ORDINANCE NO.9 - 1966

An Ordinance to enact the Honey Brook Township Zoning Ordinance of 1966.

WHEREAS all matters and things required by "The Second Class Township Code", being the Act of May 1, 1933, P.L. 103, as amended, in order that the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania, may avail itself of the powers and authority conferred thereby, have been complied with;

NOW, THEREFORE, by virtue of the powers and authority conferred as aforesaid, the Board of Supervisors of Honey Brook Township DO ORDAIN:

Section 1. That the Honey Brook Township Zoning Ordinance of 1966, including the Zoning Map which was made a part thereof, is hereby enacted as follows:

ARTICLE I
SHORT TITLE; EFFECTIVE DATE; PURPOSE; INTERPRETATION
CONFLICT; VALIDITY; REPEALER

Section 100. SHORT TITLE; EFFECTIVE DATE. This Ordinance shall be known and may be cited as "The Honey Brook Township Zoning Ordinance This enactment shall become effective June 7, 1966.

Section 101. PURPOSE. This Ordinance os enacted for the purpose of promoting the health, safety, morals, and the general welfare of the ship, is in accordance with a comprehensive plan, and is designed to congestion in the roads and highways, to secure safety from fire, pani and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue congestion of population, to faci the adequate provision of water supply, sewage disposal, transportatio to conserve the value of buildings, and to encourage the most appropri use of land throughout the Township.

Section 102. INTERPRETATION. In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requir f or the promotion of the health, safety, morals, and the general welf of the Township. The comprehensive plan in accordance with which this Ordinance is enacted and which is reflected in the provisions of this Ordinance has been formulated to implement the purpose set forth in Se 101 hereinabove, in the respects therein stated and more particularly a view toward the following objectives:

A. Guiding and encouraging the future developmant of the Township in accordance with comprehensive planning of land use and population. density that represents the most beneficial and convenient relationship among the residential, commercial, industrial and recreational areas

within the Township, having regard to their suitability for the various uses appropriate to each of them and their potentiality for such uses, as indicated by topography, drainage and soil conditions, existing transpertati n and other man-made conditi ns, and trends in population in the direction and manner of the use of land, in building development, and in economic activity, considering such conditions and trends both within the Township and with respect to the relation of the Township to surrounding areas;

B. Protecting the character and the social and economic stabili ty of each of such areas and encouraging their orderly and beneficial growth;

C. Protecting and conserving the value of land and buildings throughout the Township appropriate to the various zoning districts established therein;

D. Bringing about through proper timing the gradual conformity of land use to the comprehensive plan aforesaid, and minimizing conflicts among the uses of land and buildings;

E. Aiding in bringing about the most beneficial relation between land use and circulation of traffic throughour the Township, having particular regard to traffic, and to avoidance of congestion in the streets and the provision of safe and convenient access appropriate to the various land uses;

F. Aiding in providing a guide for public policy and action in the efficient provision of public facilities and servicer, in the provision of safe and proper sanitary sewage disposal, and for private

enterprise in building development, investment, and other economic activity relating to land use;

insofar as such objectives are consistent with the purpose set forth in Section 101 and with the aforesaid minimum requirements therefor. The provisions of this Ordinance shall be interpreted, administered and applied in such manner as will facilitate attainment of the said objectives.

Section 103. CONFLICT. It is not intended by this Ordinance to repeal, abrogate, annul or interfere with any existing ordinance or enactment, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance, provided that where this Ordinance imposes greater restrictions upon the use of buildings or land, or upon the height and bulk of buildings, or prescribes larger open spaces than are required by the provisions of such ordinance, enactment, rule, regulation or permit then the provisions of this Ordinance shall control.

Section 104. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 105. VALIDITY. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or of any other part thereof.

Section 106. FEDERAL AND STATE OWNED PROPERTY. Whenever Federal or State owned property is included in one or more zoning districts, it shall be subject to the provisions of t his Ordinance only insofar as permitted by the Constitution and laws of the United States of America and of the Commonwealth of Pennsylvania.

ARTICLE II

DEFINITIONS AND ESTABLISHMENT OF DISTRICTS

Section 200. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this Article. The present tense includes the future; the singular includes the plural, and the plural the singular; the masculine gender includes the feminine and neuter; the word "used" includes the words "designed, arranged, or intended to be used"; the word "person" includes any individual, estate, trust, fiduciary, partnership, firm, association, corporation, or organization; the word "occupied" includes the words "designed, or intended to be occupied"; and the word "shall" is always mandatory. The word "Township" means Honey Brook Township, Chester County, Pennsylvania; the term "Board of Supervisors" means the Board of Supervisors of said Township, the term "Board of Adjustment" means the Board of Adjustment of said Township.

AGRICULTURE. The cultivating of the soil, the raising of livestock and poultry, and the harvesting of the products of the soil, including, but not by way of limitation ,nurserying, horticulture, and forestry, but excluding commercial piggery.

AUTOMATIC PROPERTY OWNER'S ASSOCIATION. An organization, where the right to membership in such a body is automatic, whose member's land is charged with obligation to pay annual assessment levied against each lot for the maintenance of common property and other needs within the development under recorded covenants, which are incorporated into each deed and which run with the land to bind each and every owner of it, which are enforceable as a lien against the land.

BUILDING*- Any structure having enclosing walls and roof, permanently located on the land.

BUILDING, PRINCIPAL- A building in which is conducted the principal of the lot on which it is situated.

BUILDING, ACCESSORY- A building subordinate to the principal building a lot and used for purposes customarily incidental to those of the principal building.

BUILDING COVERAGE- The relation of the total ground floor area of buildings on a lot to the total area of the lot on which they are located.

CAMPING PARK- A parcel of land used by campers where only temporary shelters, as tent and camping trailers, are in use throughout various seasons of the year.

BUILDING LINE- The line which establishes the minimum depth of front for the particular District as measured from the street line.

Density- The quotient obtained by dividing a parcel or a lot area, ding streets but including the area devoted to parks, by the total number of families housed or to be housed thereon.

DWELLING, SINGLE FAMILY DETACHED- A building designed for and occupied exclusively as a residence for only one family and having no party wall common with an adjacent building. Where a private garage is structurally attached to such building, it shall be considered as a part thereof.

DWELLING, MULTI FAMILY - A building, not a row house dwelling, designed for and occupied exclusively as a residence for three or more families independently of one another, with or without the provision of meals for its tenants, and guests, and with or without a central dining room therefore, but without meal service for the general public, and with no habitable rooms in the basement other than janitor's living quarters, an apartment house.

ELECTRIC SUBSTATION - Buildings or structures and equipment erected and for the purpose of transmission, switching or transforming of electrical between customers and the Utility Company facilities, not including ge of materials, trucks, repair facilities or housing of repair such buildings or structures being appropriately planted or screened the installation with the surrounding landscape.

FAMILY - Any number of individuals living together as a single non-profit keeping unit and doing their cooking on the premises, excluding, however, of a club, fraternity house, lodge, residential club or rooming house.

GARAGE, PRIVATE - An accessory building or part of a principal building used storage of motor vehicles owned and used by the owner or tenant of and for the storage of not more than two (2) motor vehicles used by persons other than the owner or tenant of the premises.

GARAGE, STORAGE - A building, not a private or public garage, one story used solely for the storage of motor vehicles (other than trucks), the service or repair thereof nor for the sale of fuel, accessories, etc.

GASOLINE FILLING STATION - Any area of land, including structures thereon, building or part thereof, that is used for the sale of gasoline or other vehicles fuel or accessories, and which may or may not include facilities cleaning, washing, or otherwise servicing motor vehicles, but which not include painting or body and fender repairs.

HEIGHT OF BUILDING - A building's vertical measurement from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof, provided that antennae, chimneys, spires, towers, elevator penthouses, tanks, and similar projections shall not be included in calculating the height.

HOME OCCUPATION - Any lawful occupation conducted in a dwelling by the occupant, as an incidental use. The conducting of a clinic, hospital, tea room or restaurant, tourist home, animal hospital, or any similar use, shall not be deemed to be a home occupation.

HOUSE, ROOMING - A dwelling in which sleeping accommodations are provided for rent to less than ten (10) persons, whether or not the serving of meals is included.

HOTEL - A building used for the purpose of furnishing for compensation more or less temporary lodging to the public, with or without meals, and having lodging accommodations for ten (10) or more persons.

JUNK YARD - The use of any lot for storage, keeping or abandonment of junk, including but not limited to scrap metals or materials or automobile or other vehicles or machinery or parts thereof.

LABORATORY - A building or group of buildings in which are located the facilities for scientific research, investigation, testing, and experimentation, but not including the manufacture of products for sale.

LOADING SPACE - A space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles, while loading or unloading merchandise or materials.

OT - A parcel of land which is occupied or is to be occupied by one
ipal building and other permitted uses, or in the case of residential
er development, multi-family dwellings or multi-use commercial and in-
l developments to be occupied by two (2) or more principal buildings,
h open spaces as are arranged or designed to be used in connection with
-incipal buildings or other structures or uses, such open spaces and the
d dimensions of such lot as required by this Ordinance.

, CORNER - A lot at the junction of and abutting on two or more inter-
, streets, or at the point of abrupt change in direction of a single
, the interior angle of which is not greater than one-hundred thirty-
(35) degrees.

, INTERIOR - Any lot other than a corner lot.

, AREA - The total horizontal area of the lot lying within the lot
, provided that no area of land lying within any street line shall be
a portion of any lot area; the area of any lot abutting a street shall
sured to the street line only.

LINE - A property boundary line of any lot held in single and separate
ship, except that, in the case of any lot abutting a street, the lot line
ch portion of the lot as abuts such street shall be deemed to be the
the street line, and shall not be the center-line of the street, or
ther line within the street line even though such may be the property
rty line.

LOT LINE, FRONT - The lot line abutting a street and coinciding with the
t line, and in the case of a corner lot, whichever street-abutting lot
is elected by the owner or person applying for a building permit.

LOT LINE, REAR - A lot line opposite and most distant from the front lot line; if the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

LOT LINE, SIDE - Any lot line not a front or rear lot line.

MOTEL - A building or a group of two or more detached or semi-detached buildings containing rooms or apartments having separate ground floor entrances provided directly or closely in connection with automobile parking or storage space serving such rooms or apartments, which building or group of buildings is designed, intended, or used principally for the providing of sleeping accommodations for automobile travelers and is suitable for occupancy at all seasons of the year.

NON-CONFORMING - A building, or other structure, use or lot, which by reason of design, size or use, does not conform with the requirements of the District, or Districts, in which it is located.

PARKING SPACE - A reasonably level space, available for the parking of one (1) motor vehicle, not less than ten (10) feet wide and having an area of not less than two-hundred (200) square feet exclusive of passage-ways, driveways, or other means of circulation or access.

PARKING SPACE, ALL-WEATHER - A parking space surfaced to whatever extent necessary to permit reasonable use under all conditions of weather.

PLANTING, SCREEN - A strip of deciduous and evergreen planting not less than six (6) feet in height and ten (10) feet in width consisting of not less than fifty (50) percent evergreen material scattered throughout the length of the strip to be maintained and sufficient throughout the year to provide effective screening.

RESIDENTIAL CLUSTER DEVELOPMENT - A parcel of land comprising not less than twenty (20) acres, occupied or to be occupied by dwellings at the permitted district densities, utilizing public water and sewerage, encouraging preservation of contiguous open spaces, arrangement of yards to fit the topography in accordance with the applicable Township regulations.

SIGN - A structure, building wall or other outdoor surface, or any part used for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public or to display, identify or publicize the name and product or service of any person.

SINGLE and SEPARATE OWNERSHIP - The ownership of property by any person, whose ownership is separate and distinct from that of any adjoining property.

SPECIAL EXCEPTION - Permission, approval or authorization granted by Board of Adjustment in accordance with Article XII, herein, in situations where provision therefor is made by the terms of this Ordinance.

STORY - That portion of a building comprised between the surface of any floor and the surface of any floor or roof next above.

STREET - A public or privately owned right-of-way, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties.

STREET LINE - The dividing line between a lot and the outside boundary or right-of-way line of a public street, road, or highway legally open or officially platted, or between a lot and a privately owned street, road, or way over which the owners or tenants of two (2) or more lots each held in single and separate ownership have the right-of-way.

STRUCTURAL ALTERATION - Any change in or addition to the supporting or structural members of a building or other structure, such as the bearing walls, partitions, columns, beams, or girders, or any change which could convert an existing building or other structure into a different structure, or adapt it to a different use, or which in the case of a non-conforming building or other structure would prolong the life of such building or other structure.

STRUCTURAL UNIT - One or more buildings enclosed by continuous exterior walls and a continuous roof.

STRUCTURE - Any form or arrangement of building materials involving the necessity of providing proper support, bracing, tying, anchoring, or other protection against the forces of the elements.

TELEPHONE CENTRAL OFFICE - A building and its equipment used for the transmission and exchange of telephone or radio telephone messages between subscribers and other business of a telephone company, provided that in Residential Districts, a telephone central office shall not include public business facilities, storage of materials, trucks, or repair facilities, or housing of repair crews.

TOURIST HOME - A dwelling in which sleeping accommodations for less than (10) persons are provided or offered primarily for automobile tourists for compensation.

TRAILER CAMP - Any land used or designated to be used as a parking area for more than one house trailer.

TRAILER, HOUSE - Any vehicle, with or without wheels, used for living and sleeping purposes; a mobile home.

USE, ACCESSORY - A use subordinate to the principal use of land or of a building or other structure on a lot and customarily incidental thereof.

USED CAR LOT - Any land used or occupied for the purpose of buying and selling second-hand motor vehicles and storing said motor vehicles prior to

VARIANCE - Permission, approval or authorization granted by the Board of Adjustment in accordance with Article XII, herein, constituting a modification of, or deviation from, the exact provisions of this Ordinance as applied to a specific piece of property.

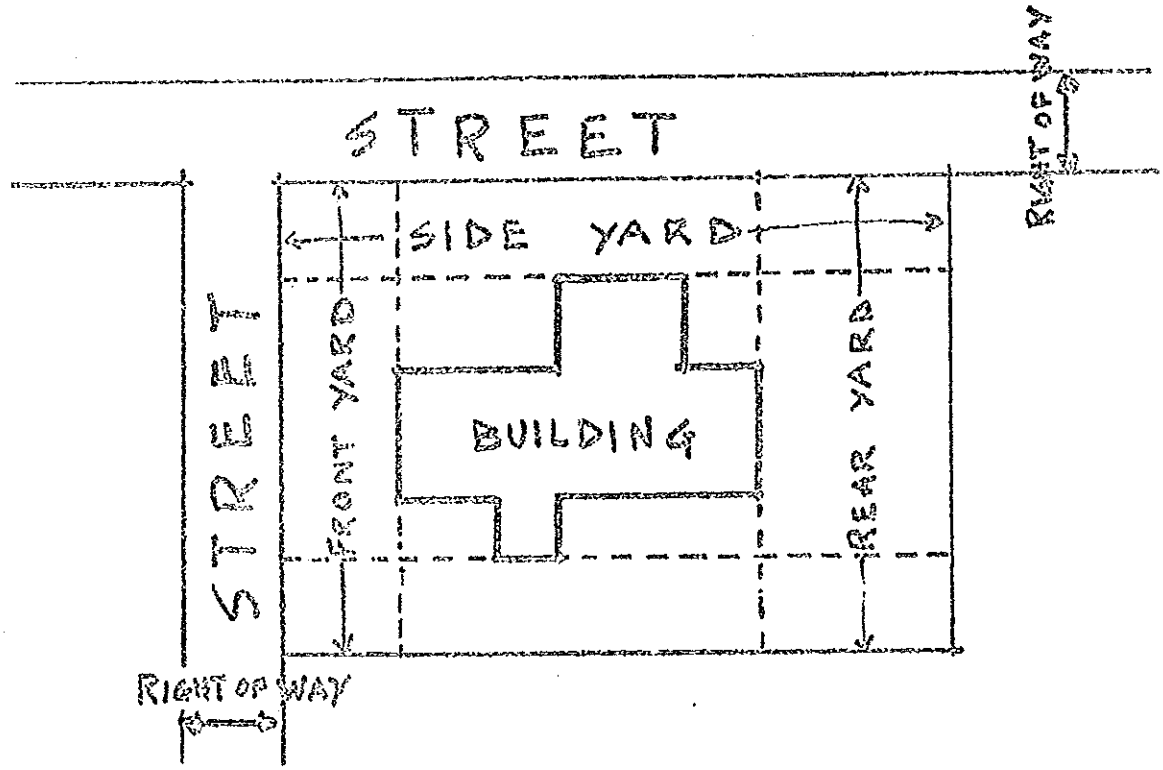
WALKWAY, PUBLIC - Any space designed or maintained solely for pedestrian passage without regard to ownership.

YARD - An open, unoccupied space on the same lot with a building or other structure or use, open and unobstructed from the ground to the sky.

YARD, FRONT - A yard extending the full width of the lot along the front lot line and extending in depth from the front lot line to the nearest point of any structure on the lot.

YARD, REAR - A yard extending the full width of the lot along the rear lot line and extending in depth from the rear lot line to the nearest point of any structure on the lot.

YARD, SIDE - A yard extending the full depth of the lot along a side lot line and extending in width from such side lot line to the nearest point of any structure on the lot.



Section 201. ESTABLISHMENT OF DISTRICTS.

Classes of Districts. For the purposes of this Ordinance, the Township is hereby divided into four (4) classes of districts which shall be designated as follows:

"FR" Farm Residential Districts

"R" Residential Districts

"NC" Neighborhood Commercial Districts

"I" Industrial Districts

The locations and boundaries of such districts shall be as shown on the map attached to and hereby made a part of this Ordinance, which shall be designated "Zoning Map". The said map, and all the notations, references, and other data shown thereon, shall be as much a part of this Ordinance as if fully described herein.

District Boundaries. The boundaries between districts are, unless otherwise indicated, either the center lines of streets, lanes, water-courses, and rights-of-way of power lines, railroads and other public utilities, or such lines extended, or lines parallel thereto. Where the boundaries of a single district are indicated as including directly opposite sides of a street, lane, lake or water-course, or right-of-way of a power line, or other public utility, for any portion of its length, the district so indicated shall be construed to apply to the entire bed of such street, lane, lake or water-course, or right-of-way of such power line, railroad, or other public utility, lying within such portion of its length. Where uncertainty exists as to the location of any said boundaries as shown on the Zoning Map, the following rules shall apply:

1. Where a district boundary is indicated as approximately following the center-line of a street, lane, lake or water-course, or right-of-way of a power line, or other public utility, such center-line shall be construed to be such boundary.

2. Where a district boundary is indicated as approximately following a lot or other property line, as of effective date of this Ordinance, such lot or property line shall be construed to be such boundary.

3. Where a district boundary divides a lot or runs through undivided property, the location of such boundary, unless otherwise specified by figures on the Zoning Map, shall be determined by the use of the scale appearing on said map.

4. Where a district boundary divides a lot held in single and separate ownership prior to the effective date of this Ordinance placing seventy-five (75) percent or more of the lot area in a particular District, the location of such District boundary may be construed to include the remaining twenty-five (25) percent or less of the lot so divided.

5. Where figures are shown on the Zoning Map between a street and a district boundary, they shall indicate that the district boundary runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated, unless specified. Where scaled distances do not agree with such figures, the figures shall control.

ARTICLE III

"FR" FARM RESIDENTIAL DISTRICTS

... "FR" Farm Residential Districts, the following regulations shall

... 300. USE REGULATIONS. A building may be erected or used, and ... used or occupied, for any of the following purposes, and no other:

...riculture, provided that a lot for the raising or breeding of live-...ock and poultry shall be not less than four (4) acres, and on such ... any structures used for the housing of livestock or poultry shall ... located not less than one-hundred (100) feet from any lot line.

... family detached dwelling.

...sion of single family detached dwelling, subject to the pro-...ns of Article X, Section 1010, herein.

...icipal use.

... of the following purposes when authorized as a Special Exception.

1. Research laboratories for scientific research and development, professional offices, which engage in activities directly related to agriculture, provided that the lot size shall be not less than four (4) acres.
2. Education, religious, charitable or philanthropic use, excluding correctional or penal institution.
3. Electric substation, telephone central office, passenger station for public transportation, other public utility, PROVIDED that no exterior storage of equipment, housing of repair crews or above ground storage of gaseous or liquid fuel shall be permitted.

4. Hospital for humans or animals, convalescent home or sanitarium, PROVIDED that asylum for the insane shall not be permitted.

5. Cemetery, PROVIDED that the parcel devoted to this use shall be in accordance with the laws of the Commonwealth of Pennsylvania.

6. Private club for swimming, tennis, golf, riding, gunning or other recreation, PROVIDED that the principle activity shall not be one which is customarily carried on as a business.

7. Private swimming pool and any use of the same general character as uses herein permitted in this Section.

8. Camping Park, in accordance with Article X, Section 1013, herein.

F. Signs, in accordance with Article IX, herein.

G. Parking, in accordance with Article VIII, herein.

H. Accessory use on the same lot as listed in Article X, Section 1007, herein, to any of the foregoing permitted uses.

Section 301. HEIGHT REGULATIONS. The maximum height of buildings or other structures erected or enlarged in this district shall be:

A. For any dwelling, or any accessory building or structure, thirty-five (35) feet, not exceeding three (3) stories.

B. For any non-dwelling building or other structure, thirty-five (35) feet, except that such height may be increased to a maximum of sixty-five (65) feet PROVIDED that for every foot of height in excess of thirty-five (35) feet there shall be added to each yard requirement one (1) corresponding foot of width or depth.

ion 302: AREA, WIDTH, YARD and COVERAGE REGULATIONS.

inimum Lot Area and Width. A lot area of not less than two (2) res, and a lot width of not less than two-hundred (200) feet at e building line, shall be provided for every building or other ructure erected or used for any permitted use, except as provided Sections 300 A and 1000, herein.

rd Regulations.

Front, Rear and Side Yards. There shall be a front yard and a rear yard and two (2) side yards on each lot, neither yard having a depth or width of less than sixty (60) feet, except as provided in Article X, Section 1003 and Section 1007, herein.

ilding Coverage. Not more than five (5) percent of the area of y lot shall be occupied by buildings, except as provided in Article Section 1000, herein.

ARTICLE IV

"R" RESIDENTIAL DISTRICTS

In the "R" Residential Districts, the following regulations shall apply:

Section 400. USE REGULATIONS. A building may be erected or used, and a lot may be used or occupied for any of the following purposes, and no other:

A. Any use permitted in "FR" Farm Residential, PROVIDED, however, that the following uses shall not be permitted:

1. The raising or breeding of livestock and poultry unless in accordance with the requirements of Article III, Section 300, herein.
2. Animal hospital.
3. Camping Park.

B. Multi-family and other customarily incidental accessory uses, in accordance with Article VII , herein.

Section 401. HEIGHT REGULATIONS. The regulations of Article III, Section 301, herein, shall apply.

Section 402. AREA, WIDTH, COVERAGE and YARD REGULATIONS. In the case of Residential Cluster Development the regulations of Article VII, herein, shall apply, otherwise:

A. Minimum Lot Area and Width. A minimum lot area and a minimum lot width shall be provided for every building or other structure erected or used for any permitted use, in accordance with the following, except as provided in Article X, Section 1003, herein:

CONDITION	MIN. LOT AREA	MIN. LOT WIDTH (At the Bldg. Line)
1 With neither public sewerage nor public water	1 Acre	125 ft.
2 With public water or public sewerage	3/4 Acre	100 ft.
3 With public water and public sewerage	1/2 Acre	80 ft.

Building Coverage. Not more than fifteen (15) percent of the area of any lot shall be occupied by buildings, except as provided in Article X, Section 1013, herein.

Yard Regulations.

1 Front and Rear Yards. There shall be a front yard and a rear yard on each lot, neither yard having a depth of less than sixty (60) feet.

2 Side Yards.

a. On each interior lot there shall be two (2) side yards, neither side yard having a width of less than the following, according to the particular minimum lot width which may be applicable:

MIN. LOT WIDTH (At the Bldg. Line)	MIN. WIDTH OF EACH SIDE YARD
(1) 125 ft.	35 ft.
(2) 100 ft.	25 ft.
(3) 80 ft.	15 ft.

b. On each corner lot there shall be two (2) side yards, the side yard abutting a street having a width of not less than sixty (60) feet, and the side yard not abutting the street having a minimum width as prescribed above for side yards on interior lots, for the particular minimum lot width as may be applicable.

3. Accessory use structures on any lot may be erected and maintained in a rear yard, subject to the provisions of Article X, Section 1007, herein.

ARTICLE V

"NC" NEIGHBORHOOD COMMERCIAL DISTRICTS

[illegible] "NC" Neighborhood Commercial Districts the following regulations [illegible]

[illegible] 500. USE REGULATIONS. A building may be erected or used, and [illegible] used or occupied, for any of the following purposes and no other:

[illegible] use permitted in "R" Residential Districts.

[illegible] establishment for sale of dry goods, drugs, food, jewelry, [illegible] and general merchandise, hardware, household furnishings [illegible] supplies, instruments, electronic appliances including repair [illegible], job printing;

[illegible] tea room, confectionery or other place serving food or [illegible], PROVIDED that no out-door counter or curb service shall [illegible] permitted.

[illegible] service shop including barber, beauty salon, shoe repair, [illegible], dressmaking, pick-up station for laundry and dry cleaning.

[illegible] use on the same lot with and customarily incidental to [illegible] of the foregoing permitted uses.

Signs, in accordance with Article IX, herein.

Parking, in accordance with Article VIII, herein.

Any of the following uses when authorized as a Special Exception:

1. Gasoline filling station.

2. Trailer camp in accordance with applicable Township ordinances.

Section 501. HEIGHT REGULATIONS. The regulations of Article III, Section 301, herein shall apply.

Section 502. AREA, WIDTH, YARD and COVERAGE REGULATIONS.

A. Minimum Lot Area and Width. For every building or other structure erected or used for any permitted use the following shall apply:

1. For any residential use the regulations of Article IV, Section 402, herein, shall apply.

2. For all other permitted uses: a) When served with public water and sewerage, the minimum lot area shall be not less than ten-thousand (10,000) square feet and the minimum lot width of not less than sixty (60) feet; b) when served with on lot water and/or sewerage facilities the regulations of Article X, Section 1012, herein, shall apply.

3. Uses which are to occupy two (2) or more principal buildings shall be in accordance with regulations of Article VII, herein.

B. Yard Regulations.

1. Front Yard. There shall be a front yard on each lot the depth of which shall be not less than fifty (50) feet.

2. Side Yards.

a. On each corner lot there shall be a side yard, abutting the

street, having a width of not less than fifty (50) feet.

b. On a lot the interior side lot line of which abuts a Residential District, there shall be a side yard having a width of not less than twenty-five (25) feet and screen planting.

c. Where two (2) or more abutting lots have buildings thereon employing common party walls, no side yard shall be required along the side lot line having such common party wall.

d. On all other interior side lot lines, there shall be a side yard having a width of not less than ten (10) feet.

3 Rear Yard. There shall be a rear yard on each lot the depth of which shall be not less than twenty-five (25) feet.

uilding Coverage. Not more than forty (40) percent of the area of ny lot shall be occupied by buildings.

ion 503. VEHICULAR INGRESS and EGRESS. Points of vehicular ingress between a street and all off-street parking and service area shall ated and so controlled that vehicles can be moved from such parking ice areas to the street only by way of such designated points of nd egress. No parking area shall be permitted which might allow ge the backing of vehicles directly into a street.

ion 504. OUTDOOR DISPLAY OF MERCHANDISE. No merchandise, equipment r products shall be stored or displayed for sale or otherwise on a hin a front yard or a side yard abutting a street, nor between a line and the wall of a principal building.

ARTICLE VI

"I" INDUSTRIAL DISTRICTS

In "I" Industrial Districts the following regulations shall apply:

Section 600. USE REGULATIONS. A building may be erected or used, and a lot may be used or occupied, for the following purposes, and no other:

A. Agriculture, laboratory for scientific research and development; with special provision, gasoline filling station, as prescribed in Article X, Section 1001, herein.

B. Manufacturing, wholessling, warehousing and distributing, PROVIDED that no activity shall be permitted which is noxious, offensive or otherwise objectionable by reason of odor, noise, dust, vibration, radiation, glare, nor which is hazardous by reason of fire, explosion or disposition of waste or otherwise.

C. Business or professional office, bank, passenger station for public transportation, restaurant, personal service shop, PROVIDED that such uses are planned and incorporated as an integral part of a permitted industrial development.

D. Motel, PROVIDED that such use includes dining facilities and meeting room facilities for public assembly, planned and incorporated as an integral part of such use, and further PROVIDED that no dwelling shall be permitted other than living quarters for the manager.

E. Accessory use on the same lot with, and customarily incidental to, any of the foregoing permitted uses.

Signs, in accordance with Article IX, herein.

Parking, in accordance with Article VIII, herein.

Any use of the same general character as any of the above permitted uses, when authorized as a Special Exception.

Section 601. HEIGHT REGULATIONS. The maximum height of buildings and structures erected or used in this District shall be thirty-five (35) feet; PROVIDED such height may be increased to a maximum of sixty-five (65) feet for every one (1) foot of height in excess of thirty-five (35) feet shall be added to each yard requirement two (2) corresponding feet of depth.

Section 602. AREA, WIDTH, COVERAGE and YARD REGULATIONS.

Minimum Lot Area and Width. A lot area of not less than three (3) acres, and a lot width of not less than three-hundred (300) feet at the building line, shall be provided for every permitted use, however, in addition, where two (2) or more principal buildings are to be erected or used, regulations of Article VII, herein, shall apply.

Building Coverage. The maximum building coverage on any lot shall be in accordance with the following table:

LOT AREA	MAXIMUM BLDG. COVERAGE
three (3) acres and not exceeding seven (7) acres. . .	35 percent
Over (7) acres and not exceeding fifteen (15) acres . . .	40 percent
Fifteen (15) acres	50 percent

C. Yard Regulations. There shall be a front yard, a rear yard, and two (2) side yards on each lot and the depth or width of each shall be not less than seventy-five (75) feet. Where such side or rear yard abuts a Residential District, screen planting shall be required.

1. Accessory use structures on any lot may be erected and maintained in a rear yard, subject to the provisions of Article X, Section 1007, herein.

Section 603. ON-SITE SEWER and WATER FACILITIES shall be in accordance with the Township Sanitation Ordinance.

Section 604. OFF-STREET PARKING and LOADING FACILITIES. Except for passenger loading and incidental visitor parking space not exceeding ten (10) cars, no off-street parking or loading facilities shall be permitted within a required front yard, or within a required side yard abutting a street; and further PROVIDED that all off-street parking areas shall be visually screened in a manner acceptable to the Supervisors, from view from a public street by means of shrub planting, in all instances where such screening is not otherwise provided by building, wall or fence.

ARTICLE VII

MULTI-UNIT DEVELOPMENT PROVISIONS

Section 700. MULTI-UNIT DEVELOPMENTS.

Objective. In order to permit and encourage a more efficient, diversified and attractive development, and provide flexibility in arrangement of buildings and to meet the latest technics of development, yet at the same time protect the public health, safety and general welfare, the following regulations shall apply:

Residential Cluster Development. In District permitting Residential Cluster Development, the lot area, width, yard and coverage regulations to the contrary notwithstanding, the following shall apply:

1. The development area shall:

   a. Be not less than twenty (20) acres;

   b. Have a density not greater than permitted by the applicable District.

2. The applicable District lot area, width and yard regulations may be reduced to fifty (50) percent, and further provided, that no more than twenty-five (25) percent of any lot area shall be occupied by buildings.

3. The intended use of the entire development area shall be designated either as:

   a. Single family residential use with certain percentage in over-sized lots and no public or semi-public open space; or

b. Single family residential use and public or semi-public open space area, where the latter may be used or reserved for parks, woodland, golf course, playground or other similar open space uses, PROVIDED, however, that no single parcel of open space is less than five (5) acres over and above any public utility easement that may exist, and such open space may contain structures related to outdoor recreational use.

4. Public and semi-public open space areas, if provided, may be offered by dedication to the Township or owned by an Automatic Property Owners' Association.

5. Each single family residence or other major structure shall be served by public water, public sewerage facilities and underground electric and telephone wiring, unless the cost of such wiring is proven by the developer to be excessive.

C. Multi-Family Residential, Multi-Unit Commercial and Industrial Developments shall be developed in accordance with the following:

1. In the case of Multi-Family Buildings, where permitted:

a. All building units shall be served with public water and public sewerage facilities;

b. The lot or development area density shall be not greater than fifteen (15) families per acre;

c. The arrangement, coverage and length of multi-family buildings shall be as follows:

(1) Arrangement:

(a) Not more than three (3) sections shall form a single structural unit and closed courts shall not be permitted.

(b) The minimum distance between buildings shall be:

i. Three (3) times the height of the taller building when a building fronts upon another, but in no case less than seventy-five (75) feet.

ii. Two (2) times the height of the taller building where a building backs upon another, but in no case less than fifty (50) feet.

iii. The height of the taller building, when a building is side to side with another, but in no case less than twenty-five (25) feet.

(c) In all Residential Districts, multi-family buildings shall be not less than one-hundred (100) feet from the property line.

(2) Coverage. Not more than twenty (20) percent of any lot area shall be covered by buildings.

(3) Length. Single or attached buildings in a single direction shall be not more than two-hundred (200) feet long.

2. In the case of Multi-Unit Commercial and Industrial Developments, where these are permitted:

a. They will consist of harmonious grouping of buildings or other structures, adequate service parking with water and sewerage facilities and open spaces, planned as a single and common operation and maintenance unit, as applicable;

b. The use and value of the adjacent property will be safeguarded;

c. If the development is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions and intent of this Ordinance shall be fully complied with at the completion of any stage.

Section 703. BUILDING PERMIT. Each Building Permit Application for uses permitted by this Article shall be accompanied by an approved Development Plan in addition to other normally required drawings.

ARTICLE VIII

OFF-STREET PARKING AND LOADING

The following Off-Street Parking and Loading regulations shall apply:

Section 800. REQUIRED OFF-STREET PARKING FACILITIES. Any building or structure erected or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces in accordance with the following, together with adequate passageways, driveways, and means of circulation and access to and from a public street or way:

. Dwelling - two (2) spaces, surfaced as necessary to be useable at all seasons or in all weather conditions, for each dwelling unit, whether single-family, multi-family or otherwise, and on the same lot therewith.

: For any of the following uses, the required parking spaces shall be surfaced as necessary to be useable in all seasons or weather conditions, and shall be located on the same lot therewith or on a lot adjacent thereto:

CHURCH, SCHOOL, PUBLIC AUDITORIUM, ASSEMBLY OR MEETING ROOM, or similar place of public or semi-public assembly: One (1) parking space for every four (4) seats provided for assembly.

STADIUM or other similar outdoor place for assembly: One (1) parking space for every four (4) seats.

HOSPITAL, CONVALESCENT HOME or SANITARIUM: One (1) parking space for every four (4) beds, plus one (1) space for each regular employee, nurse or physician in attendance during daylight hours.

COMMUNITY CENTER, LIBRARY, MUSEUM or other similar place: One (1) parking space for every eight-hundred (800) square feet of floor space in public use, plus required parking spaces for auditorium if included.

INSTITUTIONAL HOME: One (1) parking space for every six (6) occupants plus one (1) space for each day-time staff member.

For any use providing for over-night guests for compensation: One (1) parking space for each bedroom for such use, plus two (2) spaces for the permanent resident or manager.

C. For any of the following uses the required parking spaces shall be paved and such parking spaces shall be located on the same lot therewith, except as provided in Section 801, herein below:

1. RETAIL STORE or SHOPS: One (1) parking space for every one-hundred (100) square feet of store floor area for customer sales.

2. DEPARTMENT STORE or SUPERMARKET, as a type of retail store: One (1) parking space for every fifty (50) square feet of store floor area for customer sales.

3. HOTEL or MOTEL: One and one-half (1 1/2) parking spaces for each rental unit; and where such contains a restaurant, additional parking spaces, as required for a restaurant, shall be provided.

4. OFFICE BUILDING: One (1) parking space for every one-hundred (100) square feet of floor space in office use, but in no case less than

two (2) spaces for each tenant or each two (2) employees, whichever shall be the greater.

5. RESTAURANT, CAFE, or TEA ROOM, or any use providing meals for compensation: One (1) parking space for each two (2) chairs.

6. LABORATORY, INDUSTRIAL and WHOLESALE ESTABLISHMENT: One (1) parking space for every two (2) employees, and if retail sales are conducted on the premises, additional spaces shall be provided as required for "Retail Store", herein.

7. OTHER COMMERCIAL BUILDING: One (1) parking space for every one-thousand (1000) square feet of floor area, but in no case less than one (1) parking space for every two (2) employees.

Section 801. OFF-STREET PARKING SPACE LOCATION EXCEPTION. The parking required in Section 800 - C, above, may be located elsewhere than on a lot subject to the following conditions:

1. That the owners of two (2) or more establishments shall submit, with their application for a Building Permit, a site plan showing joint use and location of common off-street parking area;

2. That some portion of such common off-street parking area lies within two-hundred (200) feet of an entrance, regularly used by patrons, into the buildings served thereby; and

3. That two (2) or more establishments may employ common parking areas without regard to the above minimum requirements, provided that there shall be a ratio of not less than two (2) square feet of parking space,

exclusive of circulation lanes, for every one (1) square foot of sales floor area for customer use.

Section 802. OFF-STREET PARKING SPACE INGRESS and EGRESS. In no case shall off-street parking for commercial or other non-residential uses be so arranged as to permit vehicles to back directly therefrom into a public street.

Section 803. PARKING SPACE PROHIBITED IN PUBLIC STREET. In no event shall the public street be used for parking of vehicles in connection with commercial, industrial or other non-residential use, nor shall the public street be used for compliance with off-street parking space required for any use.

Section 804. REDUCTION OF PARKING FACILITIES. Off-street parking facilities existing at the effective date of this Ordinance shall not subsequently be reduced to an amount less than the number required hereunder for a similar building or new use; nor shall off-street parking facilities provided to comply with the provisions of this Ordinance be subsequently reduced below the requirements of this Ordinance.

Section 805. REQUIRED OFF-STREET LOADING and UNLOADING FACILITIES. In addition to required off-street parking spaces, any of the foregoing uses which involve trucking or other deliveries or services shall be provided with adequate off-street loading and unloading space, in addition to, and independent of, required parking spaces.

Section 806. OFF-STREET PARKING IN REQUIRED YARDS. Except as otherwise provided in the District regulations, required off-street parking shall be permitted within the required yard areas.

ARTICLE IX

SIGN REGULATIONS

The following regulations shall apply to all signs erected or maintained in the Township after the effective date of this Ordinance:

Section 900. TYPES and AREA OF SIGNS. A sign, as defined in Article II, shall include banners, streamers, whirling, floating or lighting device, or other type of means of attracting the public attention, and are defined specifically, as follows:

A. TYPES OF SIGNS as to USE or FUNCTION.

1. Billboard - an outdoor sign, as a commercial use, which advertises or directs public attention to a business, commodity, service, place, entertainment or activity, NOT conducted, sold, offered or located on the same premises with such sign, and not to be construed as a "Directional Sign".

2. Bulletin Board - a sign erected and permanently maintained for public and semi-public institutions such as churches, schools, hospitals, fire halls, or other municipal offices or similar activities, which shall contain no commercial advertising.

3. Business Sign - a sign which directs public attention to a business, commercial, professional or industrial activity, or to a commodity, service, or entertainment sold, offered or provided for compensation ON THE PREMISES where such sign is located.

4. Contractor's Sign - a temporary sign of a contractor, mechanic, painter or artisan, erected and maintained on the premises only for that period of time during which their respective work is being performed, and which shall be removed promptly upon completion of such work.

5. Construction Sign - a temporary sign warning of construction, excavation, or storage of materials or equipment, such signs being properly and adequately lighted or otherwise made clearly visible 24 hours of each day so long as such condition shall exist.

6. Directional Sign - a sign, temporary or permanent, containing no advertising other than a name or symbol, for the purpose of directing the public to any activity, location or route, which sign shall not be construed as a "Billboard".

7. Entrance Sign - a sign erected and maintained at a vehicular entrance to any property or activity or facility, containing no advertising other than a name, and having as its purpose to serve the public convenience.

8. Highway Sign - an official sign within the public right-of-way of any street, erected under sole jurisdiction of a State, County or Township Official.

9. Incidental Sign - an occasional sign, in addition and subordinate to other permitted signs, which shall contain no advertising and which shall not be included in computing allowable sign area.

10. Identification Sign - a name plate or similar device for indicating the occupant or resident of a property, or the name of the property itself; this may include the name of a farm; and such sign shall not contain advertising, nor shall such sign be included in computing allowable sign area.

11. Non-conforming Sign - a sign existing on a premises prior to the effective date of this Ordinance. (A sign erected subsequent to the effective date of this Ordinance which does not conform to the regulations herein, shall be deemed an "illegal sign".)

12. Real Estate Sign - a sign advertising any building, land or other real property held in single and separate ownership, for sale, for rent, or for lease, such sign to contain no advertising other than the name of the realtor, agent, broker or the owner, as applicable, their address, telephone number, the words "For Sale", "For Rent", "For Lease", "Auction" with time and date, and similar text; and it shall be permissible for the word "Sold" to be attached to such sign for a period not longer than two (2) weeks; a "Real Estate" sign shall not be construed to be a "Subdivision Sign".

13. Street Sign - the official sign naming the street or road within the Township, which sign shall be erected only by direction of, or with the approval of, the Township Supervisors.

14. Subdivision Sign - a sign erected and maintained on the premises, for advertising the sale or development of property within a subdivision for residential, commercial or industrial purposes, such

sign not to be construed to be a "Real Estate Sign"; where "Sample Home", or similar text, is located on the premises, such shall be deemed an "Incidental Sign", but where such sign is located off the premises, it shall be deemed a "Directional Sign".

15. Temporary Sign - a sign erected for a temporary use or for such limited period of time as may be specified herein.

16. Traffic Sign - a sign for the purpose of control of vehicular or pedestrian traffic; and where such sign is erected and maintained within a public right-of-way, it shall be deemed a "Highway Sign", and where such a sign is erected and maintained on private property it shall be deemed an "Incidental Sign".

17. Trespass Sign - an "Incidental Sign" posted on the premises for the purpose of notifying the public that a particular condition, or a potential hazard, may exist thereon which, if unheeded, could result in damage to persons or property, such as "Beware of Dog", "Keep Off", "No Trespassing", "No Hunting", "Private Property", and similar text.

B. TYPES OF SIGNS as to CONSTRUCTION or LOCATION.

1. Double-Faced Sign - a sign having two (2) parallel faces immediately back-to-back, identical in size and shape, and containing substantially identical text.

2. Flashing Sign - a sign, the day or night visibility of which is interrupted, intermittent, or otherwise not constant, by reason of mechanical movement, lighting or a purposely designed result of natural forces acting thereon, or otherwise.

Ground Sign - a free-standing sign, near ground level, held in position by its own framework and support, and independent of any part of a building, wall or other structure.

Illuminated Sign - A sign which is so designed or equipped as to be clearly visible at night as well as at daytime by means of any of the following types of lighting:

a. Diffused Lighting - light emanating through translucent glass, plastic, or other material, the actual shape of such materials visually forming, by masking or silhouette, the individual letters or symbols of the sign.

b. Floodlighting - illumination by broadly focused light, producing a relatively uniform intensity of light over the surface to be illuminated, and having the actual source of light shielded from view from any point off the premises.

c. Fluorescent Lighting - illumination produced by glass or plastic tubing filled with metallic vapors or gases which have the characteristic of glowing when electrical current is passed through; with respect to signs, this shall apply to actual letters or symbols formed by such tubing, or to text which is illuminated by such source of light.

d. Indirect Lighting - illumination to cause letters or symbols of a sign to be visible at night in silhouette or by reflection of light, with the actual source of light remaining invisible.

e. Spotlighting - the illumination of an object by a narrowly focused beam of light and producing a relatively high concentration of light within a relatively small area.

5. Projecting Sign - a sign attached to a wall of a building or other structure and which may project therefrom a horizontal distance of not more than forty-two (42) inches therefrom, provided, however, that floodlighting or spotlighting devices for such signs may extend a horizontal distance of not more than six (6) feet from such wall.

6. Reflector-Type Sign - a sign constructed of such material as to be visible at night solely by reflection of light produced or projected thereon from automobile headlights or similar source.

7. Single-Faced Sign - a sign constructed of a single side or face, or one (1) of the two (2) faces of a "V"-Type Sign which has an interior angle greater than sixty degrees (60°).

8. "V"-Type Sign - a sign having two (2) faces back-to-back but not parallel, identical in size and text, abutting or forming a common seam on one side and, in plan, forming a "V".

9. Wall Sign - a sign applied, painted or attached on a wall of a building or other structure and extending therefrom not more than a horizontal distance of twelve (12) inches, provided, however, that floodlighting or spotlighting devices for such signs may extend a horizontal distance of not more than forty-two (42) inches from such wall.

10. Window Sign - an indoor sign, placed near or attached to a glass window in such manner as to be visible and effective as a "Sign" from the outdoors.

OTHER DEFINITIONS PERTAINING TO SIGNS.

1. Advertising - as used in this Ordinance, shall mean any text or symbol which exhorts the public to purchase, use, visit or act or enter into a monetary transaction for profit; provided, however, that a simple name of a tenant, occupant, or enterprise shall not necessarily be deemed advertising when made a part of an "Entrance Sign", or of an "Incidental Sign".

2. Building Frontage - the lineal footage of lot line abutting a street, subtended by a projection of the outside walls of a building, and where such lot lines are curved, such lineal footage shall be measured as a "chord" or a straight line.

3. Cornice Line - the projecting edge of a roof, or in lieu of projection, the molded finish or cap of the exterior building wall.

4. Sign Area - the entire area within a continuous perimeter enclosing the extreme limits of all elements of a sign, exclusive of structural framing or supports where such are not illuminated, but where such framing or supports are illuminated as a part of the sign, they shall be included in computing the sign area; where a sign contains "cut out" or "boxed" letters and words attached to a wall, the area shall be that which is enclosed within the shortest possible continuous perimeter line which may be drawn to encompass all letters,

symbols or other elements; and the same shall apply to signs painted on a wall, and further provided that:

a. For "Double-Faced" signs or "V"-Type signs, where the interior angle does not exceed sixty degrees (60°), only one (1) face shall be applicable in computing the sign area.

b. For "V"-Type signs having an interior angle greater than sixty degrees (60°) both faces shall be applicable to sign area.

5. Structurally Unsafe - as used in this Ordinance, shall mean hazardous or dangerous to persons or property, as determined by or in the opinion of the Building Inspector, due to deterioration of fabric or materials, framework, support, painting or electrical wiring, if applicable, or due to damage by natural elements, vandalism, or otherwise, to such extent as to warrant major repair, repainting or other maintenance to prevent further deterioration, or demolition and removal.

Section 901. SIGN REGULATIONS WITHIN VARIOUS ZONING DISTRICTS. Except as may be specified otherwise in particular instances, the following shall apply:

A. SIGNS IN "FR" FARM RESIDENTIAL DISTRICTS. On any single lot held in single and separate ownership, the following signs shall be permitted:

1. One (1) Identification Sign for single-family residence, not more than one (1) square foot in area; for a farm, or for any other non-residential activity, such Identification Sign shall

be not in excess of one (1) square foot for each one (1) acre of land within such property.

2. One (1) Bulletin Board, not exceeding twenty-four (24) square feet in area.

3. One (1) unlighted Real Estate Sign, not exceeding one (1) square foot for each one (1) acre of land comprising the premises on which such sign is erected, for each street frontage, provided that no such sign shall be required to be less than six (6) square feet.

4. Trespass Signs, provided that the area of any single sign shall not exceed two (2) square feet, and further provided that the total number of such signs for any single street frontage shall not exceed one (1) sign for each ten (10) acres within the lot, but in no case closer together along such frontage than one-hundred (100) feet apart.

5. Subdivision Signs, one (1) sign for each street frontage, and each having a Sign Area as follows:

   a. In a subdivision, the recorded plat of which contains less than ten (10) lots, each sign not to exceed fifteen (15) square feet.

   b. In a subdivision, the recorded plat of which contains ten (10) or more lots, each sign not to exceed fifteen (15) square feet plus one (1) square foot of sign area for each lot in excess of ten (10) lots.

6. Contractors' Signs, no one of which shall exceed twelve (12) square feet in area.

7. For any lawful non-conforming use, the total area of signs on the premises shall not be increased beyond that total area existing on the effective date of this Ordinance, or upon the date such use became non-conforming.

B. SIGNS IN "R" RESIDENTIAL DISTRICTS. On any single lot held in single and separate ownership, the following signs shall be permitted:

1. A sign permitted in "FR" Farm Residential Districts.

2. An Identification Sign for a passenger station or shelter for passengers, not to exceed four (4) square feet in area.

3. An Identification Sign for a multi-family dwelling, not to exceed four (4) square feet in area, and one (1) such sign shall be permitted at each vehicular entrance or exit to or from a public street.

C. SIGNS IN "NC" NEIGHBORHOOD COMMERCIAL DISTRICTS. On any single lot held in single and separate ownership, or for each separate commercial enterprise regardless of ownership, the following signs shall be permitted:

1. A sign permitted in the "R" Residential Districts, provided the use to which it refers shall exist on the premises.

2. Business Signs, which may be Wall Signs or Projecting Signs, but which shall not be Ground Signs, attached to the same building

as the use to which it refers, provided that:

a. The total number of signs shall not exceed three (3) for each street frontage, exclusive of Window Signs.

b. The maximum total sign area, for all signs on the premises exclusive of Window Signs, shall be two (2) square feet for each lineal foot of building frontage, and for corner lots, the respective sign areas and building frontages shall be computed separately.

c. Window Signs shall be Temporary Signs for a period not to exceed thirty (30) days, shall not be included in computing total allowable sign area, and in no event shall Window Signs cover more than twenty (20) percent of the area of the window opening in the structural wall, regardless of separate panes.

d. No Wall Sign, Projecting Sign, or other type, regardless of how attached to a building, shall extend more than twenty-four (24) inches above the main cornice line of a building.

3. For any use having a total building frontage, or for any lot having two (2) or more buildings which, added together, have a total building frontage, of one-hundred (100) feet or more, one (1) Ground Sign, as an Identification Sign, shall be permitted, in addition to other permitted Business Signs; such Ground Sign shall not exceed fifteen (15) feet in over-all height, or forty (40) square feet in sign area, such sign to be erected on a standard or support in such manner that the lower edge of the sign shall be not less than ten (10) feet above the ground level.

4. Incidental Signs shall be permitted and shall not be computed in the total allowable sign area, as follows:

   a. Parking Signs, Directional Signs, arrows and lines for parking spaces painted or otherwise applied flush with the ground, shall all be white;

   b. The number of such Incidental Signs shall be as necessary to provide for the public safety and convenience; and

   c. Such Indicental Signs shall contain no advertising in any form.

   d. No Incidental Sign shall exceed two (2) square feet in area.

5. For any permitted use which does not involve a building or other structure for the housing or display of merchandise, One (1) Ground Sign shall be permitted not exceeding twenty-five (25) square feet in area or an over-all height of fifteen (15) feet, and the lower edge of such sign shall be not less than ten (10) feet above the ground level.

D. SIGNS IN "I" INDUSTRIAL DISTRICTS. On any single lot held in single and separate ownership, the following signs shall be permitted:

1. A sign permitted in "NC" Neighborhood Commercial Districts, provided that the use to which it refers shall exist on the premises.

2. One (1) Billboard, not to exceed fifteen (15) feet in over-all height or forty (40) feet in over-all length, provided that such Billboard shall not be permitted in any front, side or rear yard as prescribed herein for the "I" Industrial Districts; and further

provided that such Billboard shall be appropriately landscaped with evergreen plant material, and such Billboard may be Single-Faced or Double-faced.

j. Incidental Signs for the following purposes, provided that no such signs shall contain advertising in any form:

a. For direction of traffic, parking, deliveries, visitors, and the like, each sign not to exceed six (6) square feet.

b. For identification of "Office", "Warehouse", "Shipping", and other activities normal to an industrial use, as required.

c. For warning of special hazards or conditions, as required.

Section 902. GENERAL PROVISIONS PERTAINING TO SIGNS. In addition to the ...ing regulations pertaining to Signs in the various Zoning Districts, the ...ing General Provisions shall apply to all Signs in all Zoning Districts, ... otherwise specified:

A. GENERAL.

1. No sign shall be erected or maintained in such manner as to prevent free ingress or egress to or from any door, window or fire escape; nor shall any sign be attached to a standpipe or fire escape.

2. No Business Sign may be located nearer to a Residential District or to a lot line of an existing dwelling than permitted for any other business or commercial building or structure.

3. No sign shall be erected or maintained at or near the intersection of streets in such manner as to obstruct free and clear vision.

4. Projecting Signs and Wall Signs may extend beyond the building line and over public walkway to their fullest horizontal distance, as defined, provided that no part of such signs shall be less than ten (10) feet above the sidewalk level; and further provided that lighting devices for the floodlighting of such signs may project a maximum distance of six (6) feet over a public walkway if located at least fifteen (15) feet above the sidewalk level.

5. No sign shall be erected or maintained nearer to any park, church or public playground than any other building or structure.

6. Whenever any sign becomes structurally unsafe, as defined, the Building Inspector shall give written notice to the owner of the sign or the owner of the premises on which the sign is located, that such sign shall be made safe or removed within five (5) days, and failure to heed such notice shall be deemed a violation of this Ordinance for which the terms of Article XV, herein, shall apply.

7. Any non-conforming sign shall not be altered or changed in over-all dimensions except to conform to the regulations herein.

8. Contractors' Signs, as defined, shall not exceed seventy-five (75) square feet in area in all "I" Industrial Districts, and in all other Districts, such signs shall not exceed twelve (12) square feet in area.

9. Trespass Signs, as defined, which may be attached to a tree or to a fence, or similar support, shall be deemed Ground Signs.

10. Temporary Signs and Incidental Signs shall not be included in computation of allowable sign area.

11. Temporary Signs for special sales, special openings, auctions, benefits, and for direction of trucks for projects under construction, shall be authorized or erected by permit issued for such signs, and such signs shall not exceed four (4) square feet, in area. No such sign shall be attached to an electric pole.

12. Except as otherwise specified herein, any permitted sign other than a Real Estate Sign may be illuminated, and any illumination shall be subject to the following regulations, regardless of zoning District:

a. Illuminated signs must be stationary and constant in intensity or color at all times when such sign is in use, and no illuminated sign shall have a flashing, rotating, oscillating or similar device.

b. Floodlighting shall be so shielded that the source of light shall not be visible from any point off the lot on which the sign, building or structure being illuminated is located, and so that only the sign, building or structure is directly illuminated thereby.

c. An Identification Sign, as defined, in a "FR" or "R" District for a dwelling, shall be illuminated only by diffused light,

but for a farm, such sign may be floodlighted, and in all other Districts, an Identification Sign may be illuminated by diffused, flood, spot or indirect lighting.

d. Fluorescent lighting shall be permitted only in "C" Commercial and "I" Industrial Districts.

e. No illumination having a red, amber or green color shall be permitted within one-hundred (100) feet of a street intersection.

f. Any type of illumination which produces glare upon an existing dwelling shall be deemed a violation of this Ordinance.

B. SIGN PERMITS, BOND and LICENSE.

1. PERMITS. A sign permit shall be required for all signs exceeding two (2) square feet in area, and such signs shall be subject to a permit fee, unless specifically exempted therefrom.

2. APPLICATIONS FOR PERMITS. Forms for applications for sign permits shall be furnished by the Township and obtained from the Building Inspector; such applications shall be accompanied by plans, specifications, or such other information sufficient to show the size, type of construction, and location of the sign for which a permit is requested; an electrical sign shall, in addition, show evidence of compliance with such electrical code as may be standard for other electrical work in the Township.

3. No permit shall be issued for any electrical sign, or for any sign projecting over a walkway or other space accessible to the public, unless the following shall have been submitted:

a. Written consent, with signature, of the owner of the premises on which such sign is to be located.

b. Bond or Liability Insurance Policy Certificate, such being an indemnity bond in the amount of $25,000 payable to Honey Brook Township, or a policy for liability insurance for no less than that amount, both of which shall be satisfactory to the Township Solicitor.

4. FEES for sign permits shall be as follows:

a. Ground Signs:

Over two (2) sq. ft. to six (6) sq. ft..... $ 1.00
Over six (6) sq. ft. to twenty (20) sq. ft..... 5.00
Over twenty (20) sq. ft..... 10.00

b. Wall Signs or Projecting Signs:

Up to and including fifty (50) sq. ft..... 10.00
Over fifty (50) sq. ft..... 15.00

c. Temporary Signs for special openings:
auctions, special sales, and the like, deposit of 15.00 of which $10.00 shall be refunded upon removal of such signs.

d. Illuminated sign, any type, minimum..... 1.00

5. EXEMPTIONS FROM FEES BUT NOT FROM PERMIT. The following shall be exempt from payment of a fee, but shall not be exempt from permit, nor shall such exemption be construed as relieving the

owner or sign erector from the Bond or Liability Insurance, nor from the responsibility for erection and maintenance in a good and safe condition:

a. Signs permitted in a "FR" or "R" District for the identification of a farm, dwelling or owner of a dwelling.

b. Official Federal, State, County or Township Sign.

c. Directional Sign for the safety or convenience of the public, and not exceeding four (4) square feet in area.

d. A Bulletin Board for a church, school or institution.

e. A Real Estate Sign which does not exceed six (6) square feet in a "R" Residential District, or which does not exceed thirty-five (35) square feet in all other Districts.

f. A sign for any fund raising activity, the benefits of which are for a non-profit organization.

g. A sign for election, or candidate for, for a Honey Brook Township office or post.

ARTICLE X

GENERAL PROVISIONS

ction 1000. PUBLIC UTILITIES.

Not applicable with respect to land use. This Ordinance shall not apply to any existing or proposed building, or extension thereof, or to any land, used or to be used by a public utility corporation, if, upon petition of the corporation, the Public Utility Commission shall, after public hearing, decide that the present or proposed situation or use of the building or land in question is reasonably necessary for the convenience or welfare of the public.

Lot Width and Area, Yards, and Coverage. Minimum lot area and lot width, and maximum building coverage regulations of this Ordinance shall not apply to electric substation, pumping station and facilities of other public utility, PROVIDED, however, that all required yard and maximum building height regulations shall apply.

ction 1001. LOCATION OF GASOLINE FILLING STATION EQUIPMENT. A pump, standard, air tower, water outlet or similar installation of a gasoline station may be placed within the required front yard but in no case to a street line than eighteen (18) feet.

ction 1002. REDUCTION OF LOT. No lot area shall be so reduced that ea of the lot, or the dimensions of the open spaces, shall be smaller erein prescribed.

Section 1003. MODIFICATION OF FRONT YARD REQUIREMENTS.

A. Where an unimproved lot is situated between two (2) improved lots having on each a principal building within twenty-five (25) feet of the side boundary line of such unimproved lot, which extends into the required front yard of each such improved lot and has been so maintained prior to the effective date of this Ordinance, the front yard depth of such unimproved lot may be the average depth of the front yards of such two (2) adjacent improved lots, notwithstanding the yard requirements of the District in which it is located.

B. Where an unimproved lot adjoins only one (1) improved lot having a principal building thereon within twenty-five (25) feet of the common side lot line which extends into the required front yard of such improved lot and has been so maintained prior to the effective date of this Ordinance, the front yard depth of such unimproved lot may be the average depth of the front yard of such adjacent improved lot and the front yard required in the District in which such unimproved lot is located, notwithstanding the yard requirements of such District.

Section 1004. PROJECTIONS INTO REQUIRED YARDS. No building and no part of a building shall be erected within or shall project into any required yard in any District except as provided for accessory use structures in specified instances herein, nor shall any unenclosed porch, terrace, platform or other uncovered landing place, buttress, chimney, cornice, pier or pilaster, unenclosed fire escape, attached steps, bay window and balcony project into any required yard.

ection 1005. CORNER VISION OBSTRUCTION. On any lot, no wall, fence structure, shall be erected or maintained, and no hedge, tree, r other growth, shall be maintained, which may cause danger to on a street by obscuring the view.

ection 1006. HEIGHT LIMITATION OF FENCES and WALLS. No fence or xcept a retaining wall, or a wall of a building permitted under ns of this Ordinance, over six (6) feet in height, shall be erected ny of the required yards, unless that portion of the fence or wall xceeds six (6) feet in height has a ratio of open space to solid area least four-to-one (4:1).

ction 1007. ACCESSORY USES. Accessory uses authorized in this Ordi- all include, but not by way of limitation, the following:

Uses Accessory to Agriculture: Greenhouse, road-side stand for sale of products produced on the premises; including signs; keeping, breeding and management of livestock and poultry but only in such quantities and to such extent as are customarily incidental to the principal use; preparation of products produced on the premises for the disposal thereof by marketing or otherwise.

Uses Accessory to Dwelling:

1. Private garage, private parking space, private stables, barn, shelter for pets, guest house, tenant house, servants' quarters, bath house, private greenhouse.

2. Professional office or studio, including Identification Sign, of a doctor, dentist, healer, teacher, artist, architect, insurance

broker, realtor, musician, lawyer, engineer, magistrate or practitioner of a similar character, or rooms for home occupations, PROVIDED that office, studio or rooms are located in a dwelling in which the practitioner resides, or in a building accessory thereto, and PROVIDED further that no goods are publicly displayed on the premises.

3. Pole, mast, tower or other structure when erected and operated by the occupant thereof, who is an amateur radio operator duly licensed by the Federal Communications Commission.

4. The renting of rooms within the dwelling in which the lessor resides, or in a building accessory thereto, to not more than two (2) persons, with or without the provision of table board for such persons.

C. Uses Accessory to Public Park. Customary recreational, refreshment, and service uses and buildings in any public park, reservation, playground or other recreational area.

D. Accessory Use Structures in Side or Rear Yard. In any District, if not specified otherwise, accessory use structures or buildings may be located, erected or maintained, in any side yard which does not abut a street, or in any rear yard, PROVIDED that in no case shall such accessory use structure or building be nearer to any lot line than ten (10) feet.

Section 1008. PROHIBITED USES. The following uses shall not be permitted in any "PR" and "R" Residential Districts in this Township:

More than one house trailer on any lot, and such house trailer shall be used only for temporary purposes upon issuance of special permit obtained from the Building Inspector for such temporary use for a period of sixty (60) days, which permit may be renewed for one additional period of sixty (60) days through one fiscal year.

No commercial piggery or private dump, or automobile "junk yard".

Section 1009. VEHICULAR INGRESS AND EGRESS. Vehicular ingress and between any lot and an abutting street, for any use permitted in this use, shall be so located and so designed as to further the purpose of Ordinance as set forth in Section 101 of Article I, herein, and where Neighborhood Commercial Districts abut a State Highway, it is the intent Ordinance to encourage the installation of a parallel service street points of access to such State Highway spaced at safe intervals.

Section 1010. CONVERSION OF DWELLINGS. A single-family detached dwelling existing prior to the effective date of this Ordinance, may be converted and used as, a two-family or multi-family dwelling, when authorized as Special Exception, and PROVIDED that:

The plans for the conversion of said dwelling shall be submitted to the Board of Adjustment, accompanied by certificate of approval by the Pennsylvania Department of Labor and Industry where two (2) or more families are to be housed above the ground floor.

Such plans shall provide adequate and suitable parking or storage space, at a safe distance from the public highway, for not less than one (1) car per family.

C. Such dwelling shall be subject to the height, area, width and yard regulations effective in the District wherein such dwelling is situated, except that there shall be a lot area not less than the product of the minimum lot area prescribed in the District regulations and the number of families for the use of which such dwelling is to be converted.

D. There shall be no external alteration of the Building except as may be necessary for reasons of safety, and fire escapes and outside stairways shall, where practicable, be located in the rear of the building.

E. The Board of Adjustment may prescribe such further conditions and restrictions with respect to the conversion and use of such dwelling, and to the use of the lot, as the Board may consider appropriate.

Section 1011. STREAM VALLEY RESTRICTION. No building or other structure shall be erected closer than one-hundred (100) feet to the nearest bank of any water course or running stream.

Section 1012. MINIMUM LOT SIZES and WIDTHS WITH RESPECT TO SEWAGE DISPOSAL. Notwithstanding the Area and Width regulations in "NC" Neighborhood Commercial Districts, in all "NC" Neighborhood Commercial Districts which are not served with public sanitary sewers or public water supply, lots shall have a minimum width at the building line of one-hundred (100) feet, and shall have a minimum area of one (1) acre, PROVIDED that smaller lot sizes and widths may be permitted upon submission of satisfactory evidence that the smaller lot area or width will provide safe and effective sanitary sewage disposal and water supply in the particular location in question. Such evidence shall include,

not be limited to, percolation tests performed by a registered
and a specific recommendation from the official representative of
authority having jurisdiction.

ion 1013. CAMPING PARK. A camping park application for Special
shall be accompanied by a plot plan for the entire site, showing:
, central sewage disposal plant and evidence of approval of the
facilities by the health authority having jurisdiction; type and method
supply; and certification of approval of the proposed site plan by
Brook Township Planning Commission shall appear on all plans sub-
to the Board of Adjustment. It is the intent of this Ordinance that
ing Park, when authorized as a Special Exception, may be a permanent,
ound installation, PROVIDED, however, that no camper or tourist shall
itted to remain in such Camping Park for a period of time in excess of
(90) days. In addition to such other conditions and safeguards as the
f Adjustment may deem appropriate, the Board shall require such Camping
management procedures as may be necessary to insure compliance with the
ninety (90) day time limitation.

ARTICLE XI

NONCONFORMING BUILDINGS, STRUCTURES, USES AND LOTS

Section 1100. NONCONFORMING BUILDINGS, STRUCTURES AND USES.

A. Continuation. Any lawful building or other structure, or any lawful use of a building or other structure or land, legally existing on the effective date of this Ordinance, which does not conform with the provisions of this Ordinance, shall be considered a lawful nonconforming building, structure or use, and may be continued, except as otherwise herein provided.

B. Extension. Any lawful nonconforming use of a portion of a building may be extended throughout the building, and any lawful nonconforming building or any building of which a lawful nonconforming use is made may be extended upon the lot occupied by such building and held in single and separate ownership on the effective date of this Ordinance, PROVIDED that the area of such building shall not be increased by more than a total of fifty (50) percent of the area of such building existing on the date it first became a lawful nonconforming building or a building of which a lawful nonconforming use is made, and PROVIDED further that any structural alteration, extension or addition shall conform with all height, area, width, yard and coverage requirements for the District in which it is located; and PROVIDED that an extension greater than fifty (50) percent shall be permitted if authorized as a Special Exception.

C. Change. Any lawful nonconforming use of a building or land may be changed to another nonconforming use of the same general character, and for such purpose a building may be altered and extended in accordance with paragraph

"g" of this Section, hereinabove, PROVIDED, however, that the off-street parking required by Article VIII, herein, shall be provided for the new use. Whenever a nonconforming use of a building or land has been changed to a conforming use, such conforming use shall not thereafter be changed to a nonconforming use.

Restoration. Any lawful nonconforming building or other structure which has been involuntarily damaged or destroyed by fire, explosion, windstorm, or other similar active cause, may be reconstructed in the same shape, size and location, PROVIDED THAT:

1. The foundation walls are substantailly intact or, with minor repair, could be made in accordance with the Township Building Code regulations;

2. The reconstructed building or structure shall not exceed the height, area, or volume of the damaged or destroyed building or structure, except as provided in paragraph "B" of this Section, hereinabove; and

3. Reconstruction shall begin within one (1) year from the date of damage or destruction and shall be carried on without interruption, unless such period of time shall be extended as a Special Exception.

Abandonment. If a lawful nonconforming use of a building or other structure is abandoned or discontinued for a continuous period of one (1) year or more, or if a lawful nonconforming use of land is abandoned or discontinued for a continuous period of six (6) months or more,

subsequent use of such building or structure, or of such land, shall be in conformity with the provisions of this Ordinance, PROVIDED, however, that the respective periods of time may be extended when authorized as a Special Exception.

E. Nonconforming Signs. Every lawful nonconforming sign located off the premises of the use to which it refers shall be discontinued and removed or changed to a conforming sign, within a period of five (5) years from the effective date of this Ordinance, PROVIDED that signs which, at the effective date of this Ordinance, are maintained in connection with and upon the same lot as a lawful nonconforming use may be maintained or repaired or replaced with signs similar in size, character and number, so long as such lawful nonconforming use continues, but such signs may not be increased in number, enlarged or otherwise substantially altered (nor may the illumination or lack of illumination thereof be changed) except in accordance with the regulations applicable to the District in which such lot is located; all such signs shall comply with Article IX, herein.

Section 1101. LOTS NONCONFORMING AS TO AREA AND WITH OTHER REGULATIONS, AND LOTS OF UNUSUAL DIMENSIONS. For any use permitted in a District, a building may be erected or altered on any lot held in single and separate ownership on the effective date of this Ordinance which is not of the required minimum area or width, or is of such unusual dimensions that the owner would have difficulty in providing the required open spaces for the District in which the single lot is situated.

Section 1102. SUBDIVISIONS PREVIOUSLY APPROVED. In the case of a plot of land, a plan for the subdivision of which into two (2) or more parcels or lots

purpose of development and sale has, prior to the effective date of this been duly approved and recorded as required by Law, which plan does provision for full adherence to the regulations of this Ordinance minimum lot areas or widths, front, side or rear yards, or building but was in conformity with such regulations as were effective at the plan was approved and recorded, the development and sale contemplated plan may proceed.

ARTICLE XII

BOARD OF ADJUSTMENT

Section 1200. ESTABLISHMENT AND MEMBERSHIP. There shall be a Board of Adjustment which shall consist of three members who shall be appointed by the Board of Supervisors. The Board of Supervisors shall designate one such member to serve until the first day of January following the effective date of this Ordinance, one until the first day of the second January thereafter, and one until the first day of the third January thereafter; shall appoint their successors on the expiration of their respective terms to serve three years, and shall fill any vacancy for the unexpired term of any member whose term becomes vacant. The members of the Board of Adjustment shall be removable for cause by the Board of Supervisors upon written charges and after public hearing. The word "Board" when used in this Article shall mean the Board of Adjustment.

Section 1201. POWERS. The Board shall have the following powers:

A. Appeals. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Building Inspector in the enforcement of this Ordinance.

B. Special Exceptions. To authorize, upon application, special exceptions to the terms of this Ordinance in such cases as are herein expressly provided for, in harmony with the general purpose and intent of this Ordinance, with power to impose appropriate conditions and safeguards. Wherever in this Ordinance specific conditions and safeguards are prescribed for the granting of special exceptions, the Board shall have the power to impose such additional conditions and safeguards as may be appropriate.

Variances. To authorize, upon appeal, in specific cases such variances from the terms of this Ordinance as will not be contrary to public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done.

Exising the above mentioned powers, the Board may reverse or affirm, in partly, or may modify, the order, requirement, decision or ation appealed from, and may make such order, requirement, decision ermination as ought to be made. Notice of such decision shall forthgiven to all parties in interest.

ction 1202. STANDARDS FOR REVIEW OF SPECIAL EXCEPTION OR VARIANCE. instance where the Board of Adjustment is required to consider a exception or variance in the Zoning Ordinance or Map in accordance provisions of this Ordinance, the Board shall, among other things:

Assure itself that the proposed change is consistent with the spirit, purpose and intent of the Zoning Ordinance.

Determine that the proposed change will not substantially injure or detract from the use of the neighborhood property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.

Determine that the proposed change will serve the best interests of the Township, the convenience of the community (where applicable), and the public welfare.

D. Consider the effect of the proposed change upon the logical, efficient, and economical extension of public services, and facilities such as public water, sewers, police and fire protection, and public schools, and assure adequate arrangements for sanitation in specific instances.

E. Be guided in its study, review, and recommendations by sound standards or subdivision practice where applicable.

F. Make every effort to guide the development of State and County Highway frontage insofar as possible so as to limit the total number of access points and encourage the frontage of buildings on parallel marginal roads or on roads perpendicular to the highway.

G. Consider the suitability of the proposed location of an industrial or commercial use with respect to probable effects upon highway traffic, and assure adequate access arangements in order to protect major highways from undue congestion and hazard.

H. Ascertain the adequacy of sanitation and public safety provisions, where applicable, and require a certificate of adequacy of sewage and water facilities from the Board of Health or the appropriate governmental health agency in any case required herein or deemed advisable.

I. Require that all commercial or industrial parking, loading, access or service areas shall be adequately illuminated at night while in use, and that such lighting, including sign lighting, shall be arranged so as to protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

pose such conditions, in addition to those required, as are necessary
assure that the general purpose and intent of the Zoning Ordinance
complied with, which conditions may include, but are not limited
, harmonious design of buildings, planting and its maintenance as a
ight or sound screen, and the minimizing of noxious, offensive or
azardous elements.

eigh each case on its own merits, separately, based upon pertinent
information presented or known to the Board, and without regard to
any previous case.

tion 1203. RULES OF PROCEDURE. The Board shall adopt Rules of Procedure
ance with the several provisions of this Ordinance as to the manner of
peals, application for special exceptions and appeals for variances
terms of this Ordinance, and as to the conduct of the business of the

tion 1204. MEETINGS. Meetings of the Board shall be held at the call
hairman and at such other times as the Board may determine. The Chair-
in his absence the Acting Chairman, may administer oaths and compel the
ce of witnesses. All meetings of the Board shall be open to the public.
d shall keep minutes of its proceedings showing the vote of each member
ch question, or if a member is absent or fails to vote, indicating such
d shall keep records of its examinations and other official actions all
h shall be immediately filed with the Township Secretary and shall be
t record.

ction 1205. APPEALS TO THE BOARD. An appeal to the Board may be taken
person, including any officer of the Township in his official capacity,

aggrieved or affected by any decision of the Building Inspector. Such appeal shall be taken within a reasonable time as provided by the Rules of Procedure of the Board by filing with the Building Inspector and with the Board a notice of appeal specifying the grounds thereof. The Building Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

Section 1206. APPLICATIONS FOR SPECIAL EXCEPTIONS AND APPEALS FOR VARIANCES. An application for a special exception or an appeal for a variance from the terms of this Ordinance may be filed with the Board, and shall state:

A. The name and address of the applicant or appellant;

B. The name and address of the owner of the real estate to be affected by the proposed exception or variance;

C. A brief description and location of the real estate to be affected by such proposed change;

D. A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present use thereof;

E. A statement of the section of this Ordinance under or from which the exception or variance requested may be authorized, and reasons why it should be granted;

F. A reasonably accurate description of the present improvements and the additions intended to be made under the application or appeal, if any, indicating the size of such proposed improvements, material, and general construction thereof. In addition there shall be attached

a plot plan of the real estate to be affected, indicating the location and size of the lot and size of improvements now erected and proposed to be erected thereon.

Section 1207. PUBLIC HEARINGS. Upon the filing with the Board of an appeal, or of an application for a special exception or of an appeal for a variance, the Board shall fix a reasonable time and place for a public hearing thereon, and shall give notice thereof as follows:

A. By publishing a notice thereof once at least ten (10) days before the date fixed for the hearing in a newspaper of general circulation in the Township;

B. By mailing a notice thereof to the parties in interest;

C. By mailing a notice thereof to the Township Secretary and to each member of the Board of Supervisors and to each member of the Planning Commission;

D. When the Board shall so order by mailing or delivering a notice thereof to the owner if his residence is known or to the occupier of every lot on the same street within five hundred (500) feet of the lot or building in question and of every lot not on the same street within one hundred fifty (150) feet of the said lot or building, provided that failure to give notice required by this paragraphs shall not invalidate any action taken by the Board;

E. The notice herein required shall state the location of the lot or building and the general nature of the question involved.

Section 1208. CERTIFICATES OF THE BOARD. It shall be the duty of the Board to issue a Certificate in any case wherein a special exception or a variance is granted. The Board may cancel or revoke any such Certificate for any violation of this Ordinance or of conditions imposed.

Section 1209. EXPIRATION OF SPECIAL EXCEPTIONS AND VARIANCES. Unless otherwise specified by the Board, a special exception or variance shall expire if the applicant fails to obtain a building permit or a use and occupancy permit, as the case may be, within six (6) months from the date of authorization thereof.

Section 1210. APPEAL TO COURT. Any person aggrieved by any decision of the Board, or any taxpayer, or any officer of the Township, may within thirty (30) days after any decision of the Board, appeal to the Court of Common Pleas of Chester County by petition, duly verified, setting forth that such decision is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, specifying the grounds upon which he relies.

ARTICLE XIII

ADMINISTRATION

ction 1300. ENFORCEMENT. There shall be a Building Inspector who shall nted by the Board of Supervisors and whose duty it shall be, and he is iven the power and authority, to enforce the provisions of this Ordinance. examine all applications for permits, issue permits only for construction which are in accordance with the requirements of this Ordinance, record all applications for permits with any accompanying plans and documents, all be matters of public record, and make such reports as the Board of sors may require. Permits for construction and uses which are a special n or a variance from the requirements of this Ordinance shall be issued n order of the Board of Adjustment.

ction 1301. REQUIREMENT OF BUILDING PERMITS. A building permit shall ired prior to the erection or alteration of, or addition to, any build- ther structure or portion thereof. It shall be unlawful for any person nce work for the erection or alteration of, or addition to, any build- ther structure or portion thereof until a building permit has been duly therefor.

ction 1302. APPLICATIONS FOR BUILDING PERMITS. All applications for permits shall be made in writing on forms furnished by the Township ll be accompanied by a plot plan drawn to scale showing the exact size ation of any buildings or other structures existing on the lot in on or upon abutting land within fifty (50) feet of the side and rear nes of such lot, and the lines within which the proposed building or structure shall be erected or altered. There shall in addition be

included with all applications such other plans, documents and information as may be necessary to enable the Building Inspector to ascertain compliance with this Ordinance and all other pertinent ordinances.

Section 1303. ISSUANCE OF BUILDING PERMITS. No building permit shall be issued until the Building Inspector has certified that the proposed building, structure or alteration complies with the provisions of this Ordinance and other applicable ordinances. Upon completion of the erection, addition to, or alteration of any building, structure, or portion thereof authorized by any building permit obtained in compliance with this Ordinance, and prior to use or occupancy, the holder of such permit shall notify the Building Inspector of such completion. Use and occupancy shall not be authorized until the Building Inspector has certified that the work has been inspected and approved as being in conformity with this and other applicable ordinances, and has issued a use and occupancy permit as provided below.

Section 1304. REQUIREMENT OF USE AND OCCUPANCY PERMITS. A use and occupancy permit shall be required prior to any of the following:

A. Use and occupancy of any building or other structure hereafter erected or altered, for which a building permit is required.

B. Change in use of any building or structure.

C. Use of land or change in the use thereof, except that the placing of vacant land under cultivation shall not require a use and occupancy permit.

D. Change in use or extension of a nonconforming use.

..: be unlawful for any person to use or occupy any building or other ..re or land until a use and occupancy permit, if required, has been ..ssued therefor.

..ction 1305. APPLICATIONS FOR USE AND OCCUPANCY PERMITS. All appli- ; for use and occupancy permits shall be made in writing on forms ..d by the Township and shall include all information necessary to the Building Inspector to ascertain compliance with this Ordinance.

..ction 1306. ISSUANCE OF USE AND OCCUPANCY PERMITS. No use and ..y permit shall be issued until the Building Inspector has certified ..e proposed use complies with all the provisions of this Ordinance. ; completion of a building or of alterations thereto, a temporary occupancy permit may be issued by the Building Inspector for a ..y occupancy of a part or all of a building, provided that such ..y occupancy would not tend in any way to jeopardize life or pro-

..ction 1307. ISSUANCE OR REFUSAL OF PERMITS. If the Building ..tor determines that an application is in compliance with the provi- ..f this Ordinance, it shall be his duty to issue the appropriate ..; and if he determines that an application is not in compliance the provisions of this Ordinance, it shall be his duty to refuse ..rmit, in which case he shall instruct the applicant in the method ..peal or application to the Board of Adjustment.

ARTICLE XIV

AMENDMENTS

Section 1400. POWER OF AMENDMENT. The Board of Supervisors may from time to time amend, supplement, change, modify or repeal this Ordinance including the Zoning Map, by proceeding in the manner prescribed in this Article.

Section 1401. PUBLIC HEARING AND NOTICE. The Board of Supervisors, by resolution adopted at a stated or special meeting, shall fix the time and place of a public hearing on the proposed change, amendment or repeal, and cause notice thereof to be given as follows:

A. By publishing a notice thereof once at least fifteen (15) days before the date fixed for the hearing in a newspaper of general circulation in the Township;

B. The notice shall state the general nature of the proposed change, amendment or repeal.

Full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing.

Section 1402. CITIZEN'S PETITION. Whenever the owners of fifty (50) percent or more of the area in any District shall present to the Board of Supervisors a petition, duly signed and acknowledged, requesting an amendment, supplement, change, modification or repeal of any of the regulations or restrictions prescribed by this Ordinance for their District, it shall be the duty of the Board ov Supervisors to hold a public hearing thereon and cause notice thereof to be given in the manner prescribed in Section 1401, above.

ection 1403. CITIZEN'S PROTEST. In case of a protest against any d amendment, supplement, change, modification or repeal, signed by ners of twenty (20) percent, or more, either of the area of the lots d in such proposed change, or of those immediately adjacent in the r in front, or to either side thereof, extending one hundred (100) erefrom, such amendment shall not become effective except by favorable f a majority of the Board of Supervisors.

ction 1404. PLANNING COMMISSION REFERRAL. The Board of Supervisors refor each petition or proposal for change or amendment, whether under rticle or under another Article to the Planning Commission which shall er whether or not such proposed change or amendment would be, in the f the Commission, consistent with and desirable in furtherance of the ensive plan upon which this Ordinance is based, as the same may be d from time to time. The Commission shall transmit its conclusion , together with its reasons therefor, to the Board of Supervisors. ard of Supervisors shall take such conclusion and reasons into consi- on in reaching its decision, but shall not be bound thereby.

ARTICLE XV

NOTICE OF VIOLATION; PENALTIES; REMEDIES; FEES

Section 1500. NOTICE OF VIOLATION. When written notice of a violation of any of the provisions of this Ordinance has been served by the Building Inspector on the owner, agent, or occupant, contractor or builder, such violation shall be discontinued immediately.

Section 1501. PENALTIES. For any and every violation of the provisions of this Ordinance, the owner, general agent, or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed, or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, building contractor, or any other person who knowingly commits, takes part, or assists, in any such violation, or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a penalty not exceeding fifty (50) dollars for each and every offense, and whenever such person shall have been notified by the Building Inspector by service of summons in a prosecution, or in any other way, that he is committing such violation of this Ordinance, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

Section 1502. REMEDIES. In case any building, sign or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained,

building sign, structure or land is used, or any hedge, tree, shrub or growth is maintained, in violation of this Ordinance or of any regu- pursuant thereto, in addition to other remedies provided by law, any ate action or proceeding, whether by legal process or otherwise, may tuted or taken to prevent the occupancy of said building, structure, or to prevent any illegal act, conduct, business or use in or about mises.

tion 1503. FEES. Fees for building permits shall be paid in accord- a schedule of fees adopted by the Supervisors. Other fees required administration of this Ordinance shall be paid in advance or accompany- ication for the following:

For each appeal or application for a special exception or appeal for a variance to the Board of Adjustment to cover cost of advertising, mailing notices, stenographic notes of testimony, there shall be a fee of twenty-five (25) dollars, and, in addition, the applicant shall deposit, prior to hearing or hearings, such amount of money as shall be deemed sufficient to defray the actual cost of the hearing or hearings, including, without limitation, the costs of attendance of, and notes prepared by, a stenographer, provided that any excess of deposit over such costs shall be refunded to the applicant.

B. For each application to the Board of Supervisors for a change or amendment to this Ordinance there shall be a fee of fifty (50) dollars.

C. For each certified statement of compliance of any property with the provisions of this Ordinance, there shall be a charge of two (2) dollars.

D. For each structure a separate Use and Occupancy Permit shall be required and for each such use and occupancy permit, there shall be a charge of five (5) dollars.

Approved by the Board of Supervisors of Honey Brook Township and enacted and ordained into an Ordinance this 7 day of June A.D., 1966.

Attest: Robert C Bachman Secretary [signature] Chairman