

**HONEY BROOK TOWNSHIP  
CHESTER COUNTY, PA  
ORDINANCE #185-2016**

**AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK  
AMENDING THE HONEY BROOK TOWNSHIP ZONING  
ORDINANCE OF 2003, AS AMENDED, BY AMENDING  
PART 19, "ADMINISTRATION" BY AMENDING THE  
REQUIREMENTS FOR BUILDING, ZONING, AND USE &  
OCCUPANCY PERMIT APPLICATIONS**

**WHEREAS**, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§10101 *et seq.*, enables a municipality through its Zoning Ordinance to regulate the use of lands therein and adopt administrative procedures therefor; and

**WHEREAS**, the Board of Supervisors of Honey Brook Township desires to update the Honey Brook Township Zoning Ordinance of 2003, as amended, to include zoning permit application review by the Honey Brook Borough Authority where applicable; and

**NOW, THEREFORE BE IT ORDAINED** by the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania, pursuant to the authority conferred by the Municipalities Planning Code, that the following be and is hereby enacted:

**SECTION 1.** The Code of the Township of Honey Brook, Chapter 27 entitled "Zoning", Part 19 entitled "Administration", Section 1904 entitled "Building and Zoning Permits", is hereby amended to read in its entirety as follows:

**§27-1904. Building and Zoning Permits.**

A building permit and/or Zoning Permit shall be required, in accordance with regulations promulgated by the Township, where a building or structure is to be erected, constructed, reconstructed, structurally altered, or moved. The Township shall determine whether the construction would require a building permit or a zoning permit.

1. Application for and issuance of a building permit, and the work to be performed under the terms of any building permit, shall conform to the requirements of the Pennsylvania Uniform Construction Code [Adopted by Chapter 5, Part 1] and other applicable Township Ordinances, codes and regulations.

2. Application for and issuance of a zoning permit, and the work to be performed under the terms of any zoning permit, shall conform to the requirements of the Honey Brook Township Zoning Ordinance and other applicable codes and regulations.

3. No permit shall be issued until the Zoning Officer has certified that the proposed use complies with all provisions of this Chapter and all other applicable regulations of the Township, Honey Brook Borough Authority (where applicable), Northwestern Chester County Municipal Authority (NCCMA)(where applicable), other public water or sewer authority (where applicable), or private water or sewer utility company (where applicable),

Chester County, conservation agencies (where applicable) and the Commonwealth of Pennsylvania, and has inspected the property as necessary to confirm compliance.

4. The application for a building or zoning permit shall include:
  - A. A statement of the proposed use of the structure or building.
  - B. Three (3) copies of any approved plot plan, land development plan, or other data and information deemed appropriate by the Zoning Officer to evaluate compliance with this Chapter and other applicable regulations.
  - C. Three (3) copies of any supplemental plans and/or information as required by the PA Uniform Construction Code for any proposed building or structure under application.
  - D. Where the property that is the subject of the Application is subject to any conservation easement or similar deed restriction, the Application shall include a copy of said conservation easement or deed restriction. Furthermore additional copies of all application materials shall be provided by the Applicant for the Township's distribution to the parties with an interest in the easement or deed restriction.
  - E. Where the property that is the subject of the Application is located in the Honey Brook Borough Authority (HBBA) water service area, or the service area of another water authority, or the service area of a private water utility company, the Application shall contain an additional copy of all application materials for the Township's distribution to the applicable water authority or private water utility company for review.
  - F. Where the property that is the subject of the Application is located in the Northwestern Chester County Municipal Authority (NCCMA) sewer service area, or the service area of another sewer authority, or the service area of a private sewer utility company, the Application shall contain an additional copy of all application materials for the Township's distribution to the applicable sewer authority or private sewer utility company for review.
  - G. Any other information as required by Uniform Construction Code.
5. Within 15 business days after receipt of the zoning permit application, the Zoning Officer shall either approve or deny the zoning permit application and notify the applicant accordingly. If the application is denied, the Zoning Officer shall provide the applicant, in writing, the reasons for the denial.
6. Building permits subject to the PA Uniform Construction Code shall be processed in accordance with the time frames and procedures established within the Code.

**SECTION 2.** The Code of the Township of Honey Brook, Chapter 27 entitled "Zoning", Part 19 entitled "Administration", Section 1906 entitled "Application for Use and Occupancy Permit", is hereby amended to read in its entirety as follows:

**§27-1906. Application for Use and Occupancy Permit.**

Any application for a use and occupancy permit shall be made in writing by the landowner or his authorized agent on a form furnished by the Township. The application shall contain all information necessary to enable the Zoning Officer to determine compliance with this Chapter and other applicable regulations. As determined by the Zoning Officer, applications shall be accompanied by:

1. Three (3) copies of any approved plot plan, land development plan, or other data and information deemed appropriate by the Zoning Officer to evaluate compliance with this Chapter and other applicable regulations.
2. Three (3) copies of any architectural plans or design information for any proposed building, structure, or alteration under application, if required by the Township Building Code Official.
3. Where the property that is the subject of the Application is located in the Honey Brook Borough Authority (HBBA) water service area, or the service area of another water authority, or the service area of a private water utility company, the Application shall contain an additional copy of all application materials for the Township's distribution to the applicable water authority or private water utility company for review.
4. Where the property that is the subject of the Application is located in the Northwestern Chester County Municipal Authority (NCCMA) sewer service area, or the service area of another sewer authority, or the service area of a private sewer utility company, the Application shall contain an additional copy of all application materials for the Township's distribution to the applicable sewer authority or private sewer utility company for review.
5. Where the property that is the subject of the Application is subject to any conservation easement or similar deed restriction, the Application shall include a copy of said conservation easement or deed restriction. Furthermore additional copies of all application materials shall be provided by the Applicant for the Township's distribution to the parties with an interest in the easement or deed restriction.

**SECTION 3.** The Code of the Township of Honey Brook, Chapter 27 entitled "Zoning", Part 19 entitled "Administration", Section 1907 entitled "Issuance of Use and Occupancy Permit" is hereby amended to read in its entirety as follows:

**§27-1907. Issuance of Use and Occupancy Permit.**

1. No use and occupancy permit shall be issued until the Zoning Officer has certified that the proposed use complies with all provisions of this Chapter and all other applicable regulations of the Township, Honey Brook Borough Authority (where applicable), Northwestern Chester County Municipal Authority (NCCMA)(where applicable), other water or sewer authority (where applicable), or private water or sewer utility company (where applicable), Chester County, conservation agencies (where applicable) and the Commonwealth of Pennsylvania, and has inspected the property to confirm compliance.

2. Within 15 business days after receipt of the application, the Zoning Officer shall either approve or deny the application and notify the applicant accordingly. If the application is denied, the Zoning Officer shall provide the applicant, in writing, the reasons for the denial.
3. Upon approval of an application, the Zoning Officer shall issue a use and occupancy permit to the applicant for the use indicated on the approved application.
4. Upon request, the Zoning Officer may issue a temporary use and occupancy permit for a period not to exceed 6 months to enable partial occupancy of a building pending completion of construction or alteration. The Zoning Officer may attach conditions and safeguards to such a temporary occupancy permit to protect the occupants and the public.

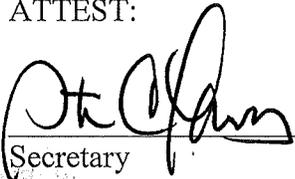
**SECTION 4. FULL FORCE AND EFFECT.** All other articles, sections, parts and provisions of the Ordinances of the Township of Honey Brook shall remain in full force and effect as previously enacted and amended.

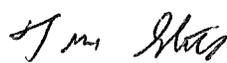
**SECTION 5. SEVERABILITY.** If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

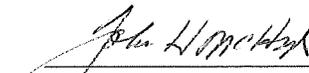
**SECTION 6. REPEALER.** All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective five days after enactment as provided by law.

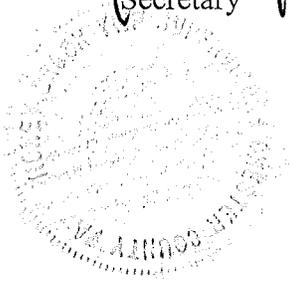
SO IT IS ENACTED AND ORDAINED this 14<sup>th</sup> day of December, 2016.

ATTEST:  
  
 \_\_\_\_\_  
 Secretary

HONEY BROOK TOWNSHIP  
 BOARD OF SUPERVISORS  
  
 \_\_\_\_\_  
 Travis Stacey, Chairman

  
 \_\_\_\_\_  
 John McHugh, Vice-Chairman

  
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 Tracy Olsen, Member



**CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 185-2016 enacted by the Board of Supervisors of Honey Brook Township, Chester County, Pennsylvania at a regular meeting held on Dec 14, 2016, pursuant to notice as required by law.

Dated: 12-14-16

  
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Township Secretary