



NEW LEBANON BORO zoning ordinance

ZONING ORDINANCE

AN ORDINANCE REGULATING AND RESTRICTING:

- THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES:
- THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES AND SERVICES IN OR ABOUT SUCH BUILDINGS AND STRUCTURES:
- THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED:
- THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES:
- THE DENSITY OF POPULATION:
- THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES:
- THE ESTABLISHMENT AND MAINTENANCE OF BUILDING LINES AND SETBACK BUILDING LINES UPON ANY OR ALL PUBLIC ROADS OR HIGHWAYS:
- CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF:
- DEFINING CERTAIN TERMS USED HEREIN:
- PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT, FOR A ZONING HEARING BOARD AND FOR THE IMPOSITION OF PENALTIES.

BE IT ORDAINED by the Borough of New Lebanon, Mercer County, Pennsylvania, that in the interest of promoting the health, safety, morals, or the general welfare of the Borough, the following articles, sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases and words be, and at the same time are, hereby enacted into law to read as follows; viz:

ARTICLE I

SHORT TITLE - PURPOSE - SCOPE

SECTION 100 - SHORT TITLE - This ordinance shall be known and may be cited as the "New Lebanon Borough Zoning Ordinance" hereinafter referred to as the "Zoning Ordinance".

The accompanying map is hereby declared to be a part of this ordinance and shall be known and may be cited as the "New Lebanon Borough Zoning Map" hereinafter referred to as the "Zoning Map".

SECTION 101 PURPOSE - The regulations of the "Zoning Ordinance" are made in accordance with a comprehensive plan and designed:

- (a) to lessen congestion on the roads and highways.
- (b) to secure safety from fire, panic and other dangers.
- (c) to promote health and the general welfare.
- (d) to provide adequate light and air.
- (e) to prevent the overcrowding of land.
- (f) to avoid undue congestion of population.
- (g) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Such regulations are also made with reasonable consideration, among other things, to the character of the districts hereinafter set forth and their peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Borough.

SECTION 102 - SCOPE - The "Zoning Ordinance" regulates and restricts within the boundaries of the Borough of New Lebanon, Mercer County, Pennsylvania:

- (a) The height, number of stories and size of buildings and other structures.
- (b) Their construction, alteration, extension, repair and maintenance.
- (c) All facilities and services in or about such buildings and structures.
- (d) The percentage of lot that may be occupied.
- (e) The size of yards, courts, and other open spaces.
- (f) The density of population.
- (g) The location and use of buildings, structures and land for trade, industry, residence or other purposes.
- (h) The establishment and maintenance of building lines and setback building lines upon any or all public roads or highways.

SECTION 103 - STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES

The Zoning Ordinance has been developed as a legislative and administrative tool to help the Borough Council and Planning Commission carry out the general development objectives prescribed in the Borough's Comprehensive Plan. This Plan was developed in 1972, and officially adopted by the Borough Council on April 9, 1973.

The general development objectives which can be furthered through zoning are:

1. The reorganization of land use patterns to:
 - (a) prevent the further development of incompatible and mixed-use activities
 - (b) provide for the more efficient "reuse" of present problem areas
 - (c) develop stable residential, commercial, and industrial areas
 - (d) reduce and where possible, eliminate traffic circulation where it could have an adverse effect on residential areas
 - (e) provide sufficient off-street parking so as to improve traffic movements and reduce accidents.
2. The elimination and prevention of physical and environmental blight by reducing or where possible, eliminating the factors which cause or perpetuate the erosion of the physical appearance, structural quality, and/or functional obsolescence of residential and non-residential structures.
3. Promote the redevelopment and appropriate reuse of blighted and problem areas throughout the Borough.

ARTICLE II

ZONING DISTRICTS

SECTION 200 - ZONING DISTRICTS - The Borough of New Lebanon, for the purposes of the Zoning Ordinance is hereby divided into the following Zoning Districts to be designated as follows:

<u>Full Name</u>	<u>Short Name</u>
Residential Zoning District	"R"
Business Zoning District	"B"

SECTION 201 - BOUNDARIES OF ZONING DISTRICTS - The boundaries of the zoning districts are hereby established and shall be as shown upon the Zoning Map entitled "New Lebanon Borough Zoning Map" which accompanies this Ordinance and is hereby made a part of the Zoning Ordinance. Where uncertainty exists with respect to the boundaries of the various Zoning Districts, as shown on the Zoning Map, the following rules shall apply:

201.1 - Where a Zoning District Boundary Approximately Follows the Center line or Street Lot Line or a Center line or Alley Lot Line of a Street or alley, the center line of such street or alley shall be interpreted to be the Zoning District boundary.

201.2 - Where a Zoning District Boundary Approximately Parallels a Street Lot Line or Alley Lot Line - The Zoning District Boundary shall be interpreted as being parallel thereto and at such distance therefrom as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Zoning Map.

201.3 - Where a Zoning District Boundary Approximately Follows a Lot Line - The lot line shall be interpreted to be the Zoning District Boundary.

201.4 - Where a Zoning District Boundary Follows a Body of Water - The Zoning District Boundary shall be interpreted to be at the limit of the jurisdiction of the Borough of New Lebanon, unless otherwise indicated.

201.5 - Submerged Areas Not Included in Any Zoning District - All areas within the corporate limits of the Borough, which are under water and are not shown on the Zoning Map as included within any Zoning District shall be subject to all the regulations and provisions of the Zoning District which immediately adjoins the water area. If the water area adjoins two (2) or more Zoning Districts the boundaries of each Zoning District shall be construed to extend into the water area in a straight line until they meet the other Zoning District.

201.6 - Zoning District Regulations and Provisions Apply to Schools, Parks, etc. - Any areas shown on the Zoning Map as park, playground, school, cemetery, water, street, or alley, shall be subject to the regulations and provisions of the most restricted adjoining Zoning District shall govern.

201.7 - Where Property Has Not Been Included in Any Zoning District - In every case, where property has not been specifically included within a Zoning District, the same shall automatically be classed as lying and being in the "R" Residential Zoning District until such classification shall have been changed by an amendment to the Zoning Ordinance as provided by law.

201.8 - Unsubdivided Land - In unsubdivided land, the Zoning District boundary shall be determined by use of the scale indicated on the Zoning Map.

201.9 - Vacation of Public Ways - Whenever any street or alley is vacated in the manner authorized by law, the Zoning District or Districts adjoining such side of such street or alley, shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all regulations and provisions of the extended Zoning District or Districts.

SECTION 202 ZONING DISTRICT BOUNDARY LINE ZONING

202.1 - Lots in Two Zoning Districts - Where a Zoning District boundary line divides a lot which was in single ownership and a lot of record at the effective date of the Zoning Ordinance, the use thereon and the other Zoning District regulations and provisions applying to the least restricted portion of such lot under the Zoning Ordinance shall be considered as extending to the entire lot, provided the more restricted portion of such lot is entirely within 25 feet of said dividing Zoning District boundary line. The use so extended shall be deemed to be conforming.

ARTICLE III

INTERPRETATION AND APPLICATION

SECTION 300 - INTERPRETATION - In interpreting and applying the provisions of the Zoning Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience, and the general welfare. Where the provisions of the Zoning Ordinance impose greater restriction than those of any statute, other ordinance, or regulations, the provisions of the Zoning Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than the Zoning Ordinance, the provisions of such statute, other ordinance, or regulations shall be controlling. The Zoning Ordinance is not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between private parties. However, where the Zoning Ordinance imposes greater restrictions than those imposed by any such easement, covenant, or agreement, the provisions of the Zoning Ordinance shall govern. Where any such easement, covenant, or other agreement imposes greater restrictions than those imposed by the Zoning Ordinance, the restrictions of the easement, covenant, or other agreement shall govern.

SECTION 301 - APPLICATION - The provisions of the Zoning Ordinance shall apply to the use, and/or occupancy of all buildings, other structures, and/or lots.

301.1 - Conformity of Buildings, Other Structures and/or Lots. - Any building, other structure and/or lot shall be in conformity with the provisions prescribed in the Zoning Ordinance for the Zoning District in which such building, other structure and/or lot is located.

301.2 - Conformity of Uses - The use and/or occupancy of any building, other structure, and/or lot shall be in conformity with the provisions prescribed in the Zoning Ordinance for the Zoning District in which such building, other structure and/or lot is located. Any use which is not listed shall automatically be interpreted as a prohibited use.

301.3 - Minimum Floor Area Required For All Dwelling Units - No single family dwelling unit as defined in Article IV, shall be permitted in any zone having a ground floor area less than 500 square feet, provided that mobile homes or house trailers having less than 500 square feet of ground floor area shall be permitted if situated in mobile home parks as provided in this ordinance. The minimum floor area for multi-family, semi-detached or attached dwellings is 500 square feet per dwelling unit.

ARTICLE IV

"R" RESIDENTIAL ZONING DISTRICT

SECTION 400 - PURPOSE OF ZONING DISTRICT - To provide a Zoning District in which the predominate use is now agricultural or open space and to permit an orderly conversion to residential use in order to:

- (a) retain an open fringe for civilian defense purposes.
- (b) preserve an easily accessible open-country area for the health and general welfare of an urban area.
- (c) discourage the subdivision of land into uneconomic and unproductive parcels.

SECTION 401 - USE REGULATIONS -

401.1 - Principal Uses Permitted -

- (1) Agriculture and Related Uses.
- (2) Farm Dwellings.
- (3) One Family Detached Dwellings.
 - (a) Self-contained mobile home units having a ground floor area of 500 square feet or more, may locate on individual lots, provided they conform to all regulations applicable to single-family dwellings.
 - (b) Mobile home units having less than 500 square feet of ground floor area must locate in mobile home parks.
- (4) One-family semi-detached dwelling.
- (5) Two-family detached duplex dwelling.
- (6) Conversion apartments - provided each unit has:
 - (a) A minimum habitable area of 500 square feet.
 - (b) One bathroom and three habitable rooms.
 - (c) Separate and private sanitary, cooking and dining facilities.
 - (d) A minimum of two off-street parking spaces.
- (7) Multiple family dwellings.
- (8) Boarding House, Lodging House, Rooming House.
- (9) Cellar dwellings, provided: they are for temporary use only, the permit for occupancy to be issued for one year only. The permits are renewable up to five (5) years.
- (10) Church, Church School, Church Uses, Cemetery.
- (11) College, Preparatory School, Boarding School, - including therewith dormitories for faculty or students, fraternity or sorority houses.
- (12) Experimental Station for Agriculture or Related Uses.
- (13) Fish or Game Club, Riding Stables or Academies.
- (14) Forest Preserve.
- (15) Golf Courses.
- (16) Grange Hall, or building of similar agricultural organizations.

- (17) Nursery or Greenhouse.
- (18) Processing of Agricultural Products conducted primarily within a building, except commercial slaughterhouses.
- (19) Hospital or similar institution.
- (20) Convalescent Home, provided
 - (a) It shall be privately operated.
 - (b) It shall not be for care of epileptics, drug or alcoholic patients, nor for the care of insane or feeble-minded persons.
 - (c) It shall be approved by the State of Pennsylvania.
- (21) Governmental or Governmental Authority Facility, Service Structure, or Use, provided:
 - (a) It shall serve as a community facility or be reasonably necessary to the adequate distribution of services.
 - (b) It shall be authorized by a governmental agency.
- (22) Public Utility Facility, Service Structure or use, provided:
 - (a) It shall not include any type of equipment which will in any way interfere with local radio or television communications or otherwise be detrimental to the surrounding area.
 - (b) It shall not include a business facility, repair facility, storage of materials, storage of any repair or trouble crew outside a structure.
 - (c) It shall be reasonably necessary to adequate distribution of service.
 - (d) It shall not be located within 300 feet of any dwelling, church, church use and shall be suitably screened from view as may be required by the Zoning Hearing Board.
- (23) Mobile Home Park or Travel Trailer Park and/or Tent Park, provided:
 - (a) The request for a permit, as herein required, shall be accompanied by a site plan drawn to scale showing the location of the proposed park in relation to all roads, streets, and lot lines within 200 feet of the park boundaries, the location, size, and arrangement of all park roads and mobile home lots, screening the location of all proposed central sanitary facilities and wells or other sources of water supply and the location of special park buildings and other pertinent park features.
 - (b) An authorized representative of the Department of Environmental Resources (Health Dept.) shall have inspected the proposed plan showing the proposed central sanitary facilities including the source of water supply, and have found them to be acceptable and in accordance with State regulations.

- (c) Written approval of the sanitary and water facilities shall have been received from the State Department of Environmental Resources.
- (d) All mobile home or trailer lots shall abut upon a driveway of not less than 24 feet in width which shall have unobstructed access to a public street or highway.

MOBILE HOME PARK

The mobile home park shall conform to the following requirements:

- (a) The park shall be located on a well-drained site of a minimum of 5 to 10 acres in area, (or some figure within this range determined by the Council), properly graded to insure rapid drainage and freedom from stagnant pools of water.
- (b) Mobile home spaces shall be provided consisting of a minimum of 3,000 square feet for each, which shall be at least 45 feet wide and clearly defined; provided, however, that mobile home parks in existence at the effective date of this ordinance which provide mobile home spaces having widths or areas less than that herein above prescribed may continue to operate with spaces of existing widths and areas, provided that State Department of Environmental Resources (Health Dept.) requirements are met.
- (c) Mobile homes shall be so harbored on each space that there shall be at least a 28-foot clearance between mobile homes or cottages, provided, however that with respect to mobile homes parked or constructed end-to-end, the end-to-end clearance may be less than 20 feet but shall not be less than 15 feet. No mobile home shall be located closer than 20 feet from any building or interior street within the park, or 35 feet from any property line bounding the park. Minimum front yard on public rights-of-way shall conform with the necessary setbacks of this ordinance.
- (d) All mobile home spaces shall abut upon a driveway of not less than 12 feet for one-way streets or 24 feet for two-way streets, which shall have unobstructed access to a public street, alley, or highway.
- (e) All driveways and walkways within the park shall be hard surfaced or compacted gravel, to be kept dust free.
- (f) Each park shall provide service buildings as required by the Pennsylvania Department of Environmental Resources.
- (g) Electrical facilities shall be installed and maintained in accordance with specifications regulating such systems as required by the Middle Department of Fire Underwriters or the Keystone Underwriters Electrical Service.
- (h) Parking shall be provided as required in Article XV, Parking and Loading Regulations.

TRAVEL TRAILER PARK AND/OR TENT

The travel trailer park shall conform to the following requirements:

- (a) The Park shall be located on a well-drained site of a minimum of 5 acres in area properly graded to insure rapid drainage and freedom from stagnant pools of water.
- (b) Travel Trailer and/or Tent spaces shall be dimensioned, improved, and arranged so that when any space is occupied no portion of any unit (including awning or other accessory attachments) shall be within 15 feet of any portion of any other unit or building, provided, however that travel trailer and/or tent parks in existence on the effective date of this ordinance which provide travel trailer and/or tent spaces having widths and areas less than that herein above prescribed may continue to operate with spaces of the existing widths and areas.
- (c) The walls of all structures, travel trailers, and tents must be set back from public rights-of-way as required in Area Regulations.
- (d) All travel trailer and/or tent spaces shall abut upon a driveway of not less than 12 feet in width which shall have unobstructed access to a public street, alley, or highway.
- (e) All driveways and walkways within the park shall be hard surfaced or compacted gravel to be kept dust free.
- (f) Each park shall provide utilities, sanitary requirements and refuse, as required by the Pennsylvania Department of Environmental Resources, Regulations for Control in Organized Camps and Campgrounds, Chapter 4, Article 413.
- (g) Where Travel Trailer Park Developers or owners desire to install electrical facilities, they shall be installed and maintained in accordance with specifications regulating such systems as required by the Middle Department of Fire Underwriters or the Keystone Underwriters Electrical Service.

401.2 - Accessory Uses Permitted -

- (1) Private garage.
- (2) Farm structure.
- (3) Related farm uses.
- (4) Stand for sale of agricultural or nursery products, provided:
 - (a) It shall be set back a minimum of 25 feet from the road right-of-way.
 - (b) There should be at least three parking spaces not on the street right-of-way.

- (5) Private playhouse, swimming pool, tennis court, tool or storage shed, and private greenhouse.
- (6) Private shelter for domestic pets, including ponies or horses
- (7) Private incinerator, provided:
 - (a) It shall be located within the dwelling, or in the rear yard only.
 - (b) It shall be used only for burning of refuse produced on the premises.
- (8) Wall, fence, lamp post, similar accessory structure, subject to height limitations outlined in Section 402.22 and 402.23.
- (9) Boarding Unit, lodging unit, rooming unit, provided:
 - (a) It shall be limited to a maximum of 3 such units.
 - (b) It shall be for non-transients only.
 - (c) It shall be located in the principal dwelling building.
- (10) Servant's quarters located within the principal dwelling building.
- (11) Home Occupation as defined in this Zoning Ordinance, providing:
 - (a) There shall not be more than 3 non-residents employed on the premises.
- (12) Storage or parking of a commercially licensed vehicle, provided:
 - (a) A trailer shall be used as storage only and shall comply with height and area regulations for accessory structures.
 - (b) It shall be limited to two such commercially licensed vehicles, except school busses.
- (13) Any other accessory use, provided:
 - (a) It shall be customarily incident and subordinate to a permitted principal use.
 - (b) It shall be located on the same lot as the principal use.
 - (c) It shall be approved by the Zoning Hearing Board.

401.3 - Accessory Signs, subject to provisions of XIV.

401.4 - Parking and Loading Facilities, subject to provisions of Article XV.

SECTION 402 - HEIGHT REGULATIONS

402.1 - Principal Structures

402.11 - Maximum Height for Dwellings.

- (1) Farm Dwellings - 3 stories, not to exceed 40 feet.
- (2) Other Dwellings - 2 1/2 stories, not to exceed 35 feet.

402.2 - Accessory Structures

402.21 - Maximum height for residential accessory structures -

- (a) One story dwelling not to exceed the height of the principal structure.
- (b) Two or more stories not to exceed 2/3 of the height of the principal structure, or a maximum of 25 feet.

402.22 - Maximum height for solid wall or fence - 4 feet, or 6 feet, along rear lot line.

402.23 - Maximum height for open fence - 8 feet.

402.24 - Signs, subject to Article XIV.

SECTION 403 - AREA REGULATIONS

403.1 - Minimum Lot Area Per Dwelling Unit

403.11 - Minimum Lot Areas

- (a) One family detached dwelling - 20,000 square feet per unit.
- (b) One family semi-detached dwelling - 30,000 square feet.
- (c) Two family detached duplex dwelling - 24,000 square feet.
- (d) Public housing, multiple dwelling, apartment house - 24,000 square feet plus 4,000 square feet per dwelling unit.
- (e) Boarding house, lodging house, rooming house - 24,000 square feet plus 1,000 square feet per boarding, lodging or rooming unit.
- (f) Convalescent home - 40,000 square feet plus 1,000 square feet per bed.

403.2 - Minimum Lot Width Per Dwelling

- (a) One family detached dwelling - 100 feet.
- (b) One family semi-detached dwelling - 100 feet.
- (c) Two family detached duplex dwelling - 100 feet.
- (d) Public housing, multiple dwelling, apartment house - 120 feet.
- (e) Boarding house, lodging house, rooming house - 120 feet.

403.3 - Maximum Percentage of Lot Coverage - 25% including accessory structures.

403.4 - Minimum Building Setback.

Building setback line shall be 75 feet on all roads. Measurements are to begin at the centerline of the streets.

403.5 - Minimum Side Yard Width

403.51 Minimum Side Yard shall be 10 feet on lots of 20,000 square feet in area.

403.6 - Corner Lots.

The minimum building setback line on any street not having lots fronting upon it shall be forth (40) feet on a 40' right-of-way and fifty (50) feet setback on a sixty (60) foot right-of-way, from the centerline of the right-of-way. Where the street on the side of a corner lot has lots fronting upon it within the same block on the same side of the street, the building setback on the side of the corner lot shall conform to the setback requirements of such street.

403.7 - Minimum Rear Yard Depth

Minimum Rear Yard Depth shall be 35 feet for principal structures and 10 feet for accessory structures.

403.8 - Minimum Floor Area

Minimum floor area for a single family dwelling unit shall be 500 square feet.

SECTION 404 - GENERAL REGULATIONS

Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard.

ARTICLE VIII

"B" BUSINESS NEIGHBORHOOD SERVICE ZONING DISTRICT

SECTION 800 - PURPOSE OF ZONING DISTRICT - To provide a Zoning District in which will be encouraged the establishment and maintenance of those offices, retail and service business establishments essential to the efficient functioning of a residential neighborhood in such a manner that it will preserve the essential character of the adjoining Residential Zoning District.

SECTION 801 - USE REGULATIONS - Provided:

- (a) Any business, servicing, storage, or processing shall be conducted within a completely enclosed building, except for parking and loading facilities and for "drive-in" type establishments offering goods or services to customers waiting in parked motor vehicles.
- (b) Any business establishment shall deal directly with the consumer only.
- (c) All work done shall be for sale on the premises.
- (d) Any display of goods shall be in back of the setback building line.

801.1 - Permitted Principal Uses. -

- (1) Automotive Service Establishment, such as automotive gasoline service station, automotive garage, provided:
 - (a) It shall not be located within 100 feet of any lot line of any Residential Zoning District.
 - (b) Means of ingress or egress shall be located no closer than 100 feet from the intersecting right-of-way lines of street intersections.
 - (c) Access drives shall not exceed 30 feet in width within 10 feet of the street right-of-way line.
 - (d) Access drives shall not exceed two per lot on any one street frontage.
- (2) Car Washes (automatic and self-service) provided they meet the following requirements:
 - (a) Provide sufficient off-street parking for waiting cars. The parking or standing area shall be situated on the property outside the washing facilities and be of sufficient size to accommodate at least one-third the hourly capacity (or hourly turn-over) of the car wash plus a reserve of 20 percent of the hourly capacity to accommodate peak demand periods. Hourly capacity in this instance, shall mean the greatest number possible of automobile washes that can be provided in one hour.

- (b) Provide separate entrance and exit facilities with paved driveways. Minimum width of driveways and stacking lanes for waiting cars shall be ten (10) feet.
 - (c) No entrance or exit shall be located closer than 50 feet to an existing street intersection.
 - (d) Provide an area of at least 800 square feet beyond the exit end of the washing building to be used for hand finishing operations of the washing process.
 - (e) Car washes may not be located less than 100 feet from the nearest residential zone.
 - (f) Provide separate off-street parking area for the owner and employees at the rate of one space for the owner and one space for every two employees.
 - (g) The owner shall provide a site plan of the proposed car wash operation showing the location of entrances and exits, the building housing the washing equipment, the parking areas for waiting vehicles and employees, the distance to nearest street intersection, property lines and required set-back side yard, and rear yard lines, plus type of screening to be used.
 - (h) A permanent screening fence or wall not less than five (5) feet in height shall be constructed along any property line which abuts property zoned for residential use.
 - (i) All off-street parking areas shall be hard-surfaced and dust free.
 - (j) Side yard and rear yard requirements shall be in accordance with the "B" Business Article of this Ordinance.
 - (k) Signs - In accordance with applicable sections of present ordinance.
- (3) Amusement Establishment, such as: auditorium, bowling alley, club, dance hall, drive-in theater, miniature golf course, pool hall, skating rink, theater, other social, sport, or recreation center operated as a business, provided:
- (a) Any entrance to such establishment shall not be within 200 feet of any lot line of a lot on which there is located any church, hospital, library or school.
 - (b) A drive-in theater shall be subject to the following:

- (b1) It shall have no entrance or exit except on a State or Federal primary highway.
 - (b2) It shall maintain adequate automobile facilities for cars waiting for admission between the ticket gates and the road.
 - (b3) It shall not have any structure, including light standards, other than an enclosure fence within 100 feet of any lot line.
 - (b4) It shall have the theater screen located not less than 150 feet from any lot line.
 - (b5) It shall include and be limited to the showing of movies, a playground, and the maintenance of concessions clearly incidental to the showing of movies located in the operational area, and which promote the comfort and enjoyment of movie patrons and which are not offensive by reason of dust, odor, glare, or noise to the immediate neighbors, and which will not be detrimental to the public health, safety, or general welfare of the Borough.
 - (b6) There shall not be any establishment selling intoxicating beverages located in conjunction therewith.
 - (b7) It shall not provide more than 70 percent of the area for use as parking purposes for patrons.
 - (b8) The parking area for patrons shall be enclosed by a lattice or solid fence at least 6 feet in height or a compact screen of evergreens not less than 3 feet in height.
- (4) Club, such as membership club, lodge, fraternal organization building.
 - (5) Eating Establishment.
 - (6) Governmental or Governmental Authority Facility, Service Structure, and/or Use, provided:
 - (a) It shall serve as a community facility, or be reasonably necessary to the adequate distribution of service.
 - (b) It shall be authorized by a governmental agency.
 - (7) Office establishment: office, office building, studio, medical clinic, dental clinic, agency.
 - (8) Health Service Establishment: physician's office, medical clinic, dental clinic.

(9) Parking lot and/or Parking Structure, provided:

- (a) There shall not be any vehicle parked within 10 feet of any Residential Zoning District.
- (b) There shall not be any automotive repair facilities located on the lot or any automotive repairs made on any vehicle located thereon.
- (c) There shall not be any storage of material, junk, or any equipment on the lot.
- (d) There shall not be any vehicle parked in front of the front or side street setback building line.

(10) Personal Service Establishment such as: barber shop, beauty parlor, dry cleaning or clothes pressing pick-up station, laundry pick-up station, automatic self-service laundry, lending library, bank, mortuary, shoe repair shop, motel court, passenger service (bus).

(11) Public Utility Facility, Service Structure and/or Use, such as: a telephone exchange building, gas or water regulator station, electric power or light sub-station, business facility, provided:

- (a) It shall not include any type of equipment which will in any way interfere with local radio or television or otherwise be detrimental to the surrounding area.
- (b) It shall not include a repair facility, storage of materials, storage of any repair or trouble crew outside of a structure.
- (c) It shall be reasonably necessary to adequate distribution of service.

(12) Retail Establishment such as: book and stationery store, drug store, dry goods store, hardware store, variety store.

(13) Motel Court, provided:

- (a) An outer court shall have a minimum width of 30 feet.
- (b) An outer court shall have a maximum depth of two times the width of the court.

(14) Passenger Station - bus, railroad.

(15) Dwelling

- (a) One family dwelling
- (b) One family semi-detached dwelling
- (c) Two family dwelling
- (d) Multi-family dwelling
- (e) All area and yard requirements are same as "R" District.

801.2 - Permitted Accessory Uses -

(1) Processing, Cleaning, Servicing, Testing or Repair, provided:

- (a) Except in an automotive service establishment, it shall be limited to 20 percent of the gross floor area of the principal structure.

(b) Except in an automotive service establishment, it shall not extend beyond 10 feet from the front of the principal structure.

(2) Service Facility on a Lot Occupied by an Automotive Service Establishment for the Service of Gas, Oil, Air, or Water or Repair Facility, provided:

(a) Any such equipment shall not be less than 15 feet from any alley or street nor less than 50 feet of any lot line of any Residential Zoning District or 100 feet from any lot line of a hospital, church, or school.

(3) Storage of Inflammable Liquids on a Lot Occupied by an Automotive Service Establishment provided:

(a) It shall be stored in underground tanks.

(b) It shall be approved by the Commonwealth of Pennsylvania.

(4) Any Other Accessory Use, provided:

(a) It shall be customarily incidental and subordinate to a permitted principal use.

(b) It shall be located on the same zoning lot as the principal use.

(c) It shall be approved by the Zoning Hearing Board.

801.3 Permitted Principal and/or Accessory Signs (Subject to provisions prescribed in Article XIV).

801.4 Required Parking and/or Loading Facilities (Subject to provisions prescribed in Article XV).

SECTION 802 - HEIGHT REGULATIONS (Signs subject to provisions prescribed in Article XIV.

802.1 Principal Structures

802.11 - Maximum Height -

(1) Business Structure - 2 stories not to exceed 30 feet.

(2) Farm Dwellings - 3 stories, not to exceed 40 feet.

(3) Other Dwellings - 2 1/2 stories, not to exceed 35 feet.

802.2 - Accessory Structures -

802.21 - Maximum Height - 2 stories, not to exceed 30 feet.

SECTION 803 - AREA REGULATIONS (Signs subject to provisions prescribed in Article XIV.

803.1 - Principal and Accessory Structures

803.11 - Minimum Lot Area -

10,000 feet where on-lot sewer and water is provided by on lot systems.

5,000 feet where water and sewage disposal are provided by public or community systems.

803.12 - Minimum Lot Width - 50 feet.

803.13 - Maximum Percentage of Lot Area - 60 percent, including principal and accessory structures.

803.14 - Minimum Front Yard Depth - Building setback line shall be 100 feet on all roads indicated as major thoroughfares on the Official Street Map of the Borough, and 75 feet on all other roads or streets. Measurements are to begin at the center line of the streets.

803.15 - Minimum Distance to a Lot Line of any "R" Zoning District - 25 feet, unless otherwise specified.

803.16 - Minimum Distance to Any Other Lot Line - 10 feet except if used for vehicular access - 12 feet.

SECTION 804 - GENERAL REGULATIONS

Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard or for strip mining.

ARTICLE XIV

SIGN REGULATIONS

SECTION 1400 - GENERAL PROVISIONS AND EXCEPTIONS -

1400.1 - Projection - A sign shall not project over a street or other public space.

1400.2 - Direct or Reflected Light -

A sign shall not be so placed so as to cast direct or reflected light upon a window of any dwelling in any "R" Zoning District, or on any street.

1400.3 - Vision Obstruction -

A sign shall not be so placed that it will cause danger to traffic on a street by obscuring the view or otherwise interfere with traffic.

1400.4 - Imitation of or Resemblance to Official Traffic Control Signs -

A sign shall not be an imitation of or resemble official traffic control signs or devices and any sign within 50 feet of any intersection shall not contain any visible green, yellow, or red colored lights which might be confused with official traffic control devices.

1400.5 - Distance to a Church, Playground, School, or Other Public Building -

A ground sign or billboard over 30 square feet in surface area shall not be within 100 feet of a church, hospital, park, playground, school, or other public building.

1400.6 - Posting of Sign -

A sign shall not be affixed to, painted on, or otherwise posted on certain roadside features such as, fence posts, utility poles, trees, bridges, or barricades that are within 25 feet of any right-of-way.

1400.7 - Signs Not Requiring a Permit -

In any Zoning District where permitted, the following accessory signs shall be exempted and shall not require a permit as required in Article XIX:

(1) Special Display:

Special decorative display used for holidays, public demonstrations or promotion of civic welfare or charitable purposes, when authorized by the Borough Council.

(2) Permitted Real Estate Sign.

(3) Permitted Temporary Signs or Banners.

(4) Permitted Identification Sign:

An accessory identification less than 12 square feet in surface area.

(5) Semi-public Use Sign:

A directional sign showing the location of churches, service clubs or other public uses.

SECTION 1401 - PERMITTED PRINCIPAL AND ACCESSORY SIGNS.

1401.1 - "R" Zoning Districts

(1) Name Plate.

1 lighted or unlighted name plate for each dwelling unit or other permitted use, provided:

- (a) It shall not exceed 8 inches by 24 inches in surface area.
- (b) If lighted, it shall be illuminated with white light by reflector method only.
- (c) It shall not be used other than for identifying the name of the occupant.

(2) Identification Sign.

1 unlighted sign for each lot in any "R" Zoning District wherein rooms are rented and/or meals served, provided:

- (a) It shall not exceed 8 square feet in surface area.
- (b) It shall set back at least 1/2 the depth of the existing front yard.
- (c) It shall appertain only to the renting of rooms or serving of meals.

(3) Other Identification Sign.

2 lighted or unlighted signs for each lot used as a permitted use for agricultural products processing establishment, cottage, or tent camp, church, college, convalescent home, experimental station, farm, game preserve, grange hall, hospital, institutional home, nursery, park, sanatorium, sanitarium, school or trailer camp, provided:

- (a) It shall not exceed 20 square feet in surface area.
- (b) If lighted, it shall be illuminated with white light by reflector method only.
- (c) It shall be only for the purpose of displaying the name and activities thereof or the services therein offered.

(4) Real Estate Signs.

(a) Sale, Rent, or Development Sign:

A single sign publicizing the sale, rental, or development of the premises upon which they are erected, provided:

- (1) It shall not exceed 6 square feet in surface area.
- (2) Such sign shall be set back at least one-half the depth of the existing front yard.

1401.11 - General Provisions

- (1) A sign shall not be on the roof of a building.
- (2) A sign attached to the wall of a building shall not extend above the roof line.
- (3) A sign shall not project over a public sidewalk.
- (4) Advertising painted upon a barn or other building shall be subject to the above provisions.

1401.2 -"B" Zoning Districts

- (1) Name Plate, Accessory Identification Sign and/or Real Estate Sign for any lot used for a principal business use, provided:
 - (a) It shall not exceed 50 square feet in surface area.
 - (b) It shall not include a flashing or animated illuminated sign.
 - (c) It shall be limited to the business on that premises.

- (2) Wall Sign: 1 illuminated wall sign (excluding a flashing or animated illuminated sign) or unilluminated sign for each street frontage of a principal business use, provided:
 - (a) It shall be attached to the main wall of a building and shall not project horizontally more than 12 inches therefrom.
 - (b) It shall be erected at a height not less than 10 feet, nor more than 20 feet above the ground or sidewalk.
 - (c) It shall be limited to use as a business sign.
- (3) Projecting Sign: 1 illuminated projecting sign (excluding a flashing or animated illuminated sign) or unilluminated sign for each street frontage of a principal business use, provided:
 - (a) It shall not project more than 10 feet from the face of the building or structure.
 - (b) It shall not, in any case, be beyond a vertical plane 25 feet inside the curb line.
 - (c) Its innermost edge shall not be placed more than 12 inches from the setback building line.
 - (d) It shall be limited to use as a business sign.
- (4) Pole Sign in Business Districts: One (1) illuminated sign excluding flashing or animated illuminated sign, and one (1) non-illuminated sign for each street frontage of an automotive gasoline service station, automotive garage, motel, provided:
 - (a) The illuminated pole sign shall not exceed 50 square feet in surface area, one side, in B-1 Districts.
 - (b) The non-illuminated signs shall not exceed 50 square feet in surface area, one side.
 - (c) Any portion of the pole signs shall set back at least 75 feet from any street center line.
 - (d) There shall be no less than 10 feet clearance below the sign.
 - (e) It shall be limited to use as a business sign.
- (5) Marquee Signs: 1 illuminated marquee sign excluding a flashing or animated illuminated sign or unilluminated sign for each side of a marquee located on a lot used as a motion picture theater, provided:
 - (a) It shall not exceed 7 feet in height.
 - (b) It shall not project below the fascia of the marquee.
 - (c) It shall not be lower than 10 feet above the sidewalk.
 - (d) It may extend the full length of the marquee but in no case, shall it project beyond the ends of the marquee.
 - (e) It shall be limited to use as a business sign.

(6) Temporary Signs and Banners - Provided:

- (a) They shall be removed as soon as torn or damaged and in no case later than 60 days after erection, except that temporary signs suspended from or attached to a canopy or marquee shall be limited to a period of 10 days.
- (b) They shall be limited in size to 10 feet in one dimension.
- (c) They shall not exceed 500 square feet in surface area.

ARTICLE XV

PARKING AND LOADING REGULATIONS

SECTION 1500 - OFF-STREET PARKING AND/OR LOADING FACILITY REQUIREMENTS.

1500.1 - New Use of a Structure and/or Land - For the use of any structure constructed and any use of land established after the effective date of the Zoning Ordinance, parking and/or loading facilities shall be provided in accordance with the following schedules: and

1500.2 - Increase in Intensity of Use of a Structure and/or Land - The intensity of use of a structure and/or land shall not be increased through the addition of dwelling units, rooming units, gross floor area, lot area, or other units of measurement prescribed in the following schedules unless accessory parking and/or loading facilities shall be provided in accordance with said schedules; and

1500.3 - Change in Use of Structure and/or Land - An existing use of a structure and/or land shall not be changed to a new use, unless parking and/or loading facilities shall be provided as required in the following schedules for such new use. However, if said use of a structure and/or land was established prior to the effective date of the Zoning Ordinance additional parking and/or loading facilities shall be required only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the following schedule and space requirements.

PARKING SPACE

- (1) Minimum Parking SpaceNot less than 10 feet wide x 20 feet long
- (2) Minimum Loading SpaceNot less than 12 feet wide x 30 feet long
- (3) Minimum loading space for whole-sale or industrial useNot less than 12 feet wide x 50 feet long.

PARKING SCHEDULE

AGRICULTURAL USES

PARKING SPACES

- (1) Farm3 per dwelling unit.
- (2) Agricultural Products Processing.....1 for each 500 square feet of gross floor area.
- (3) Experimental Station.....1 for each 500 square feet of gross floor area.
- (4) Grange Hall, Similar Use.....1 for each 200 square feet of gross floor area.

- (5) Nursery1 for each 100 square feet of gross floor area.
- (6) Stand for sale of Agricultural Products.....5

RESIDENTIAL USES

PARKING SPACES

- (7) Apartment Hotel, Apartment House.....2 for each dwelling, apartment or rooming unit or any combination unit, plus one additional space if over 5 units.
- (8) Boarding Unit, Convalescent Unit, Lodging Unit or Rooming Unit1 for each unit, plus one additional space if over 5 units.
- (9) Convalescent Home, Hospital, Sanatorium, Sanitarium, Institutional Home1 for each 400 square feet of gross floor area, plus 1 for each employee.
- (10) Cottage or Tent Camp1 for each cottage or tent.
- (11) Dwelling or Public Housing.....1 for each dwelling unit.
- (12) Professional Office1 for each employee and 1 for each 200 feet of gross floor area devoted to such use plus 2 per dwelling unit.
- (13) Trailer Camp.....1 for each trailer lot.

COMMUNITY FACILITIES

PARKING SPACES

- (14) Governmental or Governmental Authority Facility Service Structure and/or Use (Other than a place of Public Assembly).....1 for each employee and 1 for each 200 square feet of gross floor area.
- (15) Church, Church School, Church Use.....1 for each 200 square feet of gross floor area.
- (16) Dormitory, Fraternity House, Sorority House, Nurses Home, Hospital, Similar Institution.....2 for each sleeping room or 1 for each 400 square feet of gross floor area, whichever requires the greater number of spaces.

- (17) School, College, Day Nursery School1 for each classroom plus in a high school or college 1 for each 1000 square feet of gross floor area devoted to classroom use, plus 1 for each 4 units of seating capacity of an auditorium or general purpose room.

- (18) Place of Public Assembly (other than a church, funeral home, mortuary or amusement establishment)1 for each 4 units of seating capacity.

- (19) Golf Course, Country Club50 for each 9-hole course in use.

PUBLIC UTILITY FACILITIES

PARKING SPACES

- (20) Public Utility Facility, Service Structure and/or Use (other than an office establishment)1 for each employee with a minimum of 3 parking spaces required.

BUSINESS USES

PARKING SPACES

- (21) Amusement Establishment1 for each 400 square feet of gross floor area, or if an auditorium or public meeting room, 1 for each 4 units of seating capacity.

- (22) Boarding House, Rooming House, Lodging House1 for each rooming unit plus 1 additional space if over 5 units or fraction thereof.

- (23) Business School or College1 for each classroom plus in a high school or college 1 for each 1000 square feet of gross floor area devoted to classroom use plus 1 for each 4 units of seating capacity of an auditorium or general purpose room.

- (24) Club1 for each 200 square feet of gross floor area.
- (25) Eating Establishment, Drinking Establishment1 for each employee, plus 1 for each 4 units of seating capacity.
- (26) Hotel, Tourist Court1 for each sleeping room plus 1 for each 8 units of seating capacity, if an integral restaurant.
- (27) Mixed UseSum of various uses computed separately.
- (28) Mortuary.....A minimum of 20 for each chapel used for mortuary purposes, plus 2 for each dwelling unit and 1 for each employee.
- (29) Office Establishment.....1 for each employee plus 1 for each 200 square feet of gross floor area.
- (30) Retail Establishment1 for each 200 square feet of gross floor area plus 1 for each employee.
- (31) Service Establishment1 for each 200 square feet of gross floor area, plus 1 for each employee.

TRANSPORTATION USES

PARKING SPACES

- (32) Automotive Service Establishment.....1 for each 200 square feet of gross floor area.
- (33) Transportation Terminal Establishment.....To be determined by agreement with Planning and Zoning Commission and Zoning Hearing Board.

WHOLESALE USES

PARKING SPACES

- (34) Warehouse Establishment Wholesale Establishment.....1 for each employee plus 1 for each 500 square feet of gross floor area.

LOADING SCHEDULE

USES

LOADING SPACES

Any apartment Hotel, Apartment House, Multiple Family Dwelling, Community Facility, Public Utility Use, Business Use, Transportation Use, Agricultural Products Processing Use, Wholesale Use Or Industrial Use which has an aggregate gross floor area of 10,000 square feet or more	To be determined by agreement with the Planning and Zoning Commission and Zoning Hearing Board.
Mixed Use	Sum of various uses computed separately.

SECTION 1501 - GENERAL PROVISIONS. -

1501.1 - Location of Required Parking Facilities - The parking spaces required for the use listed in the above schedule shall be on the same lot as the use they are intended to serve.

1501.2 - Location of Required Loading Facilities - The loading spaces required for the uses listed in the above schedule shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading space be part of the area used to satisfy the parking requirements of the Zoning Ordinance.

1501.3 - Use of Required Parking and/or Loading Facilities by Another Use. - Any part of parking and/or loading facilities required for any use for the purpose of complying with the regulations of the Zoning Ordinance shall not be included as part of a parking and/or loading facility similarly required for another use unless the type of use indicates that the periods of usage shall not be simultaneous with each other as determined by the Zoning Officer upon review by the Zoning Hearing Board.

1501.4 - Encroachment and Reduction - A required parking and/or loading space shall not be encroached upon by a structure, storage or any other use, nor shall the number of spaces be reduced.

ARTICLE XVI

SUPPLEMENTARY REGULATIONS

SECTION 1600 - SUPPLEMENTARY USE REGULATIONS. -

1600.1 - Other Uses Permitted by the Zoning Hearing Board - Where the terms "any other principal" or "any other accessory use" is mentioned, it shall be deemed to mean other uses which, in the judgment of the Zoning Officer and the Zoning Hearing Board, as evidenced by a written decision from the Zoning Hearing Board, are similar to and not more objectionable to the general welfare than the uses listed in the same Section. "Any other use" so determined by the Zoning Hearing Board shall be regarded as a permitted use.

1600.2 - Essential Services - Essential services as defined in the Zoning Ordinance, shall be permitted in any Zoning District.

1600.3 - Soil Removal. - Any person, firm, or corporation shall not strip, excavate, or otherwise remove top soil for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction, alteration of a building on such premises, and excavation of grading incidental thereto.

Permit for removing topsoil or other excavation shall be secured from the Zoning Hearing Board. The Board shall require the applicant to submit plans of the existing and proposed finished grade of the excavation, and shall have adequate drawings to indicate that there will not be any adverse effect on adjacent property once the excavation and soil removal has been completed. If necessary, a bond to cover the adequate seeding and grading of the finished excavation or removal shall be posted with the Zoning Hearing Board to assure its proper completion in whatever amount to be determined by the Board.

SECTION 1601 - SUPPLEMENTARY HEIGHT REGULATIONS

1601.1 - Height Regulations Not Apply - The maximum height limitations for this Section shall not apply to:

(1)Principal Structures:

Church, college, farm structure (other than a farm dwelling), governmental, governmental authority, hospital, radio or television tower, sanatorium, sanitarium or public utility structure which is a permitted use and which is located in any Zoning District, provided:

- (a) If over 2 1/2 stories or 35 feet in height, it shall have a side yard of 8 feet plus 2 feet for each foot over 35 feet in height.

(2)Appurtenant Structures:

Church spire, belfry, cupola, dome, monument, smokestack, derrick, conveyor, flag pole, radio tower, television tower, mast, antenna, aerial, roof tank; ventilating air conditioning and similar building service equipment; roof structure, chimney and/or parapet wall, provided:

- (a) Any such structure shall set back from the vertical plane of the permitted building line 1 foot horizontally for each 2 feet of height which exceeds the maximum height permitted in the Zoning District in which it is located.

(3) Special Industrial Structures:

Cooling tower, grain elevator, sugar refinery, gas holder, or other structure where the industrial process requires a greater height. Any such structure except a grain elevator, where above the maximum height permitted in the Zoning District in which any such structure is to be located shall not occupy more than 25 percent of the lot area. It shall not be less than 25 feet from any lot line not a street lot line, and it shall not be less than 1 foot from the opposite side of each abutting street for each 2 feet of vertical height.

(4) Existing Designed Structures:

The vertical extension of a structure existing at the effective date of the Zoning Ordinance may be erected to such height as the original drawings of said building indicated, provided:

- (a) The building was actually designed and constructed to carry the additional stories necessary for such height.

SECTION 1602 - SUPPLEMENTARY AREA REGULATIONS. -

1602.1 - Number of Principal Structures on a Lot - Except in the case of permitted planned developments for an agricultural processing establishment, cemetery, church, college, or tent camp, dwelling group, farm, governmental or governmental authority facility, hospital, industrial use, institutional home, nursery, public housing, public utility facility, sanatorium, sanitarium, school, shopping center or trailer camp, not more than one principal structure shall be located on a zoning lot, nor shall a principal dwelling building be located on the same zoning lot with any other principal dwelling building, provided the minimum distance between principal structures, where permitted to be located on the same zoning lot, shall be 6 feet plus 3 feet for each story over the first story of the higher building between principal structures upon which no windows open (windowless wall), and 12 feet plus 6 feet for each story over the first story of the higher building between other principal structures, which have windows.

1602.2 - Lot Width and Area Exceptions for Lot of Record - A one family detached dwelling may be constructed on any lot of record at the effective date of the Zoning Ordinance.

1602.3 - Determination of Yards and Minimum Distance to Lot Lines on Irregularly Shaped Lots. - When any main wall of a structure located on an irregularly shaped lot shall not parallel the lot line which the wall faces, the yard or minimum distance to lot line dimension at every point shall be at least equal to the minimum dimension required for the yard or distance to lot line, whichever is applicable.

1602.4 - Projections into and Occupancy of Yards, Courts, or Other Open Spaces. - The following projections into and the occupancy of required yards, courts, or other open spaces, except a porch and/or similar attached or semi-detached accessory structure, shall be permitted subject to the following provisions.

(1) Steps, Stoop, Window Sill, Belt Course, Similar Architectural Feature, Rain Leader and/or Chimney. -
Provided:

(a) It shall not project more than 4 feet beyond the face of the wall.

(2) Exterior Stairway, Fire Tower, Balcony, Fire Escape or Other Required Means of Egress - provided:

(a) It shall not project more than 4 feet beyond the face of the wall.

(3) Tree, Shrub, Lawn, Flowers, All Other Vegetation -
Provided:

(a) Any vegetation shall not obstruct visual clearance at intersecting streets by being over 3 feet in height within the triangular area formed by the intersection of the curb lines and a straight line adjoining said curb lines at points which are 15 feet distant from the point of intersection, measured along said intersecting curb lines. If a corner is already obstructed any vegetation shall not further obstruct it.

SECTION 1603 - PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL EQUIPMENT.

1603.1 - Major recreational equipment as defined for purposes of these regulations, includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment whether occupied by such equipment or not.

No major recreational equipment shall be permanently parked or stored on any lot in a residential district except in a garage or car port or as provided in Section 1603.3, provided however that such equipment may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading.

1603.2 - Occupancy - No such equipment shall be used for living, sleeping, or housekeeping purposes except as provided for under the following conditions:

Travel trailers, pickup campers, or coaches, motorized dwellings and tent trailers may be temporarily parked and occupied for sleeping purposes only, by visitors and house guests in accordance with the following provision: such vehicles and/or trailers shall have adequate off-street parking areas.

1603.3 - Permanent parking and storing of camping and recreational equipment. - Permanent storage of such equipment shall be limited to the interior of automobile garages or other available on-lot accessory buildings or to that portion on the lot as though it were a building.

1603.4 - Spacing - Major recreational equipment six feet or more in average height above the ground shall be governed as to spacing with respect to buildings on the lot as through it were a building.

1603.5 - Lot Coverage - Major recreational equipment six feet or more in average height shall be included on the same basis as buildings for regulation of lot coverage by all buildings, with area covered computed on the basis of the largest horizontal area covered by such equipment.

1603.6 - Derelicts - No major recreational equipment shall be stored out of doors on residential premises unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state. In no case shall any such equipment be so stored for a period of more than six months if not in condition for safe and efficient performance of the function for which it is intended.

ARTICLE XVII

NON-CONFORMING USES, STRUCTURES AND LOTS

SECTION 1700 - INTENT AND STANDARDS

Within the districts established by this ordinance or amendments that may later be adopted there exists lots, structures and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance or future amendment.

It is the intent of this ordinance to permit these non-conformities to continue until they are removed. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. Non-conformities may be enlarged and expanded as determined by the Zoning Hearing Board to be in conformity with existing law.

A non-conforming use of a structure, a non-conforming use of land, or non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by attachment of additional signs to a building, or the placement of additional signs or display devices on the land outside the building, or by the addition of other uses, if such additions are of a nature which would be prohibited generally in the district involved.

Nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be diligently carried on until the completion of the building involved.

SECTION 1701 - NON-CONFORMING LOTS OF RECORD

In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provided that yard dimensions and other requirements not involving area or width, or both, of lot shall conform to the regulations for the district in which such lot is located. Variance of area, width, and yard requirements shall be obtained only through action of the Zoning Hearing Board.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements for lot width and area in the respective district, the lands involved shall be considered to be an undivided parcel for the purpose of this ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

SECTION 1702 - NON-CONFORMING USES OF LAND

Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance, as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- (a) No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance, except as specified by Section 1700 of this Ordinance.
- (b) No such non-conforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance.
- (c) If any such non-conforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.
- (d) Regardless of any other provision of this ordinance, every junk yard existing as a non-conforming use shall within two (2) years after becoming non-conforming be completely enclosed within a continuous solid fence or evergreen hedge found on a determination of the Zoning Hearing Board to be of such height and character as to screen all operations of such establishment and which fence or hedge shall be maintained in full conformity with any conditions attached to such approval.

SECTION 1703 - NON-CONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason or restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structures may be continued so long as it remains otherwise lawful subject to the following provisions:

- 1703.1 (a) A structure may be enlarged or altered in a reasonable amount as approved by the Zoning Hearing Board.
- (b) Should such structure be destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance unless a variance is granted by the Zoning Hearing Board.
- (c) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after moved.

SECTION 1704 - NON-CONFORMING USES OF STRUCTURES

If a lawful use of a structure, or of a structure and premises in combination, exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- 1704.1 (a) An existing structure devoted to a use not permitted by this ordinance in the district in which it is located may be enlarged, extended, constructed, reconstructed, or structurally altered to any reasonable amount upon granting of a variance by the Zoning Hearing Board.
- (b) Any non-conforming use may be extended throughout any part of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.
- (c) If no structural alterations are made, any non-conforming use of a structure, or a structure and premises, may be changed to another non-conforming use provided that the Zoning Hearing Board either by general rule, or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Zoning Hearing Board may require appropriate conditions and safeguards in accord with the provisions of this ordinance.
- (d) Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the non-conforming use may not thereafter be resumed.

- (e) When a non-conforming use of a structure, or a structure and premises in combination, is discontinued or abandoned for six (6) consecutive months or eighteen (18) months during any three-year period, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.

- (f) Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

SECTION 1705 - REPAIRS AND MAINTENANCE

On any building, devoted in whole or in part to any non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing without the requirement of a permit.

Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official.

SECTION 1706 - USES UNDER EXCEPTION PROVISIONS NOT NON-CONFORMING USES

Any use for which a special exception is permitted as provided in this ordinance shall not be deemed a non-conforming use, but shall without further action, be deemed a conforming use in such district.

ARTICLE XVIII

ADMINISTRATION AND ENFORCEMENT

SECTION 1800 - OFFICE OF ZONING ADMINISTRATOR

1800.1 - Creation of Office - The Office of Zoning Administrator of New Lebanon Borough, Mercer County, Pennsylvania is hereby created and the official in charge thereof shall be known as the Zoning Officer.

1800.2 - Appointment - The Zoning Officer shall be appointed by the Borough Council as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.

1800.3 - Official Records - An official record shall be kept of all business and activities of the Office of Zoning Administrator specified by provisions of the Zoning Ordinance and all such records shall be open to public inspection at all appropriate times.

1800.4 - Compensation of the Zoning Officer - The compensation of the Zoning Officer shall be as determined by the Borough Council.

SECTION 1801 - DUTIES AND POWERS OF THE ZONING OFFICER - The Zoning Officer shall interpret and enforce all the regulations and provisions of the Zoning Ordinance, and shall have such duties and powers as are conferred on him by the Zoning Ordinance and are reasonably implied for that purpose.

1801.1 - Applications, Permits, and Certificates of Use and Occupancy - He shall receive applications for and issue Permits and Certificates Of Use and Occupancy, in accordance with the provisions of the Zoning Ordinance.

1801.2 - Annual Report - At least annually, he shall submit to the Borough Council a written statement of all Permits and Certificates of Use and Occupancy, Notices issued and Orders promulgated.

1801.3 - Registration of Nonconforming Uses and Structures - The Zoning Officer shall be required to identify and register all non-conforming uses and structures that: (1) exist at the time the Ordinance is adopted, or (2) are created by subsequent amendment of the Ordinance.

SECTION 1802 - INSPECTION -

1802.1 - Preliminary Inspection - Before issuing a Permit, the Zoning Officer shall examine, or cause to be examined, all structures and/or land for which an application has been filed for a Permit and he shall conduct such inspections from time to time during and at completion of the work for which a Permit has been issued.

1802.2 - Final Inspection - Upon completion of the structure and/or change or increase in intensity of use of a structure and/or land, and before issuance of the Certificate of Use and Occupancy as required herein, a final inspection shall be made and all violations of the approved plans and/or permit shall be noted and the holder of the Permit shall be notified of the discrepancies in writing.

1802.3 - Right of Entry - The Zoning Officer shall have the authority to enter at any reasonable hour any structure and/or land in the Borough to enforce the provisions of the Zoning Ordinance. A letter of his authority shall be provided by the Borough Council.

1802.4 - Official Badge - He may adopt a badge of office for himself which shall be displayed for the purpose of identification.

SECTION 1803 - APPLICATION FOR PERMIT AND CERTIFICATE OF USE AND OCCUPANCY -

1803.1 - When Permit is Required - It shall be unlawful to erect, enlarge, construct, reconstruct or structurally alter any building and/or other structure (except a sign as prescribed in Subsection 1400.4 or an accessory structure used solely for agricultural purposes or any building less than 100 square feet in floor area) or change the use, intensity of use, or extend, or displace the use of any building, other structure and/or land in the Borough without first filing an application with the office of the Zoning Officer in writing and obtaining the required Permit therefore.

1803.2 - When a Certificate of Use and Occupancy is Required - It shall be unlawful to use and/or occupy any building, other structure and/or land for which a Permit is required herein until a Certificate of Use and Occupancy for such building, other structure and/or land has been issued by the Zoning Officer. The application for issuance of a Certificate of Use and Occupancy shall be made at the same time an application for a Permit is filed with the office of the Zoning Officer as required herein.

1803.3 - Forms of Application - The application for a Permit and a Certificate of Use and Occupancy shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee as prescribed in the fee schedule in Section 1804.11.

1803.4 - Plot Diagram - All applications shall be accompanied by a plot plan diagram (in duplicate) drawn to suitable scale showing all dimensions of lands or buildings satisfactory to the Zoning Officer to provide accurate means of review of the material presented in the application. One copy shall be returned to the applicant indicating approval or disapproval, one copy to be retained by the Zoning Officer.

1803.5 - Amendments to Application - Amendments to a plan, application, or other records accompanying the same may be filed at any time before completion of the work for which the permit is sought or issued; and such amendments shall be deemed part of the original application and shall be filed therewith.

1803.6 - Expiration of Permits - If work described in any permit has not begun within 90 days from the date of issuance, said permit shall expire and be cancelled by the Zoning Officer, and written notice thereof shall be given to the persons affected.

If work described in any permit has not been substantially completed within one year of the date of issuance, said permit shall expire and be cancelled by the Zoning Officer, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a special permit has been obtained.

At the discretion of the Zoning Officer, such special permit may be based on the original application or he may require submission of a new application. The special permit may include limitations on time allowed for substantial completion of the work, and provisions for a reasonable performance bond to insure completion within the time limit set.

1803.7 - Action on Application - The Zoning Officer shall examine all applications for a permit and amendments thereto 7 calendar days after filing. If the requirements of the Zoning Ordinance are satisfied, a Permit shall be issued which shall be accompanied by a suitable sign which must be displayed on the premises until the permit expires or the Certificate of Use and Occupancy is delivered. Disapproval of a Permit shall be in writing to the party involved.

1803.8 - Action on Completion - The Zoning Officer shall inspect any building, other structure, and/or land within 7 calendar days upon notification that the proposed work that was listed under the permit has been completed. If he is satisfied that the completed work is in conformity with and compliance with the work listed in the issued permit and all other pertinent laws, he shall issue a Certificate of Use and Occupancy for the intended use listed in the original or amended application, or indicate his refusal to do so, setting forth his reasons therefore in writing, within ten (10) calendar days of receipt of notification of completion of work under permit.

1803.9 - Revocation of a Permit - The Zoning Officer may revoke a permit of approval issued under the provisions of the Zoning Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

SECTION 1804 - CONDITIONS OF PERMIT AND CERTIFICATE OF USE AND OCCUPANCY

1804.1 - Payment of Fees - No Permit shall be issued until the fees prescribed in the following schedule have been paid:

1804.11 - Fees

<u>Estimated Market Value</u>	<u>Fee</u>
A. Up to \$5,000	\$5.00
B. For each additional \$1,000 over \$5,000	\$1.00
C. There shall be a limit of \$20 fee for single-family residences and \$100 for all other uses.	

- D. The fee for a building permit shall also include the fee for the Occupancy Permit. The fee for a Use Permit shall be \$2.00. All fees paid to the Zoning Administrator shall be paid by him to the "Borough Secretary" not later than the 10th day of the month following their receipt and shall be deposited to the credit of the Borough.
- E. The permit fee for signs requiring a permit as set forth in Section 1803.1 shall be \$1.00.
- F. The application fee for a text or map amendment to the Zoning Ordinance shall be \$20.00.

SECTION 1805 - NOTICE OF VIOLATION -

If the Zoning Officer shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings, or structures or additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

SECTION 1806 - PROSECUTION OF VIOLATION-

If the Notice of Violation is not complied with promptly, the Zoning Officer shall request the Borough Solicitor to institute in the name of the Borough, the appropriate proceeding at law or in equity to restrain, to correct, or to abate such violation or to require the removal of, or termination of the unlawful use and/or occupancy of the building, other structures and/or land in violation of the regulations or provisions of the Zoning Ordinance or of any order or direction made pursuant thereto.

SECTION 1807 - ENFORCEMENT AND PENALTIES

Any person, partnership, or corporation who or which shall violate the provisions of this Zoning Ordinance and are convicted thereof in a summary proceeding, shall be subject to fine or imprisonment as prescribed in Section 616 - Enforcement Penalties of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.

SECTION 1808 - ABATEMENT OF VIOLATION -

The imposition of the penalties herein prescribed shall not preclude the Borough Solicitor from instituting appropriate action or proceedings to prevent unlawful construction or to restrain, to correct, or to abate a violation or to prevent illegal use of or occupancy of any building, other structure and/or land or to prevent any illegal act, conduct, trade, industry, residence use or occupancy of any building, other structure and/or land.

SECTION 1809 - STOP-WORK ORDER -

1809.1 - Notice to Owner - Upon notice from the Zoning Officer that work on or use or occupancy of any building, other structure and/or land is being prosecuted contrary to the regulations or provisions of the Zoning Ordinance, such work shall be immediately stopped. The Stop-Work Order shall be by written notice to the owner of the property involved, or to the owner's agent, or to the person doing the work and shall state the conditions under which work may be resumed.

1809.2 - Condition of Discontinued Work - Any person, firm, or corporation who having been served with a Stop-Work Order or discontinues or abandons work shall not leave any building, other structure and/or land in such condition as to be a hazard or menace to the public safety, health, moral or general welfare. The Zoning Officer shall have the power to require that such building, other structure, and/or land shall be put in such condition as he directs, the work on it shall be at the full expense of the person, firm, or corporation who has been served with a Stop-Work Order.

ARTICLE XIX

ZONING HEARING BOARD

SECTION 1900 - CREATION AND FUNCTION

A Zoning Hearing Board shall be created for the purpose of reviewing applications for variances or exceptions to the Zoning Ordinance and deciding whether there is a legitimate reason for granting relief of or exception to a specific provision(s) of the Ordinance when requested.

The Zoning Hearing Board shall be created as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended, and shall have all authority, perform all duties and exercise all powers vested in it by the provisions of the aforementioned Act.

SECTION 1901 - SPECIAL EXCEPTIONS.

Where this ordinance has set forth expressed standards and criteria for special exceptions, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of the enabling act and this zoning ordinance.

1901.1 - Special Exceptions in Uses.

RESIDENTIAL USES

- (1) For the Alteration, Change in Intensity of Use and Use of any Existing One-Family Detached Dwelling in any Residential Zoning District for one (1) Additional Dwelling Unit - Provided:
 - (a) The height regulations and yard requirements shall not be violated.
 - (b) The minimum lot area per dwelling unit shall not be less than 10,000 square feet per dwelling unit.
 - (c) 1 parking space shall be provided for the additional dwelling unit to be provided.
 - (d) That any proposed alteration, change in intensity of use, and uses shall meet all the requirements of the State Boards of Health, and the Fire and Panic Laws of the Commonwealth of Pennsylvania.

BUSINESS USES

- (2) For the Temporary Erection and Use of a Real Estate Office and/or Contractor's Storage Yard in any Residential Zoning District.

In cases where such use is incidental and reasonably necessary to the development of housing or construction purposes, and where the proposed use is clearly of a temporary nature, to be abandoned as the adjacent areas become occupied for residential use. Any Permit so authorized shall be only for such limited period of time, in no case more than 1 year, or as the Board, considering the character of the area in question, shall determine is reasonable, provided:

- (a) Such Permit shall be conditional upon written agreement by the owner to remove any building or other structure erected thereunder, upon the expiration of the Permit.
- (3) Junk Yards, Salvage Yards, provided

(a) General Conditions

- (1) All storage of junk, waste, discarded or salvaged material, machinery, or equipment, including automobile, truck, or other vehicle parts shall be enclosed on all sides except for an exit and entrance not over 25 feet in width by a solid fence or wall at least 6 feet in height and maintained in good condition, or by a cyclone or equal wire fence at least 6 feet in height and surrounded, except for an exit or entrance not over 25 feet in width, by evergreens at least 6 feet so as to form a solid screen.
- (2) Any other part of the operation shall be carried on only in buildings classified as fire-resistant and be carried on in such a manner with such precautions against fire and explosion hazards as to produce no exposure hazards to an adjacent property.
- (3) Burning of any type shall be limited to those hours specified by the Borough: 8:00 a.m. - 5:00 p.m., Monday through Friday.

OTHER USES

- (4) For the Reasonable Extension of Use Regulations in Any Zoning District into Another Zoning District - Over a Lot Divided by a Zoning District Boundary Line, provided:

- (a) Such extension shall not be more than 50 feet beyond the boundary line of the Zoning District, when all parts of such lot are held under the same ownership at the effective date of the Zoning Ordinance.

1901.2 - Special Exceptions in Off-Street Parking Facility Requirements.

- (1) For the modification of off-street parking facility requirements in any zoning district, provided:
 - (a) Such modification shall be consistent with the purpose and intent of such requirements.
 - (b) It shall be satisfactory to the Board that public or private transportation facilities shall be sufficient to accommodate travel needs of those employed on the premises.
 - (c) If after investigation by the Board, it shall be found that such modification shall be necessary to prevent unreasonable hardship or to secure an appropriate development of a specified parcel of land which has such peculiar or exceptional geographical or topographical conditions, or is of a size, shape, dimension or location that it cannot be reasonably developed in accordance with the regulations and provisions of the Zoning Ordinance as herein specified.

ARTICLE XX

AMENDMENT, SUPPLEMENT, OR CHANGE

SECTION 2000 - PROCEDURE FOR AMENDMENTS

Whenever deemed desirable and to meet the public needs, and in conformity with good zoning practice, the zoning regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified or repealed, by the Borough Council in accordance with the provision of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended, and with the following general procedures:

- (1) Any amendment, supplement, change, modification or repeal may be initiated by:
 - (a) The Commission,
 - (b) The Borough Council,
 - (c) A notarized petition to the Borough Council.
- (2) Amendments shall be submitted to the Borough Council at a regular or special meeting of the Council.
- (3) Before voting on the enactment of an amendment, the Council shall hold a public hearing on the proposed amendment, pursuant to public notice as defined in Section 107 (18) "Public Notice" of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.
- (4) Review by New Lebanon Borough and Mercer County Regional Planning Commission. All amendments shall be submitted to New Lebanon Borough Planning Commission for review and recommendation prior to the public hearing, as prescribed in Section 609 - Enactment of Zoning Ordinance Amendments, and Section 609.1 - Procedure Upon Curative Amendments, of the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.

ARTICLE XXI

APPEALS

SECTION 2100 - ZONING APPEALS

The review or appeal of any provision of this Ordinance or decision, determination, order, or finding of the Borough Council or its agencies or officers shall follow the procedures set forth in the Pennsylvania Municipalities Planning Code (Act 247 of 1968), as amended.

ARTICLE XXII

VALIDITY

SECTION 2200 - SEVEREANCE -

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in the Zoning Ordinance or the Zoning District boundaries as shown on the Zoning Map, shall be for any reason, declared to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not effect or impair the validity of the Zoning Ordinance as a whole or any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word, or remaining portion of the Zoning Ordinance. The Borough Council hereby declares that it would have adopted the Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, and word thereof, and each Zoning District boundary of the Zoning Map irrespective of the fact that any one or more of the sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, words, or boundaries may be declared illegal, unconstitutional, or invalid.

ARTICLE XXIII

REPEAL

SECTION 2300 - ORDINANCE REPEALED

Any resolution, or ordinance or any part of any resolution or ordinance conflicting with the provisions, regulations, limitations and/or restrictions of the Zoning Ordinance shall be and the same is hereby repealed to the extent of such conflict.

ARTICLE XXIV

DEFINITIONS

For the purposes of the Zoning Ordinance, certain terms, phrases, and words shall have the meaning given herein. Words used in the present tense include the future; the singular includes the plural; the word "used" shall be construed as though followed by the words "or intended or designed to be used"; the words "building", "structure", and "land" or "premises" shall be construed as though followed by the words "or any portion thereof"; and the word "structure" includes the word "building". The word "shall" is always mandatory and not merely directory.

Abandoned Motor Vehicles - Shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose and without the intention of returning to reclaim or appropriate such vehicle.

Airport - Any landing area, runway or other facility designated or used or intended to be used, either publicly or by any person or persons, for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces within the airport boundaries.

Alley - The space or area between the rear or side lot lines of lots which has a minor right-of-way less than twenty (20) feet in width which is dedicated for the public use of vehicles and pedestrians and which affords secondary access to an abutting lot.

Alteration - As applied to a building or structure, is a change or rearrangement in the structural parts of or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or moving from one location or position to another.

Alteration, Structural - A change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing wall, columns, beams or girders.

Automotive Gasoline Service Station - Any premises used for supplying gasoline, oil, minor accessories and services for automotive vehicles at retail direct to the motorist consumer, including the making of minor repairs, but not including major repairs, such as spray painting; body fender clutch, transmission, differential, axel, spring, and frame repairs, major overhauling of engines requiring removal therefrom of cylinder-head or crankcase pan, repairs of radiator requiring removal thereof, or complete recapping or retreading of tires.

Automotive and/or Trailer Sales Area - An open space, other than a public or private street, used for the display or sale of new or used automobiles, trailers, trucks, or farm equipment, and where no repair work is done except that which is minor and incidental (not including body and fender work).

Automotive Wrecking - The dismantling or wrecking of used motor vehicles, trucks, trailers, or farm equipment or the storage, sale or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

Basement - A portion of a building partly underground, and having one-half (1/2) or more than one-half (1/2) of its floor-to-ceiling height above the average grade of adjoining ground. A basement is not included in computing the number of stories for the purpose of maximum height regulations.

Block - The length of a street between two (2) street intersections. A block shall be considered to have a maximum length of 1600 feet.

Block Frontage - The sum of the lot frontage of the lots in a block upon which principal buildings are situated.

Boarding House - A building or portion thereof, arranged or used for sheltering and feeding, for compensation, individuals who are not members of the proprietor's family.

Board - The Zoning Hearing Board of New Lebanon Borough, Mercer County, Pennsylvania.

Breezeway - Any portion of a lot roofed over by a structure joining a principal dwelling building to any other structure.

Building - An enclosed structure built, erected, and framed of component structural parts, designed for the housing, shelter, enclosure, and protection of persons, animals, or property of any kind.

Building, Accessory - A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

Building Attached - A building where both side walls of all except the end structures are party walls.

Building, Semi-detached - A building which has one (1) party wall in common with an adjacent building.

Building, Detached - A building which has no party wall.

Building, Principal - A building in which is conducted the principal use of the lot on which it is situated.

Carport - A roofed structure having two or more open sides and extending from the side or rear wall of a principal or accessory building, used primarily as a shelter for automotive vehicles or recreation equipment. The open sides may be screened or enclosed, but at least 50% of such wall area must remain open. In addition, the carport shall not extend into any required yard.

Car Washes -

- a. Automatic - where cars are driven or towed through or,
- b. Self-service or do-it-yourself, coin operated car washes, or
- c. Free Car Wash - i.e., where wash is provided as part of the purchase of some product such as gasoline at service stations, etc.

Cellar - That portion of a building wholly or partly below ground level and having more than one-half of its floor-to-ceiling height below the average grade of the existing ground level.

Certificate of Use and Occupancy - A statement, based on an inspection and signed by the Zoning Officer, indicating that a building, structure, and/or land conforms with the provisions prescribed in the Zoning Ordinance, may lawfully be occupied or used for a specified use or uses.

Club, Membership - A building to house the activities of a club or social organization, not including one conducted for profit and which is not an adjunct to, or operated for, or in connection with a public tavern, cafe, or other place of business.

Commission - The New Lebanon Borough Planning Commission

Convalescent Home - A dwelling converted into quarters, or a building constructed with quarters, for the care of sick, aged or infirmed persons.

Council - The Borough Council of New Lebanon Borough, Mercer County, Pennsylvania.

Court - A portion of a lot unoccupied above grade but partially or wholly surrounded by walls.

Court, Inner - A court surrounded on all sides by the exterior walls of a structure or by such walls and a lot line.

Curb Level - The elevation of the street grade as established in accordance with law or when a curb level has not been established, the grade or the center of the street.

Curb Line - The line establishing the width of a cartway in a right-of-way.

Day Nursery School - A school for the education of children under six (6) years of age, not including therewith rooming, boarding, or lodging accommodations.

Dormitory - A building, or part thereof, operated by an institution and containing a room or rooms forming one or more habitable units which are intended for living and sleeping purposes, but not cooking or eating purposes by the residents of the institution.

Drive-In Business - A place of business where persons are served in automobiles from a refreshment stand, restaurant, food stores and the like.

Drive-In Theater - A place of business where persons normally remain in motor vehicles to watch some type of theater entertainment.

Driveway, Service - An open space located in a private lot built for access to a private garage or to any structure located on the lot.

Dwelling (Dwelling Building)- A building arranged and used for residential occupancy containing a dwelling unit or units, including a one-family, two-family, row and multiple-family dwelling, but excluding a boarding house, convalescent home, hospital, institutional home, lodging house, hotel, motel, rooming house, tourist court or a tourist home.

Dwelling Unit - A building or portion thereof providing complete house-keeping facilities for one family. The term shall not include cellar dwellings, but shall include all other structures designed for and/or used for living purposes, including mobile homes, house trailers, prefabricated dwellings, and similar portable structures.

Dwelling, Multiple-Family - A building having three (3) or more dwelling units and designed to be used or occupied as a residence by three (3) or more families living independently of each other and each with its own exterior entrance door.

Dwelling, Two-Family - A building having two (2) dwelling units, each with its own exterior entrance door (Single Duplex), and containing but two families. The dwelling units may be either semi-detached with one (1) family living on either side of a common party wall, or stacked with one (1) family living over the other.

Enlargement - A construction activity which increases the size of a building or other structure.

Essential Services - The erection, construction, alteration or maintenance by public utilities or municipal departments or municipal authorities of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or municipal authorities for the public health, safety, or general welfare.

Family - A single individual, doing his/ or her own cooking, and living upon the lot as a separate housekeeping unit, or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit.

Farm - A lot ten (10) acres or more devoted to or available for the cultivation of land, and agricultural uses.

Floor Area (Gross Floor Area) - In computing minimum floor area for dwelling units, floor area shall mean the sum of the gross horizontal areas of several floors of a building devoted solely to residential use, measured between interior wall faces, and exclusive of entrance ways, porches, breezeways and roofed terraces, whether enclosed or not, and excluding cellars, basements, and garages.

- (a) Minimum floor area for single family detached, or semi-detached dwellings is 500 square feet per unit.
- (b) Minimum Floor areas for multifamily, semi-detached or attached dwellings is 500 square feet per dwelling unit.

Garage, Automotive - A premises used for repair of automotive vehicles but not including automotive wrecking (including therewith may be facilities supplying gasoline, oil, accessories and services to automotive vehicles at retail direct to the motorist consumer).

Garage, Private - A structure or any portion thereof accessory to a dwelling used for the housing of not more than three (3) private motor vehicles. This shall not include a garage offering commercial automotive services to the public or a garage where any provision is made for repairing or servicing of vehicles for profit.

Grade - The mean curb level, or when the curb level has not been established or all the walls of the building are more than fifteen (15) feet from street lot lines, grade means the mean elevation of the ground adjoining the principal structure on all sides.

Golf Course - An open area and its necessary buildings, used for the playing of golf, not including a driving range, miniature course, or eating facilities in a separate building operated for additional profit.

Hardship - An unusual situation or condition that relates to a particular property and which denies that property owner full utilization of his property if the strict application of the Ordinance is followed.

A hardship exists only when it is not self-created or when it is not economic in nature. In other words, a true hardship exists only when the literal interpretation of the requirements of the Ordinance would place an individual in an unusual circumstance and, in doing so, would deny him the right to use his property for any permitted use or create an unnecessary burden on him.

Height of Building - The vertical distance from the grade to the top or the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one (1) street, the height shall be measured from the average of the grades at the center of each street front.

Height of Story - The vertical distance from top to top of two (2) successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists, or, where there is no ceiling to the top of the roof rafters.

Height of Wall - The vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

Highway - A road or highway of the State highway system.

Home Occupation - Any use customarily conducted entirely within a dwelling and carried on by occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and which does not change the residential character thereof.

Hospital - A private or public institution where the ill or injured may receive medical, surgical, or psychiatric treatment, nursing, food, lodging, etc. during illness or injury.

Hospital, Veterinary - A structure designed or converted for the care of and/or treatment of sick or wounded domestic animals.

Hotel - A building containing lodging rooms for transient guests or semi-permanent residents, and containing a general kitchen and dining room, a common entrance lobby, halls and stairways.

House - Fraternity, Sorority - A dwelling or building used exclusively for residential occupancy by a group of unrelated people who are enrolled in a college or university or other recognized institutions of higher learning.

Housekeeping Unit - A building or a portion of a building arranged for the use of one (1) or more individuals each with its own cooking, living, sanitary and sleeping facilities.

Institutional Home - A building used for health or welfare purposes by a non-profit organization.

Junk - Any worn, cast off, or discarded articles or material which is ready for destruction or which has been collected or stored for sale, resale, salvage, or conversion to some other use. The term junk shall include abandoned and/or non-operating vehicles as defined below:

ABANDONED VEHICLE - Shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose and without the intention of returning to reclaim or appropriate such vehicle.

NON-OPERATING VEHICLE - Shall be prima facie non-operating when it does not display thereon a current Pennsylvania registration plate and inspection sticker, or if such current registration plate and inspection sticker are displayed thereon does not presently meet the requirements of the Pennsylvania Motor Vehicle Code concerning the condition of vehicles and the necessary equipment to be attached to vehicles in order to pass current State inspection standards.

Junk Yard - Any portion of a lot, outside of a building, used for the storage, keeping or abandonment of junk. A "junk yard" shall include an automotive wrecking yard. The maximum permitted outside storage area for the storage or keeping of junk or discarded materials is two hundred (200) square feet.

Land - The solid portion of the earth's surface which is capable of being used or occupied.

Line, Lot - A line forming the front, rear, or side of a lot as described in the recorded title. Any lot line which abuts a street or other public way shall be measured from the right-of-way.

LINE, BUILDING SETBACK - A building line which determined the minimum allowable distance between a building or structure and any lot line.

FRONT LOT LINE - For the purposes of this Ordinance, the front lot line shall be the street right-of-way line.

SIDE LOT LINE - A line extending from the front lot line (street right-of-way) to the rear property line of a lot.

LINE, REAR LOT - A lot line which defines the rear of a lot or property and is generally opposite the front lot line. In the case of corner lots, the owner shall have the privilege of selecting any lot line, other than one of the front lot lines, to be the rear lot line, provided: (a) such choice in the opinion of the Zoning Officer, shall not be injurious to the existing or the desirable future development of adjacent lots. Also, the rear lot line of any irregular or triangular lot shall be a line entirely within the lot and at least ten (10) feet in length.

Loading Space - An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other appropriate means of access to a public right-of-way and which is not less than twelve (12) feet in width, fifty (50) feet in length and fourteen (14) feet in height.

Lot - An area of land which is described by reference by a recorded plat or by metes and bounds and used or occupied or capable of being occupied by a building(s), structure(s), and/or use(s), including such required open spaces. The lot shall not include any portion of the street right-of-way.

Lot Area - The area of land (a horizontal plane) measured at grade and bounded by the front, side, and rear lot lines.

Lot Area, Maximum Percentage of - The maximum percentage of the lot area that is permitted to be covered by the principal and accessory structures. The covered area or area built upon is measured at grade level and includes the permissible yard and court encroachments and street projections as herein provided.

Lot Corner - A lot fronting on two (2) intersecting streets, with the angle of intersection being less than one hundred thirty-five (135) degrees.

Lot Depth - The mean horizontal distance measured from the front lot line to the rear lot line.

Lot Frontage - The horizontal distance measured along the front lot line between the side lot lines.

Lot, Interior - A lot whose sides do not abut a street.

Lot, Non-Conforming - A lot lawfully existing at the effective date of the Zoning Ordinance or by subsequent amendment thereto which does not completely conform with the area regulations and other provisions prescribed for the Zoning District in which it is located.

Lot of Record - An area of land which constitutes a separate lot as duly recorded or registered in the Office of the Recorder of Deeds, of Mercer County, Pennsylvania.

Lot, Through - An interior lot whose front and rear lot lines abut streets, or a corner lot with two (2) opposite lot lines abutting a street.

Lot Width - The mean horizontal distance between the side lot lines.

Mobile Home - A transportable, self-contained single-family dwelling designed to be transported on its own wheels or on a flatbed or other trailer or detachable wheels; and which may be temporarily or permanently affixed to real estate; used for non-transient residential purposes; constructed with the same, or similar electrical, plumbing and sanitary facilities as immobile housing; and upon arrival at the site where the mobile home is to be situated for occupancy, as a residence, it is complete and ready for occupancy except for minor and incidental unpacking operations, location on foundation supports, connections to utilities and the like.

Prefabricated units designed to be assembled or joined together, upon arrival at the site and requiring extensive finishing operations prior to occupancy (excluding location on foundation and connection to utilities) shall be considered as a prefabricated home rather than a mobile home.

Mobile Home Park - A parcel of land under single ownership which has been specifically planned and improved for the long-term placement (over 30 days) of mobile homes for non-transient use in a safe and desirable manner.

Mobile Home Lot - A parcel of land within the mobile home park for the placement of a single mobile home and the exclusive use of its occupants.

Mortuary - A building where dead bodies are prepared for, and kept prior to, burial or cremation and where memorial services for the deceased may be held. The display and/or sale of funeral equipment is permitted as an incidental use.

Motel - (See Tourist Court)

Motor Freight Terminal - A lot maintained by a motor freight company which is the origin and/or destination point of short and long distance hauling and which is used for the purpose of storing, transferring, loading and unloading of merchandise and truck parking and storage facilities.

Open Space - An area of land unoccupied by a building and/or other structure.

Owner - The duly authorized agent, attorney, purchaser, devisee, fiduciary, or any person having vested or contingent interest in the lot building, or structure in question.

Parking Area - An open space on a lot used as an accessory use or the parking of automotive vehicles.

Parking Space - An off-street space having an area of not less than two hundred (200) square feet, whether outside or inside a structure, to be used exclusively as a parking stall for one (1) motor vehicle.

Permit - A license, issued by the Zoning Officer, which permits the applicant to proceed with the work specified in the permit application as approved by the Zoning Officer.

Person - An individual, association, co-partner or corporation.

Plat - A map, plan or chart of a section or subdivision of the Borough indicating the location and boundaries of individual lots.

Plot - A parcel of land consisting of one or more portions thereof which is described by reference to a recorded plat or by metes and bounds.

Porch - A roofed over structure projecting from the front, side, or rear wall of a building. A porch is considered a part of the principal building and is not permitted to extend into any required yards.

Recreation Equipment - Major recreational equipment, as defined for purposes of these regulations, includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

- (a) Travel trailer is a vehicular, portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation purposes permanently identified as a travel trailer by the manufacturer of the trailer.
- (b) Pickup coach is a structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation purposes.
- (c) Motorized home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle. They can be either converted trucks or busses or custom-built units.

- (d) Camping trailer usually consists of a fold-out tent mounted compactly on a low trailer.
- (e) Boat is a vessel designed to travel on water.
- (f) Boat trailer is a trailer designed to haul a boat as defined above.

Sign - A principal or accessory structure which is arranged, intended, designed or used as an advertisement, announcement, or direction; and which includes a sign screen, billboard, poster panel and advertising, business and identification device of any kind.

Sign, Advertising - A sign which directs attention to a business, commodity, service, or entertainment, conducted, sold or offered only at a location other than the premises where the sign is displayed.

Sign, Business - A sign which directs attention to a business, profession, or industry conducted on/or to products sold, manufactured or assembled on the same premises as which the sign is located.

Sign, Identification - A sign used to display and identify only the name of the individual, business, profession, organization, or institution occupying the premises upon which it is displayed.

Sign, Surface Area - The entire show area of a sign within a single continuous perimeter.

Sign, Wall - A sign which is painted on a building or attached directly to a building wall and which extends from the face of the wall.

Special Exception - A provision which permits, under specified terms and conditions, particular uses to locate in a zoning district without detriment to the routine and orderly development as provided for that zoning district. The provision is granted by the Zoning Hearing Board.

Story - A part of a building comprised between a floor and a floor or roof next above, including a basement, but not including a cellar.

Story, Half - A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor area immediately below it.

Street - A roadway or public way which is dedicated or deeded to public use by legal mapping by the uses or by another lawful procedure.

Structure - A combination of materials forming a construction for occupancy and/or use including among others, a building, stadium, gospel tent, circus tent, reviewing stand, platform, staging, observation tower, radio tower, water tank, trestle, pier, wharve, open shed, coal bin, shelter, fence, wall and a sign.

Structure, Accessory - An attached, semi-detached or detached structure whose use is customarily incidental and subordinate to the principal structure or use, and is located on the same lot as the principal structure or use.

Structure, Non-Conforming - A legal structure existing at the effective date of adoption or subsequent amendment of this Ordinance, which does not completely conform with the height regulations, area regulations, and other provisions prescribed for the Zoning District in which it is located.

Structure, Principal - A structure housing the principal use.

Terrace - A natural or artificial embankment which is higher than the curb level.

Terrace, Height of - The difference in elevation between the curb level and the top of the terrace at the center of the wall of the principal structure.

Tourist Court - Any group of attached or detached buildings (not including a trailer) located on a single lot containing individual sleeping or housekeeping units, designed for or used by transients, including an auto court, motel, cabin and/or motor lodge.

Tourist Home - A dwelling originally designed for single family occupancy which is not identified as supplying overnight accommodations for not more than twenty (20) transient guests, not including a lodging, rooming, or boarding house or a tourist court.

Townhouse - A unique residential structure containing four or more attached dwelling units. Each dwelling unit has a recorded lot in addition to a vested interest in the common open space. The structure may be one or two stories in height.

Trade School (Industrial School) - A school conducted as a commercial enterprise for teaching barbering or hairdressing or for teaching industrial skills in which machinery is employed as a means of instruction.

Trailer - Any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

Travel Trailer Parks and/or Tent Parks - A parcel of land which has been specifically planned and improved to provide short-term (the length of continuous occupancy of the unit shall be limited to a maximum of 8 months per year. However, storage of the unit for longer periods than 8 months will be permissible on-site, if the unit is unoccupied,) parking space for accommodating travel trailers and other forms of portable, temporary housing primarily used by vacationers.

Transient - Any individual residing or stopping in the municipality for less than thirty (30) days at any one time.

Use, Accessory - A use customarily incidental and subordinate to the principal use of a building, structure and/or land, except parking and/or loading facilities as herein provided.

Use, Non-Conforming - A legal use of a building, structure and/or land existing at the effective date of adoption or subsequent amendment of this Ordinance, which does not completely conform with the use regulations and other provisions prescribed for the Zoning District in which it is located.

Use, Principal - The main or primary purpose for which a building, structure, and/or land is designed, arranged, or intended; or, for which it may be used, occupied, or maintained under the Zoning Ordinance. All other structures or uses on the same lot, and incidental or supplemental thereto and permitted under the Zoning Ordinance, shall be considered accessory uses.

Variance - Relief granted by the Zoning Hearing Board upon appeal in specific cases, from the terms of the Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Zoning Regulations will result in unnecessary hardship, and so that the spirit of the Zoning Regulations will be observed and substantial justice done.

Written Notice - Written notice shall be considered to have been served if delivered in person to the individual, person, or to the parties intended, or if delivered or sent by certified mail to the last address known to the party giving the notice.

Yard - An open unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

Yard, Front - A yard across the full width of the lot, extending from any point of a principal building or structure to the front lot line (street right-of-way line).

Yard, Minimum Dimension - The minimum, permitted horizontal distance between a lot line and the nearest point of a main wall of a principal building or structure exclusive of permissible yard encroachments and occupancy and street projections as provided by this Ordinance. The measurement of the minimum dimension shall be made at grade and perpendicular to the lot line and building or structure.

Yard, Rear - A yard across the full width of the lot, extending from any point of a wall of a principal building or structure to the rear lot line of the lot.

Yard, Side - A yard between the principal building or structure and the adjacent side lot line of the lot, extending from the front yard to the rear yard.

Zoning - Is the legal and administrative process of dividing the community into Districts or Zones and regulating within such Districts the use of land and the use, height, and area of buildings for the purpose of conserving and promoting the health, safety, morals, convenience and general welfare of the people of the community. Zoning is the instrument for giving effect to that part of the Comprehensive or Land Use Plan which is concerned with the private uses of and the private developments on, privately owned land as distinguished from that part which is concerned with public uses and facilities.

Zoning Hearing Board - A group of individuals, created officially by the adoption of the Ordinance and appointed by the governing body, whose purpose and function is to review applications for variances or exceptions and to decide whether there is legitimate reason for granting the applicant the relief which he desires or the exception which he has requested.

Zoning Officer - The agent, or official designated by the Borough Council and charged by law with the administration and enforcement of the Zoning Ordinance.

Zoning Map - New Lebanon Borough Zoning Plan Map.

Zoning Ordinance - New Lebanon Borough Zoning Ordinance.

ARTICLE XXV

EFFECTIVE DATE

SECTION 2500 - EFFECTIVE DATE

The Zoning Ordinance shall take effect on October 1, 1973.

We hereby certify that the New Lebanon Borough Zoning Ordinance was adopted by the Borough Council of New Lebanon Borough, Mercer County, Pennsylvania on this 10 day of September, A.D., 1973.

(SEAL)

BOROUGH OF NEW LEBANON,
MERCER COUNTY, PENNSYLVANIA

James Adams, Mayor

Harold B. Weitzel, President

Harry G. Porter

Robert N. Opitz

Lee Shilling

Clair Marsteller

Attest:

Miss Arlene Stallsmith
Secretary

ARTICLE XXVI

CERTIFICATION

SECTION 2600 - CERTIFICATION -

I do hereby certify that the foregoing is a true copy of Ordinance Number 91073, adopted by the Borough Council of New Lebanon Borough, Mercer County, Pennsylvania on September
10, A.D., 1973.

(SEAL)

Arlene Stallsmith
Secretary

