officer shall administer this chapter in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this chapter. The Zoning Officer is the enforcement officer for this chapter. He issues all zoning permits, use and occupancy certificates, and, at direction of the Zoning Hearing Board, special exceptions and variances. The Zoning Officer shall identify and register nonconforming uses and nonconforming structures, together with the reasons why they were identified as nonconformities. The Zoning Officer may conduct inspections and surveys to determine compliance or noncompliance with the terms of this chapter with consent of the owner.

2. Forms. The Zoning Officer must provide a form or forms approved by the Township Solicitor for:

A. Zoning permits.

B. Special exceptions.

C. Appeals.

D. Variances.

E. Use and occupancy certificates.

F. Registration of nonconforming uses and nonconforming structures.

3. Transmittal of Papers. Upon receipt of an application for a special exception, variance or a notice of appeal, the Zoning Officer must transmit to the Secretary of the Zoning Hearing Board and to the Township Planning Commission copies of all papers constituting the record upon the special exception, variance, or appeal.

4. Action on Zoning Permits. Within 30 days after receipt of an application for a zoning permit, the Zoning Officer shall grant or refuse the permit. If the application conforms to this chapter, the Zoning Officer must grant a permit. If the permit is not granted, the Zoning Officer must state, in writing, the grounds for refusal and inform the applicant of the right to appeal to the Zoning Hearing Board.

5. Action on Use and Occupancy Certificates. Within 15 days after receipt of an application for a use and occupancy certificate, and upon receipt of all other applicable approvals, the Zoning Officer must issue or deny the certificate. If the application and intended use conform to the applicable requirements of the Building Permit Ordinance and this chapter, the Zoning Officer must grant a certificate. If the certificate is not granted, the Zoning Officer must state, in writing, the reasons for the denial.

6. Revoking Permits/Approvals. The Zoning Officer shall revoke a permit or approval issued under the provisions of this chapter in the case of any false statement or misrepresentation of a fact in an application or on the plans on which the permit or approval was based. Any permit issued in error shall in no case be construed as waiving any provision of this chapter, and such permit may be revoked.

7. Enforcement. Upon determining that a violation of any of the provisions of this chapter exists, the Zoning Officer must send an enforcement notice to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record. An enforcement notice shall state at least the following:

A. The name of the owner of record and any other person against whom the Township intends to take action.

B. The location of the property in violation.

C. The specific violation, with a description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance.

D. The date before which the steps for compliance must be commenced (within 15 days of issuance of notice) and the date before which the steps must be completed (within 45 days of issuance of notice).

E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within 15 days of issuance of said notice in accordance with procedures set forth in § 27-907.

F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation in accordance with § 27-910 of this chapter.

8. Records.

A. The Zoning Officer must keep record of:

(1) All applications for zoning permits, use and occupancy certificates, special exceptions and variances and all actions taken on them, together with any conditions imposed by the Zoning Hearing Board.

(2) All complaints of violations of provisions of this chapter and the action taken on them.

(3) All plans submitted.

(4) Nonconforming uses and nonconforming structures.

B. All such records and plans shall be available for public inspection.

9. Reports. At intervals of not greater than six months, the Zoning Officer must report to the Board of Supervisors.

A. The number of zoning permits and use and occupancy certificates issued.

B. The number of complaints of violations received and the action taken on these complaints.

§ 27-905. Amendments.

1. The Board of Supervisors may, from time to time, amend, supplement or repeal any of the regulations and provisions of this chapter.

2. Public Hearing. Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. In the case of an amendment other than that prepared by the Township Planning Commission, the Board of Supervisors shall submit each such amendment to the Planning Commission at least 30 days prior to the hearing on such proposed amendment to provide the Planning Commission

an opportunity to submit recommendations. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially or is revised to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

3. County Planning Commission Review. The Township shall submit any proposed amendment to the County Planning Commission for recommendations in accordance with MPC regulations.

4. Amendments Involving Zoning Map Changes. If the proposed amendment involves a Zoning Map change, notice of the required public hearing shall be conspicuously posted by the Township at points deemed sufficient by the municipality along the tract to notify potentially interested citizens. The affected parcel or area shall be posted at least one week prior to the date of the hearing. In addition to the requirement that notice be posted, notice of the public hearing shall be mailed by the Township at least 30 days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all real estate property located within the area being rezoned and all adjoining properties. The notice shall include the location, date and time of the public hearing.

5. Enactment of Amendments. Proposed amendments shall not be enacted unless notice of the proposed enactment is given in the manner set forth in this section, and it shall include the time and place of the meeting at which passage will be considered and a reference to a place within the Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof. The Board of Supervisors shall publish the proposed amendment once in one newspaper of general circulation in the Township not more than 60 days nor less than seven days prior to passage. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not advertised, then:

   A. A copy thereof shall be supplied to the newspaper in general circulation in the Township at the time the public notice is published.

   B. An attested copy of the proposed ordinance shall be filed in the County Law Library or other County offices designated by the County Commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing the ordinance.

   C. Within 30 days after enactment of any amendment to this chapter, a copy of the amendment shall be forwarded to the County Planning Commission.

6. Landowner Curative Amendments. A landowner who desires to challenge on substantive grounds the validity of an ordinance or map, or any provision

thereof, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board of Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided in the MPC.

7. Municipal Curative Amendments. If the Township determines that this chapter or any portion thereof is substantially invalid, the Township shall declare, by formal action, this chapter or portions thereof substantially invalid and propose to prepare a curative amendment to overcome such invalidity as provided for and in accordance with the procedures set forth in the MPC

§ 27-906. Fees.

The Board of Supervisors shall, by resolution, establish fees for all applications, permits, or appeals provided for by this chapter to defray the costs of advertising, mailing notices, processing, inspecting, and copying applications, permits, and use certificates. The fee schedule shall be available at the Township Office for inspection.

§ 27-907. Appeals.

Any person aggrieved or affected by any provision of this chapter or decision of the Zoning Officer, Township Engineer, Zoning Hearing Board or Board of Supervisors may appeal in the manner set forth in either Article IX or X-A of the MPC, whichever is applicable.

§ 27-908. Repealer.

All Township ordinances or parts thereof in conflict with this chapter or inconsistent with the provisions of this chapter are hereby repealed to the extent necessary to give this chapter full force and effect.

§ 27-909. Interpretation.

The provisions of this chapter shall be held to be minimum requirements to meet the purposes of this chapter. When provisions of this chapter impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this chapter shall prevail. When provisions of any statute, other ordinance or regulation impose greater restrictions than those of this chapter, the provisions of such statute, ordinance or regulation shall prevail.

§ 27-910. Causes of Action.

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this chapter, the Board of Supervisors or, with approval of the Board of Supervisors, an officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, may institute any appropriate action or proceeding to prevent, restrain,

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. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Board of Supervisors at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Township. No such action may be maintained until such notice has been given.

§ 27-911. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provision of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than $500 plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof. 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 Township 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 not such violation, in which event there shall be deemed to have been only one such violation until the 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.

2. All judgments, costs and reasonable attorney's fees collected for the violation of this chapter shall be paid over to the Township.

§ 27-912. Severability.

If any section, clause, provision or portion of this chapter shall be held invalid or unconstitutional by a recognized court of the commonwealth, such decision shall not affect the legality of the remaining sections, clauses, provisions or portions of this chapter.

§ 27-913. When Effective.

This chapter shall take effect immediately upon adoption and publication according to law.