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ZONING ORDINANCE

BOROUGH OF BLOOMING VALLEY, CRAWFORD COUNTY, PENNSYLVANIA

AN ORDINANCE regulating the location and the use of structures and land for residences, business, industry, and other purposes; regulating the location and height of structures, size of yards and other open spaces, automobile parking and the density of population; providing a method of administration by establishing a Zoning Hearing Board and prescribing penalties for violations.

WHEREAS it is the finding of the Governing Body that this Ordinance is in accordance with the spirit and intent of the Comprehensive Plan for the Borough, now therefore;

BE IT HEREBY ORDAINED by the Borough Council of the Borough of Blooming Valley, County of Crawford, Commonwealth of Pennsylvania:

ARTICLE 1 - BASIC PROVISIONS

101 TITLE: This Ordinance may be cited as Blooming Valley Borough Zoning Ordinance.

102 EFFECTIVE DATE: This Ordinance shall take effect the 5th of April 1971.

103 DEFINED WORDS: Words used in a special sense in this Ordinance are defined in Article 6.

104 COMMUNITY DEVELOPMENT OBJECTIVES: The community development objectives which are the basis for the provisions of this Ordinance are set forth in the Comprehensive Plan as adopted and amended by the Governing Body. A summary of the most pertinent of these objectives with regard to the provisions of this ordinance are given as follows:

104.1 Sound commercial developments within the limits of the economic feasibility of the population should be permitted where they can create a stable business environment.

104.2 Because it is characteristic of development to be dispersed, future land use activity should be planned to accommodate the use of the automobile.

104.3 All future development should provide adequate off-street parking facilities.

104.4 Industrial traffic, through traffic and high speed traffic should be limited to the minor arterial and major collector roads as defined and classified in Crawford County's Official Functional Classification Map approved in cooperation with PennDOT. S.R. 77 is classified as a minor arterial road; S.R. 198 is a major collector road.

104.5 All development should be evaluated for any detrimental effects on the purity of the water and the air.

104.6 All development should preserve as much woodland as possible.

Another objective, which was established after the comprehensive plan, was adopted and which was set forth in the Borough's Sewage Facilities Plan and subsequent revisions is as follows:

104.7 The Borough intends to promote development which can accommodate on-lot sewage and water systems because the Borough Council has no intention of constructing public sanitary sewer or water systems within its boundaries.

Regional objectives were established in 1970 when Blooming Valley Borough participated in a regional planning program with Saegertown Borough, Cussewago, Hayfield, Summit and Woodcock Townships. This program resulted in a regional development plan, which articulated the following objectives:

104.8 On a regional basis land should be identified for appropriate industrial uses in areas that are insulated from existing and future residential neighborhoods and where traffic and railroad access is favorable for industrial development.

104.9 To provide for the harmonious arrangement of land uses for future development including agricultural, residential, commercial and light manufacturing activities, and to do so based on a regional development plan which is provided in the appendix of this ordinance.

Objectives resulting from a Study of Environmental Constraints and Borough and Regional Land Use Patterns dated January 1994 are as follows:

104.10 The dominant development characteristic of the Borough is a linear pattern of residential development along all existing roads in the Borough and no commercial/industrial uses should intrude on these residential environments except through a conscious land use policy as expressed in the Borough's comprehensive plan and in this ordinance.

*(104 Amended May 9, 1994, Ordinance #1)*

105 ZONING MAP: A map entitled "Blooming Valley Borough Zoning Map" is hereby adopted as a part of this Ordinance. The Zoning Map shall be kept on file for examination in the office of the Borough Secretary in the Municipal Building.

106 COMPLIANCE: No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance.

107 SEVERABILITY: If any provision of this Ordinance or the application of any provision to particular circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other circumstances shall not be affected.

ARTICLE 2 - DISTRICT REGULATIONS

201 ZONING DISTRICTS: The Borough shall be divided into the following zoning districts which are displayed on the Zoning Map as redrafted February, 1994 attached hereto and incorporated herein by reference; the zoning districts are enumerated as follows:

*(201 Amended May 9, 1994, Ordinance #1)*

- A-1 Conservation
- A-2 Agriculture
- R-1 Single Family
- B-1 Business

Regulations for each district are set forth as follows and in other sections of this ordinance. No land shall be used or occupied and no structure or part thereof shall be constructed, reconstructed, moved, or structurally altered except in conformity with the regulations specified for the district in which it is located, and except as regulated in applicable sections of this ordinance:

A-1 Conservation

Permitted Uses

- a. Agriculture
- b. Open land recreation
- c. Parks
- d. Accessory uses

Conditional Uses

- a. Single family dwelling
- b. Schools
- c. Churches
- d. Cemeteries

Special Exception

See Section 303 of this ordinance

Bulk Regulations

- a. Minimum lot area.....10 acres
- b. Minimum lot width.....300 feet
- c. Front Yard..... A minimum of 50 feet
- d. Side Yards..... A minimum of 50 feet
- e. Rear Yard..... A minimum of 50 feet

*(A-1 Bulk Regulations (a), (b), (d) Amended November 8, 1999, Ordinance #3)*

A-2 Agricultural

Permitted Uses

- a. Agriculture
- b. Open land recreation
- c. Parks, schools, churches
- d. Single family dwelling
- e. Cemeteries
- f. Accessory uses

Conditional Uses

- a. Planned residential development
- b. Mobile home park
- c. Two family dwelling
- d. Rest home
- e. Clinic
- f. Public utility structure
- g. Airport
- h. Public building

Special Exception Uses

See Section 303 of this ordinance

Bulk Regulations

- a. Minimum lot area.....5 acres
- b. Minimum lot width.....200 feet
- c. Front yard..... A minimum of 50 feet
- d. Side yards..... A minimum of 30 feet
- e. Rear yard..... A minimum of 50 feet

*(A-2 Bulk Regulations (a), (b), (d) Amended November 8, 1999, Ordinance #3)*

*(A-2 Bulk Regulations (d) Amended October 8, 2001, Ordinance #1)*

R-1 Single Family

Permitted Uses

- a. Single family dwelling
- b. Parks, schools, churches
- c. Agriculture
- d. Accessory uses

Conditional Uses

- a. Planned residential development
- b. Two family dwelling
- c. Clinic
- d. Public utility structure
- e. Public building
- f. Cemeteries

Special Exception Uses

See Section 303 of this ordinance

Bulk Regulations

- a. Minimum lot area ..... 1.5 acres
- b. For each dwelling unit in addition to the initial dwelling unit and/or building .....4,000 square feet
- c. Minimum lot width ..... 125 feet
- d. Front yard ..... A minimum of 30 feet
- e. Side yards ..... A minimum of 15 feet
- f. Rear yard..... A minimum of 35 feet

*(A-2 Bulk Regulations (a), (c), (e) Amended November 8, 1999, Ordinance #3)*

*(A-2 Bulk Regulations (a) and (e) Amended October 8, 2001, Ordinance #1)*

B-1 Business

Permitted Uses

- a. Retail stores
- b. Service shops
- c. Eating and drinking places
- d. Theaters, bowling alleys
- e. Offices
- f. Banks
- g. Auto sales and repair
- h. Gas stations
- i. Hotels
- j. Commercial recreation
- k. Commercial schools
- l. Hospitals and clinics
- m. Public building
- n. Parks, schools, churches
- o. Agriculture
- p. Public utility structure
- q. Funeral homes
- r. Accessory uses

Conditional Uses

- a. Multiple dwellings
- b. Shopping centers
- c. Wholesale businesses
- d. Research laboratories
- e. Light manufacturing activities; providing the following additional standards are met:  
(1) minimum lot size shall be 30,000 square feet, (2) all activities except for off-street parking shall be conducted within the building(s), (3) there shall be no material or vehicular storage outside the building(s).

Special Exceptions Uses

See Section 303 of this ordinance

Bulk Regulations

- a. Minimum lot size .....20,000 square feet
- b. For each dwelling unit added to the initial dwelling unit and/or building.....2,500 square feet
- c. Minimum lot width .....100 feet
- d. Front yard.....Minimum of 50 feet
- e. Side yards.....Minimum of 20 feet
- f. Rear yard.....Minimum of 50 feet

*(201 Amended May 9, 1994, Ordinance #1)*

202 DISTRICT BOUNDARIES: District boundaries shown on the lines of roads, streams, and transportation rights-of-way shall be deemed to follow the centerlines. The vacation of roads shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Ordinance.

203 PERMITTED USES: The permitted uses for each district are shown in Section 201 ZONING DISTRICTS as herein amended. Uses not specifically listed shall not be permitted.

*(203 Amended May 9, 1994, Ordinance #1)*

204 CONDITIONAL USES: The Governing Body may authorize conditional uses as specified in Section 201 ZONING DISTRICTS, as herein amended, if all conditions and provisions of Article 4 are met.

*(204 Amended May 9, 1994, Ordinance #1)*

205 HEIGHT REGULATIONS: No structure shall exceed 45 feet in height above average ground level unless approved by the Zoning Hearing Board. The Board may authorize a variance to the height regulations in any district if:

205.1 All front, side, and rear yard depths are increased one foot for each additional foot of height; or

205.2 The structure is any of the following and does not constitute a hazard to an established airport:

- Television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers and scenery lofts, cooling towers, ornamental towers



and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and flagpoles.

206 FLOOR AREA REQUIREMENTS: For single family dwellings the requirements shall be, where the living area consists of one single level not less than 720 square feet; where the living area consists of more than a single level not less than 576 square feet for each level.

*(206 Amended July 7, 1980, Ordinance #1)*

207 LOT AND YARD REQUIREMENTS: The minimum lot area, minimum width of lot, minimum depth of front yard, and minimum width of each side yard for each district shall be as shown in Section 201 as herein amended.

*(207 Amended May 9, 1994, Ordinance #1)*

207.1 Lots which abut on more than one street shall provide the required front yards along every street.

207.2 All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies, or platforms above normal grade level, shall not project into any minimum front, side, or rear yard.

207.3 Any lot of record existing at the effective date of this ordinance and then held in separate ownership different from the ownership of adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this Ordinance.

207.4 Where septic tanks or on lot sewage treatment occurs, the minimum lot size shall not be less than required by percolation tests, and in no case shall it be less than one-half acre.

207.5 Non-residential structures or uses shall not be located or conducted closer to any lot line of any other lot in any "A" or "R" District than the distance specified in the following schedule:

Minimum Side or Rear  
Yard abutting any Lot  
in any "R" District

USE

20 Feet

Off-street parking spaces  
and access drives for  
nonresidential uses.

40 Feet

Churches, schools, and public  
or semi-public structures.

70 Feet

Recreation facilities,  
entertainment facilities,  
motels, all business uses,  
and manufacturing uses.

*(207.5 Amended May 9, 1994, Ordinance #1)*

ARTICLE 3 - GENERAL REGULATIONS

301 NON-CONFORMING USES: The following provisions shall apply to all non-conforming uses:

301.1 A non-conforming use may be continued but may not be extended, expanded, or changed unless to a conforming use, except as permitted by the Zoning Hearing Board in accordance with the provisions of this Ordinance.

301.2 A zoning certificate must be obtained within one year by the owner of any non-conforming use as evidence that the use lawfully existed prior to the adoption of the provision which made the use non-conforming.

301.3 Any non-conforming structure damaged by fire, flood, explosion, or other casualty may be reconstructed and used as before if such reconstruction is performed within 12 months of such casualty, and if the restored structure has no greater coverage and contains no greater cubic content than before such casualty.

301.4 In the event that any non-conforming use, conducted in a structure or otherwise, ceases, for whatever reason, for a period of one year, or is abandoned for any period, such non-conforming use shall not be resumed.

302 ACCESSORY USES: The following provisions shall apply to accessory uses:

302.1 Accessory farm buildings shall not be erected within 100 feet of a neighboring property.

302.1(a) Feed lots, runs, pens, and similar intensively used facilities for animal raising and care shall not be located within 300 feet of a neighboring property.

302.1(b) Roadside stands for sale of homegrown fruits and vegetables shall be permitted if they are erected at least 30 feet off the road and parking space is provided off the road.

302.2 Every swimming pool shall be enclosed by a fence or wall not less than four feet high to prevent uncontrolled access by small children.

302.3 The exterior storage of not more than one motor vehicle which does not have a current inspection sticker shall be considered an accessory use, but two or more shall constitute an auto salvage business and shall not be permitted as an accessory use.

303 SPECIAL EXCEPTIONS: A special exception use is permitted under special standards and criteria which insure that the use will not prove injurious to the zoning district in which it locates and to the public interest in general. An applicant desiring a special exception use shall submit adequate information including development plans where applicable to the Zoning Hearing Board which shall hear and decide the request in accordance with the standards and criteria established in this Ordinance. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purpose of this Ordinance.

*(303 Amended February 7, 1977, Ordinance #1)*

303.1 The Zoning Hearing Board shall not authorize special exceptions from the regulations of this Ordinance unless it shall make findings, based upon the evidence presented, that the following general standards and criteria are adhered to:

(a) The use in question will promote the health, safety, morals, and general welfare of the Borough.

(b) The special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity nor will it be inconsistent with the character of the surrounding neighborhood.

(c) The special exception will not substantially diminish and impair an adequate supply of light and air to adjacent properties or overcrowd the land, or create an undue concentration of population, or substantially increase the congestion in the streets, or create hazardous traffic conditions, or increase the danger of fire, or otherwise endanger the public safety.

*(303.1 Amended February 7, 1977, Ordinance #1)*

303.2 The following uses may be authorized as special exceptions and in addition to the general criteria set forth in Section 303.1 above these uses shall comply with more particular requirements as established hereunder:

(a) Living quarters in an accessory structure as an accessory use to a single-family house to accommodate domestic employees of the principal building.

(b) The accommodation of not more than two non-transient roomers as an accessory use to a single-family house provided that no sign is displayed.

(c) Directional signs of a reasonable size in connection with any legal business or industry provided they contain no information other than instructions for convenience of vehicular traffic in reaching such business or industry.

(d) Temporary structures and trailers used in conjunction with construction work may be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a six-month period.

(e) In addition to the general criteria established under this article, home occupations may be permitted as special exceptions providing they comply with the requirements set forth in this section. The purpose of the home occupations provision is to permit the conduct of a business for supplemental home income purposes. Home occupations shall be limited to those uses which may be conducted on a residential property without altering its basic residential character:

(1) There is no sign on the property larger than three (3) square feet in area advertising the home occupation activity and no display that will indicate from the exterior that the building and/or accessory buildings are being utilized, in part, for any purpose other than that of a dwelling.

(2) The sale of any commodity not produced or fabricated on the premises shall not constitute, either by volume or by amount of dollars, more than one-half of total sales;

(3) There are no more than a total of four (4) persons including members of the family occupying the residence, engaged in such use, occupation, or profession;

(4) There is no type of mechanical or electrical equipment used except as might normally be used for domestic and avocational purposes;

(5) There is no electrical disturbance that would create visual or audible interference in radio or television receivers off the premises;

(6) There are no more than six (6) vehicular trips generated by the use to and from the premises at the busiest hour of the normal operating day;

(7) There are sufficient off-street parking spaces to accommodate one space for each person engaged in such use, occupation, or profession plus two (2) additional spaces; off-street parking requirements, except for members of the family occupying the residence shall be met in an area other than the required front-yard;

(8) Outdoor work, service, and storage areas, if any, shall be screened from the view of public roads and from adjacent residences;

(9) There shall be no noise, odor, dust, fumes, glare, or flashing light, which normally is considered objectionable, perceptible without instruments more than 25 feet from the boundaries of the lot;

(10) Where a new building or structure is proposed for construction on a premises for the purposes of use in a home occupation activity, the new building or structure shall comply with the requirements listed above, shall be subordinate to the dwelling of the premises, shall be compatible with the residential character of the business and shall be utilized for Home Occupational activity in no more than 50% of its floor area, providing however, the Board may waive the 50% area requirement if the proposed use, in its opinion, will not change the residential character of the premises and of the neighborhood.

*(303.2 Amended February 7, 1977, Ordinance #1)*

303.3 Where a special exception to this Ordinance is requested, the governing body shall require an advertising deposit and a filing fee in accordance with a schedule annually affixed by resolution. If such request is not presented to the Zoning Hearing Board for consideration, the advertising deposit shall be refunded to the applicant; otherwise, such deposit shall be paid to the municipality.

*(303.3 Amended February 7, 1977, Ordinance #1)*

303.4 The Zoning Board of Adjustment, upon an application being presented requesting a special exception shall give public notice of the hearing thereon, said notice to be by publication in the Meadville Tribune or such other paper of general circulation within the Borough, once a week for two consecutive weeks, with the first publication being not more than thirty (30) days nor less than fourteen (14) days prior to the date set for the hearing.

*(303.4 Amended February 7, 1977, Ordinance #1)*

304 SIGNS: No sign, billboard, or exterior graphic display shall be permitted in any district except as herein provided.

304.1 In any district a sign not exceeding one square foot in surface size is permitted which announces the name, address, or professional activity of the occupant of the premises on which said sign is located.

304.2 A bulletin board not exceeding twenty-four square feet is permitted in connection with any church, school or similar public structure.

304.3 A temporary real estate or construction sign of reasonable size is permitted on the property being sold, leased or developed. Such sign shall be removed promptly when it has fulfilled its function.

304.4 Business signs shall be permitted in connection with any legal business or industry when located on the same premises, and if they meet the following requirements.

304.4(a) Signs shall not contain information or advertising for any product not sold on the premises.

304.4(b) Signs shall not have a combined aggregate surface size greater than five square feet for each foot of width of the principal structure on the premises.

304.4(c) Signs shall not project over public rights-of-way.

304.4(d) Signs and structures shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.

305 OFF-STREET PARKING: Off-street parking spaces shall be provided in accordance with the specifications in this section in any district whenever any new use is established or existing use is enlarged.

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
Dwelling	Two for each dwelling unit
Church, Theater, School	One for every four seats in largest meeting room
Stores, Shops, Restaurants, Clubs, Funeral Homes	One for every 100 square feet of public floor space
Business Services, Warehouses, Professional Offices	One for every 250 square feet of net floor area
Manufacturing Plants	One for every two employees
Hospitals	One for every two beds
Motels	One for each rental unit

305.1 No off-street parking space shall have an area less than 200 square feet exclusive of access drives.

305.2 Any off-street parking lot for more than five vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.

305.3 Any lighting used to illuminate any off-street parking lot shall be so arranged as to reflect the light away from adjoining premises in any "R" District.

306 OFF-STREET LOADING: One off-street loading berth of not less than 35 feet by 10 feet shall be provided for every business and manufacturing use with a floor area of more than 10,000 square feet; with one additional berth required for each additional 25,000 square feet of floor area.

*(306 Amended May 9, 1994, Ordinance #1)*



## ARTICLE 4 - CONDITIONAL USES

401 GENERAL: Conditional Uses as specified in Article 2 may be allowed or denied by the Governing Body after recommendations by the Planning Commission in accordance with the criteria and provisions.

402 APPLICATION: Applications for conditional uses will be filed with the Zoning Officer and shall be accompanied by:

402.1 An application fee is an amount equal to that set by resolution of the Governing Body.

402.2 Five copies of a site plan and supporting data which shows the size, location, and topography of the site, the use of adjacent land, the proposed size, bulk, use and location of the buildings; the location and proposed function of all yards, open spaces, parking areas, driveways, storage areas and accessory structures; the location of all utilities, the provisions for parking, moving or loading of vehicles, and the timing of construction proposed.

403 REVIEW: The Zoning Officer shall forward copies of the Application to the Governing Body and to the Planning Commission for review and approval.

403.1 The Planning Commission shall forward its recommendation within 45 days unless the petitioner agrees in writing to a time extension and failure to act within the allotted time shall be deemed to be a favorable recommendation.

403.2 The Governing Body may attach such conditions as they deem necessary to the approval of any conditional use. The approved site plan and all attached conditions shall be recorded by the petitioner within 30 days of final approval. All development, construction and use shall be in accordance with the approved plan, unless a revised plan is submitted, approved and recorded. Any development contrary to the approved plan shall constitute a violation of this Ordinance.

404 CRITERIA FOR APPROVAL: A conditional use shall be approved if and only if it is found to meet the following criteria:

404.1 The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.

404.2 The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this Article.

404.3 The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards of Section 405.

404.4 The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

404.5 The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.

404.6 The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.

404.7 The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

405 PERFORMANCE STANDARDS: All conditional uses shall comply with the requirements of this section. In order to determine whether a proposed use will conform to the requirements of this Ordinance, the Governing Body may obtain a qualified consultant to testify, whose cost for services shall be borne by the applicant.

405.1 Fire Protection: Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

405.2 Electrical Disturbances: No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.

405.3 Noise: Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

405.4 Vibrations: Vibrations detectable without instruments on neighboring property in any district shall be prohibited.

405.5 Odors: No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

405.6 Air Pollution: No pollution of air by fly ash, dust, smoke, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation or other property.

405.7 Glare: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

405.8 Erosion: No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

405.9 Water Pollution: Water Pollution shall be subject to the standards established by the State Sanitary Water Board.

406 MOBILE HOME PARKS: Mobile home parks shall be permitted only if in accordance with all State and County laws and with the requirements following:

406.1 The minimum area of a mobile home park shall be five acres.

406.2 Each mobile home site within the mobile home park shall have a minimum area of 4,000 square feet.

406.3 Each mobile home site shall have a minimum width of 40 feet.

406.4 Not less than 10 per cent of the gross area of the mobile home park shall be improved for recreational activities for the residents of the park.

406.5 The mobile home park shall be appropriately landscaped and screened from adjacent properties.

406.6 The mobile home park shall meet all applicable requirements of the Subdivision Control Ordinance.

406.7 Coin-operated laundries, laundry and dry cleaning pickup stations and other commercial convenience establishments may be permitted in mobile home parks provided: (1) they are subordinate to the residential character of the park; (2) they are located, designed and intended to serve only the needs of persons living in the park; (3) the establishments and the parking areas related to their use shall not occupy more than 10 per cent of the total area of the park; and (4) the establishments shall

present no visible evidence of their commercial nature to areas outside the park.

ARTICLE 5 - ADMINISTRATION AND ENFORCEMENT

501 ZONING OFFICER: The Zoning Officer, who shall be appointed by the Governing Body, shall:

501.1 Administer and enforce the provisions of this Ordinance in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this Ordinance.

501.2 Issue Zoning Certificates and Building Permits.

501.3 Maintain a permanent file of all Zoning Certificates and applications as public records.

502 ZONING CERTIFICATES: A Zoning Certificate shall be obtained before any person may:

502.1 Occupy or use any vacant land; or

502.2 Occupy or use any structure hereafter constructed, reconstructed, moved, altered or enlarged; or

502.3 Change the use of a structure or land to a different use; or

502.4 Change a non-conforming use.

502.5 Applications for a Zoning Certificate shall be accompanied by a plot plan showing clearly and completely the location, dimensions and nature of any structure involved and such other information as the Zoning Officer may require for administration of this Ordinance, together with a filing fee in accordance with a schedule annually affixed by resolution of the Governing Body.

503 ENFORCEMENT PENALTIES: Any person, partnership or corporation who or which shall violate the provisions of this Ordinance 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.

504 ENFORCEMENT REMEDIES: In case any building, structure or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Governing Body, in addition to other remedies, may

institute in the name of the Municipality any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

505 AMENDMENTS: The Governing Body may amend this Ordinance as proposed by a member of the Governing Body, by the Planning Commission, or by a petition of a person residing or owning property within the Municipality in accordance with the following provisions.

505.1 Petitions for amendment shall be filed with the Planning Commission. The petitioner, upon such filing, shall pay an advertising deposit and a filing fee in accordance with a schedule annually affixed by resolution. The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to the Governing Body and to the petitioner. The proposed amendment shall be introduced before the Governing Body only if a member of the Governing Body elects to do so. If an amendment proposed by petition is not introduced, the advertising deposit shall be refunded to the petitioner; otherwise, such deposit shall be paid to the Municipality.

505.2 Any proposed amendment introduced by a member of the Governing Body without written findings and recommendations from the Planning Commission shall be referred to the Planning Commission for review at least thirty days prior to public hearing by the Municipality.

505.3 Before voting on the enactment of an amendment the Governing Body shall hold a public hearing thereon pursuant to public notice. If, after any public hearing held upon an amendment, the proposed amendment is revised or further revised to include land previously not affected by it, the Governing Body shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

506 ZONING HEARING BOARD: In accordance with law, the Governing Body shall appoint and organize a Zoning Hearing Board, which Board shall adopt rules to govern its procedure. The Board shall hold meetings, keep minutes and, pursuant to notice, shall conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions in writing, all as required by law. A fee shall be charged in accordance with a schedule annually affixed by resolution for any appeal or proceeding filed with the Zoning Hearing Board. The Zoning Hearing Board shall have the functions, powers and obligations specifically granted by law.



## ARTICLE 6 - DEFINITIONS

601 GENERAL: Certain words used in this Ordinance are defined below. Words used in the present tense shall include the future. The singular number shall include the plural, and the plural the singular. The word "shall" is mandatory and not permissive.

601.1 Agriculture: Any use of land or structures for farming, dairying, pasturage, agriculture, horticulture, floriculture, arboriculture, or animal or poultry husbandry. Uses permitted in conjunction with an agricultural use may include barns, stables, corn cribs, silos, and any other use or structure that is clearly related to an agricultural operation.

601.2 Area: Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

601.3 Clinic: Any establishment where human patients are examined and treated by doctors or dentists but not hospitalized overnight.

601.4 Dwelling: Any structure designed or used as the living quarters for one or more families.

601.5 Family: One or more persons occupying a premise and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

601.6 Governing Body: Borough Council, Borough of Blooming Valley, Crawford County, Pennsylvania.

601.6A Home Occupation: A secondary use of a dwelling unit and/or building accessory thereto for gainful employment involving the manufacture, provision, or sale of goods and/or services.

*(601.6A Added February 7, 1977, Ordinance #1)*

601.7 Light Manufacturing: The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard or noxious emission which will disturb or endanger neighboring properties; and characterized by the making of finish goods or products from previously prepared materials. Light manufacturing includes the production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic



plates; type composition; machine tools; dies and gages; ceramics; apparel; lightweight non-ferrous metal castings; film processing; light sheet metal products; plastic goods; pharmaceutical goods; and food products, but not animal slaughtering, curing nor rendering of fats.

*(601.7 Amended May 9, 1994, Ordinance #1)*

601.8 Lot: A parcel of land occupied or capable of being occupied by one or more structures.

601.9 Lot of Record: Any lot which individually or as a part of a subdivision has been recorded in the office of Recorder of Deeds of the County.

601.10 Lot, Depth of: A mean horizontal distance between the front and rear lot lines.

601.11 Lot, Minimum Area of: The horizontally projected area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.

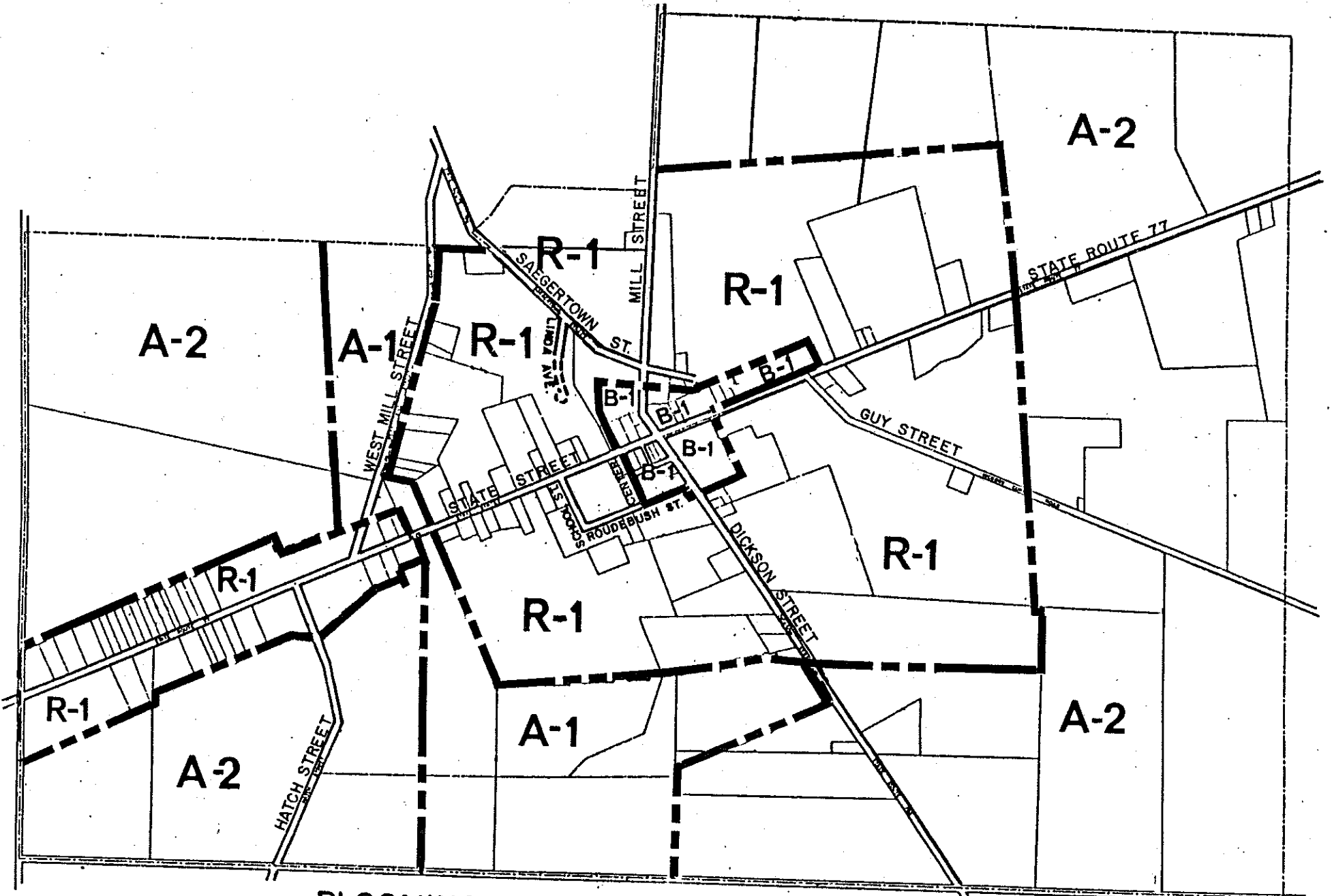
601.12 Lot, Width of: The mean width measured at right angles to its depth.

601.13 Manufacturing: The processing and fabrication of any article, substance or commodity.

601.14 Non-Conforming Use: Non-conforming use is any use or arrangement of land or structures legally existing at the time of enactment of this Ordinance or any of its amendments, which does not conform to the provisions of this Ordinance.

601.15 Structure: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including, in addition to buildings, billboards, carports, porches, and other building features but not including sidewalks, drives, fences, and patios.

601.16 Supply Yard: A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.



**BLOOMING VALLEY BOROUGH  
OFFICIAL ZONING DISTRICT MAP**

A-1 CONSERVATION      R-1 SINGLE-FAMILY  
A-2 AGRICULTURAL      B-1 BUSINESS

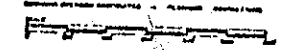
SCALE 1" = 1058'

CRANEFORD COUNTY PLANNING SERVICE

**MAP EXHIBIT I**

BLOOMING VALLEY BOROUGH  
THE SAEGERTOWN  
REGIONAL PLANNING COMMISSION

The Commission is not responsible for the accuracy of the information shown on this map. The Commission is not responsible for the accuracy of the information shown on this map. The Commission is not responsible for the accuracy of the information shown on this map.



**BLOOMING VALLEY ZONING ORDINANCE SECTIONS AFFECTED BY  
ORDINANCES AMENDING THE ZONING ORDINANCE  
FROM 1977 THROUGH 2002**

**Affected by Ordinance No. 1 of 1973**

<u>Provision Affected</u>	<u>How Affected</u>
Zoning Map	B-1 District Boundary change

**Affected by Ordinance No. 1 of 1977**

<u>Provision Affected</u>	<u>How Affected</u>
Section 601.6A	Added
Section 303	Amended
Section 303.1	Amended
Section 303.2	Amended
Section 303.3	Amended
Section 303.4	Amended

**Affected by Ordinance No. 1 of 1980**

<u>Provision Affected</u>	<u>How Affected</u>
Section 206	Amended

**Affected by Ordinance No. 1 of 1994**

<u>Provision Affected</u>	<u>How Affected</u>
Section 104	Amended
Section 601.7	Amended
Section 201 (Table 201 deleted)	Amended
Section 203	Amended
Section 204	Amended
Section 207	Amended
Section 207.5	Amended

**Affected by Ordinance No. 3 of 1999**

<u>Provision Affected</u>	<u>How Affected</u>
Section 201 Bulk Regulations A-1. (a), (b), and (d)	Amended
Section 201 Bulk Regulations A-2. (a), (b), and (d)	Amended
Section 201 Bulk Regulations R-1. (a), (c), and (e)	Amended

**Affected by Ordinance No. 1 of 2001**

Provision Affected

How Affected

Section 201Bulk Regulations A-2. (d)	Amended
Section 201Bulk Regulations R-1. (a) and (e)	Amended