

EAST FAIRFIELD TOWNSHIP

ZONING ORDINANCE

Adopted Oct. 20, 1966

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ZONING ORDINANCE PREPARED BY THE EAST FAIRFIELD TOWNSHIP
PLANNING AND ZONING COMMISSIONS

* * * * *

AN ORDINANCE TO DIVIDE EAST FAIRFIELD TOWNSHIP INTO DISTRICTS OR ZONES AND TO REGULATE THEREIN THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND: THE HEIGHT AND SIZE OF BUILDINGS AND OTHER STRUCTURES AND PERCENTAGE OF LOT THAT MAY BE OCCUPIED: THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES: AND THE DENSITY OF POPULATION.

SECTION I.

Whereas, the Board of Supervisors of East Fairfield Township deems it necessary to the promotion of health, safety, morals, and the general welfare of East Fairfield Township to regulate the use, size and location of buildings; the size and location of yards and other open spaces in relation to buildings; and the use of land; and to divide the Township into such districts as are necessary for this purpose--

The following districts are hereby created, and the following regulations governing buildings and structures, and land therein shall hereafter apply.

SECTION II.

For the purpose of this ordinance, East Fairfield Township is divided into the following five classes of districts;

1. Agricultural Districts
2. ~~Residence Districts R-1~~
3. Residence Districts R-2
4. Business Districts
5. Industrial Districts
6. Public Facilities

The boundaries of such districts and classes of districts are hereby established as shown on the map entitled: "Zoning Map for East Fairfield Township," which map accompanies and is hereby declared to be a part of this ordinance.

SECTION III.

From and after the date this ordinance becomes effective, any existing building or structure, or any existing use of building or land, not in conformity with the regulations herein prescribed, shall be regarded as non-conforming but may continue in such non-conformance subject to the special regulations herein provided with respect to such non-conforming buildings, or structures, or land.

SECTION IV, DEFINITIONS

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

Accessory Use - A use customarily incidental to the use of a building for dwelling purposes and including:

1. The office or studio of a physician or surgeon, dentist, artist, musician, lawyer, architect, engineer, teacher or dressmaker, residing on the premises.

Alley - A public thoroughfare placed at the rear of lots, and not more than (20) feet in width, or as otherwise defined by the Township Supervisors.

Alteration of Building - Any change in supporting construction of a building except such changes as may be required for its safety, and any addition to a building, and major change in use.

Block - The length of a street between two intersections and other than that as defined as alleys.

Boarding House - A house in which more than five people are sheltered or fed for profit.

Board of Adjustment - A board appointed by the Township Supervisors consisting of three persons.

Center Line of Street or Road - A line midway between and parallel to the two street or property lines, or as otherwise defined by the Township Supervisors.

Clubhouse - A building to house a club or social organization, not conducted for profit and which is not an adjunct to or operated by or in connection with a public tavern, cafe, restaurant, or other place or business.

Commercial Assembly - Such term shall apply to any business which in its normal conduct requires a patron to remain on the premises to receive the value of the rendered service, such as a public eating place, dance hall, drive-in theater, skating rink, tavern, games, concessions, and amusements.

Corner Lot - A lot fronting on two streets and (or) roads at their intersection.

Curb Level - The mean curb level as established by the Township Supervisors or, in the absence of an established curb level, the mean level of the curb or of the lot at the street line, or as may be set or determined by the Township Engineer and approved by the Township Supervisor.

Dwelling - A building designed for and occupied exclusively for residence purposes, excluding any structure to be used for commercial purposes.

Fireproof Construction - For the purpose of this ordinance, construction shall be considered fireproof if all exterior walls of a building are constructed entirely of stone, brick, concrete, or other equally noncombustible materials, and shall have the roof, top, and sides of all such fixtures as dormer windows, parapet walls, porches, bay windows, windows and door frames, and sashes and cornices, covered with or made of noncombustible material; and, in addition, if all iron or steel beams, girders, or column, supporting in whole or in part the enclosing division walls, are protected against fire by a covering of brick, terra cotta, fire clay, tile or other approved fire-proofing, completely enveloping said structural members.

Front Yard - Space between the building line or front main wall of a building and the front property line as established by the right of way.

General Assembly- Such as is defined by the statutes of Pennsylvania.

Height of Building - The vertical distance measured from the average ground level at the sides of the building to the extreme high point of the building, exclusive of chimneys and similar fixtures.

Lot - A parcel of land occupied by or which may be occupied by a building and its accessory buildings and including the yards and other open spaces.

Main Street - The street upon which the majority of the lots within a block are fronted or any street so designated by the Township Supervisors.

Mutiple-Family Dwelling -- Any building under a single roof, with or without fire wall partitions, designed for occupancy by two or

more families living as households.

Private Garage - A garage not conducted as a business or used for the storage of more than one commercial vehicle.

Private Sewer - Sewerage and refuse facilities such as a septic tank or cesspool of approved construction or made with adequate sub-surface drainage for all overflow unless otherwise authorized as a special exception by the Board of Adjustment.

Public Garage - A garage conducted as a business. The rental of storage space for a commercial vehicle or for more than two pleasure vehicles not owned by Tenants on the same lot shall be deemed a business use.

Public Sewer - A public sewer shall be considered as such when refuse, waste, or water are delivered by enclosed drainage to a properly authorized and supervised disposal plant.

Rear Yard - An open space on the same lot with a building, between the rear wall of the building and the rear line of the lot, and unoccupied except for accessory buildings and open porches.

Side Yard - An open unobstructed space on the same lot with a building, between the building and the side line of the lot and extending through from the front to the rear yard.

Single Family Dwelling - A detached house permanently equipped with cooking facilities for and designed for the use of a single household including one or more people living as a household, and such structures not to be used for any commercial purposes.

Story - Portion of building included between the surface of any above-ground floor and the surface of the floor next above.

Street Line - A street or road line is the right of way line of a street, road or other public thoroughfare, publicly or privately

owned as shown on the maps or records of East Fairfield Township or as otherwise legally established.

Terms - The present tense shall include the "future;" the singular shall include the "plural," and the plural the "singular." The word "shall" is always mandatory.

Township Engineer - A certified civil engineer as may be designated and approved by the Supervisors of East Fairfield Township on a permanent or temporary basis.

Zoning Officer - A person appointed by the Township Supervisors to assure the observance or the provisions of this ordinance.

SECTION V, AGRICULTURAL DISTRICTS

A. USE: In agricultural districts no building or structure shall be erected, constructed, or altered, and no land shall be used, for any purpose other than some form or part of agriculture or horticulture, a dwelling, boarding house, clubhouse, church, school, public park or playground, or other use of similar character not specifically prohibited hereinunder, except as provided by Section II and paragraphs A and I of Section XII.

The following uses shall be prohibited in Agricultural Districts: all forms of processing or manufacturing except the processing of farm products on the farm where produced; all stationary signs or billboards except as permitted under Section II; automobile graveyards or disassembly plants; and the storage of crude oil or any of its inflammable liquids in above-ground tanks of capacity greater than five thousand (5,000) gallons, and such tanks shall not be located nearer than one thousand (1,000) feet to any dwelling.

B YARD, AREA, AND HEIGHT RESTRICTIONS:

General - No dwelling shall be erected on a lot with an area of less than one acre, except that a permit may be issued for the construction of a dwelling house, within an agricultural area, in accordance with the provisions applying to such construction within Residential Districts R-1 or R-2. No clubhouse shall be erected on a property or lot with an area of less than three (3) acres.

Front Yards - No building, exclusive of open porches and overhanging eaves and cornices, shall extend nearer to the center line of any road, street, or highway than seventy-five (75) feet.

Side and Rear Yards - No building other than a one-story garage or other accessory one-story building shall be placed nearer

to a side property than twelve (12) feet, nor nearer to a rear property line than thirty-five (35) feet. A garage or other accessory building not exceeding one story in height may be placed to within three (3) feet of a side or rear property line.

Height - There shall be no restriction upon height of buildings in Agricultural Districts except that for each foot a building exceeds a height of thirty-five (35) feet, the distance of its offset from a side property line shall be increased by two (2) feet.

SECTION VI, RESIDENCE DISTRICTS, R-2

A. USE: Residence Districts R-2 are intended primarily for dwellings serviced by a private sewer system. No building or structure shall be used and no building or structure shall be built, altered or erected to be used for any purpose other than that of

- 1. A single-family or multiple-family dwelling and its accessory buildings and uses, and Mobile Homes.
- 2. A church, public library, public or private school, public park or playground, provided with adequate sanitary facilities.
- 3. Any form of agriculture or horticulture except:
 - a. the keeping of hogs
 - b. the keeping of chickens or other fowl, and the keeping of farm livestock.
 - c. commercial greenhouses on properties of less than two (2) acres.
 - d. commercial greenhouses using bituminous coal for heating purposes unless equipped with smoke abatement facilities.
- 4. Other buildings, structures and uses provided by Section XI and paragraphs A and I of Section XII of this ordinance.

B. YARD, AREA, AND HEIGHT RESTRICTIONS:

General - No single dwelling or other structure permitted in Residence Districts R-2 shall be erected on a lot with an area of less than twenty thousand (20,000) square feet, which said lot shall have a frontage of not less than eighty (80) feet.

No multiple-family dwelling or structure permitted in the Residence Districts R-2 shall be erected on a lot with an area of less than twenty thousand (20,000) square feet plus two thousand four hundred (2,400) square feet for each additional family unit over one.

All structures except accessory buildings shall be serviced by a private sewer.

Front Yards - No building, exclusive of open porches and overhanging eaves and cornices, shall extend nearer to the center line of the road or street than sixty (60) feet; provided, that if on the lot side of a street within three hundred (300) feet of either side line of a lot there is pronounced uniformity or alignment of the fronts of existing buildings, a front yard shall be required in connection with the erection of any new building or structure, or the moving or extending of existing buildings or structures, which shall conform with the average front yard existing within the said three hundred (300) feet at the time of the adoption of this ordinance.

When a building is erected beyond the end of an existing row of buildings, the front yard of same must conform to the minimum requirement of this section unless otherwise allowed as a special exception by the Board of Adjustment.

All such buildings as described in sub-section A, paragraph 2, shall be set back an additional thirty (30) feet from the front building line established for residence construction.

Side Yards - In the case of a single-family detached dwelling, there shall be two side yards, one on each side of the main building, the aggregate width of which shall be at least twenty (20) feet. Neither side yard shall be less than eight (8) feet wide; PROVIDED that in the case of a house built with a garage attached to the side of the building, the aggregate width of the side yards shall be at least eleven (11) feet and neither side yard shall be less than (3) feet.

In the case of a multiple-family unit, there shall be

two side yards, one on each side of the main building, neither of which shall be less than ten (10) feet.

In case of all such buildings as described in sub-section A, para graph 2, each side yard shall not be less than the width of the building.

Height -- There shall be no limitations upon height except that for every foot the height of a building exceeds thirty-five (35) feet, the total width of the two side yards shall be increased by two (2) feet.

C. PRIVATE GARAGES AND OTHER ACCESSORY BUILDINGS:

No private garage or other accessory building shall be placed nearer to a rear or side property line than three (3) feet, and for each foot a garage or other accessory building may exceed twenty (20) feet in height, the distance of offset from a rear or side property line shall be increased by six (6) inches, except that this shall not prevent the building of a common or joint garage upon adjoining lots. If abutting upon a public alley, the rear lot line offset need not be observed providing no part of the structure overhangs the public alley. Further, no garage or other accessory building shall be placed nearer to the center line of the public highway than sixty (60) feet.

D. MOBILE HOMES

All persons desiring to locate any mobile home shall obtain written approval from all property owners within a distance of seven-hundred fifty feet in all directions. This written approval shall be included with application for building permit.

SECTION VII, BUSINESS DISTRICTS

A. USE: Business Districts are intended primarily for the conduct of general business and there shall be permitted therein: stores, business offices, garages, gas-filling stations and small part manufacturing plants subject to restrictions herein provided, all uses permitted in the Residence Districts, and all uses otherwise provided for herein or not specifically prohibited hereinunder.

There shall be prohibited in Business Districts:

1. Any process of manufacture, assembly or treatment conducted on the premises which constitutes a nuisance by reason of odor, noise, dust, smoke, blinding lights, a breeding place of vermin or which creates a health or safety hazard.

2. Storage warehouses, building material storage yards not directly connected to a store, lumber and coal yards, junk yards, automobile graveyards, or the slaughtering of animals or fowl.

3. The storage of crude oil or any of its volatile products or other inflammable liquids, above ground, in tanks with capacity greater than five hundred (500) gallons.

4. The manufacture of or storage of inflammable gas.

5. All uses prohibited in the Industrial Districts.

B. YARD, AREA AND HEIGHT RESTRICTIONS:

1. When serviced by a public sewer:

Front Yards - Front Yard requirements shall be the same as for Residence Districts R-1.

Rear Yards- There shall be a rear yard at least fifteen (15) feet in depth and if the building is used in whole or in part for dwelling purposes, except by a janitor or caretaker without family,

the rear yard shall have a depth of not less than twenty-five (25) feet. No rear yard shall be required on a corner lot of the side street line. The center of a public alley may be taken as a point of measurement for a rear yard.

Side Yards - No side yard or yards shall be required except as provided under paragraphs C and E of this section and when a lot in a Business District adjoins an Agricultural or Residence District at the side, a side yard shall be required on the side where such other District adjoins, of width not less than the width of the least side yard required upon the adjoining Agricultural or Residential property. There shall be the further exception that in a case of a building designed or intended for residential use of sixty-five (65) per cent or more of its total floor area, the side yard requirements shall be the same as for multiple-family units in Residence Districts R-1, except that this shall not apply in relation to a side wall without opening to a room to be used for dwelling purposes, and such side yards may be established at any floor level if walls at all lower levels are without openings into rooms to be used for dwelling purposes.

2. When services by a private sewer system:

Lot Area - No business or manufacturing building shall be constructed or expanded on a lot not sufficiently large enough to have a septic field, behind the building and clear of all paving, drives and parking lots, consisting of not less than three thousand (3,000) square feet when less than ten (10) employees are to be regularly employed in the building during any one eight (8) hour period and no residential dwelling is provided for. An additional two thousand four hundred (2,400) square feet of septic field shall be provided for each

additional ten (10) employees or part thereof during any eight (8) hour period and for each residential family unit provided for in the building.

Front Yards -- Front yard requirements shall be the same as for Residence Districts R-2.

Rear Yards -- Rear yards shall be of sufficient size to meet the requirements of septic fields as set forth under Lot Area of this section.

Side Yards -- Side yard requirements shall be the same as set forth in paragraph B-1 Side Yards of this section.

C. OFF-STREET PARKING: Adequate off-street parking and loading space shall be provided at all times, except that required space for individual establishments need not be provided separately, but may be made a component part of such space jointly serving two or more establishments, but in no case shall the total off-street parking space be less than three times the floor space used by patrons for business transactions and additional parking space for each employee. Provisions shall also be made for safe and efficient ingress and egress to and from public streets and highways serving the site without undue congestion to all normal traffic flow.

D. COURTS AND WINDOW OPENINGS: Where a court is provided for the purpose of furnishing light and air to rooms used for living purposes, the least dimensions of such courts shall be as follows:

Outer Courts -- No outer court shall be less than six (6) feet wide, nor, at any given level, less than six (6) inches wide for each foot of height of such level above the lowest window served by it; and no outer court shall have a depth greater than twice its width.

Inner Court- No inner court shall be less than ten (10) feet wide nor, at any given level, less than nine (9) inches wide for each foot of height of such level above the lowest window served by it.

Window Openings - Every room to be used for living or sleeping purposes shall have unobstructed window opening with area equal to one-eighth of the floor area of the room.

E. FIREPROOF CONSTRUCTION: All buildings constructed or erected in a Business District shall be of fireproof or fire-resistant construction as defined herein, except when conforming to the side and rear yard requirements of Residence Districts R-1 and R-2.

SECTION VIII, INDUSTRIAL DISTRICTS:

A USE: Industrial Districts are primarily for the conduct of bulk commerce, storage, and manufacturing, but there shall be permitted therein all uses permitted in the other Districts provided by this ordinance and in addition such uses as: repair or machine shops of any size; storage warehouses and building material storage yards; laundries and dyeing and cleaning works of any size when conducted without unusual public hazard; lumber and coal yards, all processes of manufacture, assembly, or treatment except as specifically prohibited hereinunder; and all other uses not specifically prohibited.

The following uses shall be prohibited in Industrial Districts:

1. All processes of manufacture, treatment, or assembly, the operation of which by reason of noise, odor, dust or smoke shall constitute a nuisance to or inflict demonstrable damage or create a health hazard upon neighboring property or the community.
2. All processes of manufacture, assembly, or treatment which shall constitute an unusual hazard whether of fire, explosion, chemical or otherwise, or a breeding place of vermin or other health hazards, and including such uses as; fireworks or explosive or poison gas manufacture or storage; and the storage of crude oil or any of its volatile products or of other highly inflammable liquids in aboveground tanks with capacity greater than one hundred thousand (100,000) gallons.
3. Automobile graveyards or junk yards within four hundred (400) feet of any public road or street, and then only when such permitted yards or operations shall be effectively screened at the front, sides and rear by a properly maintained fence or wall not less than six (6) feet in height, and shall comply with provisions set forth

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in Ordinance No. _____ or any Ordinance of the Township regulating
Junk Yards and Dealers.

B. YARD AND AREA RESTRICTIONS: Shall be the same as for
Business Districts.

C. COURTS: Requirements shall be the same as for Business
Districts.

D. FIREPROOF CONSTRUCTION: Requirements shall be the same as
for Business Districts.

E. OFF-STREET PARKING: Requirements shall be the same as for
Business Districts.

F. REGULATION OF EXCAVATIONS: Excavations such as strip mining,
dirt removal, gravel fills, etc., shall be prohibited within three hundred
(300) feet of any public highway, except such excavation to be restored to
one foot of fall or rise to each six (6) feet of horizontal distance, extend-
ing from existing public highway, right-of-way with drainage restored to
natural course, within a period not exceeding six (6) months from time of
excavation.

SECTION IX. DEVELOPMENT PLAN FOR INDUSTRIAL AND BUSINESS USES.

A. The owner or owners of any tract of land within Agricultural, Business, or Industrial Districts, comprising an area of not less than three (3) acres, may submit to the Board of Supervisors a general plan for the use and development of the land for a Business or Industrial use. The proposed general plan may be referred to the Zoning Commission. The plan shall include specific evidence and facts showing that it has considered and made provision for the following essential conditions.

1. That the plan is consistent with the comprehensive plan for the orderly development and growth of the Township and with the purpose of this Ordinance to promote the health, safety, morals, and the general welfare of the Township;
2. That the appropriate use of property adjacent to the area included in the plan will be safeguarded;
3. That the development will consist of a harmonious grouping of buildings, service and parking areas, circulation and open spaces, sewage disposal system, in such manner as to constitute a safe, efficient and sanitary Business or Industrial District.
4. That the uses to be included are limited to those permitted by the particular zone in which the proposed area is to be transferred.
5. That there is adequate provision made for safe and efficient pedestrian and vehicular traffic circulation within the boundaries of the site;
6. That provision is made for safe and efficient ingress and egress to and from public streets and highways serving the site without undue congestion to or interference with normal traffic flow within the Township;

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7. That adequate off-street parking and loading space shall be provided at all times as an integral part of the plan except that required space for individual establishments need not be provided separately but may be made a component part of such space jointly serving two or more establishments, but in no case shall the total off-street parking space be less than three (3) times the floor space used by patrons for business transactions and additional parking space for each employee.

8. That all buildings within the development shall be served by an adequate private or public sewage disposal system.

9. That, if the development is to be carried out in progressive stages, each stage shall be so planned that the foregoing requirements and intent of this Ordinance shall be fully complied with by the development at the completion of any stage.

B. If, after public hearing, the Board of Supervisors approves the plan, necessary amendment to the Zoning Map shall be made.

SECTION X. SIGNS

Any sign erected or maintained after the effective date of this Ordinance shall conform to the following regulations:

A. SIGNS PERMITTED IN AGRICULTURAL DISTRICTS AND IN RESIDENTIAL DISTRICTS:

1. Official street and traffic signs, and any sign required by law.
2. Professional, accessory use, home occupation or name signs on the same lot with and indicating the name, profession or activity of the occupant of a dwelling, provided that the area of any one side of any such sign shall not exceed two (2) square feet in Residential Districts and not more than twenty (20) square feet in Agricultural Districts, and provided that not more than one (1) such sign shall be erected for each permitted use or dwelling.
3. Sign for a school, church, hospital, sanitarium, club, or other institution of a similar nature, on the same lot therewith, for the purpose of displaying the name of the institution and its activities or services, provided that the area on any one side of such shall not exceed fifteen (15) square feet, and provided that not more than one (1) such sign shall be erected on any one street frontage of any property in single and separate ownership.
4. Trespassing signs and signs indicating private ownership of roadways or other property, on the same premises therewith.
5. Real estate signs as follows:
 - a. For advertising the sale or rental of the premises upon which the sign is erected, provided that the total sign area on any one

street frontage of any property in single and separate ownership shall not exceed six (6) square feet.

b. For advertising, on the premises, the sale or development of homes within a subdivision the recorded plat of which contains less than ten (10) lots, provided that the area of any one side of such sign shall not exceed fifteen (15) square feet, and provided that not more than one (1) such sign shall be erected within any such subdivision.

c. For advertising, on the premises, the sale or development of homes within a subdivision the recorded plat of which contains ten (10) or more lots, provided that the area of any one side of any such sign shall not exceed thirty-five (35) square feet, and provided that not more than two (2) such signs shall be erected within any such subdivision.

6. Signs in connection with the identification, operation, or protection of any public utility or municipal activity, on the same lot therewith, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed eight (8) square feet.

7. Directional signs, provided that the area of any one side of any such sign shall not exceed four (4) square feet, and provided that such signs shall be spaced at intervals of not less than five hundred (500) feet of street frontage.

8. Temporary signs of contractors, mechanics, painters, and artisans, erected and maintained on the premises where the work is being performed during the period in which such work is being performed, provided that the area of any one side of any such sign shall not exceed twelve (12) square feet, and provided that not more than one (1) such

sign shall be erected on any property in single and separate ownership, and provided that such sign shall be removed promptly upon completion of the work.

B. SIGNS PERMITTED IN BUSINESS DISTRICTS AND IN SHOPPING CENTER DISTRICTS.

1. Any sign permitted in Agricultural Districts and in all Residential Districts, provided the use to which it refers is permitted in the Business District or Shopping Center District.

2. Signs in connection with tourist homes or rooming houses, on the same lot therewith, provided that the area of any one side of such sign shall not exceed six (6) square feet, and provided that not more than one (1) such sign shall be erected on any one street frontage of any property in single and separate ownership.

3. Business or commercial sign on the same lot as the use to which it refers, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed thirty-five (35) square feet, unless authorized as a special exception by the Board of Adjustment.

4. In Shopping Center Districts, in addition to signs permitted for individual establishments, there shall be permitted one (1) sign indicating the name of the shopping center, provided that the area of any one side of such sign shall not exceed seventy-five (75) square feet, and provided that the location and orientation of such sign shall be as designated on or in connection with the required development plan, unless authorized as a special exception by the Board of Adjustment.

C. SIGNS PERMITTED IN INDUSTRIAL DISTRICTS.

In Industrial Districts, the following signs shall be permitted, and no other:

1. Any sign permitted in any other District provided that the use to which it refers is permitted.

2. For any business or industrial use, a sign to display the name of the owner or occupant of the premises and the activity conducted thereon, on the same lot thereith, provided that such sign shall not exceed ten (10) feet in height and twenty (20) feet in length.

3. Such other signs as may be authorized as a special exception by the Board of Adjustment.

D. GENERAL SIGN REGULATIONS FOR ALL DISTRICTS.

In all Districts the following general sign regulations shall apply:

1. No sign shall be placed in such a position as to endanger traffic on a street by obscuring a clear view or by confusion with official street signs or signals.

2. No sign, other than official street signs, shall be erected or maintained within the street right-of-way.

3. No sign shall project more than twenty-four (24) inches over a public walkway, and the lower edge of such projecting sign shall be not less than ten (10) feet above the walk level.

4. Every sign permitted in this Ordinance shall be constructed of durable materials and shall be maintained in good condition and repair at all times.

E. ILLUMINATION OF PERMITTED SIGNS

1. In all Residential Districts, the following permitted signs may be illuminated, and no other:

a. Professional sign of a physician, dentist, healer, justice of the peace and such other person whose services in emergency are customarily considered essential to the public health, safety and

welfare, provided that the illumination is white only, and provided further that the total illumination for any such sign shall not exceed the equivalent of that given by a seventy-five (75) watt incandescent light source:

b. Sign of a school, church, hospital, sanitarium, club or other institution of a similar nature, laboratory, or municipal building, provided that the illumination is white only, and provided further that the total illumination for any such sign shall not exceed the equivalent of that given by a seventy-five (75) watt incandescent light source for each four (4) square feet:

c. Signs for regulation of traffic, marking of hazards, and the like.

2. In Agricultural Districts, Business Districts, Shopping Centers, and Industrial Districts, any permitted sign, building or structure may be illuminated.

3. Any permitted illumination of signs, buildings or structures in any District shall be subject to the following regulations:

a. There shall be no illumination of a flashing, intermittent, or moving type.

b. Flood-lighting shall be so shielded that the source of light shall not be visible from any point off the lot on which the sign, building or structure being illuminated is erected, and so that only the sign, building or structure is directly illuminated thereby.

SECTION XI. EXCEPTIONS AND SPECIAL PROVISIONS:

A. SPECIAL USES PERMITTED: The Board of Adjustment as created herein, after report thereon from the Township Zoning Commission, may authorize the issuance of a permit to build or to occupy an existing building in Agriculture or Residence Districts for: a hospital for other than contagious diseases; a private athletic field, a public or quasi-public building, a railway or bus passenger station, or telephone exchange or other public or semi-public utility use not expressly prohibited herein--such authorization to be attended by such conditions as to prevention of noise, odor, dust and smoke; as to the provision of surrounding open space and treatment of the grounds; and as to the use of streets, as may in the opinion of the Board of Adjustment be necessary to preservation of the public health, comfort and convenience, the general character of the neighborhood, and spirit and intention of this Ordinance. In addition, and under the same conditions, the Board of Adjustment may authorize the issuance of a permit for a summer camp or for tourist cabins in an Agricultural District, providing no part of such establishment is placed closer than four hundred (400) feet to a public road or street.

B. YARD EXCEPTIONS: Upon presentation to the Board of Adjustment of a site plan for residential development in any district, showing location of buildings and open spaces, and for the special and unified treatment of an area not less than a full block in size and bounded upon all sides by streets, or park, or other public open space, and after reference to and receipt of report thereon from the Township Zoning Commission, and after public notice and hearing, the Board of Adjustment may waive all side and rear yard requirements as provided for herein and may direct the Zoning Officer to issue permits in accordance with such plan. Such plan shall be approved and permits issued in accordance therewith, only upon condition, however, that open space equal to or greater than that required under the yard restrictions of the District in which such tract is located is otherwise furnished within the tract in such manner as to give equally good access of light and air to individual buildings, and provided further, that the net area (area exclusive of streets) of the tract is not to be covered by buildings to an extent greater than twenty (20) per cent in a Residence District R-1, or fifteen (15) per cent in an Agricultural District or in a Residence District R-2. These exceptions shall apply to side and rear yards only.

C. GARAGES AND GAS-FILLED STATIONS; No public garage repair space shall have an opening in roof, side or rear wall less than fifteen (15) feet from any property line or street line and, further, no public garage or private garage accommodating more than five (5) cars, or gas-filling station shall have entrance upon the same side of the same street closer than two hundred (200) feet to a school, public library, church, theater, or other public gathering place, or to a hospital, playground, or fire station-except that this restriction shall not apply if a street fifty (50)

feet or more in width lies between such garage or gas-filling station entrance and such public or semi-public place.

D. HEIGHT EXCEPTIONS: Nothing herein contained shall apply to restrict the height of a church spire, belfry, clock tower, wireless tower, chimney flue, water tank, elevator bulkhead, stage tower, scenery lift, or similar structure.

E. FIRE ESCAPES: No other herein contained shall prevent the projection of an open fire escape into a yard for a distance not to exceed eight (8) feet.

F. NON-CONFORMING USES: A non-conforming use of building may be continues provided that no structureal extension or addition shall be made exceeding twenty-five (25) per cent of the cubical contents of the building or buildings as existing at the time of the enactment of this ordinance, and provided that all such extensions otherwise and all subsequent additions or extensions shall be in conformity with the regulations of this ordinance. In respect to non-conforming uses, such as a gas-filling station, conducted partially in the open, and in respect to non-conforming land uses, the limitation of a twenty-five (25) per cent maximum expansion shall apply to service capacity or to area occupied.

G. REVERSION OF NON-CONFORMING USES: If a building occupied by a non-conforming use is fity (50) per cent or more destroyed by fire, explosion, act of God or the public enemy, such building shall not be reconstructed or occupied except for or by a use in conformity with this ordinance; and if a non-conforming use of building is vacated for a period of ^{6 months} ~~two (2) years~~ or more, or if a non-conforming use of land is discontinued for a period of ^{one year} ~~two years~~ or more, such use of building or land shall not be resumed except in conformity with the regulations of this ordinance.

H. CLASSIFICATION OF BOUNDARY LOTS: Where a district boundary line divides a lot held under a single ownership, a permit may be issued for either portion of such lot for a use prohibited in such portion by this ordinance but permitted by this ordinance in the adjoining portion of lot, provided that such authorization shall not apply for a distance greater than thirty-five (35) feet beyond the district boundary line.

I. TEMPORARY PERMITS: Temporary permits may be authorized by the Board of Adjustment for a period not to exceed one year, for non-conforming temporary uses incidental to housing or construction projects conducted on the same premises and including such uses as gravel-sorting plant, storage of building supplies and machinery, the assembly of building materials, and a real estate office located within the tract offered for sale-provided that such permits shall be conditional upon agreement by the owner to remove any structure or structures erected therein under upon expiration of permit. Such permits may be renewed annually over a period not to exceed three years.

J. LOT REDUCTION: After the effective date of this ordinance, no lot shall be reduced in area if such lot is smaller than is prescribed herein, or if by such reduction it would be made smaller than is prescribed herein.

SECTION XII. ADMINISTRATION

A. ENFORCEMENT: There shall be a Zoning Officer who shall be appointed by the Board of Supervisors and whose duty it shall be, and he is hereby given the power and authority, to enforce the provisions of this Ordinance. He shall examine all applications for permits, issue permits only for construction and uses which are in accordance with the requirements of this Ordinance, record and file all applications for

permits with any accompanying plans and documents, which shall be matters of public record, and make such reports as the Board of Supervisors may require. Permits for construction and uses which are a special exception or a variance from the requirements of this Ordinance shall be issued only upon order of the Board of Adjustment.

B. REQUIREMENT OF BUILDING PERMITS: A building permit shall be required prior to the erection or alteration of, or addition to, any building or other structure or portion thereof, or placement of Mobile Homes. It shall be unlawful for any person to commence work for the erection or alteration of, or addition to, any building or other structure or portion which will extend the base area of the present structure thereof, until a building permit has been duly issued therefor.

C. APPLICATIONS FOR BUILDING PERMITS: All applications for building permits shall be made in writing on forms furnished by the Township and shall be accompanied by a plot plan (properly prepared by the applicant or his agent) showing the exact size and location of any buildings or other structure existing on the lot in question or upon abutting land within fifty (50) feet of the side and rear lot lines of such lot, and the lines within which the proposed building or other structure shall be erected or altered. There shall in addition be included with all applications such other plans, documents and information as may be necessary to enable the Zoning Officer to ascertain compliance with this Ordinance and all other pertinent ordinances. The Zoning Officer shall and may collect a fee of three (\$3.00) dollars for each permit so issued under this Ordinance.

D. ISSUANCE OF BUILDING PERMITS: No building permit shall be issued until the Zoning Officer has certified that the proposed building, structure or alteration complies with the provisions of this Ordinance.

E-a. CHANGE IN USE OF ANY BUILDING OR STRUCTURE: Use of land or change in the use thereof, except that the placing of vacant land under cultivation shall not require a permit.

E-b. CHANGE IN USE OR EXTENSION OF A NON-CONFORMING USE: It shall be unlawful for any person to use or occupy any building or other structure or land until a permit has been duly issued therefor and for which a fee of three (\$3.00) dollars shall be charged.

F. APPLICATIONS FOR PERMITS: All applications for permits shall be made in writing on forms furnished by the Township and shall include all information necessary to enable the Zoning Officer to ascertain compliance with this Ordinance.

G. ISSUANCE OF PERMITS: No permit shall be issued until the Zoning Officer has certified that the proposed use complies with all the provisions of this Ordinance. Pending completion of a building or of alterations there-to, a temporary permit may be issued by the Zoning Officer for a temporary occupancy or a part or all of a building; provided that such temporary occupancy would not tend in any way to jeopardize life or property.

H. ISSUANCE OR REFUSAL OF PERMITS: If the Zoning Officer determines that an application is in compliance with the provisions of this Ordinance, it shall be his duty to issue the appropriate permit; and if he determines that an application is not in compliance with the provisions of this Ordinance, it shall be his duty to refuse the permit,

in which case he shall instruct the applicant within ten (10) days of application, in writing, in the method of appeal or application to the Board of Adjustment.

I. SPECIAL ZONING PERMITS: The Board of Adjustment may authorize and direct the Zoning Officer to issue permits for special uses as provided by paragraphs A, B, and I of Section XI.

J. AMENDMENTS: The Township Supervisors may from time to time on their own motion or on petition and after public notice and hearing, amend, supplement, or change the regulations, districts or building limitations herein provided. In case, however, of a protest against such change, signed by the owners of twenty (20) per cent or more of the land owners, either of the area of the lots included or within a distance of three hundred (300) feet of such proposed change or of those immediately adjacent, of the request for such change in the regulations or enlargement or amendment concerning requested change for building permit or enlargement, or of any additional increase in the size of the present building, lots, allotments, change or alteration of the present boundary lines, restrictions, regulations and directions as may be presently in force at the time of this ordinance or later, such amendment, change or alteration shall not become effective until by the favorable vote of all of the Township Supervisors. Further, all other proposed changes in the ordinance its regulations, directions or of districts shall be referred to the Township Zoning Commission by the Township Supervisors for report thereon not less than thirty (30) days prior to final adoption by the Township Supervisors.

K. BOARD OF ADJUSTMENT: There is hereby created, to be appointed by the Township Supervisors, a Board of Adjustment of three members.

Of the initial appointees to this Board, one shall serve until the first of January following the date of this Ordinance, one until the first day of the second January thereafter, and one until the first day of the third January thereafter. Their successors shall be appointed on the expiration of their respective terms, to serve three years. The members of the Board shall be removable for cause upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose office becomes vacant.

The Board shall adopt such rules and regulations as it may deem necessary to govern its procedure. Meetings of the Board shall be at the call of the chairman, and at such other times as the Board may determine. Such chairman, or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Officer. Such appeals shall be taken within thirty (30) days as provided by the rules of the Board, by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forth-with transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application and on ten (10) days notice to the officer from whom the appeal is taken and due cause show.

The Board of Adjustment shall within thirty (30) days have the hearing of the appeal, give public notice thereof as well as ten (10) days notice to the parties in interest, and decide the same within (10) days. Upon the hearing, any party may appear in person or by agent or by attorney.

The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this Ordinance.
2. To hear and decide special exceptions to the terms of the Ordinance upon which such Board is required to pass under this Ordinance.
3. To authorize, upon appeal, in specific cases, such variance from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance shall be observed and substantial justice done.

In exercising the above-mentioned powers, the Board of

Adjustment may, in conformity with the above provisions, reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as may be deemed just and proper.

L. REMEDIES AND ENFORCEMENTS: 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 regulation in this Ordinance or of any regulation made under authority conferred hereby, the Board of Supervisors of the Township of East Fairfield, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, 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.

M. NOTICE OF VIOLATION: When written notice of a violation of any of the provisions of this Ordinance has been served by the Zoning Officer on the owner, agent, or occupant, contractor or builder, such violation shall be discontinued immediately.

N. PENALTIES: For any and every violation of the provisions of this Ordinance, the owner, general agent, or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed, or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor, or any other person who

knowingly commits, takes part, or assists, in any such violation, or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a penalty not exceeding fifty (50) dollars for each and every offence, and whenever such person shall have been notified by the Zoning Officer by service of summons in a prosecution, or in any other way, that he is committing such violation of this Ordinance, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

O. VALIDITY: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, or invalid, such decision shall not affect the remaining portion of the Ordinance. The Township Supervisors hereby declare that they would have adopted the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION XIII. REPEAL OF CONFLICTING ORDINANCES AND DATE EFFECTIVE:

All ordinances and parts of ordinances of East Fairfield Township in conflict herewith are hereby expressly repealed.

This ordinance shall take effect immediately upon adoption.

TOWNSHIP OF EAST FAIRFIELD
County of Crawford
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE EAST FAIRFIELD TOWNSHIP ZONING ORDINANCE.

BE IT ORDAINED and ENACTED BY the Township of East Fairfield, Crawford County, Pennsylvania, and it is hereby ORDAINED and ENACTED by the authority of the same:

SECTION 1. That Section VI, Subsection B, be amended to read as follows:

"B. YARD, AREA AND HEIGHT RESTRICTIONS: General - No single dwelling or other structures permitted in Residence Districts R-2 shall be erected on a lot with an area less than twenty-two thousand five hundred (22,500) square feet, which said lot shall have a frontage of not less than one hundred fifty (150) feet on a public or private road." Shall not apply to subdivision legally recorded in county records prior to the adoption in this amendment

SECTION 2. That except as hereinabove stated in SECTION 1, the remaining paragraphs of Section VI, Subsection B continue in full force and effect as originally enacted.

SECTION 3. That Section VI, Subsection D, be amended to read as follows:

"D" MOBILE HOMES AND/OR PERMANENT DWELLINGS.

1. A mobile home and/or permanent dwelling shall have a minimum of seven hundred (700) square feet of floor space and/or a minimum size of twelve (12) feet by sixty (60) feet.
2. Mobile homes and/or permanent dwelling are to be enclosed and placed upon a permanent foundation below the frost line. Mobile homes are to have a suitable skirting. Highly combustible materials such as hay, straw, cardboard, tarpaper, etc. are prohibited.
3. Lots upon which mobile homes and/or permanent dwellings are erected are to be landscaped."

SECTION 4. Any ordinance or part of any ordinance conflicting with this ordinance is hereby repealed insofar as the same affects this ordinance.

SECTION 5. This ordinance shall become effective upon final passage thereof.

Adopted, ordained and enacted this 2nd day of June, 1971.

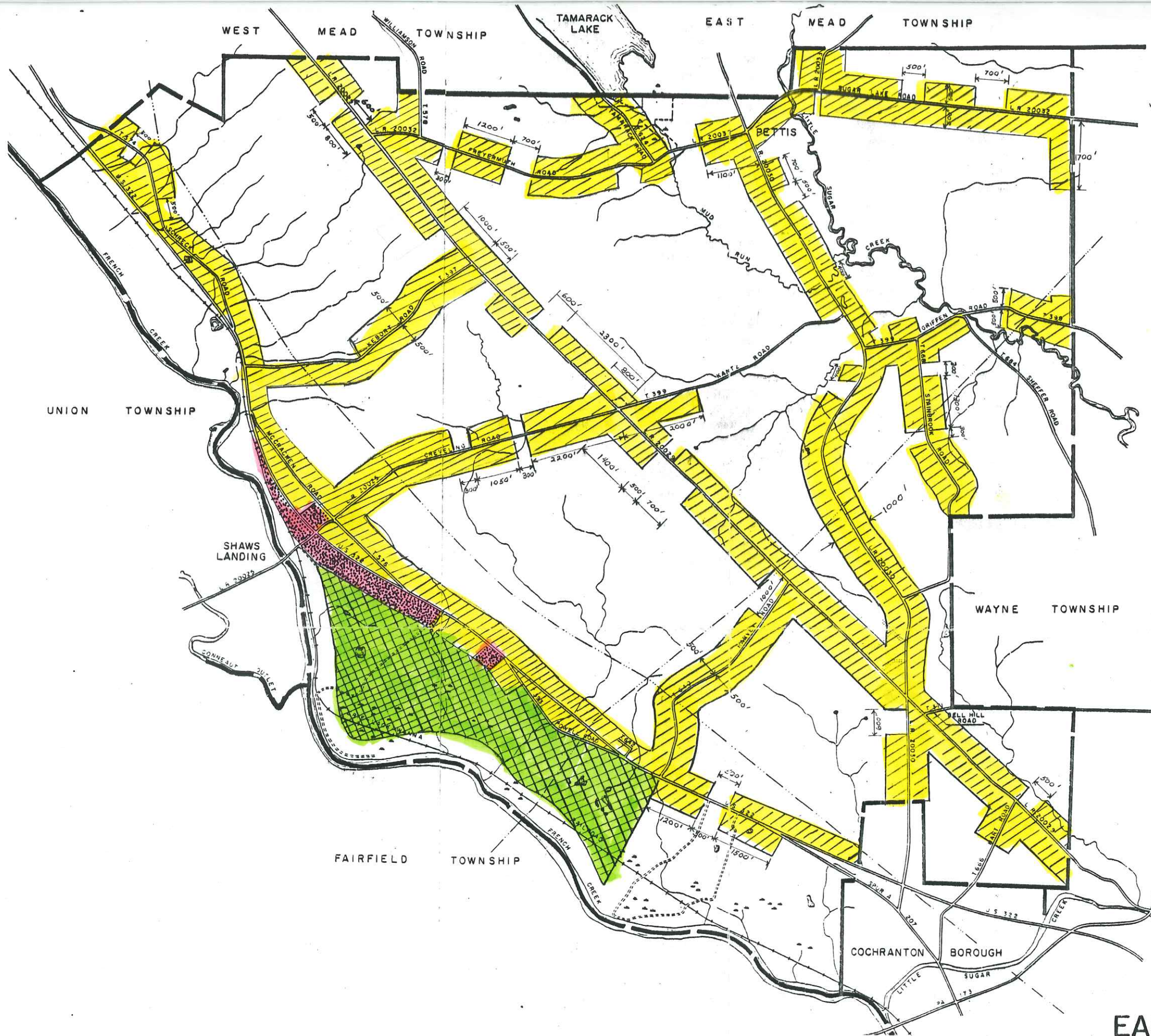
Lyle B. Stevens
Lyle Stevens, Chairman





Robert W. McCracken
Robert W. McCracken, Supervisor

ATTEST:

Charles R. Morrell
Secretary

Charles R. Morrell
Charles R. Morrell, Supervisor



-  RESIDENTIAL
-  INDUSTRIAL
-  AGRICULTURE
-  BUSINESS

ZONING
EAST FAIRFIELD TOWNSHIP
 CRAWFORD COUNTY, PENNSYLVANIA
 SCALE 1" = 1000'

