MCADOO BOROUGH

ZONING ORDINANCE
ZONING ORDINANCE

FOR THE

BOROUGH OF MCADOO, PENNSYLVANIA

MCADOO BOROUGH, SCHUYLKILL COUNTY, PENNSYLVANIA

Submitted to the

MCADOO BOROUGH PLANNING COMMISSION

Prepared by

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An Ordinance dividing the Borough of McArdoo into districts and regulating the use of land and the location, use and density of buildings within these districts and providing for the administration and enforcement of this Ordinance.

The Borough Council of the Borough of McArdoo hereby ordains and enacts as follows:

ARTICLE I - GENERAL PROVISIONS

1.100 SHORT TITLE

This Ordinance shall be known and cited as the "Borough of McArdoo Zoning Ordinance".

1.200 APPLICATION OF ORDINANCE

No building, structure or land shall be used or occupied and no building or part thereof shall be erected, moved, enlarged, or structurally altered unless in conformity with the regulations of this Ordinance.

1.300 PURPOSE OF THE ORDINANCE

This Ordinance is hereby adopted in accordance with a comprehensive plan which is designed to promote public health, safety, morality and the general welfare, encourage the most appropriate use of land, conserve and stabilize the value of property, provide adequate open spaces for light and air, and to prevent the spread of fire, prevent undue concentrations of population, and lessen congestion on streets and highways.

1.400 INTERPRETATION AND VALIDITY

1.401 Interpretation. In the interpretation and the application of the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the health, safety, morals, and general welfare. It is not intended to interfere with or abrogate or annul other
rules, regulations or ordinances, provided that where this Ordinance imposes greater restrictions upon the use of buildings or premises, or upon the height or bulk of a building, or requires larger open spaces, the provisions of this Ordinance shall prevail.

1.402 **Validity.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

1.403 **Repealer.** All existing ordinances or parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

1.500 **EFFECTIVE DATE:**

This Ordinance shall take effect immediately subsequent to the adoption hereof.
**ARTICLE 2 - DEFINITIONS**

2.100 **APPLICABLE DEFINITIONS**

Except where specified in the following definitions all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; and the word "occupied" or "used" shall include "arranged, designed, constructed, altered, converted, rented, leased, or intended to be used"; and the word "shall" is intended to be mandatory; the word "shall" shall include the words "directly across from".

2.101 **Accessory Use or Structure.** A use or building structure subordinate to and located on the same lot as the principal use or building and serving a purpose customarily incidental to the use of the principal building.

2.102 **Alley.** A public or private way affording only secondary means of access to abutting property.

2.103 **Board.** The Board of Adjustment of the Borough of McAdoo.

2.104 **Building.** Any structure having a roof supported by columns or walls, used for the shelter, housing or enclosure of persons, animals or property.

2.105 **Building Coverage, Maximum.** The maximum ratio obtained by dividing the ground floor area of all principal and accessory buildings on a lot by the total area of the lot upon which the buildings are located (including covered porches, carports, and breeze-ways, but excluding open patios).

2.106 **Building Height.** The vertical distance of a building measured from the average level of the highest and lowest portion of the building site covered by the building to the ceiling of the uppermost story.

2.107 **Building, Principal.** A building in which is conducted the main or principal use of the lot on which it is situated.
2.108 **Commission.** The Planning Commission of the Borough of McAdoo.

2.109 **Council.** The Borough Council of the Borough of McAdoo.

2.110 **District or Zone.** A portion of the territory of the Borough within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

2.111 **Dwelling.** Any building vehicle or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons. The term dwelling shall not be deemed to include automobile court, rooming house, tourist home, hotel, hospital nursing home, dormitory, fraternity or sorority house.

a. **Dwelling, Single-Family.** A detached building, designed for or occupied exclusively by one family.

b. **Dwelling, Two-Family.** A detached or semi-detached building where not more than two individual family or dwelling units are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or to a common cellar.

c. **Dwelling, Mobile Home.** A vehicle used for permanent living or sleeping quarters and standing on wheels or on rigid supports, except for a travel trailer as defined herein.

d. **Dwelling Multi-Family.** A building designed for occupancy by three (3) or more families living independently of each other, and containing three (3) or more dwelling units.

Such buildings shall consist of the following types:

1. **Limited Apartments.** A multi-family dwelling containing 3 to 5 dwelling units and not exceeding 2½ stories in height.

2. **Row Houses.** A multi-family dwelling containing 3 to 6 dwelling units, and not exceeding 2½ stories in height, having a solid masonry fire-wall between each unit and individual separate access from the outside to each unit.
3. **Garden Apartment.** A multi-family dwelling containing 6 to 12 dwelling units and not exceeding 3 stories in height.

2.112 **Dwelling Unit.** One (1) or more rooms, including a kitchen (or kitchenette) and sanitary facilities in a dwelling structure, designed as a unit for occupancy by not more than one (1) family for living and sleeping purposes.

2.113 **Essential Services.** Essential services are public utility facilities that do not require enclosure in a building, including gas, electrical, steam, telephone, or water distribution systems; and including related equipment such as poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment. The utilities that apply should conform to the height regulations of the zoning district in which they are proposed.

2.114 **Family.** Either an individual, or two or more persons related by blood or marriage or adoption, or a group of not more than five persons, excluding servants, living together as a household in a dwelling unit.

2.115 **Garage, Private Parking.** A building or portion thereof used only for the storage of automobiles by the families resident upon the premises or by individuals residing in the immediate vicinity of such storage facilities.

2.116 **Garage, Public Parking.** A structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repair or refinishing of automobiles.

2.117 **Junk.** Junk shall include scrap iron, scrap tin, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition, but are subject to being dismantled.
2.118 **Junk Yards.** Junk yards shall consist of buildings, structures or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking, and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition.

2.119 **Lot or Zone Lot.** A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory or incidental to the operation thereof, together with such open spaces as required by this Ordinance, and having frontage on a public street.

a. **Lot, Corner.** A lot situated at and abutting the intersection of two (2) streets having an interior angle of intersection not greater than one hundred thirty-five (135) degrees.

b. **Lot, Depth.** The mean horizontal distance between the front and the rear lot lines.

c. **Lot Lines.** The property lines bounding the lot.

1. **Lot Line, Front.** The line separating the lot from a street.

2. **Lot Line, Rear.** The lot line opposite and most distant from the front lot line.

3. **Lot Line, Side.** Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line.

4. **Lot Line, Street or Alley.** A lot line separating the lot from a street or alley.

d. **Lot Width.** The width of the lot between side lot lines at the front building line as prescribed by the front yard regulation.

e. **Lot Area.** The computed area contained within the lot lines.
2.120 Nonconforming Lot. Any zone lot which does not conform with the minimum width, depth and area dimensions specified for the district where such a lot is situated.

2.121 Nonconforming Use or Building. A nonconforming use or building is a building, structure or use legally existing at the effective date of this Ordinance, or any amendment thereto; or a building, structure or use, planned and construction started in compliance with existing laws prior to the effective date of this Ordinance, or any amendment thereto and completed within a one year period after the effective date of this Ordinance or amendment, thereto; and which does not conform with the use regulations of the district in which located. No existing use or building shall be considered a nonconforming use if only the yards, area, height, coverage dimensions, or off-street parking or loading do not conform with the regulations of this Ordinance.

2.122 Nursing Home. Any premises containing sleeping rooms used by persons who are lodged and furnished with meals and nursing care.

2.123 Parking Area, Private. An open area for the same uses as a private garage.

2.124 Parking Area, Public. An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.

2.125 Permitted Use. Any use which does not require special action by the Board of Adjustment or by the Planning Commission before a zoning permit is granted by the Building Inspector.

2.126 Porch. A roofed or unroofed structure projecting from the front, side, or rear wall of the building which shall have no wall more than thirty (30) inches high and which shall be open on all sides except the side adjoining the building.
2.127 **Sign, Advertising.** An "advertising sign" is a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located, or to which it is affixed.

2.128 **Sign, Business.** A "business sign" is a sign which directs attention to a business or profession conducted or to a commodity, service, or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.

2.129 **Sign, Gross Surface Area Of.** The "gross surface area" of a sign shall be the entire area within a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display.

2.130 **Special Use.** A use which because of its unique characteristics requires individual consideration in each case by the Board of Adjustment and by the Planning Commission before a zoning permit may be issued.

2.131 **Story.** That portion of a building, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

a. **Story, Half.** A partial story under a gable, hip or gambrel roof; the wall plates of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story.

b. **Story, First.** The lowest story or the ground story of any building, the floor of which is not more than twelve (12) inches below the average contact ground level at the exterior walls of the building.

2.132 **Street.** A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley.
2.133 **Structure.** Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, including stationary and portable carports.

2.134 **Structural Alteration.** Any change in the structural members of a building, such as walls, columns, beams or girders, or any addition to any structure.

2.135 **Travel Trailer.** A vehicle, less than 30 feet in length and used for temporary living or sleeping purposes, and standing on wheels.

2.136 **Yard.** An open space, as may be required by this Ordinance, on the same lot with a building or a group of buildings, which open space lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as herein permitted.

   a. **Yard, Front.** An open space extending the full width of the lot between a building and the front lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

   b. **Yard, Rear.** An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

   c. **Yard, Side.** An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

2.137 **Variance.** The Board's authorized departure to a minor degree from the text of this Ordinance in direct regard to a hardship peculiar to an individual lot in accordance with the procedures set forth in this Ordinance.

2.138 **Zoning Officer or Building Inspector.** The administrative officer charged with the duty of enforcing the provisions of this Ordinance.
ARTICLE 3 - ESTABLISHMENT OF ZONING DISTRICTS

3.100 NAMES OF ZONING DISTRICTS

The Borough of McAdoo is divided into the following three districts:

- R-1 High Density Residential
- C-1 Neighborhood Commercial
- I-1 Industrial

3.200 ZONING MAP

The location and boundaries of these districts are established as shown on the attached Zoning Map of the Borough of McAdoo, dated _____________, 1963. The Zoning Map is hereby made a part of this Ordinance, together with all future notations, references, and amendments.

3.300 INTERPRETATION OF BOUNDARIES

If uncertainty exists as to the boundary of any district shown on the Zoning Map, the Board of Adjustment shall determine the location of such boundary.
ARTICLE 4 - BASIC DISTRICT REGULATIONS

4.100 BASIC REGULATIONS

The basic regulations governing the use of land, the size of lots, yards and buildings within each Zoning District are established in this Article. For certain specific uses or exceptional situations, these basic regulations are supplemented by Article 5 and by other provisions of this Ordinance.

4.101 Regulations Governing the Use of Land. Regulations governing the use of land within the various Zoning Districts shall be as set forth in Schedule I.

4.102 Regulations Governing the Size of Lots, Yards and Buildings. Regulations governing the size of lots, yards and buildings in the various Zoning Districts for Permitted Uses shall be as set forth in Schedule II.

4.103 Regulations Governing Special Uses. Regulations governing certain Special Uses are set forth in Section 4.400.

4.200 USES IN ZONING DISTRICTS

4.201 Permitted Uses. Uses listed as "Permitted Uses" in Schedule I shall require no special action by the Board of Adjustment or by the Planning Commission before a zoning permit is granted by the Building Inspector.

4.202 Special Uses. Uses listed as "Special Uses" in Schedule I shall require individual consideration in each case because of their unique characteristics. Such "Special Uses" may be permitted only upon authorization by the Board of Adjustment, subject to certain conditions and safeguards, as provided for in Section 4.400 and after review by the Planning Commission.

4.300 USE CLASSES

Eight "Use Classes" are hereby established as shown in Schedule I. The specific uses included in each Use Class are outlined below and none of these uses shall be permitted in any district if they are to be operated in such a manner so as to create any dangerous,
**SCHEDULE I**

**REGULATIONS GOVERNING THE USE OF LAND**

<table>
<thead>
<tr>
<th>USE CLASS</th>
<th>ZONING DISTRICT</th>
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<tr>
<td></td>
<td>R-1</td>
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<tr>
<td>1. Single and Two Family Residential</td>
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<tr>
<td>2. Commercial</td>
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</tr>
<tr>
<td>3. Industrial</td>
<td></td>
</tr>
<tr>
<td>4. Customary Accessory Uses and Essential Services</td>
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<tr>
<td>5. Conversions</td>
<td>X</td>
</tr>
<tr>
<td>6. Multi-family Residential</td>
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</tr>
<tr>
<td>7. Related Residential Uses</td>
<td>X</td>
</tr>
<tr>
<td>8. Appropriate Public Uses</td>
<td>X</td>
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</tbody>
</table>

**Note:** "X" indicates that the Use Class is permitted in the District. See Sections 4.200, 4.300 and 4.400 for a description of the uses included in each Use Class and for an explanation of the conditions under which they are permitted in each District.
SCHEDULE II

REGULATIONS GOVERNING THE SIZE OF
LOTS, YARDS AND BUILDINGS FOR PERMITTED USES

<table>
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<th>TYPE OF REGULATION</th>
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<td></td>
<td>R-1</td>
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**Minimum Lot Size**

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<th>I-1</th>
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<tbody>
<tr>
<td>Area (Sq. Ft.)</td>
<td>6,000</td>
<td>4,000</td>
<td>10,000</td>
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<tr>
<td>Width (Ft.)</td>
<td>60</td>
<td>40</td>
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<tr>
<td>Depth (Ft.)</td>
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**Minimum Yards**

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<th></th>
<th>R-1</th>
<th>C-1</th>
<th>I-1</th>
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</thead>
<tbody>
<tr>
<td>Front (Ft.)</td>
<td>20</td>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td>Rear (Ft.)</td>
<td>25</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Each Side Yard (Ft.)</td>
<td>8</td>
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</table>

**Maximum Building Height**

<table>
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<th></th>
<th>R-1</th>
<th>C-1</th>
<th>I-1</th>
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<tbody>
<tr>
<td>No. of Stories</td>
<td>2.5</td>
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<tr>
<td>Feet</td>
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**Maximum Building Coverage (%)**

<table>
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<th></th>
<th>R-1</th>
<th>C-1</th>
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<tbody>
<tr>
<td>50</td>
<td></td>
<td></td>
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</tbody>
</table>

**Notes:**

1. This Schedule does not apply to Special Uses. See Section 4.400 for regulations governing such Special Uses.

2. See Article V for other Supplementary Regulations governing various uses including variations to lot and yard sizes, and regulations governing accessory structures, signs, off-street parking and loading and non-conforming uses and lots.
injurious, noxious or otherwise objectionable fire, explosive, radioactivity or other hazard; noise or vibration; smoke, dust, dirt, or other form of air pollution; electrical, glare or other disturbance in which will adversely affect the surrounding area or premises.

4.301 Permitted Uses (Use Classes 1 through 4)

Use Class 1. Single and Two Family Residential. Includes single family and two family dwellings.

Use Class 2. Commercial. Includes retail business, service, commercial recreation and education establishments. Such establishments shall be carried on in a completely enclosed building except for off-street parking and loading facilities and auto service stations.

Retail Business Establishments include shops selling food, drugs, cigars, candy, clothing and clothing accessories, newspapers, books, stationery, dry goods, hardware, paint, variety goods, household goods and appliances, flowers, package liquor, photo supplies, garden supplies, artist and hobby supplies and sporting goods, specialty and gift items, furniture, and office supplies.

Customer Service Establishments include shops engaged in the repair of household, clothing and appliance items, barber and beauty shops, tailor shops, pick-up stations and self service establishments for the dry cleaning and laundering of clothes, business offices, and eating and drinking establishments, department stores, gymnasiums and physical health salons, photographic studios, medical centers, banks and financial institutions, hotels and motels, blueprinting and graphic reproduction shops, printing and publishing establishments, wholesale offices and showrooms, offices of all types, radio and television studios, auto supply stores, auto service stations and auto sales and service dealers.

Commercial Recreation and Entertainment Establishments include theaters, nightclubs, art galleries, and cultural establishments, bowling alleys, skating rinks, billiard parlors, social halls, clubs and lodges.
Commercial Education Establishments include schools for the study of business, technical trades, art, music, dancing, and photography.

Use Class 2. Industrial. Includes general industrial uses serving the entire Borough.

Such uses shall be carried on in a completely enclosed building and may include the storage manufacture, assembly, packing or testing of products from raw materials and from other previously prepared materials.

Use Class 4. Customary Accessory Uses and Essential Services. Includes accessory uses which are customarily subordinate to the principal use of a building located on the same lot, and which serve a purpose customarily incident to the use of the principal building shall be permitted in each District. Such uses include home occupations, home gardening but not the raising of livestock or poultry, non-profit nurseries and greenhouses (not including outdoor storage of equipment) and professional offices of persons residing on the premises private garages or parking areas, signs, off-street parking and loading, temporary tract offices, travel trailers and building and other uses customarily appurtenant to other Permitted or Special Uses.

Also includes essential services for public utilities that do not require enclosure in a building including the construction or maintenance, by public utilities or governmental agencies, of gas, electrical, steam, telephone, or water distribution systems; including equipment such as poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment which conform to the height regulations of the zoning district in which they are proposed.
4.302 Special Uses. (Use Classes 5 through 8)

Use Class 5. Conversions. Includes the re-design and conversion of an existing residential structure to provide for an increase in the number of dwelling units in that structure.


Use Class 7. Related Residential Uses. Includes funeral homes, nursing and convalescent homes, rooming houses, nurseries for the day care of young children and non-profit social halls, clubs, and lodges.

Use Class 8. Appropriate Public Uses. Includes public and quasi-public uses of a welfare, educational, religious, recreational and cultural nature, and dormitories and religious homes accessory to such uses; and essential public utilities that require enclosure within a building or structure; and radio and television transmission or receiving towers and facilities.

4.400 REGULATIONS GOVERNING SPECIAL USES

Special Uses enumerated in Section 4.300 and in Schedule I shall require individual consideration in each case and may be permitted only upon authorization by the Board of Zoning Adjustment and after review by the Planning Commission.

Such Special Uses shall comply with the provisions of this section and may be permitted by the Board subject to any additional conditions and safeguards which may be warranted.
by the character of the area in which such uses are proposed or by other special factors.

A Special Use shall not cause substantial injury to the value of other property where it is to be located; shall conform with regulations applicable to the District where located; shall be compatible with adjoining development; shall provide adequate landscaping and screening; shall provide off-street parking and loading so as to minimize interference with traffic on the local streets and shall not jeopardize the public health, safety, welfare and convenience.

The following regulations shall apply to Special Uses (Use Classes 5 through 8) which are authorized by the Board of Adjustment.

4.401 Conversions (Use Class 5)

All conversions shall have at least one off-street parking space per dwelling unit shall have adequate light, air, heating and plumbing facilities and shall have at least 3000 square feet of lot area and 600 square feet of floor area for each dwelling unit, but no converted building shall have more than a total of four dwelling units.

4.402 Multi-Family Residential (Use Class 6)

All multi-family dwellings shall be served with public water and sewer facilities, shall have at least one and one-half off-street parking spaces per dwelling unit and shall comply with the following minimum requirements.
# REGULATIONS FOR MULTI FAMILY DWELLINGS

<table>
<thead>
<tr>
<th>TYPE OF REGULATIONS</th>
<th>LIMITED APARTMENTS OR ROW HOUSES</th>
<th>GARDEN APARTMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Lot Size</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area (Sq. Ft.)</td>
<td>7,500</td>
<td>12,000</td>
</tr>
<tr>
<td>Width (Ft.)</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td>Depth (Ft.)</td>
<td>100</td>
<td>120</td>
</tr>
<tr>
<td><strong>Lot Area Per Dwelling Unit (Sq. Ft.)</strong></td>
<td>2,500</td>
<td>2,000</td>
</tr>
<tr>
<td><strong>Minimum Yards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Yard (Ft.)</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Rear Yard (Ft.)</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Each Unattached Side Yard (Ft.)</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td><strong>Maximum Building Height</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. of Stories</td>
<td>$2\frac{1}{2}$</td>
<td>3</td>
</tr>
<tr>
<td>Feet</td>
<td>35</td>
<td>40</td>
</tr>
<tr>
<td><strong>Maximum Building Coverage (%)</strong></td>
<td>60</td>
<td>50</td>
</tr>
</tbody>
</table>
4.403 Related Residential Uses (Use Class 7)

Funeral homes, nursing and convalescent homes, rooming houses, nurseries for the day care of young children and non-profit social halls, clubs, and lodges shall comply with the following:

a. Except for a sign, there shall be no external evidence of any gainful activity.

b. Any such use shall have sufficient parking to serve the anticipated number of users and employees and shall have suitable street access without causing traffic on local residential streets.

c. All such buildings shall conform to the Minimum Lot Size, Minimum Yards, Maximum Building Height, and Maximum Building Coverage Regulations specified in Schedule II for Zone R-1.

4.404 Appropriate Public Uses. (Use Class 8). Any appropriate Public Use permitted by the Board as a Special Use shall be appropriate to the character of the District in which it is proposed and to the area which it will serve. Such appropriate Public Uses shall have adequate access, shall provide off-street parking and loading as specified in Section 5.500 and shall comply with the following lot, yard and building regulations:
REGULATIONS FOR APPROPRIATE PUBLIC USES

<table>
<thead>
<tr>
<th>REGULATION</th>
<th>APPROPRIATE PUBLIC USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Size (Sq. Ft.)</td>
<td>10,000</td>
</tr>
<tr>
<td>Minimum Yards (Feet)</td>
<td></td>
</tr>
<tr>
<td>Front Yard</td>
<td>25</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>20</td>
</tr>
<tr>
<td>Each Side Yard</td>
<td>15</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td></td>
</tr>
<tr>
<td>No. of Stories</td>
<td>3</td>
</tr>
<tr>
<td>Height in Feet</td>
<td>40</td>
</tr>
<tr>
<td>Maximum Building Coverage (%)</td>
<td>60</td>
</tr>
</tbody>
</table>

4.500 PROHIBITED USES

4.501 Specific Prohibited Uses. The following uses are not permitted in any location in the Borough:

Mobile Homes
Junk Yards
Drive-In Theaters
Strip Mining
Underground Mining
ARTICLE 5 - SUPPLEMENTARY DISTRICT REGULATIONS

5.100 PERMITTED DEVIATIONS FROM REQUIRED AREAS

The minimum lot, yard, and height requirements of Article 4 shall prevail in all cases, except as follows:

5.101 Existing Nonconforming Lots. A single-family dwelling may be constructed as a permitted use in any R-District on any nonconforming lot if the following conditions are satisfied:

a. At the time of the passage of this Ordinance said lot is in existence as a separate entity.

b. At the time of the passage of this Ordinance the owner of said lot does not own an adjoining lot.

c. The plan for the lot and for the proposed single-family dwelling shall be in at least 60 percent compliance with each of the following requirements for single-family dwellings as specified in the district in which the lot is located: lot area, lot width, rear yard, side yard, and maximum building coverage.

5.102 Height Limitations. District height limitations shall not apply to church spires, cupolas and domes, monuments, water towers, chimneys, smoke-stacks, silos, flag poles, radio and television towers, masts and aerials, and parapet walls extending not more than four (4) feet above the limiting height of the building.

5.103 Front Yard Exception. When an unimproved lot is situated between two improved lots, each having a principal building within 20 feet of the side lot line of the unimproved lot, the front yard may be reduced to a depth equal to that of the greater front yard of the two adjoining lots; provided, however, that it may not be reduced to below 10 feet.
5.104 **Projections Into Yards.** Projections into required yards shall be permitted as follows, except that in no case shall a structure or projection be located closer than 4 feet to any side or rear lot line or 10 feet to any front lot line.

a. Bay windows, carports, fire places, fire escapes, chimneys, uncovered stairs and landings, and balconies and cornices, canopies, eaves, or other architectural features not required for structural support may project into the required side, front, or rear yard not more than a total of three (3) feet.

b. Porches may project into the required rear yards up to ten (10) feet.

c. Patios may be located in the required side and rear yards not closer than three (3) feet to any adjacent property line, and may project into front yards up to ten (10) feet.

5.200 **UNIQUE LOTS AND BUILDING LOCATIONS**

5.201 **Two or More Buildings on a Lot.** Two or more principal buildings located on a parcel in single ownership shall conform to all the requirements of this Ordinance which would normally apply to each building if each were on a separate zone lot.

5.202 **Through Lots.** Where a single lot under individual ownership extends from one street to another parallel or nearly parallel street or alley, the Planning Commission shall decide which street will be considered as the front street. No principal structure shall be erected on the rear of the lot, except as specified in Section 5.201 and 5.203.

5.203 **Lots Fronting on an Alley.** Individual lots, existing at the effective date of this Ordinance, fronting on an alley, shall comply with all the requirements of this Ordinance and the district in which said lots are located.

5.204 **Side Yard of a Corner Lot.** The side yard of a corner lot which abuts a street, shall be equal to the required front yard for that street.
5.205 **Corner Lots.** No obstruction to vision (other than an existing building, post, column or three) exceeding 30 inches in height shall be erected or maintained on any lot within the triangle formed by the street intersection, created by the right-of-way line of each street extended to a point, and a line drawn between two points each located 30 feet from the street intersection.

5.300 **ACCESSORY STRUCTURES AND USES**

5.301 **Accessory Structures.** All accessory structures shall conform with the minimum yard regulations established in Article IV, except as permitted below:

a. **Unattached Structures Accessory to Residential Buildings.** Structures accessory to residential buildings which are not attached to a principal structure may be erected within the required side and rear yards of a principal structure provided that they conform with the following:

   1. **Maximum Height** - One and one-half stories or 15 feet in height.

   2. **Distance from Side Lot Line** - Not less than 4 feet from the side lot line, except in the case of corner lots where the full side yard as specified in Section 5.204 shall be maintained.

   3. **Distance from Rear Lot Line** - Not less than 4 feet from the rear lot line.

   4. **Distance from Principal Structure** - Not less than 10 feet from a principal structure.

b. **Unattached Structures Accessory to Non-Residential Buildings.** Such accessory structures shall comply with front and side yard requirements for the principal structure and shall have a minimum rear yard of at least 10 feet.

5.302 **Home Occupations.** A single home occupation per dwelling unit is permitted as an accessory use to a residential structure provided that such home occupations shall be conducted only by residents of the dwelling unit who may not employ more than 2 additional non-resident persons.
that the only external evidence of the home occupation
shall be a sign not exceeding one and one-half (1½) square
foot in area. Such home occupations shall be restricted to
professional offices, the training of children in small
classes, custom dress making, millinery or tailoring,
women's beauty salons, and the rooming or boarding of not
more than two (2) persons.

5.303 Private Parking Areas and Garages. Accessory off-street
parking areas or garages serving the residential or non-
residential parking demand created by the principal build-
ing are permitted in accordance with Section 5.500. Said
parking areas may be located in any required front, side,
or rear yard.

5.304 Home Gardening, Nurseries and Greenhouses. Home garden-
ing, and accessory structures used for nurseries or as
greenhouses, are permitted in residential areas, provided
they are used by the residents thereof for non-commercial
purposes and provided further that they shall not include
the outdoor storage of equipment and supplies.

5.305 Private Outdoor Swimming Pools. A single private outdoor
swimming pool per dwelling unit is permitted as an acces-
sory use to a residential structure provided that such
swimming pool is for the private use of the residents of
the dwelling unit or for their guests and provided that
the pool is not located closer than 10 feet to any prop-
erty line and does not occupy more than ten (10) per cent
of the lot area and that a five (5) foot high fence shall
completely surround the area of the swimming pool.

5.400 SIGNS

5.401 Business and Advertising Signs. One or more business or
advertising signs in the commercial and industrial dis-
tricts are permitted, provided that such signs shall not
have a combined gross surface area in square feet exceed-
ing two times the frontage of the lot on which they are
located, and in no case shall any single sign exceed two
hundred (200) square feet.
5.402 Residential Signs. Non-advertising signs accessory to non-residential uses located in residential districts are permitted provided they do not exceed ten (10) square feet in size. The number of signs shall be restricted to one to each property or dwelling unit, entrance, exit, or building to which it pertains, except that properties located on corner lots may have one sign facing each street.

5.403 Location of Signs. All signs may be located in any required yard, shall conform to the height limitations of the District in which they are located and shall not project into or over any public right-of-way.

5.500 OFF-STREET PARKING AND LOADING

5.501 Off Street Parking. Off street parking spaces shall be provided as set forth in the following table whenever any building is erected or enlarged. Such spaces shall have an area of at least 200 square feet, shall have adequate and well designed ingress and egress and shall be located on the same zone lot as the use to which they are accessory or within a radius of 400 feet.

REGULATION FOR OFF-STREET PARKING SPACES

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Provide Parking Spaces in Ratio of One Space to Each</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Retail Stores, Services, Offices</td>
<td>300.00 sq. ft. of gross bldg. floor area</td>
</tr>
<tr>
<td>2. Restaurants, Taverns, Night Clubs</td>
<td>2.5 seats</td>
</tr>
<tr>
<td>3. Medical or Dental Clinics</td>
<td>0.5 doctors</td>
</tr>
<tr>
<td>4. Motels</td>
<td>1.0 room</td>
</tr>
<tr>
<td>5. Churches, Theaters, Auditoriums and places of assembly</td>
<td>6.0 seats</td>
</tr>
<tr>
<td>6. Manufacturing and Wholesale Establishments</td>
<td>2.0 employees</td>
</tr>
<tr>
<td>7. Public Schools</td>
<td>17.0 classroom seats</td>
</tr>
<tr>
<td>8. Bowling Alley</td>
<td>0.2 alloys</td>
</tr>
<tr>
<td>9. Community Buildings and Social Halls</td>
<td>100.00 sq. ft. of bldg.</td>
</tr>
<tr>
<td>10. Private or Commercial Schools</td>
<td>10.0 classroom seats</td>
</tr>
<tr>
<td>11. Hospitals or Nursing Homes</td>
<td>2.0 beds</td>
</tr>
<tr>
<td>12. Single-family Dwelling Units and Conversions</td>
<td>1.0 dwelling unit</td>
</tr>
<tr>
<td>13. Multi-family Dwelling Units</td>
<td>0.66 dwelling unit</td>
</tr>
</tbody>
</table>
5.502 **Off Street Loading.** Every commercial or industrial building which requires the receipt or distribution by vehicles of material or merchandise shall provide one (1) off street loading space for each 25,000 square feet of gross building floor area, and each such space shall be at least 250 square feet in area.

5.600 **EXCAVATIONS**

Any excavations for the removal of topsoil, gravel or mineral deposits of any kind must be enclosed by a fence located at least ten feet from the sides or perimeter of the excavation. All such excavations must be adequately drained to prevent the formation of pools of water. The side walls of all such excavations shall slope at an angle no steeper than one foot of vertical distance for each two feet of horizontal distance.

5.700 **NON-CONFORMING USES AND BUILDINGS**

Any legal non-conforming use may be continued, repaired, maintained and improved except as provided below:

a. Such non-conforming use may not be enlarged more than 25 per cent of the existing floor area and/or lot area.

b. If less than 50 per cent of the floor area of any such non-conforming use is damaged it may be restored or reconstructed within one year of the date of the damage.

c. No such use may be reestablished after it has been discontinued or vacated for a period of 18 months or more.
6.101 General Sequence of Steps. All persons desiring to undertake any new construction, structural alterations or changes in the use of a building or lot shall apply to the Building Inspector for a Zoning Permit by filling out the appropriate application form and by submitting the required fee. The Building Inspector will then either issue or refuse the Zoning Permit or refer the application to the Board of Adjustment. After the Zoning Permit has been received by the applicant, he may proceed to undertake the action permitted by the Zoning Permit and upon completion of such action shall apply to the Building Inspector for an Occupancy Permit. If the Building Inspector finds that the action of the applicant has been taken in accordance with the Zoning Permit, he will then issue an Occupancy Permit allowing the premises to be occupied.

6.102 Zoning Permit Types. Under the terms of this Ordinance, the following classes of Zoning Permits may be issued:

a. Permitted Uses. A Zoning Permit for a Permitted Use may be issued by the Building Inspector on his own authority.

b. Special Uses. A Zoning Permit for a Special Use may be issued by the Building Inspector after review by the Planning Commission and upon the order of the Board of Adjustment.

c. Zoning Permit After an Appeal or a Request for a Variance. A Zoning Permit may be issued by the Building Inspector upon the order of the Board and after a public hearing held by the Board of Adjustment for the purpose of deciding upon an appeal or a request for a variance.

6.200 BUILDING INSPECTOR

6.201 Office of Building Inspector Heretofore Created. This Ordinance shall be enforced by the Building Inspector. Borough Council shall appoint said Building Inspector and shall determine his payment.
6.202 **Duties and Powers.** The Building Inspector shall receive and examine all applications required under the terms of this Ordinance and shall issue or refuse permits within thirty (30) days of the receipt of the application. The Building Inspector shall issue a written notice of violation to any person, firm, or corporation violating any provisions of this Ordinance. He shall keep records of applications, of permits or certificates issued, of variances granted, or inspections made, of reports rendered and of notice or orders issued, and shall make all required inspections and perform all other duties as called for in this Ordinance.

6.300 **BOARD OF ADJUSTMENT**

6.301 **Board is Hereby Created.** The Borough Council does hereby create a Board of Adjustment as provided for by the laws of the Commonwealth of Pennsylvania being the Act of July 10, 1947, P. L. 1621, Section 3307, as amended.

6.302 **Appointment of Members.** The Board shall consist of three (3) members to be appointed by Council. One member shall be designated to serve until January 1 of the year following the adoption of this Ordinance, one until January 1 of the first succeeding year, and one until January 1 of the second succeeding year. Their successors shall be appointed on the expiration of their respective terms, to serve three (3) years. An appointment to fill a casual vacancy shall be only for the unexpired portion of the term.

6.303 **Duties and Powers.** The Board shall be responsible for the interpretation of this Ordinance, and shall adopt, and make available to the public, rules for the exercise of its functions. The duties and powers of the Board shall be to hear and decide appeals where it is alleged that an error has been made in the enforcement of this Ordinance, hear and decide requests for Special Uses and variances. The Board shall perform such other duties as may be provided or made necessary by this Ordinance, including the interpretation of boundaries, the holding of public hearings, the referral of any
pertinent matter to the Planning Commission for review and recommendation, and the maintenance of records on all decisions and findings.

6.304 **Referral to Planning Commission.** The Board shall refer to the Commission all applications for Special Uses, and any other applications or appeals which in the opinion of the Board, require review by the Commission. In its review, the Planning Commission shall in the case of Special Uses, determine compliance with the standards set forth in this Ordinance, and in all cases shall report in writing its findings and recommendations to the Board within thirty (30) days.

6.400 **ZONING AND OCCUPANCY PERMITS AND CERTIFICATES**

6.401 **Zoning Permits.** The purpose of the Zoning Permit is to determine compliance with the provisions of this Ordinance, and no person shall erect, alter or convert any structure, building, or part thereof, nor alter the use of any land, subsequent to the adoption of this Ordinance, until a Zoning Permit has been issued by the Building Inspector. All applications for Zoning Permits shall be in writing on forms to be furnished by the Building Inspector. Zoning Permits shall be issued in duplicate and one (1) copy shall be kept conspicuously on the premises and no person shall perform building operations of any kind unless a zoning permit is being displayed as required by this Ordinance. The Building Inspector or the Board of Adjustment may revoke a Zoning Permit at any time if it appears that the application is in any material respect false or misleading, or that work being done upon the premises differs materially from that called for in the application.

6.402 **Occupancy Permits.** The purpose of an Occupancy Permit is to certify that the premises comply with the provisions of this Ordinance and may be used for the purposes set forth in the Occupancy Permit. Prior to the use or occupancy of any building for which a Zoning Permit is required, or for any change of use of any existing building or for any change of use of land, an Occupancy Permit
shall be secured from the Building Inspector. A copy of the Occupancy Permit shall be kept upon the premises, and shall be displayed upon request made by an officer of the Borough. All Applications for Occupancy Permits shall be in writing on forms to be furnished by the Building Inspector.

6.403 **Certificate of Nonconforming Use.** The owner of the premises occupied by a lawful nonconforming use or building may secure a Certificate of Nonconforming Use from the Building Inspector. Such Certificate shall be authorized by the Board of Adjustment and shall be for the purpose of insuring to the owner the right to continue such nonconforming use.

6.500 **VARIANCES**

6.501 **Board May Authorize Variance.** Upon appeal, and after a public hearing, the Board may for a use permitted in the zone district, vary the strict application of any of the requirements of this Ordinance, provided that said variance shall be in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other case. The sole purpose of any variance shall be to prevent discrimination, and no variance shall be granted which would have the effect of granting a special privilege not shared by other property in the same vicinity and zone.

6.502 **Required Showing for Variances.** No variance in the strict application of any provision of this Ordinance shall be granted by the Board unless it finds special circumstances or conditions, applying to the land or buildings that do not apply generally to land or buildings in the neighborhood, that said circumstance or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building, that the granting of the variance is necessary for the reasonable use of the land or building and that the variance as
granted by the Board, is the minimum variance that will accomplish this purpose, and that the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and district in which the property is located.

6.600 APPEALS AND PUBLIC HEARINGS

6.601 Appeal from Decision of Building Inspector. Any person, firm or corporation which deems itself aggrieved by any order of the Building Inspector shall have the right to file a written appeal to the Board within twenty (20) days of the issuance of said order. The Board shall decide each appeal within 45 days, and shall give notice to all parties in interest. The Board's decision shall be immediately filed in its office and be a public record.

6.602 Expiration of Appeal Decision. Unless otherwise specified by the Board, a decision on any appeal or request for a variance shall expire if the applicant fails to obtain any necessary Zoning Permit, or comply with the conditions of said authorized permit within six (6) months from the date of authorization thereof.

6.603 Appeal from Decision of Board. In case of an appeal from the Board to the Court of Common Pleas, the Board shall make the return required by law, and shall promptly notify the Borough Solicitor of such appeal and furnish him with a copy of the return including transcript of testimony. Any order of the Board not appealed within 30 days shall be final.

6.604 Stay of Proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Inspector certifies to the Board, after the notice of appeal shall have been filed, that by reason of facts stated in the certificate stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board after notice to the Building Inspector, or by the Court of Common Pleas.
6.605 **Information Required on Appeals to the Board.** All appeals from a decision of the Building Inspector and applications to the Board shall be in writing on forms prescribed by the Board. Every appeal or application shall include the following:

a. The name and address of the applicant, or appellant.

b. The name and address of the owner of the zone lot to be affected by such proposed change or appeal.

c. A brief description and location of the zone lot to be affected by such proposed change, or appeal.

d. A statement of the present zoning classification of the zone lot in question, the improvements thereon and the present use thereof.

e. A statement of the section of this Ordinance under which the appeal is made, and reasons why it should be granted, or a statement of the section of this Ordinance governing the situation in which the alleged erroneous ruling is being appealed, and the reasons for this appeal.

f. A reasonably accurate description of the present improvements, and the additions or changes intended to be made under this application, indicating the size of such proposed improvements, material, and general construction thereof. In addition, there shall be attached a plot plan of the real property to be affected, indicating the location and size of the lot and size of improvements thereon and proposed to be erected thereof.

6.606 **Public Hearings to be Held by Board.** Upon filing with the Board of an appeal or a request for a variance as required by the terms of this Ordinance, or for such other purposes as provided herein where the Board deems it in the public interest, the Board shall fix a time and place for a public hearing thereof as follows:
a. **Public Notice.** By publishing a notice at least once, at least one (1) week and not more than three (3) weeks in advance of such hearing, in a newspaper of general circulation in the Borough.

b. **Notice to Appellant.** By mailing a notice thereof by registered mail to the appellant.

c. **Notice to Local Officials.** By mailing a notice to the President of Council, the Commission, and the Borough Secretary.

d. **Notice to Interested Parties.** By mailing a notice thereof to every association of residents of the Borough, and any other interested party who shall have registered their names and addresses for this purpose with the Board.

e. **Nature of Notice.** The notice required shall be posted upon instructions from the Board and shall state the location of the building or lot in question and the general nature of the question involved.

### 6.700 AMENDMENTS

The Borough Council may, on their own motion or by petition, amend, supplement, change, modify, or repeal this Ordinance, including the Zoning Map, by proceeding in the following manner:

#### 6.701 Public Hearing.** The Council, by Resolution adopted at a stated meeting, shall fix the time and place of the public hearing on the proposed amendment. At least fifteen (15) days' notice of the time and place of such hearing shall be published in one (1) newspaper of general circulation. The notice shall state the general nature of the proposed amendment in such reasonable detail as will give adequate notice of its contents, and shall name the place or places where copies of the proposed amendment may be examined.

#### 6.702 Review by Planning Commission.** Every such proposed amendment or change, whether initiated by the Council or by petition shall be referred to the Commission for
report thereon before the public hearing hereinafter provided for. If the Planning Commission shall fail to file such a report within fifteen (15) days, it shall be conclusively presumed that the Planning Commission has approved the proposed amendment, supplement or change.

6.703 **Opportunity to be Heard.** At the public hearing, full opportunity to be heard shall be given to any citizen and all parties in interest.

6.704 **Two-Third Majority Required.** In case of a protest against such change, signed either by the owners, of thirty-three and one third percent (33-1/3%) or more, either of:

a. The area of the lots included in such proposed change, or of

b. The area of these lots immediately adjacent to said affected properties, including also all lots any part of which lies within one hundred (100) feet of the boundary of the area of such change; such amendment shall not become effective except by the favorable vote of two-thirds (2/3) of all the members of the Council.

6.800 **VIOLATIONS**

6.801 **Council May Initiate Appropriate Action.** In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, or of any ordinance or regulation made under authority conferred hereby, the Borough Council, or, with their approval, the Building Inspector or other proper official, in addition to other remedies, may institute any appropriate action of proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct, or abate such violation within 10 days and to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business, or use in or about such premises.
6.802 Violation punishable: Any person, firm, or corporation violating any provision of this ordinance shall, upon conviction, be punished by a fine not to exceed one hundred dollars ($100) for any offense, recoverable with costs, together with judgment or imprisonment not exceeding thirty (30) days if the amount of said judgment is not paid. Each day that a violation is permitted shall constitute a separate offense.

6.900 FILING FEES

The following fees shall be paid at the office of the Building Inspector upon the filing of an application:

6.901 Zoning Permits for uses not requiring Board action. Ten ($10.00) Dollars

6.902 Zoning Permits for uses requiring Board action. Twenty-five ($25.00) Dollars

6.903 Variance or Appeal Application. Twenty-five ($25.00) Dollars

6.904 Request for Amendment. Twenty-five ($25.00) Dollars

6.905 Certificates of Nonconformance. No Fee if application is made within twelve (12) months after the effective date of this ordinance. Otherwise, a fee of two ($2.00) dollars shall be paid.

6.906 Occupancy Permit. No Fee.

6.907 Application for Interpretation of Boundaries. No Fee.
AMENDMENT OF McADOO BOROUGH ZONING ORDINANCE

BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOROUGH OF McADOO THAT THE ZONING ORDINANCE SHALL BE AMENDED AS FOLLOWS:

Section 6.903. Variance or Appeal Application. Fifty ($50.00) Dollars plus all costs incurred as a result of the same.

Section 6.904. Request for Amendment. Fifty ($50.00) Dollars plus all costs incurred as a result of the same.

PASSED BY COUNCIL THIS 4th day of January, 1986

Borough of McAdoo

President

Joseph C. Bullet

Mayor

Attest:

Mary L. List

Secretary
AMENDMENT TO ZONING ORDINANCE OF THE BOROUGH OF MCAWDO

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF MCAWDO,
COUNTY OF SCHUYLKILL, COMMONWEALTH OF PENNSYLVANIA, AMENDING
SECTION 6.401 REQUIRING ZONING PERMITS.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND
ENACTED BY THE COUNCIL OF THE BOROUGH OF MCAWDO, PENNSYLVANIA,
THAT THE ZONING ORDINANCE OF THE BOROUGH OF MCAWDO IS HEREBY
AMENDED AS FOLLOWS: Section 6.401 Zoning Permits shall read as
follows:

6.401 Zoning Permits. The purpose of the Zoning Permit is to
determine compliance with the provisions of this
Ordinance, and no person shall erect, alter or convert
any structure, building, or part hereof, nor alter the
use of any land, subsequent to the adoption of this
Ordinance, until a Zoning Permit has been issued by the
Building Inspector. All applications for Zoning Permits
shall be in writing on forms to be furnished by the
Building Inspector. Zoning Permits shall be issued in
duplicate and one (1) copy shall be kept conspicuously
on the premises and no person shall perform building
operations of any kind unless a Zoning Permit is being
displayed as required by this Ordinance. The Building
Inspector or the Board of Adjustment may revoke a Zoning
Permit at any time if it appears that the application is
in any material respect false or misleading, or that work
being done upon the premises differs materially from that
called for in the application.

Zoning Permits shall be required for the following:
porch enclosures, sheds for storage, sidewalk or driveway
construction, fences, addition to homes, garage
construction or carports, decks or patios, outside stair-
wells, swimming pools (built in ground), outside
remodeling, such as replacing shingles, siding, brick
work, however roof repairing is hereby excluded.

It is further provided that churches, fire halls,
schools, and non-profit organizations are hereby exempt
from the application of this provision.

A fee of Ten ($10.00) Dollars shall be charged for
each and every Zoning Permit required.

ORDAINED AND ENACTED the 22 day of August, 1991.

BOROUGH OF MCAWDO

[Signatures]