ZONING ORDINANCE

FOR

CAMERON COUNTY, PENNSYLVANIA

as amended

September 27, 1975
August 14, 1978
January 14, 1980
December 21, 1987

CAMERON COUNTY PLANNING COMMISSION

ZONING ORDINANCE

for

CAMERON COUNTY, PENNSYLVANIA

Ordinance No. 200

amending

Ordinance No. 200

adopted on August 15, 1970

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Cameron County Planning Commission

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ORDINANCE NUMBER 200

PREAMBLE

THIS AMENDED ORDINANCE IS ADOPTED IN ACCORDANCE WITH THE COMPREHENSIVE PLAN FOR CAMERON COUNTY TO PROMOTE AND PROTECT THE PUBLIC HEALTH, SAFETY, COMFORT, MORALS, CONVENIENCE, COORDINATED COUNTY DEVELOPMENT AND OTHER ASPECTS OF THE GENERAL WELFARE. THESE GENERAL GOALS INCLUDE, AMONG OTHERS, THE SPECIFIC PURPOSES SET FORTH IN THE STATEMENTS OF INTENT OF THE VARIOUS REGULATIONS FOR THE RESPECTIVE DISTRICTS. THIS ORDINANCE IS NUMBER 247, AS AMENDED, THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

ARTICLE 100 - GENERAL PROVISIONS

Section 101 - TITLES, GENERAL INTENT, ESTABLISHMENT OF CONTROLS

101.1 - LONG TITLE

An ordinance to establish zoning regulations for the use of land and structures, area of lots, bulk of buildings and other structures, the density of population, the provision of off-street parking spaces and similar accessory regulations for Cameron County, Pennsylvania, and for such purposes divide the County into districts; and further, to provide for administrative enforcement and amendment thereof, in accordance with the provisions of Pennsylvania Municipalities Planning Code, Act NO. 247, as amended, and to repeal all ordinances in conflict herewith.

101.2 - SHORT TITLE

This ordinance shall be known and may be cited as "The Zoning Ordinance for Cameron County, Pennsylvania".

101.3 - GENERAL INTENT AND COUNTY DEVELOPMENT OBJECTIVES

The zoning regulations and districts set forth in this ordinance are made in accordance with a Comprehensive Plan Study by Cameron County, for the general welfare of the County and are intended to achieve, among others, the following purposes: to lessen congestion, to secure safety from fire and other dangers, to provide adequate light and air, to prevent the overcrowding of the land, avoid undue concentrations of population, to facilitate adequate provisions for transportation, water, sewerage, schools, parks and other public requirements, as well as the conservation of the value of land and buildings. These regulations were developed with reasonable considerations, among other things, of the existing character of the various areas within the County and their respective suitability of particular uses.

101.4 - AUTHORITY

The provisions of this ordinance shall be effective for all land located within Cameron County in any Borough or Township which has no zoning ordinance in effect at the time this ordinance becomes effective. The enactment of a zoning ordinance by any municipality within the County shall act as a repeal protanto of this ordinance within said municipality.

101.5 - ESTABLISHMENT OF CONTROLS

Minimum and Uniform Regulations

The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.

For New Uses and Structures

In all districts, after the effective date of this ordinance, any new building or other structure or any tract of land shall be constructed, developed and used only in accordance with the regulations specified for each district.

For Existing Uses and Structures

In all districts, after the effective date of this ordinance, any existing building or other structure, or any tract of land which is not in conformity with the regulations for the district in which it is located, shall be deemed as non-conforming and subject to the regulations of Article 700.

101.6 - ESTABLISHMENT OF DISTRICTS

Types of Districts
For the prupose of this ordinance, the County is hereby divided into the following districts:

R-1 Agricultural-Residential District
R-2 Low Density Residential District
R-3 Low Density Residential District with Reduced Setbacks

C-1 General Commercial District
C-2 Planned Commercial District

I-1 Industrial District

F-1 Flood Plain District

Lot Sizes
Any lot, as well as the open spaces reserved on it, must equal, or exceed, the minimum sizes prescribed by this ordinance for the district in which the lot is included.

101.7 - THE ZONING DISTRICT MAP

Adoption of Zoning District Map
The areas within the County as assigned to each district and the location of boundaries of the district established by this ordinance are shown on the Zoning Map which is declared to be a part of this ordinance and shall be kept on file with the County Clerk. If, and whenever, changes are made, such changes to the map shall be made promptly, after the amendment has been approved by the County Commissioners.

District Boundary Lines
The district boundary lines shall be as shown on the Zoning District Map. District boundary lines are intended to coincide with lot lines, center lines of streets or roads, the corporate boundary of the County (or Boroughs and Townships) or as dimensioned on the map. In case of doubt or disagreement concerning the exact location of the boundary line, the determination of the Zoning Hearing Board as provided in Article 900 shall prevail.

SPECIFIC BOUNDARY LINES

INDUSTRIAL AREA #1
Beginning at Stan Mann's driveway and extending along Route 120 - 600 feet in an easterly direction having a depth of 400 feet on both sides of Route 120.

INDUSTRIAL AREA #2
All of the O'Block property south of Route 120 between 120 and the Sinnemahoning Creek.

INDUSTRIAL AREA #3
The northeast corner of this area is located at a point 3,000 feet north of the north warrant line of Warrant #5421 and in the center of the Sinnemahoning Creek.

This area is bounded on the east by the Sinnemahoning Creek, on the north by the line 3,000 feet from the north line of Warrant #5421 and running parallel to said line. On the west by a line parallel to the Driftwod Branch and being 600 feet from Driftwood Branch and on the south by a line 1,500 feet from the north line of Warrant #5421 and running parallel to said line.

INDUSTRIAL AREA #4
The north west corner of this parcel is located at the center of Boyer Run and is 700 feet from Route 555.

This area is bounded on the west by Boyer Run on the south by Bennetts Branch on the east by the Driftwood Branch and on the north by a line 700 feet from Route 555 and running parallel to said Route.

INDUSTRIAL AREA #5
The northwest corner of this parcel is the intersection of Route 120 and Portage Creek.

This parcel is bounded on the west by Portage Creek and the west and south by the Driftwood Branch on the east by the Shippen Township line and on the east and north by Route 120.

INDUSTRIAL AREA #6
The southwest corner of this parcel is the junction of Portage Creek and Salt Run. Bounded on the west by Portage Creek, on the south by Salt Run on the east by Route 155 and on the north by McKiernans Bridge.

INDUSTRIAL AREA #7
The southeast corner of this parcel is a point 800 feet south of the intersection of the north line of Warrant 1407 and the east line of Warrant 1193. Bounded on the south by a line parallel to the north line of Warrant 1407 and being 800 feet south of said line, on the west by Route 155, on the north by a line parallel to and 1,600 feet north of the southern line and on the east by a line extending 1,600 feet north from the southeast corner.

INDUSTRIAL AREA #8
The northeast corner of this parcel is the junction of West Creek and the Borough line. Bounded on the north by West Creek and following the course of the Creek for 1,000 feet in a westerly direction. The southern boundary of this parcel is 1,000 feet south of West Creek and runs parallel to the Creek.

INDUSTRIAL AREA #9
The southwest corner of this parcel is the intersection West Creek and the west line of Warrant #4950. Bounded on the south by West Creek, on the east by the road from Hercules Hollow (which crosses new 120) to Route 120 and on the east by the Township Road connecting new 120 and old 120, on the North by Old Route 120 and on the west by west line of Warrant 4950.

INDUSTRIAL AREA #10
The property owned by Elcam as of 4/12/79.

INDUSTRIAL AREA #11
Beechwood property now owned by Gary Brown and formerly known as Holloway Tool and Die as of 4/12/79.

INDUSTRIAL AREA #12
Property described in Deed Book 88, page 123 and where Lewis and Hockenberry, Inc. is located.

INDUSTRIAL AREA #13
Remainder of lands owned by WLH from Deed Book 76, page 534, and 543 as of 4/12/79.

INDUSTRIAL AREA #14
Tunnel Hill - all of the property owned by Neil C. Miller, which was formerly part of the Wylie Farm at Tunnel Hill as of 4/12/79.

INDUSTRIAL AREA #15
Sterling Run - This parcel is bounded on the east by the railroad, on the south by the road from Route 120 through Sterling Run to May Hollow, on the west by the old Sterling Run - Cameron Road and on the north by the point where the railroad and the old Sterling Run - Cameron Road came together.

COMMERCIAL AREA #1
All of the property owned by the Lakeview Motel at Brooks Run on Route 872 as of 4/12/79.

COMMERCIAL AREA #2
The southwest corner of this zone is the intersection of Route 120 and Portage Creek.
This section is bounded on the south by Route 120, on the east by Route 155, on the north by Salt Run, and on the west by Portage Creek.

COMMERCIAL AREA #3
The southwest corner of this parcel is the junction of old 155 and New Route 155.
Being bounded on west by Route 155 on the north by property line of E. Bleret and on the south and east by old Route 155.

COMMERCIAL AREA #4
Property owned by Four Mile Trailer Court as of 4/12/79.

COMMERCIAL AREA #5
The northwest corner of this parcel is the intersection of Sizer Run and Route 155. Bounded on the north by Sizer Run on the east by Portage Creek, on the south by a line running east to west and intersection old 155 and new 155 and on the west by Route 155.

COMMERCIAL AREA #6
Remainder of lands ownes by Clara Mann property as described in Book 67, page 432 as of 4/12/79.

COMMERCIAL AREA #7
The southwest corner of this parcel is the intersection of Dodge Hollow Stream and Driftwood Branch. Bounded on east by Dodge Hollow Stream on south by Driftwood Branch, on west by North Creek and on the north by Route 46.

COMMERCIAL AREA #8
The southeast corner of this parcel is the intersection of Dodge Hollow Stream and Route 46. Bounded on the east by Dodge Hollow Stream on south by Route 46, on west by lands owned by Mrs. Francis B. Grimone and having depth of 400 feet north of Route 46.

COMMERCIAL AREA #9
This parcel is bounded on the west by Route 120, on the north by the north line of Warrant 5467 on the east by a line running parallel to Route 120 and being 300 yards east of Route 120 and on the south by a line parallel to the north line of Warrant 5467. The southern boundary being 300 yards south of the warrant line, excluding the area occupied by the Pine St. Cemetary.

COMMERCIAL AREA #10
Cameron Hotel Property as of 4/12/79.

COMMERCIAL AREA #11
Homestead Hotel Property as of 4/12/79.

COMMERCIAL AREA #12
Buck Trail Inn as of 4/12/79.

COMMERCIAL AREA #13
Johnson's Inn as of 4/12/79.

RESIDENTIAL 3 ZONE
The following areas are the R-3 zone. While the areas are delimited by streets, it is understood that the abutting lots are included:

CAMERON
All of that part of Cameron starting at the Route 120 Bridge which crosses the Sinnemahoning Creek north of the Country Club and going north on Route 120 to the State Forest line. Also the road up Hunts Run starting at highway Route 120 and proceeding across Hunts Run to and ending at Mooley Hollow.

STERLING RUN
Starting at the junction of the Sterling Run Road and Highway Route 120 and including an area of 150 feet radius from the junction of the road, then proceeding up the Sterling Run Road to where the Run meets the highway (or highway distance marker 0/40) and also including the following side roads:

- Mason Hill road to the bridge;
- The diagonal cross road to its ends;
- The old state highway to the old railroad grade;
- All of the Creek Road on the east side of the Creek bridge.

DRIFTWOOD
All of the old town site now extending as follows:

- Driftwood Avenue in its entirety;
- All of Clinton Street;
- All of Water Street;
- Second Street to Clinton Street;
- Third Street (now called Highway Route 120) from the driveway of the Catholic Church parking lot to Spruce Street;
- Ivy Street from Chestnut Street to the junction of the two cemetary roads;
- Main Street from Driftwood Avenue to Second Street.

SINNEMAHONING
All of Railroad Street from Highway Route 120 to Grove Street; Grove Street to the end of the Township Road; Main St. from Grove Street to Railroad Street; Spruce Street to its end at College Street. All of College Street from Main Street to Spruce Avenue.

JERICHO
Highway Route 120 from the bridge to the Ellicott Run Road then up Ellicott Run Road to the end of the Township Road.

WYSIDE
Wykoff Run Road from the Creek bridge to the Grove Township line, and also: Upper Jerry Run Road to the foot of the hill just across Wykoff Run bridge, the road that is an extension of the Upper Jerry Run Road in its entirety and the Wyside Cemetary Road in entirety.

PROSPECT PARK
All on highway Route 155 - 1,000 feet east and 300 feet west from center of Route 155. North from junction of Route 155 and Route 120 to Salt Run.

WEST CREEK
Old West Creek road from where it joins present Route 120 to where it rejoins Route 120. Bound on north by a line parallel to old 120 and 300 feet from old 120 on south to within 100 feet of present Route 120.

TRUMAN
Along Route 120 from marker 1/60 to marker 1/40 extending 300 feet each side and also up Beechwood road from Route 120 to marker 1/10. Bound south by road and north by railroad track.

RICH VALLEY
(1) From Emporium Borough line north along Route 46 to Dodge Hollow;
(2) Northwest along Rich Valley Road from junction with Route 46 - to end of hard-topped road; third bridge crossing the Driftwood Branch.

CLEAR CREEK
Clear Creek Road from junction with Rich Valley Road - west to end of public road (Bush's).

PLANK ROAD HOLLOW
From Borough line to end of the state road and including Little George Run.

TANNERY HEIGHTS
Route 120 to end of Division road, bounded on the east by the stream and bounded on the west by a line parallel with Division road and 200 feet away from road.

101.7 - SEPARABILITY
Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole nor the validity of any other section or provision of the ordinance than the one so declared.

Section 102 - DEFINITIONS, INTERPRETATIONS OF REGULATIONS

102.1 - LANGUAGE INTERPRETATIONS

For the purpose of this ordinance, certain words shall have the meaning assigned to them as follows:

Words used in the present tense include the future. The singular number includes the plural and the plural the singular.

The word "shall " or "must" is always mandatory.

The word "buildings" includes "structure" and any part thereof.

The phrase "used for" includes "arranged for, designed for, intended for, maintained for, or occupied for".

The word "person" includes an individual, corporation, partnership, incorporated association, or any other similar entity.

The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character.

102.2 - DEFINITIONS
The following words and phrases shall have the meaning given in this section, as follows:

ACCESSORY BUILDING
An accessory building is a subordinate building, the use of which is customarily incidental to that of the principal building and is used for an accessory use, and is located on the same lot.

ACCESSORY USE OR ACCESSORY
An accessory use is a use conducted on the same lot as a principal use to which it is related; a use which is clearly incidental to, and customarily found in connection with, a particular principal use.

ADVERTISING SIGN
(See Sign, and Billboard)

ALLEY
An alley is a minor way, which may or may not be legally dedicated, and is used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street or road.

ALTERATIONS
Alterations include, but are not limited to the following:
All incidental changes in or replacements to the non-structural parts of a building or other structure; minor changes or replacements in the structural parts of a building or other structure.

BASEMENT
A basement, or cellar, is an enclosed area partly or completely below grade. It shall be considered a building story if more than 1/3 of the walls are five (5) feet or more above grade.

BILLBOARD
A billboard is a sign other than one indicating a business conducted on the premises; a sign upon which advertising matter of any character is printed, posted, or lettered; and, it may be either free-standing or attached to a surface of a building or other structure.

BLOCK
A block is a tract of land bounded by streets, public parks, railroad rights-of-way, or corporate boundary lines of the County (or Boroughs or Townships).

BUILDING
A building is any structure which is permanently affixed to the land, has one or more floors of stories, and is bounded by either lot lines or yards. A building shall not include such structures as billboards, fences, or structures with interior surfaces not normally accessible to human use, such as gas tanks, grain elevators, coal bunkers, or similar structures. A building may accommodate more than one family and have more than one dwelling unit and be used for residential, commercial, agricultural, public or manufacturing purposes.

BUILDING SETBACK LINE
An established line within a property defining the minimum required distance between any structure to be erected, and an adjacent right-of-way, or street line.

BULK
Bulk is the term used to describe the size of buildings or other structures and their relationship to each other, to open areas such as yards and to lot lines, and includes the size, height and floor area of building or other structure; the relation of the number of dwelling units in a residential building to the area of the lot (usually called density); all open area in yard space relating to buildings and other structures.

CELLAR
(See Basement).

CENTER LINE OF STREET
(See Street, Center Line of).

CONVERTED HOUSE TRAILER
A trailer rendered immobile and placed on either a temporary or permanent foundation for use as sleeping or living quarters (but still considered as a mobile home).



CORNER LOT
(See Lot, Corner).

DETACHED HOUSE
A detached house is one which has yard areas on all four sides and is generally occupied by one family.

DWELLING, SINGLE-FAMILY
A Building designed for, or occupied exclusively by, one family.

DWELLING, TWO-FAMILY
A building designed for or occupied exclusively by two families.

DWELLING, MULTIPLE
A building used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses.

DWELLING UNIT
A dwelling unit consists of one or more rooms for living purposes together with separate cooking and sanitary facilities and is accessible from the outdoors either directly or through an entrance hall shared with other dwelling units and is used or intended to be used by one or more persons living together and maintaining a common household.

ENLARGEMENT
An addition to the floor area of an existing building, an increase in size of other structures, or an increase in that portion of a tract of land occupied by an existing use.

ESSENTIAL SERVICES
The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, telephone exchange, supply or disposal systems.

FAMILY
A single person occupying a dwelling unit and maintaining a household; two or more persons related by blood or marriage, occupying a dwelling unit, living together and maintaining a common household, including not more than one boarder, roomer or lodger; or, not more than three unrelated persons occupying a dwelling unit, living together and maintaining a common household.

FLOOR AREA
The sum of the gross usable area of the floors of a building measured from the face of exterior walls.

FRONT YARD
(See Yard).

FRONT YARD LINE
(See Yard Line).

GARAGE, PRIVATE
A garage which is accessory to a principal building, either attached to it or separate, and used only for storage purposes.

GARDEN APARTMENTS
An apartment generally located in a structure containing not less than three (3) apartments and up to twelve (12) units; usually not exceeding three stories in height; sometimes designed around courts or common green spaces; often having private balconies or patios; and, frequently exhibiting different facades and design features between structures in a garden apartment complex.

GASOLINE SERVICE STATION
An area of land, together with any structure thereon, used for the retail sale of motor fuel and lubricants and incidental services, such as lubricating and handwashing of motor vehicles, and the sale, installation or minor repair of tires, batteries, or other automobile accessories.

HEIGHT OF BUILDING
The vertical distance measured from the average level of finished grade along all the exterior walls of a building to the mean height between eaves and ridge, in the case of a pitched roof; otherwise the highest point of the roof.

HEIGHT OF SIGN
The vertical distance measured from ground level to the highest point on the sign, or its supporting structure.

HOME OCCUPATION
An accessory use which is clearly incidental or secondary to the residential use of the dwelling unit, and customarily carried on within a dwelling unit or accessory building by one or more occupants of such dwelling unit, not having exterior displays of goods visible from the outside, nor requiring exterior alterations which are not customary in residential buildings, and not permitting the employment of more than two (2) persons living off the premises. Such home occupations, by way of example, would include, but not necessarily be limited to, the professional practice of medicine, dentistry, architecture, law, engineering, and artists, beauticians and barbers, veterinarian science, excluding, however, stables or kennels.

JUNK YARD
An area of land with or without buildings, used for storage outside a completely enclosed building, of used and discarded materials, including, but not limited to, waste paper, rags, metal, building materials, house furnishings, machinery, vehicles, or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of two or more unlicensed, wrecked or disabled vehicles, or the major part thereof, shall be deemed to make a junk yard.

LOT
A tract or parcel of land held in single and separate ownership.

LOT, CORNER
A corner lot is one bounded on at least two sides by streets. The owner or developer of a corner lot may specify which street line shall be the front lot line.

LOT LINE, FRONT
A front lot line is the line separating the lot from the street line.

LOT LINE, REAR
A rear lot line is the line generally parallel to the front lot line, which defines the rear of the lot.

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

LOT WIDTH
The horizontal distance between side lot lines measured along the right-of-way.

MOBILE HOME
A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. (Added by 1972 P. L. 333, No. 93).

MOBILE HOME PARK
A parcel of land under single ownership which has been planned and improved for the placement of mobilehomes for nontransient use, consisting of two or more mobilehome lots, (Refer to Section 605).

MOTEL
A building or group of buildings having units containing sleeping accommodations which are available for temporary occupancy by transients and providing off-street parking facilities adjacent or convenient thereto.

NON-CONFORMING BUILDING
Any lawful building or other structure which does not conform to one or more of the applicable area and bulk regulations of the district in which it is located either on the effective date of this ordinance or as a result of a subsequent amendment thereto.

NON-CONFORMING LAND
Any lawful lot which does not conform to one or more of the applicable area regulations of the district in which it is located either on the effective date of this ordinance or as a result of a subsequent amendment thereto.

NON-CONFORMING USE
Any lawful use, whether of a building or other structure or of a tract of land which does not conform to the applicable use regulations of the district in which it is located, either on the effective date of this ordinance or as a result of subsequent amendments thereto. However, no existing use shall be deemed non-conforming solely because of the existence of less than the required off-street parking or loading conditions, or the existence of less than the required supplementary regulations, excluding signs.

OFF-SITE SEWAGE DISPOSAL, COMMUNITY
A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a temporary central treatment and disposal plant, generally serving a neighborhood area.

OFF-SITE SANITARY SEWAGE DISPOSAL, PUBLIC
A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

ON-SITE (Septic Tank)
A covered watertight settling tank in which raw sewage is biochemically changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

OPEN SPACE
Parks, common greens, other recreation space or generally open areas available to the public or yards or other open areas provided in connection with residential buildings occupied by more than two families per lot which are intended for the sole use of the occupants of such buildings and their guests.

PARKING SPACE
An open space within a dust-free, all-weather surface, or space in a private garage or other structure which shall be at least 9' x 20' in size for the storage of one automobile, accessible from a public way.

PERMANENT MOBILE HOME DWELLING UNIT
The term "permanent mobile home dwelling unit" shall be construed to mean an independent mobile home with tow bar or other means of propulsion removed and the unit firmly affixed to a permanent support which is located on a lot in accordance with the controls, regulations and standards set forth herein for the district in which the mobile homes are to be located. A permanently enclosed support shall be of masonry construction or equivalent upon footers set below frost line and oriented to the frame of the mobile home so as to provide proper support.

PLANNED RESIDENTIAL DEVELOPMENT (PRD)
An area of land controlled by a single landowner and developed as a single entity for a number of dwellings, the plan for which does not necessarily correspond in lot size, bulk, type of dwelling unit, density, lot coverage or required open space to any other residential district in the community. This type of development is permitted only as a conditional use in a specified residential district.

PUBLIC RECREATION
Leisure-time activities, including but not limited to, sports and entertainment, that are open to anyone without restriction. Except for rules and standards of conduct and use.

REAR YARD
(See Yard).

REAR YARD LINE
(See Yard Line).

SEMI-DETACHED HOUSE
A house surrounded on three sides by yard area and so constructed that one wall is on a side lot line and abuts the neighboring house.

SETBACK
(See Building Setback Line).

SIDE YARD
(See Yard).

SIDE YARD LINE
(See Yard Line).

SIGN
Any letter, word, model, device or representation intended as an announcement, direction or advertisement, either freestanding, attached or painted on another structure.

SIGN ADVERTISING
A sign which offers services or goods produced or available somewhere other than on the lot on which the sign is located. The term "advertising sign" includes the word "billboard".

SIGN, BUSINESS
A sign which offers services or goods available on the lot on which the sign is located.

SIGN, TEMPORARY
A sign which offers premises for sale, rent, or development, or advertises the services of professionals or building trades during construction or alteration of the premises upon which the sign is located.

SPECIAL EXCEPTION
That which deals with special permission, granted only by the Zoning Hearing Board, to occupy land for specified purposes when such use is not permitted by right.

STORY
That portion of a building located between the surface of any floor and the next floor above it.

STREET
A right-of-way (or portion thereof) intended for general public use to provide means of approach for vehicles and pedestrians. The word "street" includes the words road, highway, thoroughfare and way.

STREET, CENTER LINE OF
The line which is usually at an equal distance from both street lines, or right-of-way lines.

STREET LINE
A right-of-way line.

STRUCTURE
Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

USE
Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied, or any activity, occupation, business or operation carried on in a building or other structure on a tract of land.

VARIANCE
That which deals with permissive waivers from the terms and conditions of the ordinance where literal enforcement would create hardship. A variance can be granted only by the Zoing Hearing Board.

YARD
An unoccupied space open to the sky, on the same lot with a building or structure.

YARD, FRONT
The yard extending along the full length of the front lot line.

YARD, REAR
A yard extending the full length of the rear lot line.

YARD, SIDE
A yard extending along the side lot line from the required front yard to the required rear yard.

YARD LINE
A line drawn parallel to the corresponding lot line at a distance specified for the required depth of yard in each respective case.

YARD LINE, FRONT
The line which bounds the front yard and is parallel to the front lot line.

YARD LINE, REAR
The line which bounds the rear yard and is parallel to the rear lot line.

YARD LINE, SIDE
The line which bounds the side yard and is parallel to the side lot lines.

Section 102.3 - INTERPRETATION OF REGULATIONS
The interpretation of the regulations of this ordinance, is intended, in addition to the provisions of Section 101.4 and 101.8, to be such that whenever these requirements are at variance with any other lawfully adopted rules, regulations or ordinances, as particularly refer to area and bulk regulations and impose higher standards, **the most restrictive requirement shall govern.**

ARTICLE 200 - RESIDENTIAL DISTRICTS

STATEMENT OF INTENT AND DEVELOPMENT OBJECTIVES

In addition to the general goals listed in the preamble and General Intent, the districts established in this Article are intended to achieve the following:

To provide sufficient space, appropriately located, for residential development to meet the housing needs of the present and expected future population of the County within the range of house types and densities anticipated.

To assure light, air and privacy, as far as possible, by controlling the spacing and height of buildings and other structures.

To protect residential areas against hazards of fire, offensive noise, vibration, smoke, odors, glare or other objectionable influences.

To prevent congestion, as far as possible, by regulating the density of population and the bulk of buildings, and by providing for off-street parking.

To protect residential neighborhoods, as far as possible, against through traffic.

To make possible provision of those public and private educational, recreational, health and similar facilities serving the needs of nearby residents, which perform most effectively in a residential environment and do not create objectionable influences.

To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stable residential development, to protect the character of any district and its peculiar suitability for particular uses, to conserve the values of land and buildings, and to protect the municipal tax revenues.

To provide a method for permitting planned residential developments, which deviate from typical residential layouts, as conditional uses.

SECTION 201 - R-1 AGRICULTURAL-RESIDENTIAL DISTRICT

SPECIFIC INTENT

In addition to the general goals in the preamble and the Statement of Intent, it is the purpose of this section to encourage residential development which will blend with existing agricultural uses and perpetuate the rural atmosphere of the area. With such restrictions, it will be possible for limited residential uses to develop while preserving natural features and scenic landscapes. It is also the purpose of this section to provide sufficient space for on-lot sewage disposal which will not create any menace to public health. In this manner, sufficient open space will be retained, thus reducing the need for municipal facilities.

SECTION 201.1 USE REGULATIONS

USES BY RIGHT

In any R-1 District, land, buildings or premises shall be used by right only for one or more of the following:

Single family detached house, excluding mobile homes except a permanent mobile home dwelling unit; recreation residence (permanent only) agricultural uses, in accordance with the provisions of Farm Regulations, Section 602.5 of this Ordinance; usual farm buildings and dwellings; tenant houses as accessory dwellings; churches; public and semi-public uses; public recreation facilities; mobile home parks and essential services.

ACCESSORY USES

Only the following shall be permitted:

Customary agricultural and residential accessory uses; private greenhouses; and home occupations (as defined in this Ordinance).

USES BY SPECIAL EXCEPTION
The following uses shall be permitted as a special exception when authorized by the Zoning Hearing Board, subject to Article 900 of this Ordinance:

Hospitals, sanitariums, penal or corrective institutions, clinics, golf courses, cemeteries, private schools, industrial and commercial.

CONDITIONAL USES
The following use shall be permitted as a conditional use when approved by the County Commissioners subject to recommendation by the County Planning Commission:

Planned residential development meeting the requirements of Section 603 of this Ordinance.

201.2 - AREA AND BULK REGULATIONS
The following regulations shall be observed:

Lot Size	1/2 acre minimum (21,780 sq.ft.)
(with off-site sewage)	13,000 sq.ft. minimum
Lot Width at building line	100 ft. minimum
Lot Coverage	25% maximum
Setback	50 ft. minimum
Side Yards	25 ft. minimum per side
Rear Yards	50 ft. minimum
Maximum Building Height	30 ft. or 3 stories maximum

201.3 - OFF-STREET PARKING REGULATIONS

STANDARDS
Off-street parking space, or spaces, with proper and safe access from street or alley or turnaround, shall be provided.

REQUIREMENTS

Use	At least two off-street parking spaces for each.
Residence	At least one off-street parking space for each dwelling unit.
School	20 seats in an elementary school; 10 seats in other schools; and, for each 5 fixed seats in an auditorium.
Church	5 fixed seats
Hospitals	Two permanent beds

SECTION 202 - R-2 LOW DENSITY RESIDENTIAL DISTRICT

SPECIFIC INTENT
In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to encourage residential development of low density on lots of sufficient size which have direct access to an approved water supply and a "community sewerage system" as defined in Pa. Act No. 537, as amended.

SECTION 202.1 - USE REGULATIONS

USES BY RIGHT
In any R-2 District, land, buildings, or premises shall be used by right only for one or more of the following:

Single-family detached houses excluding mobile homes except a permanent mobile home dwelling unit; single-family simi-detached houses; two-family houses; essential services; and agricultural uses, in accordance with the provisions of Farm Regulations, Section 602.5 of this Ordinance.

ACCESSORY USES
Only the following accessory uses shall be permitted:

Customary agricultural and residential accessory uses: and home occupations (as defined in this Ordinance).

USES BY SPECIAL EXCEPTION
The following uses shall be permitted as a special exception when authorized by the Zoning Hearing Board subject to Article 900:

Multiple family dwelling; church; philanthropic or religious institution (excluding hospitals, sanitariums, penal or corrective institutions); public, private, or parochial schools other public or semi public uses, industrial and commercial.

CONDITIONAL USES
The following use shall be permitted as a conditional use when approved by the County Commissioners subject to recommendations by the County Planning Commission:

Planned residential developments meeting the requirements of Section 603 of this Ordinance.

SECTION 202.2 - AREA AND BULK REGULATIONS

The following regulations shall be observed:

SINGLE-FAMILY AND TWO-FAMILY DWELLINGS

Lot Size with off-site sewage..... 13,000 sq.ft. minimum
(with on-site sewage).....1/2 acre minimum (21,780 sq.ft.)
Lot Width at building line.....80 ft. minimum
Lot coverage.....25%maximum
Setback.....40 ft. minimum
Side Yards..... 15 ft. minimum for each
Rear Yard.....25 ft. minimum
Maximum building height.....30 ft. or 3 stories

MULTIPLE FAMILY DWELLINGS
(3 unit minimum to12 unit maximum per structure.)
Off site sewage must be provided.

Lot Size	1/2 acre minimum or 3,000 sq. ft per dwelling unit, whichever is greater.
Lot Width at building line	150 ft. minimum
Lot Coverage	25% maximum for principal buildings, 35% total maximum, including all accessory buildings and garages, (if any).
Building setback	40 ft. minimum
Side Yards	30 ft. minimum for each
Rear Yard	50 ft. minimum
Maximum building height	30 ft. or 3 stories
Length of building	Not to exceed four times width
Dwelling unit density	3,000 sq. ft. of lot area per dwelling unit but not to exceed 15 dwelling units per acre.

202.3 - OFF-STREET PARKING REGULATIONS

STANDARDS
Off-street parking space, or spaces, with a proper and safe access from street, alley, or turnaround, shall be provided, within a structure, or in the open, to serve adequately, the uses on each lot within the District.

REQUIREMENTS

Use	At least two off-street parking spaces for each.
Single family, two family and multi-family residences	Dwelling Unit
Use	At least one off-street parking space for each.
School	20 seats - elementary school; 10 seats - other schools; or for auditoriums, five (5) fixed seats.
Church	Five (5) fixed seats.

SECTION 203 - R-3 RESIDENTIAL DISTRICT WITHOUT SET BACK REQUIREMENT

SPECIFIC INTENT
In addition to the general goals listed in the preamble and Statement of Intent, it is the purpose of this Section to delineate certain areas in the county which are to be residential but which have no minimum set back line.

SECTION 203.1 - USE REGULATION

USES BY RIGHT
In an R-3 District, land, buildings, or premises shall be used by right for one or more purposes now permitted by right in an R-2 District with the exception that there shall be no minimum set back line.

ACCESSORY USES, USES BY SPECIAL EXCEPTION, CONDITIONAL USES
In an R-3 District, accessory uses, uses by special exception and conditional uses shall be the same and allowable to the extent permitted or allowable in an R-2 District.

Section 203.2 - AREA AND BULK REGULATIONS
The regulations in an R-3 District shall be the same as for an R-2 District with the exception that there shall be no minimum set back line.

ARTICLE 300 - COMMERCIAL DISTRICTS

STATEMENT OF INTENT

In addition to the general goals listed in the preamble and General Intent, the Districts established in this article are intended to achieve the following:

To provide sufficient space in appropriate locations for the types of commercial and service establishments anticipated in the Comprehensive Plan.

To provide appropriate space for the requirements of present-day merchandising, including the provisions of off-street parking spaces, safe circulation of pedestrian and motor traffic in the zone district and in nearby areas.

To promote the most desirable use of land and a pattern of building development in accord with a well-considered plan, to promote stable commercial development, to strengthen the economic base of the County, to protect the character of adjecent residential areas and nearby districts, to conserve the value of land and buildings, and to preserve municipal tax revenues.

SECTION 301 - C-1 GENERAL COMMERCIAL DISTRICT

SPECIFIC INTENT
In addition to the general goals listed in the preamble and Statement of Intent, it is the purpose of this Section to provide commercial and other permitted facilities to serve primarily the needs of the County residents, including automotive oriented facilities, and general convenience needs.

SECTION 301.1 - USE REGULATIONS

USE BY RIGHT
In any C-1 District, land, buildings or premises shall be used by right for only one or more of the following:

Convenience goods, stores, retail shops, supermarkets, vehicular sales and services, gasoline service stations, food services, business services, automobile laundries, eating establishments, dairy stores, drive-in commercial uses, bowling alleys, business offices, clinics, doctor or dentist offices, theatres, drive-in theatres, government offices, public or semi-public service establishments, personal service establishments, motels, public and semi-public uses, mobile home parks, and any use permitted by right in an R-1 or R-2 District.

ACCESSORY USES
Only the customary accessory uses associated with either commercial or R-1 or R-2 Districts shall be permitted.

USES BY SPECIAL EXCEPTION
The following uses shall require a special exception issued by the Zoning Hearing Board in accordance with Article 900 of this Ordinance.

Church; funeral parlor or undertaker's establishment; veterinary hospitals; cemetaries; and any use permitted by special exception in an R-1 or R-2 District.

CONFLICTING SECTIONS
Should a conflict exist with respect to uses permitted by this section and the uses permitted in an R-1, R-2, or R-3 District, the conflict shall be resolved by applying the more lenient of the Sections.

301.2 - AREA AND BULK REGULATIONS
The following regulations shall be observed:

Lot Size	20,000 sq. ft. if use has both on site sewers and water supply; 15,000 sq. ft. if use has either public off-site sewers or publicwater supply;. 10,000 sq. ft. if use has both public off-site sewers and water supply; 25,000 sq. ft. for gasoline service station minimum.
Lot Width	100 ft. minimum 200 ft. for gasoline service station

Lot Coverage	35% maximum 20% maximum for gasoline servise station
Setback	50 ft. from any public street or road
Side Yards	15 ft. minimum for each side except that the building on any corner lot must be set back 25 ft. from the lot line on a side street or road
Rear Yard	30 ft. minimum
Maximum Building Height	3 stories not exceeding 35 ft.

301.3 - OFF-STREET PARKING REGULATIONS

STANDARDS

Off-street parking space or spaces shall be provided to serve adequately the uses within the District. Parking space for one vehicle shall be equal to at least 320 square feet for purposes of computing car spaces including stalls and driveways, and shall have a stall of at least 9' x 20' in size. Parking spaces shall have an approved all-weather paving surface, shall be adequately marked and shall have safe and convenient access in all seasons.

REQUIRED OFF-STREET PARKING FOR NEW CONSTRUCTION, ENLARGMENT OR CHANGE IN USE:

Use	At least one parking space for each
Food market, supermarket	200 sq. ft. of floor area
Retail shops, all offices, Personal Services and Food Services (except food markets or supermarkets)	500 sq. ft. of floor area
Eating Establishments,	4 seats
All other retail, service stores	400 sq. ft. of floor area
Churches, auditorium, indoor theatre	Not less than 1 space for each 5 fixed seats
Funeral parlor (where permitted)	2 employees plus 1 for each 5 chapel seats
Gasoline Service Station	1/2 pump (2 spaces per pump) plus 2 spaces for each service bay
Drive-In Restaurants	400 sq. ft. of lot area
All others	400 sq. ft. of floor area

301.4 - LOADING REGULATIONS

STANDARDS

Off-street loading and unloading space, or spaces, with proper and safe access from street or alley, shall be provided on each lot to adequately serve the uses within the District.

Loading and unloading space for one (1) vehicle shall be at least 12 ft. wide, 45 ft. long, and shall have at least a 14 ft. vertical clearance; loading and unloading spaces shall have paved surfaces to provide safe and convenient access during all seasons; loading facilities shall not be constructed within an area bounded by a triangle 25 feet on each side, measured from the joining point of street lines, in such a manner as to obstruct vision. Required off-street parking spaces shall not be used for loading and unloading purposes except during hours when business operations are suspended.

REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION ENLARGMENT OF CHANGE IN USE

Use	Floor Area	Required Berths
Retail stores, commercial recreation, eating and all others unless specified below	First 5,000 sq. ft.	1
	Each additional 10,000 sq. ft. or fraction thereof	1
Office building	First 5,000 sq. ft.	None
	Each additional 10,000 sq. ft. or fraction thereof	1
Automotive sales	(length 55')	1
	Each additional 5,000 sq. ft. or fraction thereof	1

SECTION 302 - C-2 PLANNED COMMERCIAL DISTRICT

SPECIFIC INTENT

In addition to the general goals listed in the preamble and Statement of Intent, it is the purpose of this Section; to provide a cohesive unit of commercial stores arranged and constructed according to a plan which will serve the County needs; to provide an area in the County for specialized stores and larger retailers who desire locating in a shopping center area. As such, additional traffic will be generated. It is therefore necessary to provide regulations requiring submission of site plans, so that this area may be made compatible with adjoining areas.

302.1 - PREREQUISITES AND APPROVAL OF USE

In order to assure the satisfactory development within a planned Commercial District, it shall be required that prior to the use or occupancy of a lot, parcel, property or properties, a suitable site plan shall be submitted to the County Commissioners and County Planning Commission for review, and approval, prior to the issuance of a permit to occupy or use the lot, parcel or property for the uses prescribed herein.

A site plan (3 copies) shall be submitted to the County Planning Commission at least ten (10) days prior to its next scheduled public meeting and shall contain:

A sketch plan showing the overall development scheme including proposed site layout, existing zoning, proposed parking spaces, a list of the kind of establishments to be located on the site, and their approximate floor areas. Also, if available, the preliminary architectural sketches showing plan levels, elevations, preliminary engineering sketch plans showing proposed method of water run-off control, and type of sewage treatment shall be included.

The Plan shall be reviewed by the County Planning Commission who shall review it and make necessary recommendations to the County Commissioners within thirty (30) days of its receipt. The developer shall then make such corrections to the plan as required and shall then submit (3 copies) of a final plan to the County Commissioners which indicates or consists of:

Improvements to be made including any available architectural plans, site layout, parking and landscaping to scale, setbacks, and all adjacent streets.

Engineering drawing showing drainage control, sewage treatment and all other utility installations.

When it has been determined by the County Commissioners that the plans are in conformity with the requirements of this Ordinance, then they shall notify the County Clerk to issue the required building permit. Any decision may be appealed to the County Courts in accordance with the law.

Only those parcels of land which comply with the following regulations shall be considered as possible shopping center sites.

The parcel or parcels shall be in a single and full ownership, or proof of option shall be furnished at the time of application and shall be capable of an intergrated design of a complete shopping center within the boundary.

The overall land area of the parcel or parcels shall be at least two (2) acres.

The property shall front on a public right-of-way as shown on the Comprehensive Plan of the County or as otherwise specified in the Plan with respect to possible shopping center sites.

302.2 - USE REGULATIONS

A building may be erected, altered, or used and a lot may be used or occupied for any of the following purposes, and no other:

USES PERMITTED BY RIGHT

General Merchandise Stores, including small department stores, "5 and 10" variety stores, general merchandise discount stores and drug stores; apparel and accessories stores, including shoe stores, furriers, and custom tailors, furniture, home furnishing and equipment, including household appliance stores, hardware, paint and glass stores; food and beverage stores, including supermarkets; and bakeries and confectionary shops where the production of baked goods is to be sold only at retail on the premises; and state stores; eating establishments, including restaurants, lunch counters and delicatessens, but excluding all drive-in restaurants; gift shops, including camera, book, stationery and music shops, cosmetics, cigarettes and tobaccos, flowers, hobby, jewelry, leather and luggage shops; offices, for the conduct of medical and other professions, real estate and insurance and banks, including branch banks; business machine shops, sales and services; personal service shops, including dry cleaning, barber, beautician, photographer, shoe repair and laundromat; government offices, serving the public, including a post office, or other public or semi-public offices; and, bowling alleys.

ACCESSORY USES

Only the customary accessory uses associated with planned commercial districts shall be permitted.

USES BY SPECIAL EXCEPTION

The following specific uses may be permitted as a special exception when authorized by the Zoning Hearing Board, subject to Article 900 and all other requirements of this Ordinance:

Drive-in restaurants; preparation of foodstuffs except bakeries; clubs or lodges; commercial recreation facilities other than bowling alleys.

302.3 - AREA AND BULK REGULATIONS

In any C-2 Planned Commercial District, the following regulations shall be observed:

Lot Size	2 acres minimum
Lot Coverage	30% maximum
Lot Width	300 ft. minimum, as measured parallel to the major access street or road
Setback	100 ft. minimum, as measured from the nearest legal right-of-way
Side Yards	40 ft. minimum, each side
Rear Yard	100 ft. minimum
Building Height	2 stories or 25 ft. maximum

302.4 - OFF-STREET PARKING REQUIREMENTS

Off-street parking space or spaces shall be provided to serve adequately the uses within the District. Parking space for one vehicle shall be equal to at least 320 square feet for purposes of computing car spaces including stalls and driveways, and shall have a stall of at least 9' x 20' in size. Parking spaces shall have an approved all weather paved surface, shall be adequately marked and shall have safe and convenient access in all seasons.

Use	At least one parking space for each
Place of Assembly	50 sq. ft. of assembly area, or every five fixed seats, whichever is greater.
Restaurants and other eating places	100 sq. ft. of dining area or every four fixed seats, whichever, is greater.
Retail stores excluding Supermarkets	200 sq. ft.
Supermarkets	100 sq. ft.
All other uses	200 sq. ft.
Drive-in uses	400 sq. ft. of lot area

302.5 - OFF-STREET LOADING REGULATIONS

STANDARDS

Off-street loading and unloading spaces, or spaces with proper and safe access from street or alley, shall be provided in accordance with Section 301.4.

ARTICLE 400 - INDUSTRIAL DISTRICTS

STATEMENT OF INTENT

In addition to the general goals listed in the preamble, the District established in this Article is intended to achieve the following:

To provide sufficient space, in appropriate locations to meet the anticipated future needs for industrial activity with due allowance for the needs in a choice of sites.

To ensure that the land most suitable for industrial uses and related activities will be available by prohibiting the use of such land for new residential development; and at the same time, to protect residences by separating them from such activities.

To protect industry against congestion by limiting the bulk of buildings in relation to the land around them, and to one another, and by providing sufficient off-street parking and loading facilities for such developments.

To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stable industry, to strengthen the economic base, to protect the character of particular industrial areas and their peculiar suitability to particular uses, to conserve the value of land and buildings, and to protect municipal tax revenues.

SECTION 401 - I-1 INDUSTRIAL DISTRICTS

SPECIFIC INTENT
In addition to the general goals listed in the preamble and the Statement of Intent, it is the purpose of this section to provide industrial locations for plants which required a specific area for their operations and which are normally undesirable adjacent to residential and commercial areas.

SECTION 401.1 - USE REGULATIONS

USES BY RIGHT
Any productions, manufacturing, assembly, processing, cleaning, testing, repair, storage or distribution of materials, goods, food-stuffs and other products; rail freight terminal or switching yard; essential services, all wholesale distribution or storage; agricultural product uses; all utilities; laboratory facilities, and research or development type industries; any use permitted in an R-1, R-2, or C-1 District, (provided such use shall conform to the regulations set forth for said Districts).

CONFLICTING SECTIONS
Should a conflict exist with respect to uses permitted by this Section and the uses permitted in an R-1, R-2, R-3, or C-1 District, the conflict shall be resolved by applying the more lenient of the Sections.

USES BY SPECIAL EXCEPTION
Any large-scale retail store or distribution of products related to the above permitted uses; commercial or public sanitary landfills. Waste transfer station (according to the regulations listed in Section 604.1); scrap strorage or junk yards when fully screened from all adjacent property, and all public rights-of-way by a landscaped screen, or architectural screen, not less than ten feet high.

ACCESSORY USES
Only the following accessory uses shall be permitted: restaurant, cafeteria or recreational facilities for employees; and customary accessory uses in manufacturing or industrial districts.

401.2 - STANDARDS
Industrial activities in this section shall be such that they:

Emit no obnoxious, toxic or corrosive fumes or gases; discharge no smoke of a consistency which will restrict the passage of sunlight; emit any odor perceptible at the lot boundaries except in occasional instances; produce no heat or glare perceptible at or beyond the lot boundaries during non-daylight hours; produce no physical vibration perceptible at or beyond the lot boundaries during non-daylight hours; produce no electromagnetic radiation or

radioactive emission injurious to human beings, animals or vegetation (electro-magnetic radiation or radioactive emissions shall not be of any intensity that interferes with the use of any other property); discharge no untreated potentially dangerous effluent from plant operations into local drainage courses.

401.3 - AREA AND BULK REGULATIONS

The following regulations shall be observed:

Lot Size	20,000 sq. ft. with both public sewers and water; otherwise 1 acre minimum
Lot Width	100 ft. minimum
Lot Coverage	45% maximum
Setback	30 feet
Side Yards	30 feet
Rear Yard	40 feet
All side or rear yards	Contiguous to any residential district, 100 feet
Maximum Building height	40 feet
Tower or Chimney location	100 feet from any lot line

401.4 - OFF-STREET PARKING REGULATIONS

STANDARDS
Off-street parking spaces, or spaces with proper and safe access from a street as defined in this Ordinance shall be provided on each lot. A parking space for one vehicle shall be equal to at least 320 square feet for purposes of computing car spaces, including stalls and driveways, and shall have a stall of at least 9' x 20' in size.

One parking space shall be provided for each employee. In computing the number of employees, the maximum working shifts shall be counted. For each 25 employees, there shall be at least one parking space provided for visitors.

401.5 - LOADING REGULATIONS

STANDARDS
Off-street loading and unloading space, or spaces, with proper and safe access from street or alley, shall be provided on each lot, to serve the uses within the district adequately. Loading and unloading spaces shall be at least 12 feet wide, 45 feet long, and shall have at least a 14 foot vertical clearance; shall have all-weather surfaces to provide safe and convenient access during all seasons; and should not be constructed within the area between building line and street right-of-way line.

Required Off-Street Loading Berths for New Construction, Enlargement or Change in Use

Use	Floor Area	Required Berths
Manufacturing, processing, clearing, testing, assembly or repair	First 3,000 square feet	1
	next 7,000 square feet	1
	Each additional 20,000 square feet or fraction thereof.	1
Wholesale Uses	First 2,000 square feet	1
	next 8,000 square feet	1
	Each additional 10,000 square feet or fraction thereof	1
All Others		1

ARTICLE 500 - F-1 FLOOD PLAIN DISTRICT

SECTION 501 - F-1 FLOOD PLAIN DISTRICT

SPECIFIC INTENT

In addition to the general goals stated in the Preamble, the purpose of this section is:

To prevent the erection of dwellings in areas unfit for human habitation by reason of danger from flooding or unsanitary conditions as a result of improper drainage facilities;

To minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;

To promote the perpetuation of open-space along streams and to preserve access to waterways within the County.

501.1 - DESIGNATION OF AREA

Areas to be regulated under this section shall be so indicated on the Zoning District Map of the County.

The actual dimensions of the area shall be subject to the approval of the County Commissioners.

501.2 - TYPICAL USES PERMITTED

Customary agricultural operations exclusive of dwelling units as defined by this Ordinance.

Parks, playgrounds and recreational uses.
Forestry and Wood production excluding storage and mill structures.
Outdoor plant nurseries.

501.3 - GENERAL REGULATIONS

OBSTRUCTIONS

The following shall not be placed or caused to be placed long or through any streams, stream-bed or waterway or within fifty (50) feet thereof, within Cameron County:

Any structures or other matter which may impede, retard or change the direction of the flow of water in such stream that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream or flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the said stream or waterway.

INSTALLATION OF FILL MATERIALS

Fill may be placed on a property located within the flood plain zone when approved as a special exception under Section 902 of this Ordinance and subject to the following conditions:

Satisfactory evidence shall be submitted to the Zoning Hearing Board indicating that the Cross-sectional area of the modified stream-bed will not be significantly reduced.

Satisfactory evidence shall be submitted to the Zoning Hearing Board indicating that there will be no significant increase in the potential flood height, or increase in flood velocity due to the proposed fill at, above or below the site of the fill.

Fill shall not be placed in the open waterway except in cases of publicly sponsored works necessary to the public health and welfare.

Permission shall be obtained for the proposed fill from the Division of Encroachments of the Water and Power Resources Board of the Pennsylvania Department of Environmental Resources (DER), pursuant to the State regulation of water obstructions, and all provisions of applicable State laws shall be observed for watersheds greater than three hundred twenty (320) acres. For watersheds containing less than 320 acres, approval will be given by the Zoning Officer. Technical assistance for water sheds containing less than 320 acres, shall be secured from the Soil Conservation Service.

ARTICLE 600 - SUPPLEMENTAL REGULATIONS

SECTION 601 - SIGN REGULATIONS

601.1 - GENERAL

The following regulations shall be observed in all Districts:

No sign shall be erected within the lines of a street right-of-way, except traffic signs and similar regulatory notices of a duly constituted governmental body; no artificial light or reflecting device shall be used as a part of a sign where such light or device interferes with, competes for attention with, or may be mistaken for a traffic signal; flood-lighting shall be arranged so that the source of light is not visible from any point off the lot and only the sign is directly illuminated thereby.

No sign or billboard shall be erected except on private property, to which it is related, or on adjacent property with signed approval of the property owner. Signs or billboards may be placed on porperty other than private or adjacent with an executed lease agreement by the property owner. All such signs or billboards shall be aesthetically pleasing.

Billboards are prohibited in all residential districts, except by special exception. Flashing or occulting lights may be permitted only after submission of design, location, and sign characteristics to the County Planning Commission, and after approval by the County Commissioners.

601.2 - EXEMPT SIGNS

The following signs shall be exempted from these regulations:

Directional, informational or public service signs such as those advertising availability of rest rooms, telephone or similar public conveniences, and signs, advertising meeting times and places of non-profit service or charitable clubs and organizations, may be erected or maintained provided that such signs do not advertise any commercial establishment, activity, or organization.

Signs offering individual properties for sale or rent, or indicating that a property has been sold, shall be located entirely within the lot lines of the particular property to which they refer.

601.3 - BUSINESS SIGNS

Business signs accessory to commercial uses shall be permitted provided that:

Signs mounted on the walls of a business complex exposed to public view from adjacent areas shall not exceed in length 70% of the length, and in width or height 50% of the height of the wall there part of or mounted on.

Roof signs mounted on a business complex may not exceed 70% of the complex length as measured parallel with the mounted sign.

601.4 - GENERAL LIMITATIONS

No signs shall be created containing information which states or implies that a property may be used for any purpose not permitted under the provisions of this Ordinance.

Every sign permitted must be constructed of durable material and kept in good condition and repair. Any sign which is allowed to become dilapidated shall be removed by the County at the expense of the owner or leasee of the property on which it is located. Non-conforming signs once removed physically, may be replaced only with conforming signs.

SECTION 602 - GENERAL REGULATIONS

602.1 - VISIBILITY AT INTERSECTIONS

The following shall apply to all zoning districts:

On a corner lot or at a point of entry on a pulbic road, nothing shall be erected, placed, or allowed to grow in a manner which obscures vision within twenty-five (25) feet of the intersecting street lines.

602.2 - STRIPPING OF TOPSOIL, EXCAVATING OF CLAY, SAND, GRAVEL OR ROCK

The following shall apply to all Districts:

Topsoil or sod may be removed only under the following conditions:

As part of the construction or alteration of a building or the grading incidental to such building; in connection with normal lawn preparation and maintenance on the lot from which such topsoil or sod is removed; and, in connection with the construction or alteration of a street. However, turf or sod farms, shall be permitted after application to, and approval by, the County Planning Commission. The above shall not be construed as applying to the removal of topsoil, in small amounts, by a landowner on his own property.

Sand or gravel may be removed, commercially or otherwise, from streams and waterways, only after application for, and receipt of, a permit from the Pennsylvania Department of Environmental Resources (DER), Division of Dams and Encroachments, and with supervision by the local Streams and Waterways Patrolman.

Clay, sand, gravel and rock, may be removed from locations other than streams and waterways by permit from the County Planning Commission as noted in the above paragraph within this Section. In all cases, when sod, topsoil and/or other protective vegetation is removed, the site shall be stabilized in such a manner as to prevent erosion and disposition of sediment in drainage ditches and waterways or to prevent movement of material to neighboring properties.

Counseling and planning assistance to determine the adequacy of soil conservation practices which are planned and/or applied for, shall, or may be, secured through the Soil Conservation Service.

602.3 - EXCEPTION ON HEIGHT LIMITATIONS

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, observation towers, transmission towers, windmills, chimneys, smokestacks, flag poles, radio and television towers, masts and aerials.

602.4 - OUTDOOR STORAGE PROHIBITION

Junk yards as defined by this Ordinance shall hereafter be prohibited except in the I-1 Industrial District, as a special exception.

602.5 - FARM REGULATIONS

Agriculture, farmhouses, and usual farm buildings shall be permitted without restriction except as follows:

All new construction shall be in conformance with the controls for the District in which it is located.

602.6 - SALE OF FARM PRODUCTS

The display and sale of farm products in all Districts shall be permitted provided that:

Parking space for at least three cars shall be provided behind the highway right-of-way line and the sale of farm products shall be conducted from a portable stand, dismounted at the end of the growing season.

602.7 - GENERAL STANDARDS

In addition to the more specific standards and criteria set forth hereunder, applications for special exceptions shall be considered on the basis of the following general standards and criteria:

(a) Requirements for promotion of health, safety, morals and general welfare of the County.

(b) Existing traffic congestion resulting from a local concentration of uses.

(c) Adequate parking facilities.

(d) Consistency with surrounding uses, including aesthetics.

602.8 - COMMERCIAL, INDUSTRIAL AND MANUFACTURING BUILDING AND USES ALLOWED BY SPECIAL EXCEPTION IN R-1 AND R-2 DISTRICTS

(a) The use shall not cause any odors, smoke, fumes or pollution of any kind; excepting only such elements as are incidental to a building heating system.

(b) The building shall not exceed thirty-five (35) feet in height from the average grade level of lot; and shall not occupy more than 15% of the lot area.

(c) The lot shall have an area of not less than one (1) acre; the width must be at least 150 feet.

(d) The building shall be set back at least 100 feet from the center of the road if the parking is provided in the setback area. If the required parking is provided in an area other than the setback area, the building must be setback at least 70 feet from the center of the road. The side and rear yards shall be at least thirty-five (35) feet. In areas contiguous to residential districts, industrial and manufacturing buildings must have at least 100 foot side and rear yards.

(e) Driveways and parking area shall comply with Section 401.4 for industrial and manufacturing uses and comply with Section 301.3 for commercial uses. In addition, no parking shall be permitted within twenty (20) feet on any property line.

(f) Noise at the property lines shall not exceed the following sound pressure levels in decibels:

FREQUENCY BAND CYCLES PER SECOND	BETWEEN 10 P.M. AND 7 A.M.	BETWEEN 7 A.M. AND 10 P.M.
20 - 75	63	71
75 - 150	55	64
150 - 300	47	58
300 - 600	41	53
600 - 1,200	37	49
1,200 - 2,400	35	47
2,400 - 4,800	33	46
4,800 - 10,000	32	44

(g) On slopes of greater than 25%, applicant must show adequate provisions to ensure soil stabilization and eliminate mud slides, erosion, or flooding hazards on or below the site.

(h) Where a use is permitted in a district by special exception, expansion of such use may be permitted when allowed as a special exception.

(i) Any change in usage must be approved by the Zoning Hearing Board.

SECTION 603 - PLANNED RESIDENTIAL DEVELOPMENT CONTROLS

SPECIFIC INTENT

In addition to the general goals stated in the Preamble and the Statement of Intent for the applicable section, the purpose of this Section is: To permit a more varied, efficient, attractive and economical residential development pattern; to increase the flexibility in the location and arrangement of homes; to provide a more useable pattern of open space; to provide for different types of dwellings in the same general area; to allow for increased residential densities; and, to encourage innovations in residential design.

603.1 - DESIGNATION OF AREA

A parcel of land under single ownership with existing public sewers in an area zoned as residential, with a minimum of ten (10) acres may be designated as subject to the regulations of this Section.

603.2 - PROCEDURE

Any single owner of a minimum of ten (10) acres of land zoned as residential may request the County Commissioners to have the regulations of this section apply to such property. The application shall include: a legal description of the property to be included; a sketch plan showing the intended overall development plan; a description of the means by which the open space restrictions (if any) shall be applied.

The County Commissioners shall have a period of One hundred and eighty (180) days to accept or reject any applications. If the application if rejected, the written reasons for such rejection shall be made available. Approval of all applications shall be based on the conformance of the plan to the stated objectives of this Section. The request shall be referred to and acted upon by the County Planning Commission before action is taken by the County Commissioners.

The final decision of the County Commissioners may be appealed directly to the County Courts as provided by law. (Section 1006(1) (E) Pennsylvania Act Number 247, as amended.) Public hearings for each planned residential development should be held in accordance with Section 708, Pennsylvania Act No. 247, as amended.

603.3 - PERMITTED USES

In a planned Residential Development (PRD), only those uses permitted in an R-1 or R-2 Residential District shall be permitted. However, within the PRD, all permitted dwelling types may be utilized provided that:

(1) A mixture of dwelling types results in at least 70% single family type units and not more than 30% two family and multiple-family type units.

(2) All resulting open space shall be set aside for use by the residents.

603.4 - PERMITTED VARIATIONS IN YARD AND BUILDING BULK CONTROLS

In a PRD, the lot area for any single or two family-type unit may be reduced to 8,000 square feet and the lot area for any multiple family unit may be reduced to 2,000 square feet per unit, provided at least 2,000 square feet of open space is provided for any single or two family type unit and 1,000 square feet of open space is provided for each multiple family unit.

The resulting open space must be: convenient to the dwellings; of reasonable configuration and slope; and shall be appropriately designed as part of the complex.

Yard area requirements and building heights shall not be less than those shown in Section 202.2 for the R-2 Low Density Residential District.

The County, or any Borough or Township in the County, may accept any open space proposed in a PRD. As an alternative, the open space may be retained, owned and maintained by a "landowners non-profit corporation" in lieu of dedication.

603.5 - TENTATIVE AND FINAL APPROVAL OF PLANS

Any applicant desiring to undertake a PRD in the County shall follow the procedures outlined in Sections 707 through 712 of Pennsylvania Act Number 247, as amended, the Pennsylvania Municipalities Planning Code for tentative and final approval of plans.

SECTION 604 - REFUSE AND TRASH DISPOSAL

It shall hereafter be unlawful for any person to dump, deposit or permit the dumping or disposal of any trash, refuse, garbage, or any liquid or solid wastes within Cameron County except in locations as specified by the County Commissioners after public notice of said locations. This provision is related to Act 241, the Pennsylbania Solid Waste Management Act of July 31, 1968. Any ordinances adopted by any Township or Borough within Cameron County, shall over-ride the provisions of this section, if legally adopted according to Pennsylvania law.

604.1 - WASTE TRANSFER STATIONS

(a) The proposed waste transfer station shall comply with all of the requirements of the Pennsylvania Solid Waste Management Act, Act 97 of 1980, as amended, and any and all rules and regulations of the Pennsylvania Department of Environmental Resources relating to waste transfer stations and that, prior to the onset of the operation of such a facility, the applicant has obtained a permit from the Pennsylvania Department of Environmental Resources for said operations.

(b) The facility shall be located a minimum of 500 feet from any other zoning district boundary line, and at least 1,000 feet from any existing residence or any residence under construction at the time of application.

(c) The facility shall be located a minimum of 200 feet from any street not located within the facility site and two-hundred (200) feet from any adjoining property line.

(d) Maximum area shall be 20 acres. Minimum area shall be 10 acres.

(e) The waste transfer station shall be properly fenced along the interior boundary of the buffer zone to prevent blowing papers and other refuse on adjoining properties. The fence shall be metal wire mesh constructed of No. 9 gauge wire wove in a two (2) inch mesh in full conformance with the American Society of Testing Materials specification A 491-71. The surface height of the fence shall be eight (8) feet, plus an additional minimum of three (3) strands of barbed wire, installed, at least six (6) inches apart, onto brackets affixed to the top of the fence at an angle forty-five (45) degrees from vertical. The fence shall contain, at all entrances, gates which are locked except during business hours. In addition, temporary litter control fences shall be installed, in such a manner as to prevent litter from dispersing onto the site, no more than seventy-five (75) feet downwind from the immediate operating area. The facility site shall be adequatey policed, and all litter shall be collected daily.

(f) The waste transfer station shall be located so that safe and adequate access is available over public roads at all times. In doing so, any access road to the proposed facility shall be a minimum 24 feet in width and paved with bituminous or concrete materials having a surface and base course of sufficient depth to withstand traffic loads, determined by the number and weight of trucks anticipated in a daily operation of the proposed facility. An access road is defined as all roads, either public or private, within the county which are used by vehicles weighing over twenty thousand (20,000) pounds, loaded, to transport solid waste to waste transfer stations.

(g) The (Board of County Commissioners/Zoning Hearing Board) may further require that the costs of improvement of access roads to provide this standard of access shall be assessed against the applicant either by requiring contribution of monies sufficient to pay for the improvements to the access roads, or by assessing fees on the operation of said facility sufficient to pay for the improvements to the access roads. Applicant shall give written assurance that, within one (1) year of the termination of the transfer station operation, all access roads will be restored, if necessary, to their condition as existing immediately prior to the commencement of the operation as determined by the (County Engineer or other specified designee).

(h) The waste transfer station shall not be located on land mapped by the Soil Conservation Service as having either a high water table or seasonal high water table or which is subject to flooding.

(i) The waste transfer station site shall be graded and provided with drainage facilities to minimize runoff, prevent erosion, and prevent collection of standing water.

(j) A certified copy of all reports, data, plans and other material or information required to be submitted to Pennsylvania Department of Environmental Resources shall be submitted to the (Board of County Commissioners/Zoning Hearing Board).

(k) Provisions to permit authorized representatives of the County to inspect the site of the proposed waste transfer station to assure continued compliance with plans, specifications, regulations and procedures set forth in this Ordinance. It shall be the duty of the operator to make the site available for inspection at all times.

SECTION 605 - MOBILE HOME PARKS

605.1 - SPECIFIC INTENT

It is the prupose of this section to provide for the orderly development of mobile home parks with specific emphasis upon the provision of all necessary utilities, including an approved water supply system, a sanitary sewer system, and necessary electrical connections. In addition, it is the intent of this section to permit a more varied, efficient and attractive development pattern of mobile homes and to increase the flexibility and the location and the arrangement of such mobile homes. Furthermore, it is necessary to provide for a viable interior circulation system with adequate ingress and egress from public rights-of-way.

The following regulations have been developed to allow for mobile home park construction and occupancy within the County of Cameron provided that an absolute minimum of five (5) acres of land is available and designated by the owner for the express purpose of locating said mobile home park. All of the following procedures and regulations shall be compulsory prior to the issuance of a permit for a mobile home park within the County.

605.2 - PROCEDURE

Any owner of a minimum of five (5) contiguous acres of land, zoned as R-1 Agricultural-Residential, which permits a mobile home park as a matter of right, subject to the review and approval of the County Planning Commission and the County Commissioners, shall request that the regulations of this section be applied to such property. The following procedure shall be observed.

1.) The applicant shall appear before the County Planning Commission for the pre-application conference for consideration of basic site information and sketch plans. The purpose of the pre-application conference is to the benefit of the applicant by providing information and guidance before the applicant shall have entered into binding commitments or incurred any substantial expense in the preparation of plans, surveys or other data.

2.) The application shall be submitted to the County Planning Commission and shall consist of the following:

(a) A legal description of the property to be included.

(b) A sketch plan showing the intent and overall development plan.

(c) The number, size, and location of all mobile home berths.

(d) The location and width of driveways, walkways, and other easements existing or proposed.

(e) The size and location of all proposed recreational areas.

(f) The size and location of water, sewer, and other utility lines.

(g) The location of service buildings and any other existing and proposed structures.

(h) The plans and specifications for all structures and other improvements existing or proposed within the mobile home park site.

(i) The phasing of development, if any; and

(j) Such other information as may be required by the County Planning Commission and the County Commissioners.

3.) The County Planning Commission shall forward the application to the County Commissioners together with written comments pertaining thereto.

4.) If approved, a copy of the preliminary plan shall be returned to the applicant with a notation thereon, that the plan has received preliminary approval and that a final plan may be submitted together with such additional information as may be required by the County Planning Commission and/or the County Commissioners.

5.) If the application is rejected by the County Commissioners, the written reasons for such rejection shall be made available. The decision of the County Commissioners may be appealed by the applicant to the Zoning Hearing Board. All appeals shall be filed within thirty (30) days of the decision.

605.3 - ISSUANCE OF PERMITS

Upon final approval of the application by the County Planning Commission and the County Commissioners and payments of fees as prescribed, the County Commissioners' Clerk shall issue a mobile home permit to the applicant which shall be valid for a period of one (1) year thereafter.

Renewal permits for a like period shall be issued by the clerk upon furnishing of proof by the applicant, that the subject mobile home park has maintained the standards prescribed in this ordinance and all applicable Commwealth of Pennsylvania regulations.

605.4 - USE REGULATIONS

Land, buildings, and premises in a mobile home park shall be used by right for the following purposes and no other, subject to review and approval by the County Planning Commission and the County Commissioners.

Single-family mobile homes; community and/or service buildings; parks and playgrounds; and essential services.

Retail sales and other commercial uses shall be prohibited in mobile home parks; except required laundering facilities.

605.5 - AREA AND BULK REGULATIONS

The following regulations shall be observed:

Site Size	5 acres minimum
Lot Size	4,000 sq. ft. minimum
Site Width	100 ft. for portions used for general vehicular entrances and exits; 200 ft. for portions concerning mobile home berths.
Minimum setback for all mobile homes and accessory structures	75 ft. from any road located outside the mobile home park site.
Side and rear yards	50 ft. minimum from any mobile home berth to any property line.

605.6 - DESIGN STANDARDS (General)

The following standards shall be applicable in all mobile home park sites:

Each mobile home berth shall contain an area at least 4,000 square feet in size and shall be no less than forty (40) feet in width;

Each mobile home berth shall contain at least two (2) off-street parking spaces which are each 10 feet x 20 feet in size.

The minimum distance between mobile homes shall be twenty (20) feet.

Each mobile home park shall be surrounded by an eight (8) foot high opaque fence, or a landscaped buffer area at least fifty (50) feet wide along the inside of the property line. This distance and area may not be computed in meeting the area and bulk requirements;

Interior drives shall be designed so as to prevent blockage of vehicles entering or leaving the site and shall consist of approved construction. Drives may be one-way or two-way. All accessways to any public street or highway shall be located at least 200 feet from the intersection of any street lines and shall be designed in a manner conducive to safe ingress and egress.

All mobile home berths shall abut upon a roadway of not less than twenty-four (24) feet in width for a two-way street and not less than sixteen (16) feet in width for a one-way street;

A recreational area within the site equal to at least 400 square feet for each mobile home berth shall be set aside and improved according to an approved recreation plan and shall not be located in any required site setback, buffer or yard areas;

All accessory service buildings on the mobile home park site shall be connected to all mobile home berths by a walkway not less than three (3) feet in width;

All driveways and walkways shall be lighted at night with 670 candle power lamps, spaced at intervals of not more than 100 feet.

ARTICLE 700 - NON-CONFORMING USES, PREMISES, STRUCTURES AND LOTS

SECTION 701 - STATEMENT OF INTENT

The zoning districts established by this Ordinance are designed to guide future use of land in the County by encouraging the development of desirable residential, commercial and manufacturing areas, with appropriate groupings of compatible and related uses, to the end of promoting and protecting the public health, safety, comfort, prosperity and other aspects of the general welfare.

To achieve this end, lawful existing uses which would be prohibited or restricted under the terms of this Ordinance, or future amendments, and which do not conform to the character and regulations of the zoning district in which they are located, must be subject to certain limitations. The regulations set forth below are intended to provide a gradual remedy for the undesirable conditions resulting from indiscriminate mixing of uses, and to afford a means whereby non-conforming uses can be gradually eliminated and re-established in more suitable locations within the County.

Similarly, buildings or other structures which do not comply with two or more of the applicable district requirements as to lot width, minimum lot area and yard spaces, width of lot, coverage, or height, are deemed to be non-conforming.

Non-conforming uses and structures will be permitted to remain; the purpose of regulating them is to restrict further investment in uses or structure which are inappropiate to their locations.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in plans, construction, or intended use of any building on which actual construction was lawfully begun prior to the effective date, or amendment of this ordinance and on which actual building construction has been diligently carried on.

SECTION 702 - NON-CONFORMING USE REGULATIONS

Lawful uses, located either within a building or other structure, or part thereof, or on the land, or in combination of both, which, at the effective date of this Ordinance or subsequent amendment thereto, become non-conforming, may be continued so long as they remain otherwise lawful, including subsequent sales of such property, subject to the following regulations:

702.1 - ENLARGEMENT

No such non-conforming use shall be enlarged or increased by more than 100 % of its existing size at the time of the passage of this Ordinance or any subsequent amendment regarding this section.

702.2 - DAMAGE OR DESTRUCTION

In the event that any non-conforming use, in a residential district is destroyed or partially destroyed by fire, explosion or other disasters, or otherwise damaged to the extent of 75% or more of the market valuation of all buildings, structures, and other improvements on the lot, as determined from the assessment rolls effective at the date of the damage or destruction, such non-conforming uses shall terminate and the lot shall thereafter be used only for conforming uses.

702.3 - DISCONTINUANCE

If a non-conforming use of land ceases operations for a period of more than one year after which the owner of such property does not file a statement of intention to maintain such use, then this shall be deemed to be an intent of abandon such use, and any subsequent use of the land shall conform to the regulations of this Ordinance.

SECTION 703 - NON-CONFORMING LOTS OF RECORD

NON-CONFORMING LOTS REGULATIONS

In any District in which single-family houses are permitted, notwithstanding the area limitation imposed by other provisions of this Ordinance, a single-family house and customary accessory buildings may be erected on any single lot of record in existence at the effective date of adoption or amendment of this Ordinance, provided the following requirements shall be observed:

Such lots must be in separate ownership, and not form part of a continuous frontage with other lots in the same ownership.

This provision shall apply even though such lot fails to meet requirements of area or width, or both, generally applicable in the district in which the lot is located, and a variance shall be issued by the Zoning Hearing Board.

SECTION 704 - NON-CONFORMING SIGNS

NON-CONFORMING SIGNS REGULATIONS

Signs, in existence at the effective date of this Ordinance or amendments thereto, may be continued subject to the following regulations:

Moving

No non-conforming sign shall be moved to another position on the building or lot on which it is located after the effective date of this Ordinance or amendment thereto.

Damage or Destruction

In the event that any non-conforming sign is damaged to the extent of 25% of its cost of replacement, at the time of destruction, such sign shall not be restored nor replaced.

Discontinuance of Signs

Whenever any use of building or structure, or land, or of a combination of buildings, structures, and land ceases, all signs accessory to such use shall be deemed to become non-conforming and shall be removed within six (6) calendar months.

ARTICLE 800 - ADMINISTRATION

SECTION 801.1 - ADMINISTRATION AND ENFORCEMENT

ZONING OFFICER
The provisions of this Ordinance shall be administered by the County Commissioners' Clerk or by such other person as may be designated by the County Commissioners as the Zoning Officer.

DUTIES
The duties of the Zoning Officer shall be:

To examine all applications for permits;

To issue permits only for construction and uses which are in accordance with the regulations of this Ordinance and as may be subsequently amended;

To issue permits for uses by special permit only after such uses and buildings are approved by the Zoning Hearing Board in accordance with the regulations of this Ordinance;

Upon request of the County Planning Commission or the Zoning Hearing Board, provide to such body facts, records and any similar information on specific request to assist such body in reaching its decision;

To be responsible for keeping up-to-date amendments to this Ordinance and the Zoning Map of the County;

To issue permits for conditional uses.

APPEALS
Any appeal from a decision or action of the Zoning Office shall be made directly to the Zoning Hearing Board.

NOTIFICATION OF VIOLATION
If the Zoning Officer shall find through complaint or otherwise that any of the provisions of this Ordinance are being violated, the violator shall be notified by the Zoning Officer in writing, indicating the nature of the violation and ordering the action necessary to correct it; order discontinuance of illegal use of land, building or structure; order removal of illegal buildings or structures or of additions, alterations or structural changes thereto; order discontinuance of any illegal work being done, or shall take any other action authorized by this Ordinance to ensure compliance with or prevent violation of its provisions. If a written complaint is involved, the complainant shall be notified in writing of the outcome of the investigation of the alleged violation.

801.2 - ENFORCEMENT

This Ordinance shall be enforced by the designated Zoning Officer of the County. No permit of any kind as provided in this Ordinance shall be granted for any purpose except in compliance with the provisions of this Ordinance, or a decision of the Zoning Hearing Board or the County Courts.

Complaints Regarding Violations

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Officer. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

SECTION 802 - PERMITS

802.1 - ZONING PERMITS

A zoning permit shall be required prior to the erection, construction or alteration of any building, structure or any portion thereof, to be issued simultaneously with the required building permits, where possible.

Application for permits shall be made in writing to the Zoning Officer and shall contain all information necessary for such officer to ascertain whether the proposed erection, construction, alteration or use complies with the provisions of this Ordinance.

Such permits shall be granted or refused within thirty (30) days from the date of application.

No zoning permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the County Courts.

Application for a zoning permit shall be accompanied by any lawful information that may be required by the Zoning Officer, or other sections of this Ordinance.

802.2 - SCHEDULE OF FEES

The County Commissioners shall establish a schedule of fees, charges, and expenses, as well as a collection procedure, for zoning permits, special permits, variances and other matters pertaining to this Ordinance.

Said schedule of fees shall be posted in the office of the Zoning Officer.

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

SECTION 803 - AMENDMENTS

803.1 - POWER TO AMEND

The regulations, restrictions, and boundaries set forth in this Ordinance may, from time to time, be amended, supplemented, changed or repealed through amendments by the County Commissioners.

803.2 - PROCEDURE FOR AMENDMENT

The following requirements shall be observed in making any amendment to this Ordinance:

Proposed amendment, supplements or changes, or a proposal to repeal this Ordinance or part thereof must be submitted to the County Planning Commission for their finding before any further public action is taken.

The recommendations of the County Planning Commission shall be submitted within thirty (30) days to the County Commissioners in the form of a written report recommending or disapproving the proposed action.

No action may be taken to amend, supplement, change or repeal this Ordinance until after a public hearing held in accordance with law after due notice, in regulation thereto has been held, at which parties in interest and citizens shall have opportunity to be heard.

SECTION 804 - PENALTIES

Any person, partnership or corporation who or which shall violate the provisions of any zoning ordinance enacted under this act or prior enabling laws shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than five hundred dollars ($500). In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than sixty days. Each day that a violation is continued shall constitute a separate offense. All fines collected for the violation of zoning ordinances shall be paid over to the municipality whose ordinance has been violated.

ARTICLE 900 - ZONING HEARING BOARD

SECTION 901 - ADMINISTRATION AND PROCEDURE

901.1 - APPOINTMENT

The county Commissioners shall appoint a Zoning Hearing Board consisting of three (3) members.

The terms of the first members appointed to the Board shall be as follows: One for a period of one (1) year, one for a period of two (2) years, and one for a period of three (3) years. Members appointed after the expiration of the terms of the first members of the Board, shall be appointed to a full three-year term.

The members of the Board may be removed for just cause by the County Commissioners upon written charges, and later public hearing, if requested by the member.

Vacancies shall be filled by the County Commissioners for the unexpired term of any member whose term becomes vacant.

901.2 - PROCEEDINGS

The Board shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this Ordinance and State law. (See Setion 906, Act No. 247, as amended.)

901.3 - MEETINGS

Meetings shall be held at the call of the Chairman and at such other times as the Board may determine.

901.4 RECORDS

The following requirements shall be observed by the Zoning Hearing Board:

The Board shall keep minutes of its proceedings, showing vote of each member upon each question or indicating absence or failure to vote on the part of any member.

Records of examinations and other official actions shall be kept and filed immediately with the County Clerk, and they shall form a public record.

901.5 - HEARINGS

The Board shall conduct hearings and make decisions in accordance with the following requirements:

Notice shall be given to the public, the applicant, the County Planning Commission, the Zoning Officer, and any person who has made timely request for the same. Notices shall be given at such time and in such manner as shall be prescribed by rules of the Board. The County Commissioners may establish reasonable fees, based on cost, to be paid by the applicant and by persons requesting any notice not required by ordinance.

The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board, but the parties may waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

The parties to the hearing shall be any person who is entitled to notice without special request therefore who has made timely appearance of record before the Board and any other person permitted to appear by the Board.

The Chairman or acting chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents requested by the parties.

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

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

The Board or the hearing office, as the case may be, shall keep a record of the proceedings, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.

The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the materials so noticed and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.

The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within sixty (60) days. Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this Ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. Where the Board or the hearing officer, as the case may be, fails to render the same within sixty (60) days, the decision shall be deemed to have been rendered in favor of the applicant.

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

SECTION 902 - POWERS AND DUTIES

902.1 - BOARD'S FUNCTIONS: Appeals from the Zoning Officer

The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of a valid ordinance or map or any valid rule or regulation governing the action of the Zoning Officer. Nothing contained herein shall be construed to deny to the appellant the right to proceed directly in court, where appropriate, pursuant to Pa. R.C.P., Section 1091 to 1098 relating to mandamus.

902.2 - BOARD FUNCTIONS: Challenge to the Validity of any Ordinance or Map

Except as provided herein, relating to variances, the Board shall have no power to pass upon the validity of any provision of an ordinance or map adopted by the County Commissioners, except as provided in Act 247 (as amended). Recognizing that challenges to the validity of an ordinance or map may present issues of fact and of interpretation which may lie within the special competence of the Board, and to facilitate speedy disposition of such challenges by a court, the Board may hear all challenges wherein the validity of the ordinance or map presents any issue of fact or of interpretation not hitherto properly determined at a hearing before another competent agency or body, and shall take evidence and make a record thereon. At the conclusion of the hearing, the Board shall decide all contested questions of interpretation and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

902.3 - BOARD'S FUNCTIONS: Variances

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

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

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

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

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

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

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance.

902.4 - BOARD'S FUNCTIONS: Special Exceptions

The Board shall hear and decide requests for special exceptions in accordance with ordinance 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 this Act and the Zoning Ordinance.

902.5 - APPEALS BEFORE BOARD

Appeals under Section 902.1 and proceedings to challenge an ordinance under Section 902.2 may be filed with the Board in writing by an officer or agency of the municipality, or any person aggrieved. Requests for a variance under Section 902.3 and for special exception under Section 902.4 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

902.6 - TIME LIMITATIONS

The time limitations for raising certain issues and filing certain proceedings with the Board shall be the following:

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

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

(3) Questions of an alleged defect in the process of enactment or adoption of any ordinance or map shall be raised by an appeal taken directly from the action of the governing body to the court.

902.7 - STAY OF PROCEEDINGS

Upon filing of any proceeding referred to in Section 902.5 and during its pendency before the Board all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board. Upon filing of any proceeding refered to in section 914 Act 247, and during its pendency before the board all land development pursuant to any challenged ordinance, order or approval of the zoning officer or of any agency or body, and all official action thereunder shall be stayed unless the zoning officer or any other appropriate agency or body certified to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development of official action shall not be stayed otherwise than by a restraining order, which may be granted by the board or by the court having jurisdiction of zoning appeals on petition after notice to the zoning officer or other appropriate agency or body. After the petition is presented the court shall hold a hearing to determine if the filing of the appeal is frivolous and is for the purpose of delay. At the hearing evidence may be presented on the merits of the case. After consideration of all evidence presented, if the court determines that the appeal is frivolous and is for the purpose of delay it shall grant the petition. The right to petition the court to order the appellants to post bond may be waived by the appellee but such waiver may be revoked by him if an appeal is taken from a final decision of the court. The question whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.

ADMINISTRATION

This Ordinance may be amended from time to time in accordance with the procedure established by law.

EFFECTIVE DATE

This Ordinance is amended as of September 27, 1975, August 14, 1978, and January 14, 1980. Further amendments to this Ordinance, are hereby enacted and ordained this 21st day of December, 1987, said amendments being incorporated in the full text hereof.

BOARD OF COMMISSIONERS OF CAMERON COUNTY

Mary J. Donovan

Judd A. Schager

W. Anson Mason

Approved as to ~~form~~:

Solicitor

Loretta H. Lewis

Chief Clerk

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CAMERON COUNTY
ZONING ORDINANCE AMENDMENTS

NOTICE is hereby given of the following proposed Amendments to the above referred to Ordinance. A public hearing on said proposed Amendments is scheduled for Monday, December 21, 1987 in the Main Courtroom in the Courthouse, Emporium, Pa., beginning at 3:00 P. M. Unless substantial changes are made as the result of the public hearing, said Amendments shall be enacted by the Cameron County Commissioners at a regular meeting to be held Monday, December 21, 1987 in the Commissioner's Office, Courthouse, Emporium, Pa., beginning at 3:45 P.M. A summary of the proposed Amendments is stated below. The full text of the Amendments has been delivered to the Cameron County Echo and is on file in the Law Library in the Courthouse, in Emporium, Pa.

The following sections of said Ordinance are proposed to be amended as follows in summary form, to wit:

Industrial Area No. 12 shall include property described in Deed Book "88" at page 123, and where Lewis and Hockenberry, Inc. is located.

WYSIDE

Wykoff Run Road, from the creek bridge to the Grove Township line, and also: Upper Jerry Run Road to the foot of the hill just across Wykoff Run bridge, the road that is an extension of the Upper Jerry Run Road in its entirety, and the Wyside Cemetery Road in entirety.

TANNERY HEIGHTS

Route 120 to end of Division Road, bounded on the East by the stream and bounded on the West by a line parallel with Division Road, and 200 feet away from road.

Section 102.2 Definitions. The word building is proposed to be amended to include use of the same for agriculture purposes. Mobile Home has been expanded in definition to concur with Act No. 93, P. L. 333, 1972 to include transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one or two units designed to be joined into one integral unit. Mobile Home Park shall be a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

Section 102.3. Interpretation of Regulations proposes to delete the phrase "..... deed restrictions or covenants...."

Conflicting Sections - Should a conflict exist with respect to uses permitted by this Section and uses permitted in an R-1, R-2 or R-3 District, the conflict shall be resolved by applying the more lenient of the Sections.

Section 401.1, under heading of Use Regulations, Uses by Right (Industrial Districts), provides that any use permitted in an R-1, R-2 or C-1 District will be allowed in an Industrial District, provided such use shall conform to the regulations set forth for said Districts.

Conflicting Sections - provides where conflicts exist in uses permitted by this Section (Industrial Districts) and uses permitted in an R-1, R-2, R-3 or C-1 District, the conflict shall be resolved by applying the more lenient of the Sections.

Uses By Special Exception - adds waste transfer stations (Industrial Districts) under regulations appearing in Section 604.1, and scrap storage or junk yards under certain conditions.

Section 501.2, under heading of Typical Uses Permitted (F-1 Flood Plain District), eliminates temporary recreational residences as a typical use permitted.

Section 601.1, under heading of Sign Regulations, provides that no sign or billboard shall be erected except upon private property to which it is related or on adjacent property with approval of owner. Signs and billboards may be placed on property other than personally owned property or adjacent property provided a written lease is obtained. Billboards are prohibited in all residential districts except by special exception. Requires that flashing or oscillating lights shall require submission of design and plan to County Planning Commission and approval of County Commissioners.

Section 601.3, under heading of Business Signs, provides for such signs under certain restrictions with respect to location, length and width.

Section 602.7, under heading of General Standards, provides for general standards for special exceptions in addition to

specific standards, e.g. requirements for promotion of health, safety, morals and general welfare; traffic congestion; parking facilities; consistency with surrounding uses.

Section 602.8, under heading of Commercial, Industrial and Manufacturing Building and Uses Allowed by Special Exception in R-1 and R-2 Districts, provides for certain standards to be considered for special exception, e.g. affects of air pollution, building height and lot space used; lot area of at least one acre with a width of at least 150 feet; setback distances from road and side yard distances; noise levels permitted measured in decibels and permitted times during a 24-hour period; soil stabilization on slopes greater than 25%; expansion of use by special exception; changes in usage require Zoning Board approval.

603.2, under the heading of Planned Residential Development Controls, Procedure, provides that any single owner of a minimum of 10 acres zoned residential may request County Commissioners to have regulations of this section apply to such property; sets forth application requirements; allows County 180 days to accept or reject application; if rejected, requires County to give reasons therefor; if approved, requires development in accordance with plan and objectives; requires prior approval of Planning Commission before action taken by County Commissioners; provides appeal rights and for public hearings.

604.1, under the heading of Waste Transfer Stations, provides for compliance with requirements of Pa. Solid Waste Management Act, Act 97 of 1980, as amended, as well as rules and regulations of Pa. Dept. of Environmental Resources relating to same, including obtaining of permit; sets forth minimum distances from other zoned districts where facility can be located and minimum distances from streets and adjoining property; permits a maximum area of 20 acres and requires a minimum area of 10 acres; provides for fencing requirements and standards; provides for the necessity of access roads and standards and assurances for construction, assessment of costs and restoration; prohibits location in area having high water table or seasonal high water table or which may be subject to flooding; provides that station shall have adequate drainage standards therefor; requires for submission of required reports to County as well as State agencies; permits inspection of station sites by County representatives.

605.6, under heading of Design Standards, General, provides that all driveways and walkways shall be lighted with 670 candle power lamps, spaced at 100 foot intervals in mobile home parks.

703, under heading of Non-Conforming Lots Regulations, provides that in any District in which single-family houses are permitted, notwithstanding the area limitations imposed by other provisions of this Ordinance, a single-family house and customary accessory buildings may be erected under certain conditions.

801.1, under the heading of Administration and Enforcement, Duties, provides that one of the duties of the Zoning Officer shall be to issue permits for conditional uses and provides for appeals from decision of such officer to Zoning Hearing Board.

804, under heading of Penalties, provides for a fine of up to $500.00 for violation of the ordinance which can be assessed for each day's violation; also provides for imprisonment for up to 60 days for failure to pay fine.

901.5, under heading of Administration and Procedure, Hearings, provides for method of rendering decisions and the time frame within which the decision is to be made.

902.5, under heading of Powers and Duties, Time Limitations, provides that questions of defects in the process of adoption or enactment of any ordinance, or amendments thereto, or map, shall be raised on appeal to the Court.

902.7, under heading of Powers and Duties, Stay of Proceedings, provides that upon the filing of any proceeding under Section 902.5 (Appeals Before Board) and during the pendency before the Board, all land development shall be stayed unless a stay would cause imminent peril to life or property upon a proper showing of facts to substantiate such peril; provides that approved applications from which proceedings are initiated to reverse or limit the approval filed by persons other

than the applicant may require bonding upon petition of the developer; provides for methods to appeal decisions by applicant or others.

s/ Loretta H. Lewis, Chief Clerk