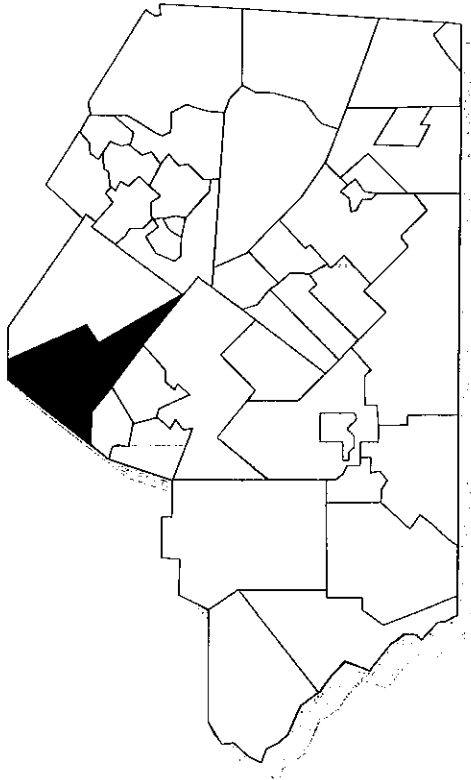


RANSOM TOWNSHIP
LACKAWANNA COUNTY, PA

ZONING
ORDINANCE

FINAL JANUARY 2, 2018



Ransom Township
2435 Hickory Lane
Clarks Summit, PA 18411
Phone: 570-586-7250 • Fax: 570-587-7021
ransom2435@epix.net
www.ransomtownship.com

TABLE OF CONTENTS

ARTICLE 1 – GENERAL PROVISIONS

101	Title.....	1
102	Short Title.....	1
103	Application of Ordinance	1
104	Purpose	1
105	Interpretation	1
106	Exemptions and Limited Provisions	2
107	Severability	2
108	Repealer	2
109	Effect of Ordinance	2
110	Effective Date	2
111	Adoption	3

ARTICLE II – COMMUNITY DEVELOPMENT OBJECTIVES

201	Community Development Objectives	4
-----	--	---

ARTICLE III – DEFINITIONS

301	Interpretation	5
302	Definitions.....	5

ARTICLE IV – ESTABLISHMENT OF DISTRICTS

401	General Districts	38
402	Intent of Zoning Districts	38
403	Environmental Protection Intent.....	39
404	Zoning Map	39
405	Rules for Interpreting District Boundaries	40

ARTICLE V – LAND-USE REGULATIONS

501	Application of District Regulations	41
502	Types of Uses	41
503	Continuation of Existing Uses.....	43
504	Schedule I, Regulations Governing the Use of Land	43

ARTICLE VI – LOT AND YARD REGULATIONS

601	Minimum Lot Area and Dimension Regulations	48
602	Minimum Yard Regulations	48
603	Schedule II-A Lot, Yard, Coverage and Height Regulations for Lots with On-Lot Sewer & Water	49
604	Schedule II-B Lot, Yard, Coverage and Height Regulations for Lots with Central Sewer & Water	50

ARTICLE VII – SPECIFIC-USE DEVELOPMENT REQUIREMENTS

701	Applicability.....	53
702	Abused Person Shelter	53
703	Adult Business	53
704	Adult Day Care, Child Day Care, Nursery and/or Preschool	57
705	Agricultural Building, Operation and Products Processing, Commercial Greenhouse and Nursery	58
705A	Airport or Helipad.....	58
706	Animal Hospital, Kennel or Veterinary Clinic.....	59
707	Apartments above Commercial Use	59
708	Assisted-Care Accessory Apartment Unit	59
709	Assisted Living Facility, Nursing and Personal Care Home	60
710	Auto Repair, Service Station, Auto Body Shop and Car Wash	60
710A	Bakery and Confectionary Products	61
711	Banquet Facility	62
712	Bed and Breakfast Inn	62
712A	Bicycle Rental or Sales.....	63

713	Billboard and Off-Site Advertising	63
714	Bulk Fuel Storage	63
715	Campground	64
715A	Casino/Gambling Establishment	65
716	Cemetery and Mausoleum	65
717	Commercial Indoor Recreation	65
718	Stable, Private or Commercial	65
719	Wireless Communication Facility	67
720	Home Share	72
721	Contractor's Office and Yard	72
722	Convenient Store with Gas Pumps	72
723	Conversion from Non-Residential to Residential Units	73
724	Correctional Facility	73
725	Crematorium and Columbarium	73
726	Drug Treatment, Other Treatment Center and Medical Clinic	73
727	Farm Stand	74
728	Fences, Gates, and Walls	74
729	Flea Market	76
730	Forestry	76
731	Garage or Yard Sale	79
732	Group Home	79
733	Guesthouse or Pool House	80
734	Home-Based Business, Minimal Impact	80
735	Home-Based Business, No Impact	81
736	Hospital	82
737	Hotel/Motel	82
738	Industry, Heavy and Light	82
739	Junk Yard or Automobile Wrecking Facility	83
740	Machine Shop and Tire Re-Treading/Re-Capping	83
741	Mineral and Natural Resource Extraction and Processing (excluding Oil and Gas)	83
742	Mobile Home Park	85
743	Multi-Family Dwelling, Garden Apartment, Townhouse, Retirement Housing, Two-Unit Attached Dwelling, or Duplex	85
743A	New or Used Car, Motorcycle, Moped, ATV, or Trailer Rental or Sales	86
744	Oil and Gas Exploration, Extraction and Development	87
744A	Nightclub, Tavern, or Bottle Club	87
744B	Outdoor Furnace	87
745	Outdoor Exhibition, Sports Assembly, Entertainment and Amusement	87
745A	Outdoor Recreation and Sports (excluding Shooting Range)	88
745B	Patio, Deck, or Gazebo	88
745C	Pets, Keeping of	88
746	Planned Residential Development (PRD)	89
747	Private Garage and Carport	91
748	Private Greenhouse	92
749	Private Indoor Recreation	92
750	Funeral Home or Mortuary	92
751	Private Outdoor Tennis and Similar Court	93
752	Private Swimming Pool and Hot Tubs	93
753	Public or Commercial Parking	94
753A	Group Picnic Area	94
754	Recycling Facility	94
755	Religious Institution	95
756	Research Laboratory	95
756A	Resort or Conference Center	95

Ransom Township Zoning Ordinance

756B	Restaurant, Café, or Coffee House.....	95
757	Rooming and Boarding House	96
758	Sanitary Landfill or Solid Waste Facility	96
758A	Sawmill or Planing Mill	97
759	College, University, and Dormitory	97
760	Self-Storage Facility	97
761	Shopping Mall, Center or Plaza.....	98
761A	Shed or Storage Structure.....	98
762	Sign	98
762A	Single-Family Dwelling & Non-Residential Use on Same Lot	99
763	Slaughterhouse.....	99
764	Solar Collector	99
764A	Solar Energy Facility	99
765	Temporary Use	100
765A	Trade and Technical School	101
766	Transit-Related Business and Maintenance Facility.....	101
767	Warehousing, Distribution or Outdoor Storage	102
767A	Wastewater Treatment Facility, Non-Municipal	102
767B	Hydraulic Fracturing Water Withdrawal Facility.....	103
768	Water Extraction and Bottling	103
769	Wholesale Business	103
769A	Wine Tasting Room	103
770	Wind Energy Facility	103
771	Wind Turbine.....	105
772	Power Facility (excluding Solar & Wind Energy)	106
773	Medical Marijuana Facility.....	106

ARTICLE VIII – SUPPLEMENTAL PROVISIONS

801	Street Frontage Required	107
802	Two or More Principal Uses.....	107
803	Maximum Height of Buildings and Structures	108
803A	Pervious Pavement Standards Regarding Maximum Lot Coverage.....	108
804	Flag Lots	108
805	Minimum Net Buildable Area per Dwelling Unit or Permitted Use	108
806	Buffer Yards and Screening	109
807	Projections into Required Yards	109
808	Landscaping and Natural Vegetation Protection	110
809	Regulation of Nuisance Elements.....	110
810	Excavations, Mines, and Fill Operations.....	113
810A	Size of Dwelling Units (excluding Mobile Homes)	113
811	Mobile Homes	114
812	Modular Homes.....	114
812A	Minimum Residential Lot Improvements.....	114
813	Storm Water Management.....	115
814	Lighting and Glare.....	115
815	Wetlands.....	120
816	Watercourses and Water Body Buffers	120

ARTICLE IX – SIGN REGULATIONS

901	Purpose	121
902	Definitions.....	121
903	General Sign Types	126
904	Comparison – Roof and Wall or Fascia Signs.....	127
905	Sign Area – Computation Methodology.....	128
906	General Provisions.....	130
907	Permits	131

908	Area of Signs	131
909	Electrical Standards	132
910	Regulation by Zone District	132
ARTICLE IX-A – OIL AND GAS EXPLORATION, EXTRACTION, AND DEVELOPMENT		
901-A	Purpose	138
902-A	Definitions	138
903-A	Zoning Classifications	139
904-A	Applicability	140
905-A	Permit Requirement	140
906-A	Pre-Application Conferences	140
907-A	Permit Application and Request for Hearing	141
908-A	Design and Installation	142
ARTICLE IX-B – AIRPORT DISTRICT OVERLAY		
901-B	Purpose	146
902-B	Relation to Other Zoning Districts	146
903-B	Definitions	146
904-B	Establishment of Airport Zones	148
905-B	Permit Applications	148
906-B	Variance	148
907-B	Use Restrictions	149
908-B	Pre-Existing Non-Conforming Uses	149
909-B	Obstruction Marking and Lighting	149
910-B	Conflicting Regulations	149
ARTICLE IX-C – MEDICAL MARIJUANA FACILITIES		
901-C	Purpose	151
902-C	District Regulations	151
903-C	Definitions	151
904-C	Use Regulations	152
ARTICLE IX-D – OUTDOOR SHOOTING RANGES		
901-D	Purpose	156
902-D	Definitions	156
903-D	Development Standards	158
ARTICLE X – OFF-STREET PARKING AND LOADING		
1001	Required Off-Street Parking Spaces	161
1002	General Regulations Applying to Required Off-Street Parking Facilities	164
1003	Design Standards for Off-Street Parking Facilities	165
1004	Off-Street Loading	167
1005	Residential Driveways and Sidewalk Opening	168
1006	Recreational Vehicle Parking	168
ARTICLE XI – NON-CONFORMING USES AND STRUCTURES		
1101	Statement of Intent	169
1102	Continuation of Use	169
1103	Registration of Nonconformances	169
1104	Regulation of Nonconforming Uses and Structures	170
1105	Nonconforming Lots	172
1106	Zoning District Changes	172
1107	Change in Ownership	172
ARTICLE XII – ADMINISTRATION AND ENFORCEMENT		
1201	General Procedure	172
1202	Zoning Officer	174
1203	Zoning Hearing Board	175
1204	Permits and Certificates	178
1205	Appeals	179
1206	Variances	181

ARTICLE I

GENERAL PROVISIONS

101 TITLE

An Ordinance completely amending the Ransom Township Zoning Ordinance adopted November 15, 2001 and as amended thereafter.

This Ordinance divides the Township of Ransom into districts and regulates the use of land and the location, use and density of buildings within these districts; establishes a Zoning Hearing Board setting forth the duties and functions of said Board; regulates non-conforming uses and provides for the administration and enforcement of this Ordinance.

102 SHORT TITLE

This Ordinance shall be known and may be cited as the Ransom Township Zoning Ordinance.

103 APPLICATION OF ORDINANCE

No building, structure or land, located wholly or partially within the Township of Ransom shall be used or occupied and no building or part thereof shall be erected, moved, enlarged, or structurally altered unless in conformance with the regulations of this Ordinance.

104 PURPOSE

This Zoning Ordinance has been prepared in accordance with consideration for the character of the municipality, its various parts, and the suitability of the various parts for particular uses and structures, and is enacted for the following purposes:

- A. To promote, protect and facilitate one or more of the following: The public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, the provision of adequate light and air, energy conservation, police protection, vehicle parking and loading space, transportation, water, sewage, schools, public grounds and other public requirements as well as,
- B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.

105 INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of health, safety, morals, and the general welfare of the Township and its citizens. It is not intended by this Ordinance to interfere with or abrogate or annul any rules or regulations previously adopted or permits previously issued by the Township that are not in conflict with any provisions of this Ordinance, nor is it intended by this Ordinance to interfere with or abrogate or annul any easements, covenants, building restrictions or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of the buildings or premises or upon the height of the building, or requires a larger open space than is imposed or required by such Ordinance, rules, regulations or permits, or by easements, covenants, building restrictions or agreements, the provisions of this Ordinance shall control.

106 EXEMPTIONS AND LIMITED PROVISIONS

A. Public Utilities

This Ordinance shall not apply to any existing or proposed building or extension thereof that is used or is to be used by a public utility corporation, if, upon petition of the corporation, the Pennsylvania Public Utility Commission decides after a public hearing that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

It shall be the responsibility of the Pennsylvania Public Utility Commission to ensure that both the corporation and the municipality in which the building or proposed building is located have notice of the hearing and are granted an opportunity to appear, present witnesses, cross-examine witnesses presented by other parties and otherwise exercise the rights of a party to the proceedings.

B. State-Owned Property

State-owned property shall be subject to the provisions of this Ordinance only insofar as permitted by the Constitution and laws of the Commonwealth of Pennsylvania.

C. Federally-Owned Property

Federally-owned property shall be subject to the provisions of this Ordinance only insofar as permitted by the Constitution and laws of the United States Government.

D. Township-Owned Property

Buildings, structures, and land owned by Ransom Township shall be exempt from all provisions of this Ordinance.

107 SEVERABILITY

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

108 REPEALER

The Ransom Township Zoning Ordinance adopted November 15, 2001, and all amendments thereto, are hereby repealed. All other existing Ordinances or parts of Ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

109 EFFECT OF ORDINANCE

Hereinafter, no building shall be erected, moved, altered, rebuilt or enlarged nor shall any land or building be designed or arranged to be used for any purpose or in any manner except in conformity with all regulations, requirements and controls specified in this Ordinance for the District in which such building or land is located.

110 EFFECTIVE DATE

This Ordinance shall become effective on the date of its adoption by the Board of Supervisors.

111 ADOPTION

This Ordinance was duly adopted at a public meeting of the Ransom Township Board of Supervisors held on January 2, 2018, after a public hearing, properly advertised, held on December 27, 2017, by the Ransom Township Board of Supervisors.

Adopted this 2nd day of January, 2018

Dennis Masheka
CHAIRMAN, BOARD OF SUPERVISORS

Dan Bird
SUPERVISOR

Allan Myers
SUPERVISOR

ATTEST:

Lois Lane
TOWNSHIP SECRETARY

ARTICLE II

COMMUNITY DEVELOPMENT OBJECTIVES

201 COMMUNITY DEVELOPMENT OBJECTIVES

This Ordinance is adopted in general conformance with the elements of the Ransom Township Comprehensive Plan and is designed to accomplish the following objectives:

1. To promote, protect, and facilitate the public health, safety and general welfare and to make provisions for adequate community facilities and utilities.
2. To prevent loss of life, health, or property from fire, panic, floods and other dangers or disasters;
3. To provide adequate light and air;
4. To prevent the overcrowding of land;
5. To avoid undue concentration of population;
6. To lessen traffic congestion in the streets and to determine the proper location and function of streets.
7. To promote, protect and facilitate the adequate provision of the following: vehicle parking and loading areas, transportation system, water supply, sewerage disposal, schools, open space, parks and other public facilities.
8. To encourage the development of land in an energy efficient manner and in accordance with an overall land use control program which considers the character of the community and the suitability of the land area for particular uses and structures;
9. To protect and encourage the conservation of natural resources, agricultural lands and uses including overall water supply through minimal disturbance of aquifers.
10. To promote adequate storm water and soil erosion and sedimentation control facilities.
11. To promote safe and attractive residential development and provide a variety of housing types and styles for all citizens.
12. To provide for industrial and commercial uses in selected areas where such development does not conflict with an existing or preferred land use.

ARTICLE III

DEFINITIONS

301 INTERPRETATION

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

Words used in the present tense include the future.

Words used in the singular include the plural; words used in the plural include the singular.

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

The masculine gender shall include the feminine and neuter.

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

The word "lot" shall include "plot" or "parcel."

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

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

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

302 DEFINITIONS

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

ABANDONMENT: The relinquishment of property or the cessation of the use of the property, and the removal of the characteristic equipment or furnishings used in conjunction with the property, by the owner or lessee for a period of one year or greater without any intention of transferring rights to the property to another owner or of resuming the use of the property.

ABUSED PERSON SHELTER: A non-profit, social-service use in which rooms are provided to serve as a temporary, safe and supportive, living environment for persons who, because of actual or threatened physical or mental abuse, are forced to leave their previous living arrangement. Such facilities shall be designed to provide in-house living for persons only until a safe, permanent living arrangement can be obtained.

ABUT: To physically touch or border upon or to share a common property line, also known as adjoining or contiguous with no intervening land. The term "abut" implies a closer proximity than the term "adjacent."

ACCESS DRIVE: A durable, all-weather surface, other than a street as defined herein that provides access from a street to a lot or parcel of land.

ACCESSORY BUILDING OR STRUCTURE: A subordinate building on a lot, the use of which is incidental to that of the main or principal building and is not approved, established, or constructed before the principal use or structure is approved, established, or constructed.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building and is not approved, established, or constructed before the principal use or structure is approved, established, or constructed.

ADJACENT: Lying near or close to, neighboring; may be contiguous. "Adjacent" implies that two objects are not widely separated, though they may not actually touch.

ADULT DAY CARE CENTER: A use providing supervised care and assistance primarily to persons who are over age 18 and not in good physical health or suffering from a form of dementia or are developmentally handicapped and/or are physically handicapped and who need such daily assistance because of such condition. This use shall not include persons who need oversight because of behavior that is criminal or violent. This use may involve occasional overnight stays, but shall not primarily be a residential use. The use shall involve typical stays of less than a total of sixty (60) hours per week per person.

ADULT ARCADE: Any place where the public is permitted or invited where coin-operated or token-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas." An adult arcade shall be considered an Adult Business for the purpose of this Ordinance.

ADULT BOOKSTORE OR ADULT VIDEO STORE: A commercial establishment that, as significant stock and trade (see definition), offers for sale or rental for any form of consideration, any one or more of the following:

1. Books, magazines, periodicals, or other printed matter or photographs, films, motion pictures, videocassettes, or video reproductions, slides or other visual representations that depict or describe "specified sexual activities" or "specified anatomical areas."
2. Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials that depict or describe "specified sexual activities" or "specified anatomical areas."

The term Adult Bookstore shall include, but not be limited to, an Adult Video Store, and all such uses shall be considered an Adult Business for the purpose of this Ordinance.

ADULT BUSINESS: Any of the following:

1. A use of a building, or land for a business that has obscene materials as significant stock and trade (see definition).
2. A use of a building or land for a business that involves the sale, lease, trade, gift, or display of drug paraphernalia as significant stock and trade (see definition).
3. Any nightclub, bar, restaurant, arcade, theater, or any other establishment that conducts live performances as a principal part of its business that are characterized

by the exposure of "specified anatomical areas" or by "specified sexual activities," or films, motion pictures, video cassettes, slides, or other photographic reproductions where a substantial portion of the total presentation time is devoted to the showing of material that is characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas," or where any "specified sexual activities" are conducted for economic gain or any other form of consideration.

4. Any of the following as defined in this §302, or any similar type of use:
 - A. adult arcade
 - B. adult bookstore or adult video store
 - C. adult live entertainment use or facility
 - D. adult motel
 - E. adult motion picture theater
 - F. adult theater
 - G. escort agency
 - H. massage parlor
 - I. nude model studio
 - J. sexual encounter center

ADULT LIVE ENTERTAINMENT USE OR FACILITY: A commercial use (including, but not limited to, a use selling food or beverages) including live entertainment involving any of the following:

1. Persons (that may include, but are not limited to, waiters, waitresses, dancers, clerks, bartenders, contractors, or others) appearing in a state of nudity.
2. Live performances that are characterized by the exposure of "specified anatomical areas" or simulated or actual "specified sexual activities."
3. Films, motion pictures, videocassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

An Adult Live Entertainment Use or Facility shall be considered an Adult Business for the purpose of this Ordinance.

ADULT MOTEL: A hotel, motel, or similar commercial establishment that:

1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction of "specified sexual activities" or "specified anatomical area;" and/or
2. Offers sleeping rooms for rent three (3) or more times in one calendar day.

An Adult Motel shall be considered an Adult Business for the purpose of this Ordinance.

ADULT MOTION PICTURE THEATER: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction of "specified sexual activities" or "specified anatomical area" are regularly shown. An Adult Motion Picture Theater shall be considered an Adult Business for the purpose of this Ordinance.

ADULT THEATER: A theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear in a state of nudity or live performances that are characterized by the exposure of "specified anatomical areas" or "specified sexual activities." An Adult Theater shall be considered an Adult Business for the purpose of this Ordinance.

AGENT OF OWNER: Any person who can show written proof that he or she has authority to act for a property owner.

AGGRIEVED PARTY: (1) Any person(s) or entity(ies) who can demonstrate that their property will be injured or suffer an adverse effect by a decision of the Zoning Officer, Zoning Hearing Board or Board of Supervisors or any official of Ransom Township involved in the enforcement of this Ordinance; or (2) Anyone requiring public notice pursuant to this Ordinance.

AGRICULTURAL BUILDING: An accessory structure on agricultural land, associated with an agricultural operation, designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner or lessee or their immediate families, their employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises. An agricultural building shall not include a dwelling.

AGRICULTURAL OPERATION AND PRODUCTS PROCESSING: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products and in the production, harvesting, and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AIR POLLUTION: The presence in the outdoor atmosphere of any form of contaminant in such place, manner, or concentration inimical of which may be inimical to the public health, safety, or welfare, or that is, or may be, injurious to human, plant, or animal life, or to property, or that unreasonably interferes with the comfortable enjoyment of life or property.

AIRPORT: An area of land designed and set aside for the take-off and landing of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

ALLEY: A public thoroughfare that affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATIONS: As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

ALTERATIONS, STRUCTURAL: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

AMENDMENT: A change in use in any district that includes revisions to the zoning text and/or the official zoning map; and the authority for any amendment lies solely with the Township's Governing Body.

ANIMAL HOSPITAL OR VETERINARY CLINIC: A veterinary establishment for the care and treatment of small animals, including household pets. Boarding of animals shall only be permitted during their period of recovery. The operation of a crematorium in conjunction with the euthanasia of the animals shall be permitted.

APPLICANT: A person submitting an application for development, including his or her heirs, successors, and assigns.

APPURTENANCES: The visual, functional, or ornamental objects accessory to and part of buildings.

ARCHITECTURAL APPEARANCE, EXTERIOR: The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

ASSISTED-CARE APARTMENT UNIT: A secondary dwelling unit established for the care of an infirmed, aged, or ill relative, and in conjunction with and clearly subordinate to the primary, single-family detached dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

ASSISTED-LIVING FACILITY AND PERSONAL CARE HOME: A residential facility operated by a legal entity holding a certificate of compliance (license) issued by the Commonwealth permitting the operation of the personal-care home according to appropriate program licensure or approval regulations, in which food, shelter, and personal assistance or supervision are provided for a period of at least fourteen (14) days for four (4) or more aged adults who do not require hospitalization or skilled or intermediate nursing care, or the services in or of a Commonwealth-licensed long-term-care facility, but who do, because of their advanced age, require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency, or medication prescribed for self-administration. Assisted-living facilities and personal-care homes shall not be considered abused person shelters, or drug or other treatment centers as defined by this Ordinance.

ATTIC: The part of a building that is immediately below, and wholly or partly within, the roof framing.

AUTO REPAIR AND SERVICE STATION, AUTO BODY SHOP AND CAR WASH: Buildings and land areas where major activities are the mechanical repair of motor vehicles and their parts, the straightening and repair and replacement and painting of structural parts and/or the washing and cleaning of motor vehicles. The retail sale of gasoline, oil, grease, and other supplies and accessories may be conducted as accessory to the major activities.

BAKERY AND CONFECTIONERY PRODUCTS: A baking establishment that manufactures quantities of goods for retail sale elsewhere than on the premises.

BANK: A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

BANQUET FACILITY: An establishment that is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries and other similar celebrations. Such use may or may not include kitchen facilities for the preparation or catering of food; the sale of alcoholic beverages for on-premises consumption only during scheduled events not open to the public; and, outdoor gardens or reception facilities.

BASE STATION: A structure or equipment at fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not include a communications tower or any equipment associated with the tower.

BASEMENT: An enclosed floor area partly or wholly underground, other than a building that is completely underground. A basement shall be considered a "story" if:

1. the majority of the basement has a clearance from floor to ceiling of six feet (6') or greater, and the roof of the basement is an average of four (4') or more feet above the finished grade of the front side of the building facing onto a street.
2. the basement forms the primary portion of a dwelling unit.

BAY: A compartment or space used for storage. In terms of garage or carport bays, the space used to store one (1) vehicle.

BED AND BREAKFAST INN: An owner-occupied, single-family dwelling, in which one (1) or more rooms are rented for lodging and serving of breakfast (but no other meals), designed primarily for casual and transient roomers, and where no restaurant is maintained and no cooking facilities are provided in any room.

BOARD: The Zoning Hearing Board of the Township of Ransom.

BOTTLE CLUB OR B.Y.O.B. CLUB: An establishment, whether open to the public or where entrance is limited by any fee, cover charge, membership, or other similar requirement, to which patrons bring with them alcoholic liquor, alcohol, malt, or brewed beverages to be consumed or stored for consumption on the business premises, and where such business or premises is not licensed to sell alcoholic liquor or beverages.

BOUTIQUE WINERY: An agricultural processing facility and/or business that produces 100 to 5,000 cases of wine per year that includes space allocated to bottling/crushing facilities, lab and office space, tasting room, and storage. A boutique winery shall provide at least two of the following four activities on site: crushing, fermentation, bulk aging/storing, and bottling.

BUFFER STRIP: A strip of land that shall be a part of the minimum setback distance or a required yard but not within an existing or required future street right-of-way and that is maintained free of any principal or accessory building or structure, driveway, parking, outdoor storage or any other use than open space.

BUILDING: A structure formed of any combination of materials that is erected on the ground and permanently affixed thereto, and designed, intended, or arranged for the housing, shelter, enclosure or structural support of persons, animals, or property of any kind. Any structure such as, but not limited to, those having a roof supported by columns, piers, or walls, including tents, lunch wagons, mobile homes, trailers, dining cars, or other structures on wheels, or having other supports; and, any unroofed platform, terrace or porch having vertical face higher than three (3') feet above the level of the ground over or upon which said structure is located. Private, accessory outdoor recreational equipment on residential lots shall not be considered a building.

BUILDING AREA: The total area taken on a horizontal plane of the ground floor plus any projections of the principal building and all accessory buildings, exclusive of uncovered porches, decks, terraces and steps.

BUILDING COVERAGE: The ratio obtained by dividing the ground floor area plus any projected area of all principal and accessory buildings on a lot (including covered porches, carports and breezeways, but excluding uncovered, open patios, porches and paved terraces) by the total area of the lot upon which the buildings are located.

BUILDING, DETACHED: A building surrounded by open spaces on the same lot.

BUILDING HEIGHT: The vertical distance of a building or structure measured from the average finished ground elevation along the entire perimeter of the building or structure, to the highest

point of the roof for flat roofs, to the deck lines of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambol roofs.

BUILDING LINE: The line of a structure or building existing at the effective date of this ordinance or the legally established line that determines the location of a future building or structure or portion thereof with respect to any lot line or street right-of-way line.

BUILDING, PRINCIPAL: A building in which is conducted the principal use of the lot on which it is located.

BUILDING SETBACK LINE: The line within a lot or parcel defining the required minimum distances between any structure and the adjacent street right-of-way or boundary line of any lot. The setback shall be measured from the edge of any street right-of-way bordering or within the lot or parcel. Setback distances shall not be measured nor minimum required setback distance met within any existing width or proposed or required future width of any public or private street right-of-way.

BULK: The term used to describe the size of buildings or other structures and their relationship to one another to open areas such as yards, and to lot lines. The term includes:

1. The size, including height and floor area, of the building or other structure.
2. The relation of the number of dwelling units in a residential building to the area of the lot.
3. The relation of buildings and other structures to areas in open yards.

BULK FUEL STORAGE: Facilities for the storage of hazardous liquids or gases that require approval of applicable state or Federal agencies.

CAFÉ OR COFFEE HOUSE: An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold.

CAMPGROUND: A planned development, under single ownership, for rental or lease only, of sites for use as tent and/or recreational vehicle camping, on a temporary basis only, including central water supply and central sanitary sewage disposal with or without recreational and/or service facilities.

CARPORT: An open space for the storage of one (1) or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts except that one or more walls may be the walls of the main building or an accessory structure to which the carport is an extension.

CASINO/GAMBLING ESTABLISHMENT: Establishments, except casino hotels, that operate gambling facilities, such as casinos, bingo halls, and video gaming terminals, or that provide gambling services, such as lotteries and off-track betting. This type of establishment shall not include the state lottery program or the Small Games of Chance provisions of state law.

CELLAR: A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories.

CEMETERY: Land used for the burial of the dead, and dedicated for cemetery purposes, excluding columbariums, crematories, and mortuaries.

CERTIFICATE OF ZONING COMPLIANCE: The certificate, also referred to as an Occupancy Permit, issued by the Zoning Officer after he or she has inspected any structure, building, sign, land-use, and/or land for which a zoning permit was issued in order to determine compliance with the terms of the permit and the zoning ordinance before the structure, building, sign, land-use, and/or land or portion thereof can be lawfully used and/or occupied.

CHILD DAY CARE: A use involving the supervised care of children under age sixteen (16) outside of the children's own home primarily for periods of less than eighteen (18) hours during the average day. This use may also include educational programs that are supplementary to state-required education, including a nursery school or preschool. The following types of child day care are permitted without regulations by this Ordinance:

1. Care of children by their own relatives,
2. Care of children within a place of worship during regularly scheduled weekly religious services, and
3. Care of one (1) to three (3) children within any dwelling unit, in addition to children who are relatives of the care giver.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at a street intersection(s) or driveway/access drive-street intersection, defined by lines of sight between points at a given distance from the intersecting street right-of-way lines.

COLLEGE OR UNIVERSITY: An institution for post-secondary education, public or private, offering courses in general or religious education and not operated for profit. This use does not include trade or technical schools.

COLUMBARIUM: A structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person or animal.

COMMERCIAL OR PROFESSIONAL OFFICES OR SERVICES: Commercial or professional establishments that provide for real estate sales, rentals or leasing; business, professional, and technical services; personal services; and pet and animal sales or services, except veterinary clinics.

COMMERCIAL VEHICLE: A motor vehicle that has a gross weight greater than six thousand (6000) pounds and is primarily used for business purposes.

COMMISSION: The Planning Commission of the Township of Ransom.

COMPATIBILITY, COMPATIBLE: The consistency, or of a consistency, of characteristics of different uses, structures, activities, or design that allow them to be located near or adjacent to each other in harmony. Elements affecting compatibility include, but are not limited to, height, scale, mass and bulk of structures, building placement, orientation, siting, and exterior architectural appearance.

COMPREHENSIVE PLAN: A Comprehensive Plan (overall program) consists of maps, charts, textual matter, and indicates the recommendations of the planning commission for the continuing development of the municipality. The comprehensive plan includes but is not limited to, the following related basic elements: a statement of objectives; a plan for land use; a plan for the movement of people and goods; a plan for community facilities and utilities; and a map or statement indicated the relationship of the municipality and its proposed development to the adjacent municipalities and areas.

CONDITIONAL USE: A use allowed, with permission of the Board of Supervisors, to occupy and use land and/or a building for specific purposes in accordance with this Ordinance.

CONDOMINIUM: A type of resident development in which:

1. the dwelling units are individually owned; and,
2. all or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Pennsylvania Unit Property Act of July 3, 1963, P.L. 196 and in accordance with the provisions for open space, roads, or other development features as specified in this Ordinance and the Township's Subdivision and Land Development regulations.

CONSTRUCTION: Any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition for public rights-of-way, structures, utilities, or similar property.

CONTRACTOR'S OFFICE AND YARDS: Any land or buildings used primarily for the conducting of business and/or storage of equipment, vehicles, machinery (new or used), building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades or building craft.

CONVENIENT STORE: A one-story, retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket"). It may also include the sale of gasoline but shall not include the repair or service of vehicles.

CORRECTIONAL FACILITY: A facility for the detention, confinement, treatment or rehabilitation of persons arrested or convicted for the violation of civil or criminal law. Such facilities include an adult detention center, juvenile delinquency center, jail, and prison. These facilities house prisoners who are in the custody of municipal or state law enforcement, and the facilities are typically government owned.

CREMATORIUM: A facility containing properly installed, certified apparatus used exclusively for the disposal by incineration of the bodies of deceased humans or animals.

CULTURAL FACILITY: A library, gallery, museum, or similar use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts or sciences.

CURATIVE AMENDMENT: A proposed zoning amendment made to the Governing Body by any landowner who desires to challenge on substantive grounds the validity of an Ordinance that prohibits or restricts the use or development of land in which he has an interest.

DAM: Any man-made structure that is or may be used to impound water.

DECK: An accessory structure, without a roof and constructed of any material, attached to a principal building or freestanding, which has an average elevation of thirty inches (30") or greater above the finished grade that is supported by pillars or posts.

DEMOLITION: A dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

DENSITY: A measure of the number of dwelling units that occupy, or may occupy, an area of land.

DEVELOPER: Any landowner, agent of such landowner or tenant with permission from a landowner, who makes or causes to be made a subdivision of land or land development.

DISTRIBUTED ANTENNA SYSTEM (DAS): A small network of antennas that are connected to a common source that provides coverage in a building or a small geographic area. Also referred to as "micro cell."

DISTRIBUTION CENTER: A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Postal Service.

DISTRICT OR ZONING DISTRICT: A portion or portions of the territory of the municipality within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

DORMITORY: Residential facilities that are only inhabited by teaching faculty and/or full-time students of an accredited college, university or medical training facility or state-licensed teaching hospital, or to an accredited public or private elementary or secondary school, and that are owned and operated by such principal use to which the dormitories serve.

DRIVEWAY: A privately owned and constructed vehicular access from an approved private or public road into a lot having frontage on said road.

DRUG PARAPHERNALIA: Any objects, devices, instruments, apparatus, or contrivances whose primary and traditionally exclusive use is involved with the illegal use of any or all controlled substances under Commonwealth law.

DRUG TREATMENT FACILITY: A facility operated for any or all of the following purposes (other than a permitted accessory use in a hospital): providing education, counseling therapy, treatment or rehabilitation for drug and/or alcohol addiction of adolescents or adults whether as inpatients or outpatients. The term shall include a Methadone Treatment Facility as licensed by the PA Dept. of Health to use the drug methadone in the treatment, maintenance, or detoxification of persons.

DRYWELL: An underground water structure that disposes of unwanted water, most commonly surface runoff and storm water. It is a covered, porous-walled chamber that allows water to slowly soak into the ground, dissipating into the groundwater.

DWELLING/DWELLING UNIT: A building or structure or portion thereof designed for occupancy by one family as a single housekeeping unit and containing complete sanitary and kitchen facilities. In no case shall a motor home, recreational vehicle, trailer coach, automobile chassis, tent, or portable building be considered a dwelling.

DWELLING TYPES:

1. **RESIDENTIAL CONVERSION UNIT:** A structure or building changed from a non-residential use, occupancy, or purpose into, or adapted to, a residential dwelling unit or units.
2. **SINGLE-FAMILY DWELLING:** A structure or building designed for and occupied exclusively by one family, detached from all other structures and surrounded by yards.
3. **TWO-UNIT ATTACHED DWELLING:** A building or structure containing two individual side-by-side dwelling units sharing one roof, but each unit having separate front and rear entrances.

4. **DUPLEX:** A building or structure containing two individual dwelling units that are divided horizontally with each unit having a separate entrance from the outside or through a common vestibule.
5. **MULTI-FAMILY DWELLING:** A building or structure containing three (3) or more dwellings. Multi-family dwelling structures shall include garden apartments.
6. **TOWNHOUSE:** A building or structure consisting of not less than three (3) or more than six (6) dwelling units each, with no other dwelling or portion of other dwelling directly above or below, each dwelling unit of which having direct ground level access to the outdoors and connected to the other dwelling units by a single party wall with no opening.
7. **GARDEN APARTMENT:** An apartment building located on a lot, either singly or together with other similar apartment buildings, having no more than eight (8) units per building and substantial landscaped open-space adjacent to the building(s).

EASEMENT: A right-of-way granted, but not dedicated, for limited use of private land for private, public, or quasi-public purposes.

ELIGIBLE FACILITIES REQUEST: Any request for modification of an existing communications tower or base station that does not substantially change the physical dimensions of such tower or base station, involving collocation of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment.

ELIGIBLE SUPPORT STRUCTURE: Any communications tower or base station existing at the time a relevant application is filed.

ENERGY STORAGE FACILITY, LARGE SCALE: A facility used within an electrical power grid and as a method to collect and store electrical energy on a large scale. Electrical energy is stored at the facility when production from intermittent power facilities exceeds consumption and is returned to the grid when production falls below consumption.

ENVIRONMENTALLY SENSITIVE AREAS: Areas that have ecological importance, including but not limited to 100-year floodplains, slopes over twenty-five percent (25%), and wetlands.

ESCORT: A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY: A person or business association or establishment that furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. An escort agency shall be considered an Adult Business for the purpose of this Ordinance.

ESSENTIAL SERVICES: Municipal or utility facilities that do not require enclosure in a building including the construction or maintenance of gas, electrical, steam, telephone, sewage collection systems, or water distribution; including equipment such as poles, towers, tanks, wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment. Buildings, sewage treatment plants, solid waste disposal facilities, communications antennas and towers, utility company offices, storage of trucks or equipment and bulk storage, and any communication devices and/or facilities not specifically regulated by the PA Public Utility Commission shall not be considered essential services. An essential service requiring enclosure in a building shall be classified as a Semi-Public Building or Use.

FALL ZONE: A radial setback distance measured outward from the base of any Tower-Based Wireless Communications Facility a distance equal to one and one-half (1-1/2) times the Height (as defined by this Ordinance) of the structures (i.e. A tower with a height of 100' would require the establishment of a 150' fall zone.)

FAMILY: Any number of persons living together as a single housekeeping unit under a common housekeeping management plan.

FARM STAND: An accessory structure, temporary or permanent, used for the display and sale of unprocessed agricultural produce or products and home-processed food products, such as jams, jellies, baked goods, and home-made handicrafts. A farm stand also includes any cart, table, equipment or apparatus that is not a structure and intended so as to not be a permanent fixture on a lot used for the display and sale of unprocessed agricultural produce or products and home processed food products such as jams, jellies, baked goods, and home-made handicrafts.

FELLING: The act of cutting a standing tree so that it falls to the ground.

FENCE: A man-made barrier placed or arranged as a line of demarcation, an enclosure or a visual barrier and that is constructed of wood, chain-link metal, fiberglass, vinyl, aluminum and/or plastic inserts. Man-made barriers constructed principally of masonry, concrete, cinder block or similar mostly solid materials shall be considered a "wall." The term "wall" does not include engineering retaining walls, which are permitted as needed in all districts. The terms "fence" and "wall" do not include hedges, trees, or shrubs.

FLAG LOT: A lot that has the buildable or net portion located directly to the rear of another lot that has direct access to a street right-of-way line. Flag lots shall have access to street rights-of-way via a minimum twenty-five (25)-foot wide strip that is considered part of the gross lot area but not as part as the net buildable site area.

FLEA MARKET: A building or open area in which stalls or sales areas are set aside, and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old obsolete, or antique, and may include the selling of new or used goods at retail by businesses or individuals who are generally engaged in retail trade. Rummage sales and garage sales are not considered to be flea markets.

FLOODPLAIN: A relatively flat or low land area adjoining a river, stream, or watercourse that is subject to partial or complete inundation once in every one hundred (100) years, and designated by the Federal Emergency Management Agency as land within a 100-year flood boundary (Zone A).

FLOOR AREA OR GROSS FLOOR AREA: The total area of all floors as measured to the outside surfaces of exterior walls, or from the centerline of party walls separating two buildings, but excluding crawl spaces, garages, carports, attics without floors, open porches, balconies, and terraces.

FLOOR AREA RATIO: The total floor area allowable on a given lot divided by the area of that lot.

FOOTCANDLE: A unit of light intensity stated in lumens per square foot and measurable with an illuminance meter, also known as a footcandle or light meter.

FORESTRY: The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes, which does not involve any land development.

FOUNDATION: The supporting substructure of a building or other structure, including but not limited to basements, slabs, sills, posts, or frost walls.

FRATERNAL, CIVIC, OR SOCIAL CLUB: An establishment operated for social, community-oriented or educational purposes, open only to members and not usually open to the general public.

FRATERNITY OR SORORITY HOUSE: A type of boarding house used and occupied by a formal, legally incorporated cooperative organization (with each full member having a vote in the operations of the organization) of full-time college or university students. Such use may contain residential, social and eating facilities for members and their occasional guests.

FUNERAL HOME: A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. A funeral home, as defined for purposes of this Ordinance, may contain space and facilities for:

1. Embalming, the operation of a crematorium, and the performance of other services used in preparation of the dead for burial;
2. Performance of autopsies and other surgical procedures;
3. Storage of caskets, funeral urns, and other related funeral supplies;
4. Storage of funeral vehicles.

GARAGE, PRIVATE: An enclosed or covered space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one (1) car is leased to a non-resident of the premises.

GARAGE OR YARD SALE: The accessory use of a residential lot for the occasional sale or auction of only used common household goods and furniture and items of a closely similar character that were used by the occupants of the residential lot.

GATE: A movable frame or solid structure that swings, slides, lifts, or rolls, controlling ingress and egress through an opening in a fence, wall, or vegetation.

GAZEBO: An accessory use consisting of a detached, covered, freestanding, open-air structure.

GENERAL NUISANCE: Any use considered to be inconsistent with the public comfort, convenience, health, safety, and general welfare. The following factors are included:

1. Fire and explosive hazards
2. Electrical and radioactive disturbances
3. Noise and vibration
4. Dust, dirt, fly ash
5. Glare
6. Smoke, odors
7. Other forms of noise and air pollution not listed above

GLARE: The sensation produced by lighting that causes an annoyance, discomfort, or loss in visual performance and visibility to the eye.

GOVERNING BODY: The Board of Supervisors of the Township of Ransom.

GREENHOUSE, COMMERCIAL: A structure, typically constructed of metal or wood framework and covered with glass or plastic, used for the propagation of plants for wholesale distribution or retail sales. Commercial greenhouses may also include associated structures for office space and storage.

GREENHOUSE, PRIVATE: A detached accessory structure, typically constructed of metal or wood framework and covered with glass or plastic, for the propagation of plants for a private, residential or non-profit use.

GROUP HOME: A dwelling or use sponsored by a providing agency, regulated by the Commonwealth, and shared by two (2) or more handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. As used herein, the term "handicapped" shall mean having: 1) a physical or mental impairment that substantially limits one or more of such person's major life activities; 2) a record of having such impairment; or 3) being regarded as having such impairment. However, such term shall not include current, illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term Group Home shall not include drug treatment centers, other types of treatment centers, or other housing facilities serving as an alternative to incarceration.

GROUP PICNIC AREA OR GROVE: An area or property consisting of two or more picnic tables to be reserved for use by ten (10) or more persons equipped with picnic tables, barbeque stands, and may also provide roofed shelters, restroom facilities, and/or outdoor recreational facilities.

GUEST HOUSE: An attached or detached accessory building used to house guests of the occupants of the principal dwelling, which is never rented or offered for rent, contains no kitchen facilities, and does not exceed five hundred (500) square feet in floor area.

HALFWAY HOUSE: A residential facility where persons are aided in readjusting to society following a period of imprisonment, hospitalization, or institutional treatment.

HAZARDOUS MATERIALS: Garbage, refuse or sludge from an industrial or other waste water treatment plant; sludge from a water supply treatment plant or air pollution control facility; and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agricultural operations, and from community activities; or a combination of the above, which because of its quantity, concentration or physical, chemical or infectious characteristics may do one of the following:

1. Cause or significantly contribute to an increase in mortality or increase in morbidity in either an individual or the total population.
2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51 - 30.101). The term does not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under The Clean Streams Law (35 P.S. §§ 691.1 - 691.1001). The term does not include solid or dissolved materials in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) or source, special nuclear or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C.A. §§ 2011 - 2284).

HEARING: An administrative proceeding conducted by the Zoning Hearing Board or Board of Supervisors pursuant to §1207 of this Ordinance and §909.1 of the Pennsylvania Municipalities Planning Code and as defined by §107 (b) of the Pennsylvania Municipalities Planning Code

HELIPAD: A facility, without the logistical support provided by a heliport, where helicopters take off and land primarily for sightseeing purposes. Helipads include launches and landings of hot air balloons but do not include facilities for maintenance, repair, fueling, or storage of helicopters or air hot balloons.

HELIPORT: An area, either at ground level or elevated on a structure, licensed and approved by the applicable state, local and federal agencies for the loading and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

HIGHWAY OCCUPANCY PERMIT: A permit, issued by the Pennsylvania Department of Transportation, that authorizes access from a parcel of land onto a street or highway that is under the jurisdiction of the Pennsylvania Department of Transportation.

HOME GARDENING: The cultivation of herbs, fruits, flowers or vegetables on a piece of ground adjoining a dwelling for private use or consumption.

HOME-BASED BUSINESS, MINIMAL IMPACT: A business or commercial activity administered or conducted as an accessory use that is clearly secondary to the use as a residential dwelling and that involves minimal customer, client, or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to or from the premises and does not change the essential residential character or appearance of such structure.

HOME-BASED BUSINESS, NO IMPACT: A business or commercial activity administered or conducted as an accessory use that is clearly secondary to the use as a residential dwelling and that involves no customer, client, or patient traffic, whether vehicular or pedestrian, pickup, delivery, or removal functions to or from the premises, in excess of those normally associated with residential use.

HOME-SHARE: An activity where the resident(s) host visitors in their homes, for compensation, for periods of 30 consecutive days or less, while at least one of the dwelling unit's primary residents lives on-site, in the dwelling unit, throughout the visitors' stay.

HOSPITAL: An institution, licensed by the PA Department of Health, providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

HOST: A person engaged in providing a home-sharing.

HOSTING PLATFORM: A marketplace in whatever form or format that facilitates the Home-Sharing, through advertising, match-making, or any other means, using any medium of facilitation, and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.

HOT TUB: An artificial container of water with a liquid capacity greater than one hundred (100) gallons and designed with a mechanical air injection system and/or recirculation device. These devices may filter and/or disinfect the water for reuse and are not intended to be drained between uses.

HOTEL OR MOTEL: A building or buildings containing rooms rented out to persons as clearly transient and temporary living quarters. Any such use that customarily involves the housing of persons for periods of time longer than thirty (30) days shall be considered a "boarding house" and shall meet the requirements of that use. A hotel or motel may include a restaurant, banquet

rooms, conference rooms, nightclub, newsstand or tavern, provided that such uses are clearly accessory to the principal use of overnight accommodations.

HOUSEHOLD PET: Animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include but not be limited to domestic dogs and cats, tropical birds, parrots, parakeets, canaries, hamsters, rabbits, ferrets, or fish. Miniature horses and other exotic animals that do not pose a threat to the health and safety of the community may also be considered a household pet if utilized as an emotional support animal for a disabled person protected by the Fair Housing Amendments Act of 1988, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act.

HYDRAULIC FRACTURING WATER WITHDRAWAL FACILITY: A facility immediately adjacent to a water body or watercourse that typically contains a submerged suction line, pumps, water main, multiple hydrants, truck loading and staging area, and water storage tanks, which store water on a temporary basis that is intended to be transported by vehicle to a natural gas well site for the purpose of hydraulic fracturing.

ILLUMINANCE: The quantity of light measured in footcandles or lux.

IMPERVIOUS SURFACE: Any non-vertical, hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, and areas of asphalt, concrete, brick, paved block, and/or compacted gravel.

INDOOR RECREATION, COMMERCIAL: A commercial recreational land use conducted entirely within a building, including but not limited to arcade, athletic and health clubs, bowling alley, gymnasium, pool or billiard hall, skating rink, swimming pool, and tennis and other similar courts.

INDOOR RECREATION, PRIVATE: An accessory use conducted entirely within a building used for the sole recreational enjoyment of the residences of the premises and their guests, where no fees are charged for usage or personal instruction, and not exceeding three thousand (3000) square feet in floor area. This type of use includes a bowling alley, gymnasium, pool or billiard hall, skating rink, swimming pool, and tennis and other courts.

INDUSTRIAL PARK: A tract of land laid out in accordance with an overall plan for a group of industries with separate building sites designed and arranged on streets with utility service, setbacks, landscaped yards, and covenants controlling the architecture and uses.

INDUSTRY, HEAVY: A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing process that potentially involve hazardous or commonly recognized offensive conditions. Such uses include the processing of food, textiles and related products; wood, paper and printing products; and chemicals, metals, machinery and electronics.

INDUSTRY, LIGHT: A use engaged in the manufacturing, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

JUNK: Any scrap, waste, refuse, reclaimable material or debris, vehicles, appliances, equipment or machinery, or parts thereof, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk shall include, but shall not be limited to:

1. Scrap iron, tin, brass, copper, lead, zinc and all other metals and alloys; bones, rags, paper, used cloth, used rubber, used rope, and similar materials; old or used, or parts of machinery, vehicles, tools, appliances, furniture, plumbing, heating and other fixtures, and pipe and pipe fittings.
2. Used lumber, boxes, crates and pallets.
3. Used tires.
4. Other worn, deteriorated, or obsolete manufactured goods which are unusable.
5. Mobile/manufactured homes that are not in habitable condition.
6. Abandoned or junked vehicles.

Junk shall not include the following:

7. Any solid or liquid waste the disposal of which is regulated by the Pennsylvania Department of Environmental Protection.
8. Agricultural vehicles and implements such as tractors, mowers, etc., for use as parts for equipment, and machinery used as part of an active, on-going agricultural operation provided such equipment is stored on the premises of the operation and can be legitimately used for parts, and is adequately screened.
9. Construction and contractors' equipment for use as parts for equipment, and machinery used as part of an active, on-going contracting business legally operating in accord with this Ordinance provided such equipment is stored on the premises of the operation, can be legitimately used for parts, and is adequately screened.

JUNK VEHICLE: Any vehicle not stored in a fully enclosed building that is not in good operating and road-worthy condition (as defined by the Ransom Township Nuisance Ordinance) and presents a hazard or danger to the public by virtue of its state or condition of disrepair. The following non-exclusive conditions are examples of what may constitute a state or condition of disrepair:

1. rusted and/or jagged metal on or protruding from the body of the vehicle;
2. broken glass or windows on or in the vehicle;
3. leaking of any fluids from the vehicle;
4. unsecured and/or unlocked doors, hood or trunk;
5. storage or placement of the vehicle on concrete blocks;
6. harboring of rodents, insects or other pests.

JUNK YARD: An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of junk as defined by this Ordinance, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The following shall also be considered junkyards:

1. The outside storage or deposit on a lot of more than two (2) abandoned or junked vehicles; and,
2. The outside storage or deposit on a lot of one (1) or more mobile/manufactured homes, or any parts/sections thereof, that are not in habitable condition.

Vehicle sales lots managed by licensed vehicle dealers operated in accordance with this Ordinance and storage areas for antique and collector vehicles with adequate screening approved by the

Township shall not be considered junkyards.

KENNEL: Any commercial establishment where dogs, cats, and other animals are kept for the purpose of breeding, hunting, training, renting, research or vivisection, buying, boarding, sale, show, or any other similar purpose and is so constructed that animals cannot stray there from. A non-profit animal shelter shall be considered a type of kennel.

KITCHEN FACILITIES: A complete kitchen shall include all of the following: a sink with piped water, and provision of space and connections for a cook stove and refrigerator.

LAND DEVELOPMENT: Any of the following activities:

1. The improvements of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - A. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure or;
 - B. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
2. A subdivision of land.
3. The following shall be excluded from the definition of Land Development:
 - A. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
 - B. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

LANDING: A place where logs, pulpwood, or firewood are assembled for transportation to processing facilities.

LIGHT TRESPASS: Light emitted by a lighting installation that extends beyond the boundaries of the property on which the installation is sited.

LITTER: Discarded items not naturally occurring on a site, including, but not limited to, tires, oilcans, equipment parts, and other rubbish.

LIVESTOCK: Animals raised or kept for home consumption, profit or enjoyment, including but not limited to, cattle, sheep, hogs, goats, bison, llamas, alpacas, ostriches, peacocks, emus, other exotic outdoor birds, and poultry.

LOP: To cut tops and slash into smaller pieces to allow material to settle close to the ground.

LOT: A designated parcel, tract or area of land established by a plot or otherwise as permitted by law and to be used, developed or built upon as a unit.

1. Lot, Corner - A lot situated at and abutting the intersection of two (2) streets having an interior angle of intersection not greater than one hundred thirty-five (135) degrees.
2. Lot, Depth - The mean average horizontal distance between the front and the rear lot lines.
3. Lot Lines - The property lines bounding the lot.
 - A. Lot Line, Front - The lines separating the lot from an abutting, existing or proposed street right-of-way. In case of a lot that does not have direct frontage on an existing or proposed street right-of-way, or is shaped or designated as a "flag lot", that lot line nearest the street right-of-way line shall be considered the front lot line. In case of a corner lot, both street frontages are considered to be front lot lines and the remaining lines are side lines.
 - B. Lot Line, Rear - The lot line opposite and most distant from the front lot line.
 - C. Lot Line, Side - Any lot line other than a front or rear lot line.
 - D. Lot Line, Street or Alley - A lot line separating the lot from a street or alley.
4. Lot Width - The horizontal distance between the side lot lines measured:
 - A. In the case of lots fronting on a cul-de-sac, along a chord perpendicular to a radial line located equi-distant between the side lot lines, the said chord shall intersect the radial line at a point located a distance from the right-of-way line equal to the prescribed minimum front yard setback as set forth in this ordinance.
 - B. In the case of all other lots, along a line parallel to and at a distance equal to the prescribed minimum front yard setback as set forth in this ordinance.
5. Lot Area, Gross - the computed area contained within the lot lines.

LOT COVERAGE, MAXIMUM: The maximum ratio obtained by dividing the roof areas of all principal and accessory buildings plus areas of other impervious surfaces as defined by this Ordinance used for streets, driveways, parking areas, and tennis and other recreational courts (sidewalks, patios, uncovered porches, decks, and play apparatus areas are excluded) on a parcel or lot by the total area of the parcel or lot upon which located.

LUMBERYARD: An area or facility used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood.

LUMINANCE: The physical and measurable quantity corresponding to the brightness of a surface (i.e. a lamp, luminaire, reflecting material) in a specific area, and measurable with a luminance meter.

LUX: A unit of light intensity stated in lumens per square meter. There are approximately 10.7 lux per footcandle.

MACHINE SHOP: Shops where lathes, presses, grinders, shapers, and other wood- and metal-working machines are used such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and overhaul shops.

MANUFACTURED HOME: A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation, including but not limited to, mobile and modular homes.

MASSAGE: The performance of manipulative exercises using the hands and/or a mechanical or bathing device on a person(s)'s skin other than the face or neck by another person(s) that is related to a certain monetary compensation, and that does not involve persons who are related to each other by blood, adoption, marriage, or official guardianship.

MASSAGE PARLOR: An establishment that meets all of the following criteria:

1. "Massages" are conducted.
2. The person conducting the massage is not a state-licensed health-care professional or a state-licensed massage therapist.
3. The massages are not conducted within a licensed hospital, nursing home, personal-care center or office of a medical doctor or chiropractor.
4. The massages are conducted within private or semi-private rooms.
5. The use is not clearly a customary and incidental accessory use to a permitted exercise club or high school or college athletic program.

A Massage Parlor shall be considered an Adult Business for the purpose of this Ordinance.

MAUSOLEUM: A building containing above-ground tombs.

MEDICAL CLINIC: A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, and administration.

MEDICAL MARIJUANA FACILITY: A facility or use of land established pursuant to the Medical Marijuana Act (PA Act 16 of 2016) including Academic Clinical Research Centers, Medical Marijuana Growers/Processors, Transport Vehicle Offices and Dispensaries. (See Article IX-C for additional definitions.)

MINERAL OR NATURAL RESOURCE EXTRACTION: The removal from the surface or beneath the surface of the land of bulk mineral resources using significant machinery. Mineral extraction includes but is not limited to the extraction of sand, gravel, topsoil, limestone, clay, coal, shale, or iron ore. The routine movement of and replacement of topsoil during construction shall not be considered mineral extraction.

MINERALS: Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat, and oil and gas.

MOBILE HOME: A transportable, single-family, manufactured home or dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. Manufactured homes or sections thereof that when assembled or combined are twenty feet (20') or more in width, and that have axles and hitches removed and are placed upon a permanent foundation shall not be classified as mobile homes, but as modular homes.

MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

MOBILE HOME PARK: A parcel or contiguous parcels of land that has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

MODULAR HOME: A single-family, manufactured home or dwelling constructed in accordance with State standards and comprised of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Unlike a mobile home, a modular home is not manufactured with a permanent hitch or other device to allow re-transport of the unit and does not have wheels or axles permanently attached to its body or frame.

MORTUARY: A facility in which dead bodies, human or other mammal, are prepared for burial or cremation and where funeral services may be conducted.

NET BUILDABLE SITE AREA: The area of a site remaining after the deduction of the areas within rights-of-way, easements, and environmentally sensitive areas.

NIGHTCLUB: A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and musical entertainment are permitted.

NONCONFORMING LOT: A lot, the area or dimension of which was lawful prior to the adoption or amendment of a Zoning Ordinance, but that fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE: A structure or part of a structure not designed to comply with the applicable use provisions in this Ordinance or amendments heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE: A use, whether of land or of a structure, that does not comply with the applicable use provisions in this Ordinance or amendments heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment to its location by reason of annexation.

NUDE MODEL STUDIO: Any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. A Nude Model Studio shall be considered an Adult Business for the purposes of the Ordinance.

NUDITY OR A STATE OF NUDITY: The appearance of a human bare buttock, anus, male genitals, female genitals, or full female breasts.

NURSERY: A commercial operation that conducts the retail and/or wholesale sale of plants, trees, or shrubs grown on the site, as well as accessory items such as pots, potting soils, fertilizers, etc., directly related to their care and maintenance.

NURSERY SCHOOL OR PRESCHOOL: A facility for the organized instruction of children who have not reached the age for enrollment in kindergarten.

NURSING HOME: A facility established for profit or nonprofit and is licensed by the Commonwealth, which provides nursing care and related medical services on a 24-hour per day basis to two or more individuals because of illness, disease, or physical or mental infirmity, but excludes a facility providing surgical or emergency medical services and excludes a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

OBSCENE MATERIALS: Any literature, book, magazine, pamphlet, newspaper, paper, comic book, drawing, photograph, figure, image, motion picture, sound recording, article, instrument, or any other written or recorded matter that depicts or describes any "specified anatomical areas" and/or "specified sexual activities."

OFF-SITE ADVERTISING SIGN OR BILLBOARD: A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where the sign is located, or to which it is affixed.

OIL AND GAS: Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well. (See Article IX-A for additional definitions.)

OPEN SPACE, COMMON: A parcel or parcels of land or an area of water, or a combination of land and water, within a development site, designed and intended for the use and enjoyment of residents of the development, not including streets, off-street parking areas, and areas set aside for public or community facilities.

OPEN SPACE, PUBLIC: Common open space owned by a government agency or the Township for public recreation.

OPEN SPACE RATIO: A measure of the intensity of land use, determined by dividing the total of all open space areas contained within a site by the gross site area.

OPERATOR, FORESTLAND: An individual, partnership, company firm, association, or corporation engaged in timber harvesting, including the agents, subcontractors, and employees thereof.

OUTDOOR EXHIBITIONS, SPORTS ASSEMBLY, ENTERTAINMENT, AND AMUSEMENTS: Publicly or privately operated facilities such as stadiums, racetracks, arenas, field houses, cart tracks, miniature golf courses, amusement parks, zoos, and similar sports, exhibitions, and amusement uses.

OUTDOOR FURNACE: Any device, contrivance or apparatus or any part thereof, including but not limited to a boiler, fire box, exchanger, grate, fuel gun, fuel nozzle, chimney smoke pipe, exhaust conduit and like devices, that is installed, affixed or situated outdoors for the primary purpose of the combustion of fuel from which heat or energy is derived and intended to be directed there from by conduit or other mechanism into any interior space for the supply of heat or energy. An Outdoor Furnace may also be referred to as an Outdoor Wood Boiler or Outdoor Wood-Fired Hydronic Heater. This definition does not include a fire pit, wood-fired barbecue, chimera, outdoor fireplace or maple sugar rendering apparatus.

OUTDOOR RECREATION AND SPORTS: Commercial or membership-only sports or recreational uses conducted outdoors such as tennis, golf, boating, canoeing, hunting, fishing, skiing, golf driving range, and similar participation activities. Outdoor Recreation and Sports shall not include outdoor shooting ranges or archeries.

OUTDOOR SHOOTING RANGE: A place where firearms and other projectile-type weapons (e.g. guns, rifles, shotguns, pistols, air guns, archery cross-bows, etc.) can be used for recreation, competition, skill development and/or training.

OWNER: The person who holds the fee simple title to a property, and the person or persons who have acquired any interest in the property by contract or purchase or otherwise.

OWNER, FORESTLAND: An individual, partnership, company, firm, association, or corporation that is in actual control of forest land, whether such control is based on legal or equitable title, or any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any matter, and any agents thereof acting on there behalf, such as forestry consultants, who set up and administer timber harvesting.

PA DEP: The Pennsylvania Department of Environmental Protection.

PARKING FACILITIES: Parking facilities shall consist of areas used for the storage of vehicles or of specially designed buildings or garages used for the same purposes. Private parking facilities shall be restricted to use by persons resident on the premises or residing in the immediate vicinity of such facility or by their guests. Public parking facilities shall be open to the public as an accommodation for customers, clients or visitors.

PATIO: An area designed for outdoor living purposes as an accessory use to a structure, which shall be completely unenclosed except for any side that may adjoin a structure or for any fences, shrubs or hedges. Outdoor areas enclosed by a permanent roof shall be considered to be a structure.

PENNDOT: The Pennsylvania Department of Transportation.

PERMANENT FOUNDATION: A cement, concrete, treated wood, or cinder block walled foundation erected on a poured concrete footer. A solid concrete slab will also be considered a permanent foundation. The construction of permanent foundations shall be done in accordance with the Uniform Construction Code as amended.

PERMIT: A document issued by Ransom Township authorizing an applicant to undertake certain activities.

1. Building Permit - A permit indicating that a proposed construction, alteration, or reconstruction of a structure is in accordance with the construction provisions of any Building Permit Ordinance or Construction Code that may be adopted by the Township and authorizing an applicant to commence with said construction, alteration or reconstruction. Such a permit shall not be confused with a zoning permit or with an occupancy permit as required under the terms of this Ordinance.
2. Zoning Permit - A permit issued indicating that a proposed use, building or structure is in accordance with the provisions of this Ordinance and authorizing an applicant to proceed with said use, building or structure.
3. Occupancy Permit - A permit issued upon completion of the construction of a structure, or change in use of structure or parcel of land indicating that the premises

comply with the provisions of this Ordinance and may be used for the purposes set forth in the Occupancy Permit. See also, Certificate of Zoning Compliance.

PERMITTED USE: Any use that does not require special action by the Governing Body, Zoning Hearing Board, or Planning Commission before a building and/or zoning permit is granted by the Zoning Officer. A use permitted by right in a designated zoning district(s).

PERSONAL SERVICES: Places primarily providing services oriented to personal needs that do not involve retail sales or professional advisory services. Personal services include barber and beauty shops, shoe repair shops, household appliance repair shops, and other similar establishments.

PERVIOUS CONCRETE PAVEMENT: A cast-in-place, Portland cement-based concrete pavement surface designed to permit the percolation of a percentage of water through its surface.

PERVIOUS SURFACE: Any area maintained in its natural condition, or covered by a material that permits infiltration or percolation of water into the ground, including but not limited to vegetation, mulch, non-compacted gravel, and slatted wood.

PLANNED RESIDENTIAL DEVELOPMENT: An area of land controlled by a landowner to be developed as a single entity for a number of dwelling units, or combination of residential and non-residential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling or use, density, lot coverage and required open space, to the regulations established in the zone districts as created by this Ordinance, and any subsequent amendments thereto.

PLANNING COMMISSION: The Planning Commission of the Township of Ransom.

PLAT: A map, plan, or layout of a subdivision indicating the location and boundaries of individual properties.

POOL HOUSE: A detached accessory building used for recreational purposes and/or storage in association with a private swimming pool and does not exceed five hundred (500) square feet in floor area.

PORCH: A roofed or unroofed structure projecting from the front, side, or rear wall of a building that shall have no wall more than thirty inches (30") high and that shall be open on all sides except the side adjoining the building.

PORTABLE ON-DEMAND STORAGE CONTAINER (POD): Any container, storage unit, shed-like container or other portable structure specifically made or crafted for the purpose of temporary storage that can or is used for the storage of personal property of any kind excluding hazardous materials or wastes as defined in this Section 302 and is located outside an enclosed principal structure.

POULTRY: Domesticated birds used for eggs or meat such as chickens, turkeys, ducks, or geese.

POWER FACILITY: Any plant facility and equipment, excluding Solar and Wind Energy Facilities as defined by this Ordinance, for the purposes of producing, generating, transmitting, delivering or furnishing electricity for the production of power.

PRE-COMMERCIAL TIMBER STAND IMPROVEMENT: A forest practice, such as thinning or pruning, that results in better growth, structure, species composition, or health for the residual stand but that does not yield a net income to the land owner, usually because any trees cut are of poor quality, too small, or otherwise of limited marketability or value.

PREMISES: Any lot, parcel or tract of land and any building constructed thereon.

PROFESSION: Includes any occupation or vocation in which a professed knowledge of some department of science or learning is used by its practical application to the affairs of others, either advising, guiding, or teaching them and in serving their interest or welfare in the practice of an art founded on it. The work implies attainments in professional knowledge as distinguished from mere skill and the application of such knowledge to uses for others as a vocation. It requires knowledge of an advanced type in a given field of science or instruction and study.

PROFESSIONAL OFFICE: Professional offices shall include the office of a physician, dentist, optometrist, minister, architect, landscape architect, community planner, engineer, insurance agent, realtor, accountant, lawyer, chiropractor and similar practitioners licensed by the Commonwealth of Pennsylvania and/or the United States Government.

PROPERTY LINE: A recorded boundary of a lot. However, any property line that abuts a "street" or other public or quasi-public way shall be measured from the full right-of-way.

PUBLIC BUILDING OR USE: Any structure, building, or use owned and operated by a government body or agency including such uses as public elementary and secondary schools, municipal buildings, police stations, post offices, tourism promotion and welcome centers, but excluding solid-waste disposal facilities, recycling centers, parks, correctional facilities, nursing homes, hospitals, and other public service uses specifically defined by this Ordinance.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance and the Pennsylvania Municipalities Planning Code.

PUBLIC MEETING: A forum held pursuant to the notice under the act of July 3, 1986 (PL 388, No. 84), known as the Sunshine Act.

PUBLIC NOTICE: Notice published once each week for two consecutive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

PUBLIC PARK: A natural or landscaped area, buildings or structures, provided by a unit of government, to meet the active or passive recreational needs of people. Playgrounds shall be considered public parks that provide recreational needs primarily to children.

PUBLIC UTILITY TRANSMISSION TOWER: A structure, owned and operated by a public utility electric company regulated by the Pa. Public Utility Commission, designed and used to support overhead electricity transmission lines.

RECREATIONAL VEHICLE: A vehicle that is designed primarily to transport a person for primarily recreational instead of transportation purposes, or a vehicle that serves as a mobile, temporary dwelling. This may include a vehicle that is self-propelled, towed, or carried by another vehicle, but shall not include camper cabs that fit over pickup trucks. This term shall also include the following: watercraft other than canoes with a hull longer than 12 feet, motor homes, travel trailers, all-terrain vehicles, and snowmobiles.

RECYCLING FACILITY: An establishment for the drop-off, processing, separation and/or collection of recyclable materials from solid wastes.

RELATED OR RELATIVE: Persons who are related by blood, marriage, adoption, or formal foster relationship to result in one of the following relationships: brother, sister, parent, child,

grandparent, great-grandparent, grandchild, great-grandchild, uncle, aunt, nephew, niece, sister-in-law, brother-in-law, father-in-law, mother-in-law, or first cousin. This shall not include relationships such as second, third, or fourth cousins.

RELIGIOUS INSTITUTION: A church or place of worship or religious assembly with related facilities such as the following in any combination: rectory or convent, meeting hall, offices for administration of the institution, banquet facility for use by congregation members only, licensed child or adult daycare, and playground.

RESEARCH LABORATORY: A use engaged in research and development, testing, assembly, repair, and manufacturing in the following industries: biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software. Office, warehousing, wholesaling, and distribution of the finished products produced at the site are allowed as part of this use.

RESORT OR CONFERENCE CENTER: A building(s) located on a lot combining lodging of members and guests, service of food, retail sales of commodities and services, facilities for educational activities and/or business meetings, and recreation.

RESTAURANT: An establishment in which the principal use is the preparation and sale of food and beverages, whether the food and beverages are consumed on-site or not.

RETAIL BUSINESS: An establishment offering the sale or rental, with incidental service, of commonly used goods and merchandise for personal or household use, but excludes those retail businesses classified more specifically by definition in this Ordinance.

RETAINING WALL: Any fence or wall built or designed to retain or restrain lateral forces or soil or other materials, said materials being similar to the height of the wall on one side.

RETIREMENT HOUSING: A residential complex containing multifamily dwellings designed for and principally occupied by senior citizens (age 55+). Such facilities may include a congregate meals program in a common dining area, but exclude institutional care such as medical or nursing care.

ROOMING AND BOARDING HOUSE: A residence or building other than a motel or hotel where, for compensation and by prearrangement for definite periods of thirty (30) days or more, lodging and meals are provided for two (2) or more persons. A college fraternity or sorority house used as a residence shall be considered a type of boarding house, but a boarding house shall not include a use that meets the definition of the following: drug or other treatment center, abused person shelter, hotel, dormitory, motel, personal care facility, bed and breakfast inn, home-share, group home or nursing home.

SANITARY LANDFILL: A lot or land or part thereof used primarily for the disposal of garbage, refuse, and other discarded materials including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural, and residential activities. The operation of a sanitary landfill normally consists of: 1) depositing the discarded material in a planned controlled manner, 2) compacting the discarded material in thin layers to reduce its volume, 3) covering the discarded materials with a layer of earth, and 4) compacting the earth cover.

SATELLITE DISH ANTENNA: A parabolic dish antenna including its structural supports, used for reception of various satellite television programming signals.

SAWMILL: A facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

SCREEN PLANTING: A method of visually shielding or obscuring one abutting or nearby structure or use from another by densely planted vegetation.

SELF-STORAGE FACILITY: A building(s) containing separated spaces to be leased or rented to individuals and/or businesses for the storage of personal belongings, goods, or supplies.

SEMI-PUBLIC BUILDING OR USE: Buildings or uses operated by nonprofit, community-based organizations including fire and ambulance stations, private elementary and secondary schools, and essential services that require enclosure within a structure or building.

SEXUAL ENCOUNTER CENTER: A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

1. Physical contact in the form of wrestling or tumbling between persons of the opposite sex.
2. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

A Sexual Encounter Center shall be considered an Adult Business for the purpose of this Ordinance.

SEWAGE DISPOSAL SYSTEM, CENTRALIZED: A publicly or privately owned and operated utility system or other system designed to collect, centrally treat and dispose of sewage from users in compliance with regulations of the appropriate state agency and of the Township.

SEWAGE DISPOSAL SYSTEM, COMMUNITY: A publicly owned and operated utility system or other system designed for the collection of sewage from two or more lots and for the treatment or disposal of the sewage on one or more of the lots or at any other site, by on-site (into the soil) disposal techniques in compliance with regulations of the appropriate agency and of the Township.

SEWAGE DISPOSAL SYSTEM, INDIVIDUAL: A utility system or other system designed for the collection, treatment and disposal of from a single lot into the soil or into waters of the Commonwealth, or for conveyance to another site for final disposal.

SHED: An accessory structure used primarily for storage purposes, of a wall height no greater than eight feet (8') and that does not exceed one hundred fifty (150) square feet in floor area.

SHOPPING CENTER, MALL OR PLAZA: A group of six (6) or more retail and other commercial establishments that is planned, owned, and managed as a single-property with on-site parking. The two main configurations of a shopping center are malls and open-air strip plazas.

SHORT-TERM RENTAL: Any rental of any living accommodation that is 30 consecutive days or less, including hotels, motels, bed and breakfasts, and home-share.

SIGN: Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any other flags displayed from flagpoles or staffs will not be considered to be signs. (See Article IX for additional definitions.)

SIGNIFICANT STOCK AND TRADE: Twenty-five percent (25%) or greater of the floor area, gross sales, or dollar value of inventory of any commercial establishment.

SITE ALTERATION: Site alterations shall include re-grading the existing topography, filling lakes, ponds, marshes or flood plains, removing ground cover or altering water courses.

SKIDDING: Dragging trees on the ground from the stump to a landing by any means.

SLASH: Woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

SLAUGHTERHOUSE: A facility for the for-profit slaughtering and processing of animals and the refining of their byproducts.

SOCIAL SERVICE AGENCY: A facility, other than an office, providing a social service directly to the local community, including but limited to food banks, blood banks, life-skills training, job training, hotline centers, veterans affairs, emergency shelters, elderly or disabled services, and crisis centers. This type of use does not include drug treatment centers or other types of treatment centers as defined by this Ordinance.

SOLAR COLLECTOR: A device or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a structure's energy supply.

SOLID WASTE OR WASTE: Any garbage, refuse, industrial, lunchroom or office waste or other material including solid, liquid, semi-solid or contained gaseous material, resulting from the operation of residential, municipal, commercial, or institutional establishments and from community activities. The term shall also include any garbage, refuse, other discarded material or other waste, including solid, liquid, semi-solid or containing gaseous materials resulting from industrial, mining, agricultural operations. Local facilities or any other by-product or effluent from an industrial, mining or agricultural water supply treatment facility, waste water treatment facility or air pollution control facility.

SOLID WASTE FACILITY: Any facility operated either publicly or privately pursuant to the laws of the Commonwealth of Pennsylvania governing the management, incineration and disposal of solid waste including, but not limited to: liquid, solid, toxic, hazardous, infectious and medical waste.

SPECIAL ANATOMICAL AREAS: Any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areoles.
2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

SPECIAL EXCEPTION: The granting of a modification of the provisions of this Ordinance as authorized in specific instances listed, and under the terms, procedures, and conditions prescribed herein. Special exceptions are administered by the Zoning Hearing Board.

SPECIFIED SEXUAL ACTIVITIES: Any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
3. Masturbation, actual or simulated.
4. Excretory functions as part of or in connection with any of the activities set forth in 1, 2, and 3 of this definition.

STABLE: A structure and/or land use in or on which equines are kept for personal use, sale or hire to the public. Breeding, boarding, or training of equines and on-site riding trails may also be conducted.

STAGING AREA: Any area where vehicles containing solid waste are parked or located prior to depositing said solid waste at a solid waste disposal facility.

STAND: Any area of forest vegetation whose site conditions, past history, and current species composition are sufficiently uniform to be managed as a unit.

STORAGE STRUCTURE: An accessory structure that is used for storage and does not have a door or other entranceway into a dwelling unit, is greater than one hundred fifty (150') square feet in floor area, and does not have water fixtures within its confines, the use of which is limited solely to storage of inanimate objects.

STORY (AND HALF-STORY): A level of a building routinely accessible to humans having an average vertical clearance six feet (6') or greater shall be considered a full story, except as provided for in the definition of "basement." Any level of a building having an average vertical clearance from floor to ceiling of less than six feet (6') shall be considered a "half-story."

STREET: A public or private thoroughfare, including road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare that affords the principal means of access to abutting property.

STREET RIGHT-OF-WAY LINE: The dividing line between the street and lot, also known as the street line or front lot line.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include:

1. buildings; dwellings; mobile and manufactured homes; garages; sheds; barns and other agricultural structures; gazebos; carports; non-motorized or decommissioned rail cars, airplanes, helicopters, and military equipment; having a total floor or ground coverage area of greater than one hundred (100) square feet.
2. swimming pools
3. walls, excluding retaining walls
4. fences
5. tennis and other outdoor recreational courts, having an impervious play area of two thousand (2000) square feet or greater
6. towers and masts
7. signs
8. billboards

Accessory outdoor recreational equipment, such as tents and children's play or swing sets, shall not be classified as a structure.

SUBDIVISION: The division or subdivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement or access or any residential dwelling, shall be exempted.

SUPERVISORS: The Board of Supervisors of the Township of Ransom; the Governing Body.

SWIMMING POOL: A structure, whether above or below grade level, designed to hold water more than twenty-four inches (24") deep to be used for recreational purposes.

TAVERN: An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks may be available for consumption on the premises.

TEMPORARY USE: A use accessory to a permitted use that operates at a fixed location for a temporary period of time, including but not limited to contractors' offices; equipment sheds; real estate sales offices; temporary shelters; temporary portable on-demand storage containers; and outdoor festivals; carnivals; celebrations; country, craft, or county fairs; block parties; or picnics, held in conjunction with profit or non-profit organizations. Outdoor parties, celebrations, or special events held on the grounds of private residences by the residents of said property, where no fees are charged or collected or are held for charitable, educational, or political fundraising, shall not be considered a temporary use and shall not be subject to specific-use requirements set forth in §765 of this Ordinance.

THEATER: A building or part of a building devoted to the showing of moving pictures or theatrical productions on a paid admission basis.

THROUGH LOT: A lot extending between and having frontage on two streets.

TIMBER HARVESTING, TREE HARVESTING, OR LOGGING: That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

TOP: The upper portion of a felled tree that is not merchantable because of small size, taper, or defect.

TRACTOR-TRAILER, TRACTOR OF A: A truck with a minimum of three (3) axles that is intended to pull a trailer, as defined below, and not to carry goods itself.

TRACTOR-TRAILER, TRAILER OF A: A commercial vehicle twenty feet (20') or more in length that is not self-propelled, intended to haul materials, vehicles, goods, gases, or liquids, and intended to be pulled by a tractor, as defined above. This definition does not include recreational vehicles.

TRADE AND TECHNICAL SCHOOL: A school established to provide for the teaching of industrial, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum, including but not limited to beauty schools, business management, computer training, driving education, fine and performing arts education, modeling school, and sports and recreation education.

TRANSIT-RELATED BUSINESS OR FACILITY: A business or facility owned, used, constructed, maintained, controlled, or operated to provide public or mass transportation for passengers. This use also includes the storage and/or maintenance of any motor driven fleet associated with the business, including but not limited to chartered, school, shuttle, special needs, local transit, and interurban buses; taxis and limousines.

TREATMENT CENTER: A use (other than a drug treatment center or permitted accessory use in a hospital) providing treatment for persons who need specialized care and/or counseling as outpatients or inpatients for either of the following:

1. Criminal rehabilitation, such as a criminal half-way house/transitional living facility or a treatment/housing center for persons convicting of driving under the influence of alcohol.
2. A type of mental illness or other behavior that could cause a person to be a threat to the physical safety of others.

UNIFORM CONSTRUCTION CODE (UCC): The Pennsylvania Construction Code Act, Act 45 of 1999 as amended; the statewide building code.

USE: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

VARIANCE: Permission granted by the Zoning Hearing Board, following a hearing that is properly advertised, for an adjustment to some regulation that, if strictly adhered to, would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of the Ordinance.

WALL: A constructed solid barrier of concrete, stone, brick, tile, wood, or similar type of material that closes, marks, or borders a field, yard, or lot, and that limits visibility and restricts the flow of air and light.

WAREHOUSE: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of inflammable or explosive materials that present hazards or commonly recognized offensive conditions.

WASTEWATER TREATMENT FACILITY, NON-MUNICIPAL: A non-municipal facility not located on the same parcel where the wastewater is generated that is used for treating and removing any harmful chemicals, compounds (including the flow back water and solutions used in the process of hydraulic fracturing for natural gas), nutrients, organics, solids, radionuclides, or other materials prior to being transported off-site for reuse or discharged into a stream or into the soil. Such a facility typically includes a multi-bay truck loading/unloading station, skim pounds for oil/water separation, water clarifiers, sludge de-watering facilities, reverse osmosis units, evaporators, chemical feed equipment, pumps, and other appurtenances.

WATER BODY: A natural or manmade lake, pond, or reservoir.

WATERCOURSE: A natural or constructed drainage way for water, including permanent and intermittent streams.

WATER SUPPLY SYSTEM, CENTRALIZED: A public utility system or other centralized water supply system designed to transmit water from a common source to users, in compliance with the requirements of the appropriate State Agency or regulations of the Township, whichever may be more stringent. Any system not deemed a centralized water supply system shall be deemed an on-lot system.

WETLANDS: Those areas, as regulated by PA DEP and the U. S. Army Corps of Engineers, that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

WHOLESALE BUSINESS: An establishment or place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or

to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

WIND ENERGY FACILITY: A facility where one (1) or more wind turbines or windmills and/or other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities are located and are used for the generation of electricity that is used on-site for commercial purposes, that is used off-site for any purpose, or that is sold on the open market. A wind turbine or windmill accessory to a principal structure that is sized and intended to be used to generate electricity primarily for the principal structure to which it is accessory shall not be considered a wind energy facility but shall meet all applicable accessory use requirements in this Ordinance.

WIND TURBINE OR WINDMILL: A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower, and pad transformer, if any.

WIND TURBINE OR WINDMILL HEIGHT: The distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane.

WINDOW: An opening to the outside other than a door that provides all or part of the required natural light, natural ventilation or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window in regard to provision of natural light.

WINE-TASTING ROOM: A facility devoted to the sampling and sales of wine or beer produced on or off the premises. Sale of food is prohibited; however, incidental provision of food without compensation is allowed.

WIRELESS COMMUNICATIONS FACILITY (WCF): The set of equipment and network components including antennas, transmitters, receivers, base stations, cabling and accessory equipment used to provide wireless data and telecommunication services. The term shall not include the wireless support structure.

WIRELESS COMMUNICATIONS FACILITY (WCF), TOWER-BASED: Wireless communications facilities that include the installation of a new tower to support the transmission equipment. Replacements of existing towers are not considered a new Tower-Based WCF.

WIRELESS COMMUNICATIONS FACILITY (WCF), TOWER-BASED, HEIGHT OF: The vertical distance measured from the ground level to the highest point of a Wireless Communications Facility supported by a tower.

WIRELESS SUPPORT STRUCTURE: A freestanding structure, such as a guyed or self-supporting tower, electrical transmission tower, water tower, or other structures including but not limited to buildings, light poles, utility poles, flag poles, and traffic signals that could support the placement or installation of wireless telecommunications facilities.

YARD: An open space on the same lot with a building or group of buildings that lies between the principal building or group of buildings and the nearest lot line and that is unoccupied and unobstructed from the ground upward except as herein permitted.

YARD, FRONT: An open unoccupied space on the same lot with a main building, extending the full width of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street right-of-way line. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard.

YARD, REAR: An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot and the rear line of the building. A building shall not extend into the required rear yard.

YARD, SIDE: An open unoccupied space on the same lot with the building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line. A building shall not extend into the required side yards.

ZERO LOT LINE: The location of a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line.

ZONING: The designation of specified districts within a municipality or county, reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING HEARING BOARD: The Zoning Hearing Board of the Township of Ransom.

ZONING MAP: The official Zoning Map of the Township of Ransom, Lackawanna County, Pennsylvania.

ZONING OFFICER: The administrative officer charged with the duty of enforcing the provisions of this Ordinance.

ZONING ORDINANCE: The Township of Ransom Zoning Ordinance, as amended.

ARTICLE IV

ESTABLISHMENT OF DISTRICTS

401 GENERAL DISTRICTS

For the purposes of this Ordinance, the Township of Ransom is divided into seven (7) Zone Districts and two (2) Overlay Districts. They are as follows:

- A-1 Agricultural
- R-1 Rural Residential
- R-2 Suburban Residential
- C-1 Neighborhood Commercial
- M-1 General Commercial/Manufacturing
- M-2 Heavy Manufacturing
- S-1 Open Space/Conservation
- FP Flood Plain Overlay
- AHD Airport Hazard Overlay

402 INTENT OF ZONING DISTRICTS

- A-1 Agricultural:** To preserve and protect the most productive agricultural lands and also permit low-density residential uses and uses compatible to agriculture.
- R-1 Rural Residential:** To provide for low-density one- and two-family residential uses on lots of sufficient size to safely permit on-site sewage disposal and water supply.
- R-2 Suburban Residential:** To provide for higher-density one-, two-, and multi-family residential uses on various lot sizes where off-site water and off-site sewage is provided or could easily be provided from areas currently served by off-site water and sewage facilities.
- C-1 Neighborhood Commercial:** To provide convenience goods shopping and services in small areas that will serve the immediate surrounding neighborhood.
- M-1 General Commercial/Manufacturing:** To provide regional shopping and services, professional businesses and offices, and manufacturing/employment opportunity uses in an area easily accessible and adjacent to a state roadway.
- M-2 Heavy Manufacturing:** To provide for heavy manufacturing and earth moving uses in an area currently compatible with, and utilized for, these uses.
- S-1 Open-Space/Conservation:** To preserve open space and conserve the natural environment such as ridge-top and steep-sloped areas while providing for very low-density and low-impact uses.
- FP Flood Plain Overlay:** The intent of this overlay district is to permit uses and building regulations subject to the same requirements as the zone over which this district is laid, and to also subject the uses and building regulations to the requirements of the Ransom Township Flood Plain Management Ordinance. The boundaries of this overlay district coincides with the Zone A, 100-year flood, boundaries, as shown on the Flood Insurance Rate Map for the Township of Ransom, containing the most current effective date, and prepared by the Federal Emergency Management Agency, Federal Insurance Administration.
- AHD Airport Hazard District Overlay:** The intent of this overlay district is to comply with PA Act 164 of 1984, the Airport Zoning Act, as regulated by Part 77 of Federal Aviation

Regulations, by considering safety issues around the Wilkes-Barre/Scranton International Airport.

403 ENVIRONMENTAL PROTECTION INTENT

It is the intent of this Ordinance that all development follows standards for environmental protection while providing a reasonable use for the property owner. Throughout the Township, environmental protection includes:

- A. Lakes, Ponds, or Water Courses - These areas shall be left as permanent open space. Special care should be taken in adjacent development to preserve the environmental quality of the lakes, ponds, and water courses.
- B. Storm Water - All developments shall be required to implement storm water management plans in accordance with the Pennsylvania Department of Environmental Protection's Best Management Practices and the Ransom Township Storm Water Management Ordinance.
- C. Soil Erosion and Stream Sedimentation - All developments shall protect streams, lakes and ponds from sedimentation and shall control erosion in accordance with the Clean Stream Law, P.L. 1987, Chapter 102.
- D. Agricultural Preservation - Productive agricultural soils areas in the Township and successful farms regardless of soil category should be retained as agricultural open space use.
- E. Forest - Existing forest land should be preserved. The degree of preservation should increase from the M-2 to the S-1 districts.
- F. Steep Slopes - Existing moderately steep slopes over fifteen (15%) percent should be very carefully developed so as not to excessively increase water run-off, cause soil erosion, stream sedimentation, stream siltation, and mud slides or cause any other significant disruption of the environment. In general, extremely steep slopes of twenty-five (25%) percent and higher should not be developed because of severe environmental problems.
- G. Endangered Species Requirements - If, in any Zoning district, there exists any species of flora or fauna that is designated as an endangered species by the United States Environmental Protection Agency, development in those areas shall be in strict accordance with, and under approval of E.P.A. or any agency designated by it as having jurisdiction in this matter.
- H. Wetlands - Development of wetland areas shall be discouraged in order to preserve the environmental quality, storm water retention and groundwater recharge capabilities of wetlands. All development of wetland areas shall be generally minimized and performed in strict accordance with Pennsylvania Department of Environmental Protection regulations and all other applicable state and federal regulations.

404 ZONING MAP

- A. The location and boundaries of these districts are established as shown on the attached Zoning Map of the Township of Ransom. The Zoning Map is hereby made a part of this Zoning Ordinance, together with all future notations, references and amendments.
- B. The Official Zoning Map shall be identified by the signatures of the Board of Supervisors attested by the Township Secretary, and shall bear the adoption date of this Ordinance and the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map of Ransom Township."

- C. Changes of any nature to the Official Zoning Map shall be made in conformity with the amendment procedures set forth in this Ordinance. All changes shall be noted by date with a brief description of the nature of the change.
- D. Regardless of the existence of purported copies of the Official Zoning Map that may from time to time be made or published, the Official Zoning Map shall be located in the Township Office and shall be the final authority on boundaries and districts. The Zoning Officer shall have a certified copy of the map for official use.
- E. If the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of changes and additions, the Board of Supervisors may, by resolution, adopt a new Official Zoning Map that shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signatures of the Board of Supervisors, attested to by the Township Secretary, and bearing the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted November 15, 2001 and amended February 3, 2003, as part of the Ransom Township Zoning Ordinance, Lackawanna County, Pennsylvania."
- F. Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any part or parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.

405 RULES FOR INTERPRETING DISTRICT BOUNDARIES

- A. Boundaries drawn approximately following the centerlines of streams, drainage ways, streets, alleys, railroads or other right-of-way shall be construed to follow such centerlines.
- B. Boundaries approximately following lot lines shall be construed as following such lot lines and to be located upon the land through competent land survey of those lot lines.
- C. Boundaries drawn approximately following the centerlines of streams shall be construed to follow such centerlines, and in the event of change in the centerline shall be construed as moving with the actual centerline.
- D. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- E. Where physical features existing on the ground vary with those shown on the Official Zoning Map, or in other circumstances not covered by subsection A. through D. above, the Zoning Hearing Board shall interpret the district boundaries.

ARTICLE V

LAND-USE REGULATIONS

501 APPLICATION OF DISTRICT REGULATIONS

- A. The regulations set by this Ordinance shall apply uniformly to each class or kind of structure or land, except as provided for in this Ordinance.
- B. No building or structure shall hereafter be erected, constructed, reconstructed, moved, or altered internally or externally and no building or structure or part thereof shall hereafter be used or occupied unless it is in conformity with the regulations herein specified for the district in which it is located. No lot, parcel of land or water area shall be utilized, occupied, altered or improved unless it is in conformity with the regulations herein specified for the district in which it is located.
- C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- E. All territory that may hereafter be annexed to the Township shall be considered to be zoned in the same manner as the contiguous territory inside the previous Township limits until otherwise classified.

502 TYPES OF USES

- A. Permitted Uses. Uses listed as Permitted Uses within each District in Schedule I of this Article shall require no special action by the Governing Body or by the Planning Commission before a Zoning Permit is granted by the Zoning Officer, provided that the use type, dimensional, and all other applicable requirements of this Ordinance are satisfied.
- B. Special Exception Uses. Uses listed as Special Exceptions in Schedule I of this Article shall require individual consideration in each case because of their unique characteristics. Such Special Exception Uses shall be referred to the Township Planning Commission by the Township Zoning Hearing Board and may be permitted by the Zoning Hearing Board only after a hearing and determination by the Township Zoning Hearing Board that such proposed uses meet the standards, requirements, and intent of this Ordinance.
- C. Conditional Uses: Uses listed as Conditional Uses in Schedule I of this Article shall require individual consideration in each case because of their impact upon the lives of all persons within the Township. Such Conditional Uses shall be referred to the Township Planning Commission by the Township Governing Body and may be permitted by the Governing Body only after a hearing and determination by the Governing Body that such proposed uses meet the standards, requirements, and intent of this Ordinance.
- D. Accessory Uses. Accessory Uses are permitted to be established along with and upon the same parcel as the associated principal use provided that the associated principal use or structure was legally established as a Permitted Use, Special Exception Use, or Conditional Use and provided that all applicable requirements for accessory uses within this ordinance

are satisfied. Accessory Uses will require a Zoning Permit issued by the Zoning Officer unless otherwise stated within this Ordinance.

E. Prohibited Uses. Any use not listed within any Zoning District within Schedule I of this Article shall be deemed to be prohibited within that district.

F. Unlisted Uses.

1. No Zoning Permit shall be issued for a use not specifically mentioned or described by category in the Schedule I Regulations Governing the Use of Land. Evaluation of these uses shall be as set forth in subsection 2. below.
2. Uses not listed as a permitted use, special exception, or conditional use are presumed to be prohibited from the applicable zoning district. In the event that a particular use is not listed in Schedule I Regulations Governing the Use of Land, and such use is not prohibited by law, the Zoning Officer shall determine whether a materially similar use exists in this Article V. Should the Zoning Officer determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the Zoning Officer's decision shall be recorded in writing.
3. The Zoning Officer may determine that a use is materially similar if the use is listed as within the same Function or Structure classification as the use specifically enumerated in Schedule I Regulations Governing the Use of Land, as determined by the Land-Based Classification Standards (LBCS) of the American Planning Association [Reference: <http://www.planning.org/lbcs/>]. The use shall be considered materially similar if it falls within the same LBCS classification.
4. In order to assist in interpretation of Schedule I Regulations Governing the Use of Land, the LBCS Function and Structure category numbers are listed at the right side of the row for each specific land-use. In interpreting Schedule I Regulations Governing the Use of Land, the following rules shall apply:
 - a. If a use is listed for a specific classification, while a more general classification within the same industry classification is also listed for another use, the specific classification governs. The specific use is not permitted in all zoning districts where the uses coded to the general classification are permitted simply because they share a similar LBCS code number. The numbers increase as the classifications become more specific.
 - b. Some uses are listed separately, but fall within the same LBCS classification. The uses within one such classification are not permitted in all of the zoning districts as the others simply because they fall within the same LBCS classification.
5. If the Zoning Officer determines that a materially similar use cannot be located within one of the LBCS classifications pursuant to subsection 3. above, he or she shall present the application for the proposed use to the Zoning Hearing Board, which shall have the authority to permit the use or deny the use as a special exception in accordance with the following:
 - a. The use may be permitted only if the Zoning Hearing Board makes **all** of the following findings, and the burden of proof shall be upon the applicant.

- 1). The use is compatible with the uses listed for the subject zoning district by Schedule I Regulations Governing the Use of Land.
 - 2). The use in no way conflicts with the intent of the zoning district and the general purpose and intent of this Ordinance.
 - 3). The use is not permitted in any other zoning district.
 - b. The Zoning Hearing Board shall provide a copy of the application to the Township Planning Commission at the time the application is received. The Zoning Hearing Board shall not conduct a hearing on the application until the comments from the Planning Commission are received or thirty (30) days has passed from the time the application was referred to the Planning Commission.
 - c. The Zoning Hearing Board may attach reasonable conditions and safeguards to any special exception granted for a use not specified in Schedule I Regulations Governing the Use of Land, incorporating standards from the Ordinance for compatible uses in the applicable zoning district and such other conditions as the Zoning Hearing Board may deem necessary to protect and promote the public health, safety, morals, and welfare and to implement the purposes of this Ordinance and the Pennsylvania Municipalities Planning Code.
6. If the Zoning Hearing Board denies the use as a special exception, after completion of the process as outlined in subsection 5 above, this Ordinance may be amended by the Governing Body to establish a specific listing for the use in question.

503 CONTINUATION OF EXISTING USES

Any legally established existing use of a building or structure, lot or parcel of land or part thereof, as of the effective date of this Ordinance may be continued, subject to any applicable conditions or requirements of this Ordinance.

504 SCHEDULE I

The following SCHEDULE I, REGULATIONS GOVERNING THE USE OF LAND, lists the various types of permitted, special exception, and conditional uses that are permitted within each Zoning District of the Township of Ransom.

SCHEDULE I REGULATIONS GOVERNING THE USE OF LAND

P = Permitted Use
SE = Special Exception Use
CU = Conditional Use

Land Use	A-1	R-1	R-2	C-1	M-1	M-2	S-1	Additional Regs. (see Sec.)	LBCS Function	LBCS Structure
Residential Uses										
Single-family dwellings*	P	P	\P	CU	CU	CU	P	762A	1100	1110
Two-unit attached dwellings	P	P	P				P	743	1100	1120
Duplex (over/under)	P	P	P				P	743	1100	1121
Townhouses	P	P	P				P	743	1100	1140
Multi-family dwellings, Garden apartments			P					743	1100	1200
Planned Residential Development		CU	CU					746	1100	-
Mobile Home Parks	P							742	1100	1150
Apartment above Commercial Use				P	P			707	1100	2300
Group Homes or Halfway Houses	P	P	P				P	732	1230	1100
Rooming and Boarding Houses			P					757	1320	1110, 1340
Bed and Breakfast Inns	P	P	P				CU	712	1310	1110
Assisted Living, Nursing & Personal Care Homes			P					709	1210, 1240 1250, 6520	-
Retirement Housing			P					743	1210	1200
Hotels/Motels					P			737	1330	1330
Conversion from Non-residential Use to Residential Units	P	P	P				P	723	1110	1360
<i>*Only allowed in association with a non-residential use in the C-1, M-1, and M-2 zone districts.</i>										
Accessory Uses										
Agricultural Buildings	P	P	P	P	P	P	P	705	-	8100, 8200 8300, 8400 8800, 8900
Assisted-Care Apartment Units	SE	SE	SE	SE	SE	SE	SE	708	1100	1130
Farm Stands	P	P	P	P	P	P	P	727	2154	2230, 6920
Fences, Gates, & Walls	P	P	P	P	P	P	P	728	-	-
Garage or Yard Sales	P	P	P	P	P	P	P	731	-	-
Home-Based Businesses, Minimal Impact	SE	SE	SE	SE	SE	SE	SE	734	-	-
Home-Based Businesses, No Impact	P	P	P	P	P	P	P	735	-	-
Patios, Decks, and Gazebos	P	P	P	P	P	P	P	745B	-	-
Private Garages & Carports	P	P	P	P	P	P	P	747	-	-
Private Greenhouses & Gardens	P	P	P	P	P	P	P	748	9141	8500
Private Indoor Recreation	SE	SE	SE	SE	SE	SE	SE	749	-	3200
Private Outdoor Tennis & Similar Courts	P	P	P	P	P	P	P	751	-	-
Private Swimming Pools & Hot Tubs	P	P	P	P	P	P	P	752	-	-
Satellite Dish Antennas	P	P	P	P	P	P	P		-	-
Pool Houses	P	P	P	P	P	P	P	733	-	-
Guest Houses	P	P	P				P	733	1100	1100
Sheds & Storage Structures	P	P	P	P	P	P	P	761A	-	-
Signs	P	P	P	P	P	P	P	762, Art IX	-	-

Ransom Township Zoning Ordinance

Land Use	A-1	R-1	R-2	C-1	M-1	M-2	S-1	Additional Regs. (see Sec.)	LBCS Function	LBCS Structure
Pets, Keeping of	P	P	P	P	P	P	P	745C	-	-
Solar Collectors, accessory to Existing Principal Use	P	P	P	P	P	P	P	764	4314	6460
Temporary Uses	P	P	P	P	P	P	P	765	-	1350, 4440 6900
Wind Turbines, accessory to Principal Use	SE	SE	SE	SE	SE	SE	SE	771	4314	6460
Private Stables	P	P	P	P	P	P	P	718	-	8240
Outdoor Furnaces	P	P	P	P	P	P	P	744B	4314	-
Home Share	P	P	P	P	P	P	CU	720	-	-
Commercial Uses										
Adult Businesses					CU			703	-	-
Animal Hospitals or Veterinary Clinics	P				P			706	2418	4120
Auto Repairs, Service Stations, Auto Body Shops, and Car Washes				P	P			710	2110	2270, 2280
Bakeries & Confectionary Products				P	P			710A	3110	
Banks, Finance, and Insurance				P	P				2200	2100
Banquet Facilities					P			711	2560	2200, 3800
Bicycle Rentals or Sales				P	P			712A	2113, 2333	-
Billboards, Off-site Advertising					P	P		713	-	6700
Boutique Wineries	P			P	P		P		3110	-
Bulk Fuel Storage					CU	CU		714	-	2780
Commercial Greenhouses or Nurseries	P	P		P	P	P	P	705	9140	8500
Commercial or Professional Offices or Services				P	P				2300, 2400 2600, 2700	2100, 2300 2400
Contractor's Offices and Yards					P			721	7000	-
Convenient Stores with Gas Pumps				P	P			722	2116, 2152	2591
Flea Markets					CU			729	2145	6900
Funeral Homes or Mortuaries				P	P			750	6710	4800
Kennels	SE				P		SE	706	2720	8700
Lumberyards					P		CU		2126	-
New or Used Car, Motorcycle, Moped, ATV, or Trailer Rentals or Sales				P	P			743A	2111-2114 2331-2333	-
Nightclubs, Taverns, & Bottle Club					P			744A	2540	-
Public or Commercial Parking					CU			753	-	5200
Restaurants, Cafes or Coffee Houses					P			756B	2500	2220
Restaurants, Carry-out only				P	P			756B	2500	2220
Retail Businesses				P	P				2100	2200
Self-Storage Facilities					P			760	3600	2710
Shopping Malls, Centers or Plazas					CU			761	2000	2500
Stables, Commercial	P				P		SE	718	-	8240
Transit-Related Businesses and Maintenance Facilities					SE			766	4130	3930, 5400
Wholesale Businesses					P			769	3500	-
Wine Tasting Rooms	SE	SE	SE	SE	SE	SE	SE	769A	2155	-
Casinos or Gambling Establishments					CU			715A	5330	-

Ransom Township Zoning Ordinance

Land Use	A-1	R-1	R-2	C-1	M-1	M-2	S-1	Additional Regs. (see Sec.)	LBCS Function	LBCS Structure
Manufacturing Uses										
Industry, Heavy					P	P		738	3100, 3200 3300	2620
Industry, Light					P	P		738	3400	2610
Junk Yards & Automobile Wrecking						CU		739	-	-
Machine Shops					P	P		740	3350, 3360	2610
Medical Marijuana Facilities					P	P		Art IX-C	3320	2620
Recycling Facilities					P	P		754	4346	-
Research Laboratories					SE			756	2416	2615
Sanitary Landfills						P		758	4345	6320
Sawmills or Planing Mills					P	P		758A	3210	8000
Slaughterhouses					SE			763	9300	-
Solid Waste Facilities						P		758	4340	6300
Tire Re-treading and Recapping					P	P		740	2115	-
Warehousing, Distribution, or Outdoor Storage					P			767	3600, 4140 4160	2700
Wastewater Treatment Facilities, Non-Municipal					CU	CU		767A	4342	6351-56
Services & Public Uses										
Abused Person Shelters					SE			702	6564	-
Adult or Child Day Care Centers or Nursery Schools and Preschools	SE	SE		P	P			704	6110, 6562 6566	-
Airports	CU						CU	705A	4110	3920
Cemeteries and Mausoleums	SE				SE	SE		716	6720	4700
Colleges/Universities and Dormitories					P			759	1320, 6130	1320, 4220
Wireless Communications Facilities on existing structure	P	P	P	P	P	P	P	719	4230	-
Tower-Based Wireless Commun- ications Facilities > 40' in height				SE	SE	SE	SE	719	4230	6500
Tower-Based Wireless Commun- ications Facilities ≤ 40' in height	P	P	P	P	P	P	SE	719	4233	6510
Correctional Facilities							CU	724	6222	4600
Crematoriums and Columbarium					SE	SE		725	6720	4800
Drug & Other Treatment Centers and Medical Clinics					CU			726	6510, 6520	4120
Essential Services	P	P	P	P	P	P	P		-	6100, 6200 6310, 6440
Helipads	CU				CU			705A	4115	-
Hospitals					CU			736	6530	4110
Public and Semi-Public Buildings & Uses	P	P	P	P	P	P	P		6120, 6200 6300, 6400	4210, 4500
Religious Institutions	SE	SE	SE		P			755	6600	3500
Social Services					SE				6560	-
Television/Radio Stations Publishing & Information Services					P				4200	-
Trade & Technical Schools					P			765A	6140	4230

Ransom Township Zoning Ordinance

Land Use	A-1	R-1	R-2	C-1	M-1	M-2	S-1	Additional Regs. (see Sec.)	LBCS Function	LBCS Structure
Recreational Uses										
Campgrounds							SE	715	5400	-
Commercial Indoor Recreation					P			717	5300	3200
Cultural Facilities, Galleries and Libraries					P				4242, 5200	3400, 4300 4400
Fraternal, Civic, or Social Clubs				P	P				6800	-
Group Picnic Areas or Groves	SE				SE		SE	753A	5500	6940
Outdoor Exhibitions, Sports Assembly, Entertainment & Amusements					CU			745	5120, 5130 5140, 5280 5310, 5340	3130, 3300 4440, 4450
Outdoor Recreation & Sports, excluding Outdoor Shooting Ranges	P						SE	745A	5350, 5370* 5390	-
Outdoor Shooting Ranges							CU	Art IX-D	5370*	-
Public Parks & Playgrounds	P	P	P	P	P	P	P		5500	6940, 6950
Resorts or Conference Centers							SE	756A	1330, 1340	1330, 3400
Theaters					P				5100	3100
Resource Production and Extraction Uses										
Agricultural Operations and Products Processing, excluding Slaughterhouses	P	P	P	P	P	P	P	705	9100, 9200 9300**	8000
Oil and Gas Exploration, Extraction & Development	CU				CU	CU	CU	744 Art IX-A	8100	
Energy Storage Facility, Large Scale					P				4310	6410, 6440
Forestry	P	P	P	P	P	P	P	730	9400	-
Hydraulic Fracturing Water Withdrawal					CU			767B	-	-
Mineral and Natural Resource Extraction and Processing					CU	CU		741	8000	-
Power Facility, excluding Solar & Wind					CU			772	4311, 4312, 4313	6430
Solar Energy Facility	CU				CU	CU	CU	764A	4314	
Water Extraction & Bottling					CU		CU	768	3110	2620, 6260
Wind Energy Facilities							CU	770	4314	6460

*LBCS Function Category 5370 – Outdoor Shooting Range excluded

**LBCS Function Category 9300 – Animal slaughtering excluded

ARTICLE VI

LOT AND YARD REGULATIONS

601 MINIMUM LOT AREA AND DIMENSION REGULATIONS

- A. The minimum lot area and dimension requirements shown in Schedules II-A and II-B shall be met for all new dwelling units, principal buildings or uses where applicable, unless otherwise specified for specific uses or use groups in Article VII.
- B. Areas within public or private street or road rights-of-way shall not be included in the calculation of, or used to meet the minimum lot sizes for any proposed residential or non-residential use.
- C. The lot or yard requirements for any new building or use shall not include any part of a lot that is required by any other building or use to comply with requirements of this Ordinance. No required lot area or yard shall include any property, the ownership of which has been transferred subsequent to the effective date of this Ordinance, if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.
- D. In all cases, proposed lot dimensions and lot areas shall be adequate to provide space for all proposed buildings, structures, and use areas, and all required support facilities, parking and setback or yard areas.

602 MINIMUM YARD REGULATIONS

- A. Minimum yards or building setback distances shall be in accordance with Schedules II-A and II-B and as specified for specific uses in Article VII.
- B. Where a minimum depth of a front yard is specified in a district, an open space of at least the specified depth shall be provided between the street line or lines and the nearest point of any building or structure except as may be permitted elsewhere in this Ordinance.
- C. The front yard of an unimproved lot situated between two (2) improved lots having a principal building within twenty-five (25') feet of the side lot line of said unimproved lot may be reduced to the greatest depth of the front yard of the two (2) improved lots, but not to less than ten (10') feet.
- D. In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Zoning Hearing Board may waive the requirements for the normal front yard and substitute therefore a special yard requirement that shall not exceed the average of the yards provided on adjacent lots.
- E. On a corner lot, each yard facing each street shall equal the required front yard.
- F. Where a minimum width of a side yard is specified, no building or structure shall be erected within the specified distance from either side lot line, unless otherwise provided for in Article VII.
- G. Where a minimum depth of a rear yard is specified, no building or structure shall be erected within the specified distance from the rear lot line, unless otherwise provided for in Article VII.

603 SCHEDULE II-A - LOT, YARD, COVERAGE, AND HEIGHT REGULATIONS FOR AREAS SERVED BY INDIVIDUAL ON-LOT SEWER AND/OR ON-SITE WATER

LOT, YARD, COVERAGE, AND HEIGHT REGULATIONS

<i>REGULATIONS</i>	<i>DISTRICTS</i>						
	A-1	R-1	R-2	C-1	M-1	M-2	S-1
Maximum Lot Coverage ^(b)	25%	25%	35%	50%	50%	50%	15%
Maximum Building Height ^(a)							
Stories	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2
Feet	35	35	35	35	35	35	35
Minimum Yards (in Feet) ^(a)							
Front	35	35	25	25	50	50	50
Each Side	25	25	25	10	25	50	25
Rear	50	50	50	25	50	50	50
Minimum Lot Dimensions ^(a)							
Width (in feet)	150	150	150	150	150	200	200
Depth (in feet)	200	200	200	200	200	300	300
Net Buildable Site Area ^(c) per dwelling unit ^(d) or permitted use (in acres)	1 per DU 2 per NR	1	1	1	1	2	2

NOTES:

- (a) Minimum yard and lot dimensions and maximum heights shall be as set forth above unless otherwise specified under Articles VII and/or VIII of this ordinance.
- (b) Includes the roof areas of all principal and accessory buildings plus areas of other impervious surfaces as defined by this Ordinance used for streets, driveways, parking areas, and tennis and other recreational courts (sidewalks, patios, uncovered porches, decks, and play apparatus areas excluded). See §803A for Pervious Pavement Standards.
- (c) As defined in Section 302 of this Ordinance.
- (d) Area per each individual dwelling unit. For example, a two-unit attached dwelling would require a minimum of two (2) acres (1 acre per unit x 2 units).

DU = Dwelling Unit

NR = Non-residential structure or use

1 acre = 43,560 square feet

2 acres = 87,120 square feet

604 SCHEDULE II-B - LOT, YARD, COVERAGE, AND HEIGHT REGULATIONS FOR AREAS SERVED BY CENTRAL/COMMUNITY SEWER AND CENTRAL WATER

LOT, YARD, COVERAGE, AND HEIGHT REGULATIONS

DISTRICTS

<i>REGULATIONS</i>	A-1	R-1	R-2	C-1	M-1	M-2	S-1
Maximum Lot Coverage ^(b)	25%	25%	35%	50%	50%	50%	25%
Maximum Building Height ^(a)							
Stories	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2
Feet	35	35	35	35	35	35	35
Minimum Yards (in Feet) ^(a)							
Front	35	35	25	10	50	50	35
Each Side	25	25	10	10	25	50	25
Rear	50	50	25	20	50	50	50
Minimum Lot Dimensions ^(a)							
Width (in feet)	150	150	100	100	150	200	150
Depth (in feet)	200	200	150	150	200	300	200
Net Buildable Site Area ^(c)							
per dwelling unit ^(d)	1 per DU	1 per SF	0.5 per SF	0.5	1	2	1 per DU
or permitted use (in acres)	2 per NR	0.5 per TF/TH	0.25 per TF/TH				2 per NR
	0.25 per MHP	1 per NR	0.125 per MF				
			1 per NR				

NOTES:

- (a) Minimum yard and lot dimensions and maximum heights shall be as set forth above unless otherwise specified under Articles VII and/or VIII of this ordinance.
- (b) Includes the roof areas of all principal and accessory buildings plus areas of other impervious surfaces as defined by this Ordinance used for streets, driveways, parking areas, and tennis and other recreational courts (sidewalks, patios, uncovered porches, decks, and play apparatus areas excluded). See §803A for Pervious Pavement Standards.
- (c) As defined in Section 302 of this Ordinance.
- (d) Area per each individual dwelling unit. For example, a two-unit attached dwelling in the R-1 zone would require a minimum of one (1) acre (0.5 acres per unit x 2 units).

DU = Dwelling Unit
 SF = Single-Family Dwelling
 TF = Two-Unit Attached Dwelling or Duplex
 TH = Townhouse
 MF = Multi-Family Dwelling or Garden Apartment
 MHP = Mobile Home Park Dwelling Unit
 NR = Non-residential structure or use
 2 acres = 87,120 square feet
 1 acre = 43,560 square feet
 0.5 acres = 21,780 square feet
 0.25 acres = 10,890 square feet
 0.125 acres = 5,445 square feet

SAMPLE ILLUSTRATIONS FOR "AREA PER DWELLING UNIT"

Illustration 1:
Single-Family Dwelling
A-1 or R-1 zone
On-Lot sewer & water

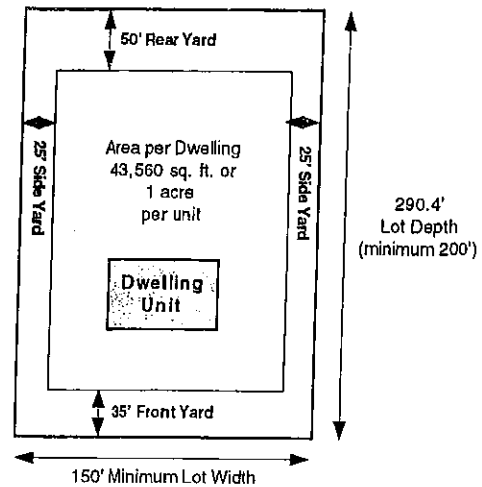
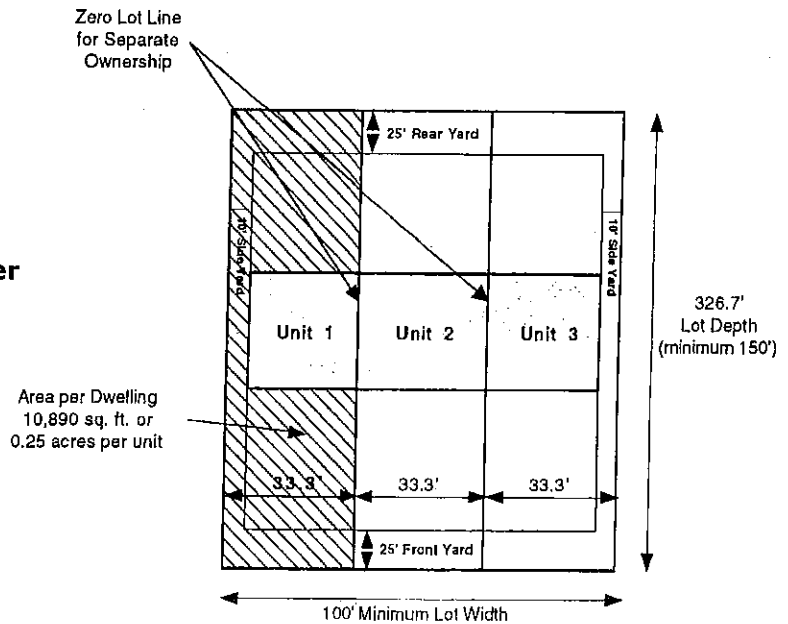
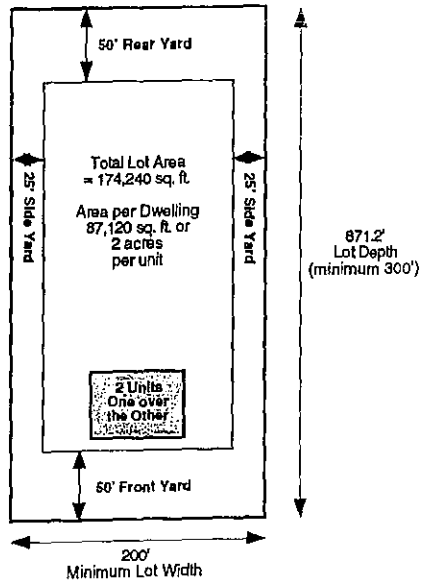


Illustration 2:
Townhouses
R-2 zone
Central sewer & water

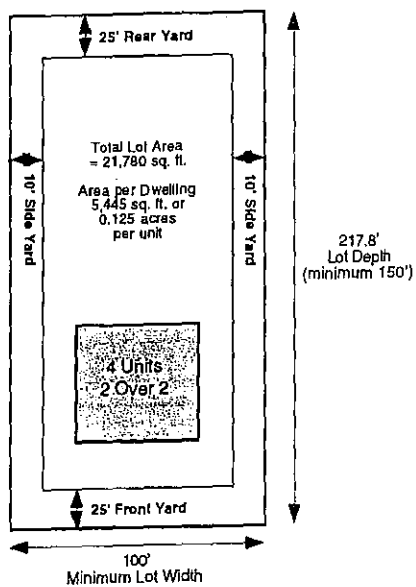


Note: Illustrations not to scale.

**SAMPLE ILLUSTRATIONS FOR "AREA PER DWELLING UNIT"
(continued)**



**Illustration 3:
Duplex
S-1 zone
On-Lot sewer & water**



**Illustration 4:
Multi-family dwelling
R-2 zone
Central sewer & water**

Note: Illustrations not to scale.

ARTICLE VII

SPECIFIC USE DEVELOPMENT REQUIREMENTS

701 APPLICABILITY

- A. This Article establishes additional specific requirements for certain uses in addition to the requirements of Articles VI, VIII, IX and X. These uses, whether principal or accessory, have unique or differing characteristics and require more restrictive or greater than minimum general regulations. Wherever two or more conflicting requirements apply to the same use or structure, the most restrictive requirement shall apply.
- B. For uses allowed as Special Exceptions or Conditional Uses under Article V, the procedures and general standards set forth under Article XII shall apply as well as the standards set forth in this Article VII.
- C. Measurement of additional setbacks required for specific uses in this Article VII shall be measured from the nearest edge of the building used for the specific use, in a straight line without regard to intervening structures or objects, to the nearest lot line of the premises of the use or zone district from which the required setback applies.
- D. In addition to the requirements of this Article VII, all uses shall comply with applicable requirements of the Uniform Construction Code, as adopted by Ransom Township.

702 ABUSED PERSON SHELTER (Special Exception: M-1)

- A. A maximum of fifteen (15) residents shall be allowed, including any staff or volunteers who routinely stay overnight.
- B. Secure locks and alarm systems to protect the occupants from physical violence shall be installed.
- C. The Board of Supervisors may place conditions on the use as necessary to protect public safety.
- D. Any state or federal licensing requirements shall be met and evidence of such licensing shall be provided to the Zoning Officer and Board of Supervisors.

703 ADULT BUSINESS (Conditional Use: M-1)

- A. Findings.

In adopting these standards that apply to adult businesses, the Governing Body has made the following findings in regard to the secondary effects on the health, safety, and welfare of the citizens of the Township of Ransom. The findings are based on evidence concerning the adverse secondary effects of adult uses on the community presented in hearings and in reports made available to the Board, and on findings incorporated in the cases of *City of Renton v. Playtime Theaters, Inc.* 475 U.S. 41 (1986), *Young v. American Mini Theaters*, 426 U.S. 50 (1976), and *Northend Cinema, Inc. v. Seattle*, 585 P. 2d 1153 (Wash. 1978), and on studies in other communities including but not limited to Phoenix AZ, Minneapolis MN, Saint Paul MN, Manatee County FL, Houston TX, Indianapolis IN, Amarillo TX, Los Angeles CA, Austin TX, Seattle WA, Oklahoma City OK, Beaumont TX, and New York NY; and also on findings found in the *Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses*, June 6, 1989, State of Minnesota.

1. The concern over sexually transmitted diseases is a legitimate health concern of the Township of Ransom that demands reasonable regulation of adult businesses and adult uses in order to protect the health and well-being of its citizens.
2. Certain employees of sexually oriented businesses regulated by this Ordinance as adult theaters and cabarets engage in higher incidents of certain types of sexually oriented behavior at these businesses than employees of other establishments.
3. Sexual acts, including masturbation, oral and anal sex, occur at sexually oriented businesses, especially those that provide private or semi-private booths or cubicles for viewing films, videos, or live sex shows, as regulated by this Ordinance as adult book stores, adult novelty shops, adult video stores, adult motion picture theaters, or adult arcades.
4. Offering and providing such space encourages such activities, which create unhealthy conditions.
5. Persons frequent certain adult theaters, adult arcades, and other sexually oriented businesses for the purpose of engaging in sex within the premises of such sexually oriented businesses.
6. At least fifty (50) communicable diseases may be spread by activities occurring in sexually oriented businesses, including but not limited to syphilis, gonorrhea, human immunodeficiency virus infections (AIDS), genital herpes, hepatitis B, non-B amebiasis, salmonella infections and shigella infections; and, the incidence of many of these diseases is on the increase.
7. Sanitary conditions in some sexually oriented businesses are unhealthy, in part, because the activities conducted there are unhealthy, and, in part, because of the unregulated nature of the activities and the failure of the owners and operators of the facilities to self-regulate those activities and maintain those facilities.
8. Numerous studies and reports have determined that semen is found in the areas of sexually oriented businesses where persons view adult-oriented films.
9. Classifying adult businesses as special exceptions is a reasonable means of accountability to ensure that operators of adult businesses comply with reasonable regulations and conditions, and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation.
10. There is convincing documented evidence that adult businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime, the downgrading of property values, and the decline of the overall character of the community. A number of municipal studies, including the 1986 Austin, Texas, study, have demonstrated this.
11. It is generally recognized that adult businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to neighborhood blight and downgrading the quality of life in the adjacent area. A number of municipal studies, including the 1986 Austin TX study, have demonstrated this.
12. The Township of Ransom desires to minimize and control these adverse secondary effects and thereby protect the health, safety, and welfare of the citizenry, protect

the citizens from increased crime, preserve the quality of life, preserve property values and the character of the surrounding community.

B. Intent.

The intent of this §703.B. is to:

1. Regulate adult businesses in order to promote the public health, safety, and welfare by minimizing the secondary effects on the community that are associated with such businesses, and that include difficulties for law enforcement, trash disposal, deleterious effects on business and residential property values, increased crime (particularly the corruption of morals of minors and prostitution), and drive residents and businesses to move elsewhere.
2. Designate a zoning district where adult businesses are permitted, and establish reasonable content-neutral standards applicable to such uses.
3. Have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials including sexually oriented or adult materials.
4. Not totally restrict or deny access by adults to sexually oriented materials or adult materials protected by the First Amendment of the Bill of Rights of the United States Constitution.
5. Not deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.
6. Not condone or legitimize the distribution of obscene material, or to encourage any violation of the PA Crime Code or PA Obscenity Code.

C. Classification.

Adult businesses are classified as Conditional Uses in the M-1, General Commercial/Manufacturing zoning district.

D. Standards.

The following standards shall apply to adult businesses, in addition to applicable general and special exception standards contained in this Ordinance:

1. *Setbacks* — Adult businesses shall not be located less than:
 - a. Three hundred feet (300') from any
 - 1). residence
 - 2). group home
 - 3). retirement housing
 - 4). abused person shelter
 - 5). adult or child day care center
 - 6). drug treatment or treatment center
 - 7). public or semi-public buildings and uses, excluding schools
 - 8). parks, playgrounds, outdoor recreation and sports, or campgrounds
 - 9). hospital and medical clinics

- 10). assisted living, personal care or nursing homes
 - 11). commercial uses catering primarily to persons under age 18
 - 12). any commercial use that sells alcoholic beverages
 - b. One thousand feet (1000') from any
 - 1). place of religious worship
 - 2). public or private school
 - 3). colleges or universities and dormitories
 - c. One hundred feet (100') from any property line or road right-of-way.
2. *Similar Businesses* — Adult businesses shall not be located within five hundred feet (500') of any existing adult business.
 3. *Measurements* — The setback distances established in §703.D.1. shall be measured from the nearest edge of the building used for an adult business, in a straight line without regard to intervening structures or objects, to the nearest lot line of the premises of the use from which the required setback applies.
 4. *Enlargement* — Any enlargement or expansion of an existing, legally created adult business shall be considered a special exception subject to the provisions of this §703 and all other applicable standards of this Ordinance.
 5. *Use Limit* — It shall be a violation of this Ordinance for any person to cause or permit the operation, establishment, or maintenance of more than one (1) adult business in the same business, structure or portion thereof, or an increase of floor areas of any adult business in any building, structure or portion thereof that contains another adult business.
 6. *Nonconformity* — Any adult business lawfully operating on the date of enactment of this Ordinance that is in violation of any of the provisions of this §703 shall be considered a nonconforming use. Such nonconforming uses shall be increased, enlarged, altered, or extended, only in accordance with Article XI Nonconforming Uses and Structures and all other applicable standards of this Ordinance. The use may be changed to a conforming use. However, under no circumstances, shall a nonconforming use as defined and regulated by this Ordinance be changed to any type of adult business.
 7. *New Neighboring Uses* — An adult business lawfully operating as a conforming use shall not be rendered a nonconforming use if a use, from which an adult business is required to provide a setback under this §703, is developed within the required setback distance.
 8. *Alcohol* — No adult business shall be operated in combination with the sale and/or consumption of alcoholic beverages on the premises.
 9. *Signs* — The building shall either have no windows or windows that are screened as to only see out and not into the building. No sexually explicit material, signs, displays, or words, shall be visible at any time from outside the building. Exterior signs shall comply with applicable sign regulations set forth in Article IX; however, contents of such signs shall be limited to only the text of the name of the business and hours of operation.

10. *Exemption for Modeling Class* — A person appearing in a state of nudity, doing so in a modeling class operated by any of the following, is exempt from classification as a participant of a nude model studio as defined in §302:
- a. A proprietary school, licensed by the state, or an academically accredited college or university.
 - b. A private college or university that maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation.
 - c. In a structure
 - 1). that has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
 - 2). where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and
 - 3). where no more than one (1) nude model is on the premises at any one time.
 - d. An organization that qualifies under Section 501(c)(3) of the U.S. Internal Revenue Code as a non-profit organization or foundation.

704 ADULT DAY CARE, CHILD DAY CARE, NURSERY AND/OR PRESCHOOL (Special Exception: A-1, R-1; Permitted Use: C-1, M-1)

- A. The use shall hold an approved PA Department of Welfare or PA Department of Education registration certificate or license, as appropriate.
- B. No off-premises outdoor play area shall be utilized.
- C. Any outdoor activities shall be limited to the hours between 10 AM and 5 PM.
- D. A secure fence with a minimum height of four feet (4') shall surround any on-premises area used for outdoor play.
- E. No portion of the outside play area shall be less than fifty feet (50') from an existing occupied dwelling without the dwelling owner's written consent.
- F. There shall be one safe passenger unloading space measured ten feet (10') by twenty feet (20') for each six (6) children that the facility is licensed to accommodate. Off-street parking shall meet the requirements of Article X of this Ordinance.
- G. Any sign shall comply with applicable sign regulations set forth in Article IX.
- H. No day care center, nursery or preschool shall be established within five hundred feet (500') of an existing day care center, nursery, or preschool.
- I. Township officials reserve the right to make periodic inspections to ensure continued compliance with all state and local requirements.

- J. The regulations set forth in this §704 shall not apply to child day care centers operated as a home-based business (See §734) or located within a place of worship or business where care is limited to employees' children.

**705 AGRICULTURAL BUILDING, AGRICULTURAL OPERATION AND PRODUCTS PROCESSING (Permitted Uses: All Zone Districts)
COMMERCIAL GREENHOUSES AND NURSERIES: (Permitted Uses: All Zone Districts except R-2)**

- A. In all zone districts except A-1, parcels of land less than three (3) acres used for an agriculture operation and containing a residential dwelling shall be considered a residential property. The agricultural operation shall be considered an accessory use, and the parcel shall be subject to the requirements of this Ordinance set forth for residential uses.
- B. Buildings in which livestock or poultry are kept shall not be erected within one hundred feet (100') of any lot line.
- C. Storage of manure and/or odor or dust-producing substances shall not be permitted within two hundred feet (200') of any lot line.
- D. Greenhouse heating plants shall not be operated within one hundred feet (100') of any lot line.
- E. Other crop production or products processing buildings shall not be erected within fifty feet (50') of any lot line.
- D. Residential dwellings in association with the agricultural operation, greenhouse, or nursery shall comply with minimum yard requirements as set forth in Schedule II of the Ordinance for the zone district in which the use is located.

**705A AIRPORT (Conditional Use: A-1, S-1)
HELIPAD (Conditional Use: A-1, M-1)**

- A. All applicable state and federal regulations shall be met and copies of applicable permits and licenses shall be provided to the Board of Supervisors.
- B. A minimum net buildable area of twenty (20) acres shall be required for all proposed airports.
- C. Minimum setbacks shall be set by the Board of Supervisors on an individual site basis dependent on specific safety requirements, but in no case shall be less than two hundred fifty feet (250') from any property line.
- D. The Board of Supervisors shall also consider the following:
1. The effect upon reasonable use of properties affected by the proposed airport or helipad.
 2. How the applicant plans to acquire any necessary air rights.
 3. The character of the flying operations expected to be conducted at the airport or helipad.
 4. The effect upon roads, development, transportation routes and other aspects of the Comprehensive Plan.

- 5. The provision of hazard lighting and markings.
- 6. The importance of aircraft safety.

**706 ANIMAL HOSPITAL OR VETERINARY CLINIC (Permitted Use: A-1, M-1)
KENNEL (Special Exception: A-1, S-1; Permitted Use: M-1)**

- A. A minimum net buildable area of three (3) acres shall be required for animal hospitals and veterinary clinics. A minimum net buildable area of five (5) acres shall be required for all outdoor kennels, and a minimum net buildable area of three (3) acres shall be required for indoor kennels.
- B. All buildings in which animals are housed and all runs shall be located at least fifty feet (50') from all property lines and at least three hundred feet (300') from any dwelling not located on the kennel property.
- C. All applicable state laws governing kennels and/or animal hospitals and veterinary clinics must be met, and any license or certification must be provided to the Zoning Officer and/or Zoning Hearing Board.
- D. No animal shall be permitted to use outdoor runs from 8 PM to 8 AM. Runs shall be separated from each other by visual barriers a minimum of four feet (4') in height, to minimize dog barking.
- E. The uses shall be maintained in a sanitary manner to avoid noxious odors to other properties. No incineration of refuse shall be permitted on-site. All Regulation of Nuisance Elements set forth in §809 of this Ordinance shall be met.
- F. Kennels may be used for breeding.

707 APARTMENTS ABOVE COMMERCIAL USE (Permitted Use: C-1, M-1)

- A. A maximum of two (2) apartment units may be permitted on the upper floor of a structure where the principal use on the ground or first floor is clearly commercial in nature.
- B. All Township and PA DEP requirements for on-site sewage and on-site water supply must be met to adequately accommodate the apartment unit(s) and commercial use.
- B. One (1) off-street parking space for each apartment unit shall be provided on site, in addition to the minimum off-street parking spaces required for the commercial use.
- C. Fire escapes shall not be located on any wall facing a street.

708 ASSISTED-CARE ACCESSORY APARTMENT UNIT (Special Exception Accessory Use: All Zone Districts)

- A. One (1) temporary accessory apartment shall be allowed on any conforming lot containing a single-family detached dwelling without an increase in density per dwelling requirements. The apartment may be either in or attached to the principal structure or in a detached accessory structure. Detached assisted-care units shall be limited to mobile homes only. Accessory apartments shall not be allowed in conjunction with two-unit attached dwellings, duplexes, multi-family dwellings, mobile homes in a mobile home park, or bed and breakfast inns.

- B. The occupancy of the assisted-care accessory apartment unit shall be limited to the infirmed, aged, or ill relative of the permanent resident of the principal dwelling on the property.
- C. Under no circumstance shall the use have a maximum gross floor area greater than 800 square feet. Any dwelling unit over 800 square feet shall be considered a principal dwelling or structure and shall be subject to all density and setback requirements for principal dwellings and structures.
- D. All applicable setback requirements for principal dwellings shall be met for assisted-care apartment units.
- E. Sewage flows from an assisted-care apartment unit shall not exceed 400 gallons per day. All applicable permits and approvals for an on-lot sewage disposal system or modification or installation of any additional on-lot sewage disposal systems shall be required. PA DEP provides through TAB 51 for the development of assisted-care apartment units to address sickness or other hardship without the requirement of processing sewage Planning Modules.
- F. Assisted-care apartment units shall not require approval as a "Land Development" under the Ransom Township Subdivision and Land Development Ordinance.
- G. A legally binding agreement for execution between the property owner and the Township to provide for the elimination of the unit when the unit is no longer occupied by the relative requiring care shall be submitted with the zoning permit application.
- H. The assisted-care apartment unit shall be designed and installed in such a way that it can be easily converted into part of the principal structure, or in the case of a mobile home, can be easily removed from the property.

709 ASSISTED LIVING FACILITY, NURSING AND PERSONAL-CARE HOME (Permitted use: R-2)

- A. The uses shall have a minimum net buildable site area of three thousand (3000) square feet for each bed or residential accommodation, but in no case less than two (2) acres of net buildable site area.
- B. No Assisted Living Facility, Nursing and/or Personal-Care Home shall be operated unless it is licensed by the appropriate Commonwealth agency. Proof of licensing shall be submitted to the Township upon receipt by the facility.
- C. A minimum of five percent (5%) of the net buildable area shall be suitable and developed for outdoor passive recreation. This shall include sitting areas and pedestrian walks.
- D. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

710 AUTO REPAIR, SERVICE STATION, AUTO BODY SHOP, AND CAR WASH (Permitted Use: C-1, M-1)

- A. All major repair, welding, and painting shall be performed within a building with a fume collection and ventilation system that directs noxious fumes away from any adjacent dwellings or structures.

- B. Provisions shall be made to prevent or minimize noise, odor, vibration, glare, or electrical interference nuisances to adjacent properties. Compliance with §809 of this Ordinance shall be required.
- C. Outdoor storage of motor vehicles shall not be within ten feet (10') of any property line or road right-of-way.
- D. A wall or solid fence a minimum of five feet (5') in height shall be provided, and maintained, along all side and rear yards that abut any R-district or any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. Landscaping acceptable to the Township Engineer shall also be required on the side of the wall or fence facing the adjoining R-district or residential use.
- E. Overnight outdoor storage of junk, as defined in §302, other than permitted vehicles, shall be prohibited within view of any street or abutting residential dwellings.
- F. Junk vehicles, as defined in §302, shall not be stored within view of any street or abutting residential dwellings. A maximum of two (2) junk vehicles may be stored on the premise for a period of thirty (30) days, in addition to the storage of two (2) junk vehicles for an unlimited time period as exempted from the definition of "Junk Yard" under §302. No junk vehicles may be stored on the premise of a car wash.
- G. Service-bay doors or car wash stalls shall not face directly toward an abutting residential dwelling, other than a dwelling separated from the shop or station by a street right-of-way.
- H. No open pit or non-protected hoist shall be allowed outside a completely enclosed structure.
- I. Fuel pumps shall be at least twenty-five feet (25') from all property lines. Canopies over fuel pumps shall be at least ten (10') from all property lines.
- J. A minimum stacking area for three (3) vehicles at each cluster of pumps shall be provided without causing an obstruction of access to or from street rights-of-way.
- K. Access points shall be limited to two (2) on each street abutting the property, and on corner lots, shall not be located within thirty feet (30') of the intersection of the street right-of-way lines.
- L. All required state or federal licenses or permits for storage and dispensing of petroleum products and other activities shall be secured by the applicant and provided to the Zoning Officer. Drainage from storage areas shall not be directed off-site without adequate treatment to insure that oils, fuels, or other potentially contaminated liquids do not migrate to adjacent properties, water bodies or watercourses.

710A BAKERY AND CONFECTIONARY PRODUCTS (Permitted Use: C-1, M-1)

- A. Bakeries and confectionary products facilities shall be set back a minimum of fifty feet (50') from all property lines.
- B. In the C-1 zone district, at least fifty percent (50%) of the goods produced shall be sold in a retail sales outlet located on the site.

711 BANQUET FACILITY (Permitted Use: M-1)

- A. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
- B. Banquet facilities that utilize outdoor gardens or tents must provide adequate portable toilet facilities and sinks for scheduled banquets and/or celebrations.
- C. A banquet facility may be permitted as a Special Exception in all zone districts in association with a religious institution as defined by this Ordinance, whether utilized by congregation members or rented out to the general public.
- D. Outdoor parties, celebrations, or special events held on the grounds of private residences by the residents of said property, where no fees are charged or collected or are held for charitable, educational, or political fundraising, shall not be considered a banquet facility and shall not be subject to these specific-use requirements.

712 BED AND BREAKFAST INN (Permitted Use: A-1, R-1, R-2; Conditional Use: S-1)

- A. The bed and breakfast use shall be clearly incidental and secondary to the principal use of the building as an owner-occupied primary dwelling.
- B. In addition to the parking requirements in Article X of this Ordinance for the principal use, off-street parking shall be provided on the subject property for a number of parking spaces equal to the number of rooms designated for rental use within the bed and breakfast.
- C. If an existing residential dwelling is located within two hundred feet (200') of any property line of the bed and breakfast site, off-street parking for the bed and breakfast shall be separated from the adjoining residential property(ies) by an evergreen buffer. The initial height of the evergreen planting shall be five feet (5').
- D. One (1) sign shall be allowed in conformance with applicable sign regulations set forth in Article IX.
- E. All refuse receptacles shall be completely screened from view.
- F. Guests shall be permitted occupancy for not more than fourteen (14) consecutive nights.
- G. Food service shall be limited to breakfast served only to guests lodging at the inn.
- H. Rooms used for overnight accommodations shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
- I. No exterior alterations shall be made to any building for the purpose of providing a bed and breakfast inn. This provision does not include those necessary alterations needed to ensure the safety of the structure or its occupants, including the installation of fire escapes or other fire safety devices, and all other requirements of the Uniform Construction Code.
- J. Home Sharing, a permitted accessory use in all zone districts as defined by §302 of this Ordinance, shall not be considered a bed and breakfast inn. See §720 for Home Sharing regulations.

712A BICYCLE RENTALS OR SALES (Permitted Use: C-1, M-1)

- A. No bicycle on display outdoors shall occupy any part of an existing street right-of-way or the area designated as customer parking.
- B. Outdoor display areas shall meet minimum required setbacks as set forth in Schedule II of this Ordinance for the applicable zone district in which the property is located.
- C. The use shall comply with lighting and glare requirements as set forth in §814 of this Ordinance.

713 BILLBOARD AND OFF-SITE ADVERTISING (Permitted Use: M-1, M-2)

- A. Only one (1) billboard or off-site advertising sign may be erected, constructed, or maintained on any premises.
- B. A billboard or off-site advertising sign shall not exceed two hundred forty (240) square feet in surface area. Free-standing signs shall have a maximum height of twelve feet (12'), measured from the base of the standard. Each sign shall have only one (1) exposed face.
- C. A billboard or off-site advertising sign shall not be closer than one thousand feet (1,000') to another billboard or off-site advertising sign along the same side of the street or highway.
- D. A billboard or off-site advertising sign shall not be located within fifty feet (50') of any street or highway intersection.
- E. A non-illuminated billboard or off-site advertising sign shall not be located closer than one hundred feet (100') from any R-district boundary. An illuminated billboard or off-site advertising sign shall not be located closer than five hundred feet (500') from any Residential Use as listed in Schedule I and defined by Article III of this Ordinance or any R-district boundary. No billboard or off-site advertising sign shall be permitted that faces any abutting school, library, church, hospital, outdoor recreation area or similar institutional use.
- F. The billboard or off-site advertising sign shall not project beyond a property line, over a public sidewalk, or over a public right-of-way.
- G. Any application for a billboard or off-site advertising sign shall be accompanied by certification, under seal by a Professional Engineer, that the existence of the billboard or off-site advertising sign, as proposed, shall not present a safety hazard.

714 BULK FUEL STORAGE (Conditional Use: M-1, M-2)

- A. Bulk fuel storage facilities shall have a minimum net buildable site area of five (5) acres, and minimum front, side and rear yard setback distances shall be one hundred feet (100') from all property lines.
- B. All bulk fuel storage facilities, including tank trucks, must be secured from vandalism with appropriate fencing at least eight feet (8') in height.
- C. All state and federal regulations concerning storage safety must be met and copies of all licenses and certificates required for storage of these materials must be provided to the Zoning Officer prior to issuance of a Certificate of Occupancy.
- D. All bulk fuel storage facilities including tank trucks and their containment areas shall be setback a minimum of one hundred (100') feet from any wetland or watercourse.

715 CAMPGROUND (Special Exception: S-1)

- A. A minimum lot area of ten (10) acres shall be required for a campground.
- B. No campsite shall be occupied for more than thirty (30) consecutive days, and no campsite shall be the primary or principal residence of the owner or occupant.
- C. The management of every campground shall be responsible for maintaining accurate records concerning the occupancy of all campsites. The Township shall have access to, and the right to inspect, records for evidence of permanent residency or lack thereof.
- D. Each campsite shall have a minimum area of four thousand (4,000) square feet exclusive of street travelways and pedestrian walkways.
- E. No campgrounds shall be located within the Flood Plain Overlay District.
- F. Landscaping and Natural Vegetation Protection set forth in §808 shall be met.
- G. Campgrounds shall have direct access to an existing public road.
- H. Campgrounds shall be designed to insure that all surface water is drained in a safe and efficient manner away from campsites. Campgrounds shall also conform to standards as set forth in the Ransom Township Storm Water Management Ordinance.
- I. No individual campsite shall be located within one hundred feet (100') of any exterior property line or public road right-of-way. The land between the campsites and the exterior property lines shall have sufficient existing or planted trees and/or shrubbery to screen the campground to a height of six feet (6') from abutting properties.
- J. Campgrounds shall be served by a centralized or community sewage disposal system and central or community on-lot water supply. No individual campsite on-site sewage or water supply systems shall be permitted. Sewage dumping stations shall be provided and shall be designed in accordance with PA DEP regulations. All campsites must be within five hundred feet (500') of a bathhouse/toilet facility, which shall comply with PA DEP regulations.
- K. The storage, collection, and disposal of refuse in the campground shall be so managed as to create no health hazards or air pollution. All refuse shall be stored in fly-tight, watertight, rodent-proof, bear-proof containers, which shall not be located within one hundred fifty feet (150') of any campsite. Containers shall be provided in sufficient number and capacity to properly store all refuse as required by PA DEP. Rubbish shall be collected and disposed of at a facility approved by PA DEP as frequently as necessary to insure that the containers do not overflow.
- L. At least ten percent (10%) of the parcel shall be suitable for and improved to provide for open space and active recreation for users of the campground. Such active recreation may include, but is not limited to: swimming pools, playgrounds, play fields, ball fields, miniature golf courses, community buildings, and similar facilities.
- M. Streets within campgrounds shall conform to design and construction standards as set forth in the Ransom Township Subdivision and Land Development Ordinance.

715A CASINO/GAMBLING ESTABLISHMENT (Conditional Use: M-1)

- A. This use does not include Casino Hotels, which shall be considered a Resort/Conference Center and subject to Resort/Conference Center requirements as set forth in this Ordinance.
- B. Casinos or gambling establishments shall not be located closer than five hundred feet (500') to any R-district, residential property, or religious institution.
- C. Proof of any licensing required by the Commonwealth shall be provided to the Township.

716 CEMETERY AND MAUSOLEUM (Special Exception: A-1, M-1, M-2)

- A. A minimum net buildable site area of two (2) acres shall be required.
- B. All structures, graves, and places of permanent burial shall meet the minimum setback requirements set forth in Schedule II of this Ordinance for the applicable zone district in which the cemetery or mausoleum is located.
- C. No gravesites shall be located within the Flood Plain Overlay District.
- D. Roadways within a cemetery shall be a minimum of sixteen feet (16') and surfaced with gravel or asphalt.
- E. The owner/applicant shall submit evidence to the Township that proves to the satisfaction of the Zoning Officer, Zoning Hearing Board, and/or Township Solicitor that there will be an appropriate financial system to ensure perpetual maintenance of the land.

717 COMMERCIAL INDOOR RECREATION (Permitted Use: M-1)

- A. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any R-district or any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

718 STABLE

- A. Private Stable Accessory to a Residential Principal Use (Permitted Use: All zone districts)
 - 1. A minimum parcel of two (2) acres shall be required.
 - 2. No more than two (2) horses shall be kept; however, for each additional full acre over the minimum required, one additional horse shall be allowed. (i.e. On a six-acre parcel, six horses would be allowed. On a 6.5-acre parcel, six horses would be allowed.)
 - 3. All horses shall be restricted from grazing or intruding on abutting properties by a secured fence not less than four-feet-six inches (4'6") high from ground level.
 - 4. Any stable building, corral, or other indoor/outdoor area used for feeding of animals, concentrated confinement of animals, or manure storage shall not be located closer than fifty feet (50') from all property lines.
 - 5. Run-in buildings, or shelters from bad weather, shall be a minimum of twenty-five (25') feet from all property lines.

6. The use shall not create any nuisance due to odor, noise, dust, or other factor on any abutting property and shall be subject to §809 of this Ordinance, Regulation of Nuisance Elements.
7. Commercial boarding, racing, or retail or wholesale sale of goods, except as may otherwise be permitted by this Ordinance, shall be prohibited as part of a private stable accessory to principal residential use.

B. Commercial Stable with or without a Residential Use or Private Stable with No Residential Principal Use (Permitted Use: A-1, M-1; Special Exception: S-1)

1. A minimum parcel of five (5) acres shall be required.
2. No more than five (5) horses shall be kept; however, for each additional full acre over the minimum required, one additional horse shall be allowed. (i.e. On an 11-acre parcel, eleven (11) horses would be allowed. On a 12.5-acre parcel, twelve (12) horses would be allowed.)
3. All horses shall be restricted from grazing or intruding on abutting properties by a secured fence not less than four-feet-six inches (4'6") high from ground level.
4. Any stable building, corral, or other indoor/outdoor area used for feeding of animals, concentrated confinement of animals, or manure storage shall not be located closer than
 - a. one-hundred feet (100') from abutting property lines and/or road rights-of-way
 - b. seventy-five feet (75') from any dwelling on the site and two hundred feet (200') from any dwelling on adjacent properties.

The one-hundred-foot setback from abutting property lines may be reduced to the minimum required setbacks for the zone district in which the property is located provided that affected property owner(s) complete an Affidavit for Reduced Setbacks stating the acceptance of the reduced setback.

5. Run-in buildings, or shelters from bad weather, shall be a minimum of twenty-five (25') feet from all property lines.
6. The use shall not create any nuisance due to odor, noise, dust, or other factor on any abutting property and shall be subject to §809 of this Ordinance, Regulation of Nuisance Elements.
7. Riding trails shall be separated from abutting properties and roads by a vegetative buffer no less than fifteen feet (15') in width.
9. Off-street parking shall be provided in accordance with Article X of this Ordinance.
10. Commercial boarding, racing, or retail or wholesale sale of goods, except as may otherwise be permitted by this Ordinance, shall be prohibited as part of a private stable accessory to principal residential use.

**719 WIRELESS COMMUNICATIONS FACILITIES ON EXISTING STRUCTURES (Permitted Use: All Zone Districts)
TOWER-BASED 40' OR LESS IN HEIGHT (Permitted Use: All Zone Districts except S-1; Special Exception: S-1)
TOWER-BASED GREATER THAN 40' IN HEIGHT (Special Exception: C-1, M-1, M-2, S-1)**

A. DESIGN, CONSTRUCTION AND OPERATIONS

1. All WCFs shall be sited, designed, constructed, operated, inspected, maintained, repaired, modified, removed and replaced in strict compliance with all current applicable federal and state technical and safety codes.
2. Subdivision plan approval shall not be required when a WCF is located on a leased parcel that is less than the entire lot or property.
3. All WCFs shall be operated in accordance with all applicable FCC rules regarding interference with public safety communications or the reception of broadband, television, radio or other communications services.
4. All Tower-Based WCFs where the Tower is more than 40 feet in height, located outside of the Right-of-Way, shall be designed to accommodate both the applicant's Antennas and comparable Antennas for future users. As a condition of approval for all Tower-Based WCFs where the Tower is more than 40' in height, the applicant shall agree to allow other service providers to collocate Antennas on the Tower where technically and economically feasible.
5. All WCFs shall include a posted sign at the location. Such signage shall include the ownership, contact name and phone number in the event of an emergency and Federal Communications Commission (FCC) registration number (if applicable). Such signage shall not include commercial advertising and is subject to approval by the municipality.
6. Towers shall not be artificially lighted beyond what is required by law.
7. All WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards established by the municipality. The use of a backup generator in emergency situations and periodic maintenance and testing by the wireless communications provider's technicians shall be permitted, where such noise standards may be exceeded on a temporary basis.
8. Vehicular Access.
 - a) An access driveway and one off-street parking space shall be provided to ensure adequate emergency and service access to all Tower-Based WCFs located outside of the Right-of-Way.
 - b) Maximum use of existing roads, whether public or private, shall be made to the extent practicable.
 - c) Where possible, access driveway construction shall at all times minimize ground disturbance and the cutting of vegetation.

- d) Access driveway grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.
 - e) An applicant shall present documentation to Ransom Township that the property owner has granted an access easement for the proposed WCF, if located on a lot or property.
 - f) Any required access easement shall be a minimum of twenty feet (20') in width and the access driveway shall be improved with a dust-free, all weather surface, including gravel, to a width of at least ten feet (10') throughout its entire length.
 - g) Vehicular access to all WCFs shall not interfere with the parking or vehicular circulations for a principal use, if located on the lot or property. However, where appropriate and available, existing parking for the principal or other uses on the lot or property may be utilized.
9. A security fence, which may include barbed wire, with a minimum height of eight feet (8') may be required to surround any Tower-Based WCF located outside the Right-of-Way, where the Tower is more than forty feet (40') in height, including guy wires, associated equipment, and buildings. The requirement for a security fence may be waived by Ransom Township when the fence would not be appropriate or feasible.
10. **Safety in Rights-of-Way.**
- a) Ransom Township shall determine the time, place and manner of siting, design, construction, maintenance, repair, modification, removal and/or replacement of all WCFs located in the Right-of-Way based on public safety, traffic management, physical burden on the Right-of-Way and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of Ransom Township and the requirements of the Public Utility Code.
 - b) Within 60 days following written notice from Ransom Township, or such longer period as the municipality determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WCF located in the Right-of-Way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when Ransom Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under any one of the following circumstances:
 - i) The construction, repair, maintenance or installation of any municipal or other public improvement located in the Right-of-Way.
 - ii) The operations of Ransom Township or other governmental entity in the Right-of-Way.
 - iii) Vacation of a street or road or the release of a utility easement.
 - iv) An emergency as determined by Ransom Township.

- v) No permit is required for such removal, relocation, change or alteration ordered by Ransom Township.
 - c) All WCFs and Accessory Equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the Right-of-Way as determined by Ransom Township. In no case shall ground-mounted equipment, walls, screening or landscaping be located within eighteen inches (18') of the face of the curb, or in an area in which there are no curbs, within three feet (3') of the edge of the cartway.
11. An applicant for a WCF shall describe anticipated maintenance needs, including frequency of service, personnel needs and equipment needs, and the traffic, safety and noise impacts of such maintenance.
 12. An applicant for a Tower-Based WCF where the new Tower is more than forty feet (40') in height, shall submit a soil report complying with the standards of geotechnical investigations, ANSI/EIA-222-G, as amended, shall be submitted to Ransom Township Engineer prior to construction to document and verify the design specifications of the foundation for the Wireless Support Structure and anchors for the guy wires, if used.
 13. All WCFs shall comply with federal and state laws and regulations concerning aviation safety.
 14. Inspections for all WCFs where the new Tower is more than 40 feet in height. A copy of any required inspection report shall be provided to Ransom Township following the inspection. Any repairs advised by report shall be completed by the WCF owner within sixty (60) calendar days after the report is filed with Ransom Township.
 15. The storage of unused equipment or supplies is prohibited on any WCF site.

B. BULK AND AREA REQUIREMENTS – TOWER-BASED WCFs

		WCF out of Right-of-Way	WCF in Right-of-Way
HEIGHT		Tower-Based WCFs shall be designed to a minimum function height. Applicants must submit documentation justifying the total height.	Tower-Based WCFs shall be designed to a minimum function height, not to exceed 40' in C-1 and M-1 zone districts and 60' in the M-2 and S-1 zone district.
LOT SIZE	Only use on lot or property:	Subject to underlying zone district.	Not applicable.
	Combined with another use on lot or property:	Area needed to accommodate the WCF and guy wires, accessory equipment, and if required, security fence, landscaping, and screening.	
SETBACKS	Towers:	Setback from property lines, not lease lines, at least 110% of the combined height of the Wireless Support Structure and Antennas.	Not applicable.
	Equipment buildings & cabinets:	Subject to Minimum Yard Setbacks as required by Schedule II for the underlying zone district.	

C. AESTHETICS, LANDSCAPING, AND SCREENING

1. All WCFs shall employ the most current Stealth Technology available, where appropriate, in an effort to appropriately blend the proposed WCF into the surrounding environment and minimize aesthetic impact. Equipment buildings and cabinets shall be designed to blend into the environment in which they are situated, to the extent practicable.
2. An applicant for Tower-Based WCF where the new Tower is more than forty feet (40') in height, located outside of the Right-of-Way, shall submit a landscaping and screening design including the following:
 - a) The applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF support structure shall be preserved to the extent practicable.
 - b) Ground mounted equipment may be screened from public view using an evergreen screen, artificial screen, or fencing, as directed by Ransom Township.

D. REPLACEMENT, COLLOCATION, OR MODIFICATION

1. Notwithstanding the requirements for all Tower-Based WCFs and WCFs on existing structures, as set forth in this sub-section, an application for replacement, collocation or modification of a previously approved Wireless Support Structure or WCF shall be reviewed for conformance with Ransom Township building permit requirements, including requirements applicable to the added structural loading of the proposed antennas and accessory equipment. These previously approved facilities shall not be subject to the issuance of new zoning or land use approvals, provided that there is no substantial change.
2. Replacement of WCFs on existing Wireless Support Structures or within existing equipment compounds may be performed by the applicant without obtaining building or zoning permits from Ransom Township.
3. Any substantial change to an existing Tower-Based WCF shall require approval of Ransom Township in accordance with the terms of this Section.
4. An applicant proposing a WCF to be mounted on a building or any other structure shall submit detailed construction and elevation drawings indicating how the WCF will be mounted on the existing structure for review by the Ransom Township building code official for compliance with the building code.

E. PERMIT REQUIREMENTS

1. An application for a new Tower-Based WCF where the new Tower is more than forty feet (40') in height and located outside of the Right-of-Way, shall not be approved unless the applicant demonstrates that the wireless communications equipment planned for the proposed Tower-Based WCF cannot be collocated on an existing structure or building within a one-half (1/2) mile radius of the proposed Tower-Based WCF location to achieve the coverage or capacity objectives of the applicant.

2. An applicant for a Tower-Based WCF where the new Tower that is more than forty feet (40') in height, located outside of the Right- of-Way, must demonstrate that a significant gap in wireless coverage exists or lack of an adequate capacity is likely to exist within one (1) year of the filing of its application with respect to the applicant in the area.
3. An applicant for a WCF shall submit a copy of the lease or other form of written authorization with the property owner confirming that the applicant has standing to file the application and maintain the proposed WCF on the subject lot or property.
4. If the applicant is a commercial wireless communications provider, it must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with its application copies of all FCC permits and licenses.
5. The applicant shall demonstrate that the proposed WCF will comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic emissions.
6. The applicant shall provide a certificate of insurance issued to the owner/operators of the WCF, evidencing that there is or will be adequate current liability insurance in effect.
7. Review Timeframes.

		Municipality shall notify the applicant in writing of any information that may be required to complete application.	Municipality shall approve or deny the application unless a shorter time period is applicable under the PAMPC.
A	New Tower-Based WCFs	Within 30 calendar days of the date the application was filed with the Municipality.	Within 150 days* of submission of a complete application for a WCF.
B	WCF on Existing Structures	Within 30 calendar days of the date the application was filed with the Municipality.	Within 90 days* of submission of a complete application for a WCF.
C	Eligible Facilities Requests** (as defined)	Within 30 calendar days of the date the application was filed with the Municipality.	Within 60 days* of submission of a complete application for a WCF.
*The time period may be tolled by mutual agreement or in cases where the Municipality informs the applicant in a timely manner that the application is incomplete. If an application is considered incomplete, the time period begins running again as soon as the applicant makes a supplemental submission, but may be tolled again if the Municipality provides written notice to the applicant within 10 days that the application remains incomplete and specifically delineates which of the deficiencies specified in the original notice of incompleteness have not been addressed. **The Municipality shall only require the applicant to provide documentation that is reasonably related to determining whether the request is for an Eligible Facility.			

8. Ransom Township may assess appropriate and reasonable permit fees directly related to the actual costs in reviewing and processing the application for approval of a WCF. The amount of this fee may not be in excess of the actual reasonable cost to review and process the application.

F. DISCONTINUATION, ABANDONMENT, AND REMOVAL

In the event that use of a Tower-Based WCF is planned to be discontinued, the owner/operator shall provide written notice to Ransom Township of its intent to

discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

1. All unused or abandoned WCFs and accessory facilities shall be removed within six (6) months of the cessation of operations at the Site unless a time extension is approved by Ransom Township.
2. If the WCF and/or accessory facility is not removed within six (6) months of the cessation of operations at a Site, or within any longer period approved by the municipality, the WCF and accessory facilities and equipment may be removed by the municipality and the cost of removal assessed against the owner of the WCF.
3. Any unused portions of WCFs, including antennas, shall be removed within six (6) months of the time of cessation of operations.

720 HOME SHARE (Permitted Accessory Use: All Zone Districts except S-1; Conditional Use: S-1)

- A. A home share shall only be offered in a space intended for human habitation, such as a principal residential dwelling or guest house. A host shall not rent space in an accessory structure such as a shed, garage, or barn, nor in an assisted-care apartment unit intended for occupancy by an infirmed, aged, or ill relative.
- B. At least one (1) of the dwelling's primary residents must live on-site, in the dwelling, and throughout the visitor's stay.
- C. There shall be no exterior advertising or signage for the home sharing.
- D. Only one (1) room shall be rented as a home sharing. Renting of two (2) or more rooms shall constitute a hotel/motel as defined by this Ordinance.
- E. Meals shall not be offered as part of the home sharing compensation. If meals are offered, the use shall constitute either a bed and breakfast inn or hotel/motel, whichever is applicable.
- F. Off-street parking must be adequate to accommodate all vehicles of the host residents and home sharing guests.

721 CONTRACTOR'S OFFICE AND YARD (Permitted Use: M-1)

- A. A minimum of two (2) acres shall be required.
- B. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any R-district or any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

722 CONVENIENT STORE WITH GAS PUMPS (Permitted Use: C-1, C-2)

- A. All requirements set forth for auto service stations in §710 D., I., J., K., and L. of this Ordinance shall apply to convenience stores with gas pumps.

723 CONVERSION FROM NON-RESIDENTIAL USE TO RESIDENTIAL UNITS (Permitted Use: A-1, R-1, R-2, S-1)

- A. Any conversion of a non-residential building to a residential use shall comply with the requirements applicable to the dwelling type to which the conversion is proposed.
- B. All conversions to residential uses shall be permitted only in the zoning districts where a new building of similar occupancy would be permitted by the Ordinance, and must comply with all applicable requirements set forth by this Ordinance and the Uniform Construction Code for new buildings of similar occupancy.

724 CORRECTIONAL FACILITY (Conditional Use: S-1)

- A. No correctional facility shall be located in the Flood Plain Overlay District
- B. A minimum setback of one hundred feet (100') shall be required for all yards.
- C. The applicant shall prove to the satisfaction of the Board of Supervisors that the proposed use will include sufficient security measures to protect the general public.
- D. A correctional facility shall not be located closer than five hundred feet (500') from any of the following uses:
 - 1. Places of religious worship
 - 2. Public and semi-public buildings
 - 3. Child day-care centers
 - 4. Parks
 - 5. Any R-district or residential property

725 CREMATORIUM AND COLUMBARIUM (Special Exception: M-1, M-2)

- A. Crematoriums shall not be located within one hundred feet (100') of any R-district or residential property.
- B. Crematoriums and columbariums shall meet the minimum setback requirements set forth in Schedule II of this Ordinance for the M-1 or M-2 zone districts, except as provided for in §725 A. above.
- C. No columbarium shall be located within the Flood Plain Overlay District.
- D. Crematoriums shall comply with all applicable state and/or federal regulations.
- E. The owner/applicant shall submit evidence to the Township that proves to the satisfaction of the Zoning Hearing Board and the Township Solicitor that there will be an appropriate financial system to ensure perpetual maintenance of a columbarium.

726 DRUG TREATMENT, OTHER TREATMENT CENTER AND MEDICAL CLINIC (Conditional Use: M-1)

- A. The applicant shall provide a written description of the types of patients and/or services the use is intended to treat or provide over the life of the special exception permit. Any future additions or modifications to the description shall require approval of the Board of Supervisors as a separate conditional use application.

- B. The applicant shall prove to the satisfaction of the Board of Supervisors, with the burden of proof being on the applicant, that the use will involve adequate supervision and security measures to protect public safety.
- C. The Board of Supervisors may place conditions on the use necessary to protect public safety, including conditions on security measures.
- D. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any R-district or Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

727 FARM STAND (Permitted Accessory Use: All Zone Districts)

- A. The stand shall not exceed six hundred (600) square feet of gross floor area.
- B. The stand shall not be constructed or erected closer than one hundred feet (100') from the center of any road intersection.
- C. The stand shall be setback at least thirty feet (30') from all property lines.
- D. Off-street parking for vehicles shall be setback at least ten feet (10') from any legal right-of-way and shall comply with the provisions of Article X, Off-street Parking and Loading.

728 FENCES, GATES AND WALLS (Permitted Accessory Use: All Zone Districts)

- A. Fences, gates and walls may be erected up to lot lines. No fence, gate or wall may be erected within any road right-of-way.
- B. Solid fences, gates and walls in side- and rear-yard areas, measured from ground level along the full length of the fence, shall not exceed six feet (6') in height except as otherwise required for Specific Uses set forth in this Article VII. Solid fences, gates and walls erected in front yards, measured from ground level along the full length of the fence, shall not exceed four feet (4') in height except as otherwise required for Specific Uses set forth in this Article VII. The front yard of a property shall be the area between the front property line and the actual setback of the principal structure nearest to the front property line, not the minimum required front-yard setback as designated in Article VI of this Ordinance.
- C. Open or ornamental fences and gates, measured from ground level along the full length of the fence, shall not exceed six feet (6') in height. The open area between vertical members of the fence or gate shall either be four inches (4") or less, or twelve inches (12") or greater.
- D. Fences and gates not exceeding a height of twelve feet (12'), measured from ground level along the full length of the fence, that are open mesh and screened as customarily required for tennis courts and other similar courts are permitted and may be equipped with the customary attached windbreaks. Fences and gates required for tennis and other similar courts shall meet setback requirements as set forth in §751 of this Ordinance.
- E. No fence, gate or wall more than two feet (2') above the centerline grades of intersecting streets may be erected on any corner lot for a distance of thirty feet (30') measured along the street right-of-way lines from their point of junction.
- F. All fence posts or gateposts and other structural supports shall be located on the interior side of the fence or gate, facing the property to be fenced. The finished side of the fence or gate shall face the adjoining property and/or right-of-way.

- G. No fence, gate or wall shall be constructed within an easement in such a way that it would prevent the use of the easement for its intended purpose. The issuance of a permit should not impose any duty on the Township to preserve an easement of which the Township may not be aware. This duty shall be imposed on the property owner.
- H. Walls that are attached to a building shall be regulated as, and considered, part of the building.
- I. Fences, gates, and walls shall be constructed only of traditional materials, as defined by the definition of "Fence" under §302 of this Ordinance, that are normally used for the construction of fences, gates, and walls. Temporary and make-shift materials are prohibited. The Zoning Officer shall have the power to determine if the materials proposed to be used are unsuitable or unsafe.
- J. All fences, gates and walls must be maintained in good condition. No advertising shall be permitted on any fence, gate or wall in the A-1, R-1, R-2, and S-1 zone districts, and no advertising shall be permitted on any fence, gate or wall erected on residential property in C-districts and M-districts.
- K. Fences, gates, walls, and the area between their exterior side and the nearest property line or roadway curb line or shoulder edge shall be properly maintained at all times. Broken, cracked, rotted, or rusted structural components shall be removed or repaired promptly. Grounds shall be kept clear or planted with vegetation appropriate to the site. A property owner who fails to provide proper maintenance may, after notice by the Zoning Officer and an opportunity to correct the situation, be required to remove the fence, gate or wall.
- L. In all zone districts, the following fences, gates or walls are strictly prohibited:
 - 1. Barbwire fences and gates or fence and gates using razor wire or any other material likely to cause physical injury to persons or animals. Fences and gates used for an agricultural operation or public facilities/utilities are exempt from this prohibition.
 - 2. Fences, gates or walls erected in such a manner as to inhibit or divert the natural drainage flow or cause the blockage or damming of surface waters.
 - 3. Fences, gates or walls that may create or enhance a fire hazard or other dangerous condition, or that may result in the obstruction to effectively fight a fire.
 - 4. Chain-link fences and gates having an unfinished or jagged top edge, or chain-link fence and gates that have the open spaces between wires covered by fabric sheeting or by strips of plastic or other material woven through the spaces.
 - 5. Temporary fences, such as snow fences or expandable and collapsible fences, unless necessary for use on sites under construction or for snow control; canvas or cloth fences, except when necessary for the protection of shrubs and vegetation.
- M. A zoning permit shall be required for the erection of all fences, gates and walls. The Zoning Officer shall have the duty and all power necessary to issue appropriate notices or orders directing property owners to correct any conditions that are in violation of this Ordinance.
- N. In the case of any fence, gate or wall erected before the effective date of this Ordinance, the requirements of this section shall apply upon the replacement of said fence or wall or any section(s) or components thereof comprising at least twenty-five percent (25%). Repairs, as this term is used in this Ordinance, shall not be interpreted to include painting.

- O. Retaining walls, as defined by this Ordinance and necessary to hold back slopes, and fences used for agricultural purposes and private or commercial stables are exempt from the regulations of this section and shall not require permits.

729 FLEA MARKET (Conditional Use: M-1)

- A. Indoor flea markets shall meet minimum parking requirements for retail businesses set forth in Article X.
- B. Outdoor flea markets not involving the use of a building or structure shall require a lease or letter of permission to occupy the property and operate the flea market, which shall be provided to the Township with the Zoning Permit Application. The Township may require commercial outdoor flea market operators and vendors to provide a bond or vendors fee to assure that the operation thereof is carried out in a safe and environmentally sound manner.
- C. Both indoor and outdoor flea markets shall be provided with an approved water supply and sewage disposal system.
- D. For both indoor and outdoor flea markets, a ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any R-district or any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

730 FORESTRY (Permitted Use: All Zone Districts)

A. Purpose.

In order to conserve forested open space and the environmental and economic benefits they provide, it is the purpose of Ransom Township to encourage the owners of forestland to continue to use their land for forestry purposes, including the long-term production of timber, recreation, wildlife, and amenity values. The timber harvesting regulations contained in this §730 are intended to further this purpose by:

1. Promoting good forest stewardship.
2. Protecting the rights of adjoining property owners.
3. Minimizing the potential for adverse environmental impacts.
4. Avoiding unreasonable and unnecessary restrictions on the right to practice forestry.

B. Applicability.

To encourage maintenance and management of forested or wooded open space and promote the conduct of forestry as a sound and economically viable use of forested land throughout Ransom Township, forestry activities, including timber harvesting, shall be subject to the requirements of this §730 where the value of the trees, logs, or other timber products removed exceeds \$1,000. These provisions do not apply to the cutting of trees for the personal use of the forestland owner or for pre-commercial timber stand improvement.

C. Permits/Fees, Notification of Completion, and Preparation of a Logging Plan.

1. *Permits/Fees* — For all timber harvesting operations that are expected to exceed five (5) acres, the forestland owner shall obtain a Zoning Permit from the Zoning Officer

at least forty-five (45) business days before the operation commences. The Board of Supervisors may establish by Resolution a Schedule of Fees pertaining to timber harvesting operations. In addition, the forestland owner shall be responsible for any cost incurred by the Township for review of the Logging Plan required under 3. below by the Zoning Officer and/or Township Engineer. No timber harvesting shall occur until the permit has been issued.

2. *Notification of Completion* — For all timber harvesting operations required to obtain a Zoning Permit, the forestland owner shall notify the Zoning Officer within thirty (30) business days before the operation is complete.
3. *Logging Plan* — Every forestland owner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified by this ordinance. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Zoning Officer upon request.
4. *Responsibility for Compliance* — The forestland owner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

D. Contents of the Logging Plan.

1. *Minimum Requirements* — As a minimum, the logging plan shall include the following:
 - a. Design, construction, maintenance, and retirement of the access system, including haul roads, skid trails, and landings.
 - b. Design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars.
 - c. Design, construction, and maintenance of stream and wetland crossings.
 - d. The general location of the proposed operation in relation to municipal and state highways, including any accesses to those highways.
2. *Map* — Each logging plan shall include a sketch map or drawing containing the following information:
 - a. Site location and boundaries, including both the boundaries of the property on which the timber harvesting will take place and the boundaries of the proposed harvest area within that property.
 - b. Significant topographic features related to potential environmental problems.
 - c. Location of all earth disturbance activities such as roads, landings, and water control measures and structures.
 - d. Location of all crossings of the waters of the Commonwealth.
 - e. The general location of the proposed operation to municipal and state highways, including any accesses to those highways.

3. *Compliance with State Law* — The logging plan shall address and comply with the requirements of all applicable state regulations including, but not limited to, the following:
 - a. Erosion and Sedimentation Control regulations contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to the Clean Streams Law (35 PS §691.1 et seq).
 - b. Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 PS §693.1 et seq).
4. *Relationships of State Laws, Regulations, and Permits to the Logging Plan* — Any permits required by state laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25, Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map specified in paragraphs A. and B. of this section, provided that all information required by these paragraphs is included or attached.

E. Forest Practices.

The following requirements shall apply to all timber harvesting operations in the Township:

1. Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or PennDOT, whichever is responsible for maintenance of the thoroughfare.
2. No tops or slash shall be left within twenty-five feet (25') of any public thoroughfare or private roadway providing access to adjoining residential property.
3. All tops and slash between twenty-five and fifty feet (25' and 50') from a public roadway or private roadway providing access to adjoining residential property or within fifty feet (50') of adjoining residential property shall be lopped to a maximum height of four feet (4') above the ground.
4. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
5. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.

E. Responsibility for Road Maintenance and Repair and Road Bonding.

Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49, and Title 67 Pennsylvania Code, Chapter 189, the forestland owner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic, and may be required to furnish a bond to guarantee the repair of such damages.

F. Enforcement.

1. *Inspections* — The Zoning Officer may go upon the site of any timber harvesting operation before, during, or after active logging to (1) review the logging plan or any other required documents for compliance with this §730 and (2) inspect the

operation for compliance with the logging plan and other on-site requirements of these regulations.

2. *Violation Notices, Suspensions, and Penalties* — Any timber harvesting operation found to be in violation of this Ordinance shall be subject to the penalty regulations set forth in §1209 of this Ordinance.

731 GARAGE OR YARD SALE (Permitted Accessory Use: All Zone Districts)

Permits shall not be required for garage or yard sales or private rummage sales, but shall be subject to the following specific regulations:

- A. Private rummage sales conducted by a service, non-profit, religious or charitable organization are permitted as accessory uses. Any such organization may conduct not more than two (2) such rummage sales in any one calendar year and each event shall be conducted for not more than five (5) successive days. All vehicle parking shall be provided by off-street parking spaces.
- B. Individual, private-family yard or garage sales are permitted as accessory uses in all zone districts. Each individual property location may have a maximum of two (2) yard sales during any one (1) calendar year. Each sale may last a maximum of three (3) consecutive days. Yards or garage sales are meant to allow individuals the offering for sale of accumulated normal household items, and the buying and selling of commercial or surplus material shall be considered a commercial operation and shall only be allowed in zone districts where retail sales of general merchandise is permitted.
- C. No sale shall commence before 9 AM or after 7 PM on any day.
- D. Any sign, notice, or advertisement for the sale shall be removed immediately upon conclusion of the sale.

732 GROUP HOME OR HALFWAY HOUSE (Permitted Use: A-1, R-1, R-2, S-1)

- A. There shall be adequate supervision provided by an adequate number of persons trained in the field for which the group home or halfway house is intended.
- B. The use shall be limited to a maximum of eight (8) service-dependent residents. This limit does not include the resident supervision staff.
- C. The use shall be licensed or certified under an applicable state or federal program for group or halfway housing. A copy of any such license or certification shall be filed with the Zoning Officer.
- D. The use shall register the general type of treatment or care, maximum number of residents and sponsoring agency with the Zoning Officer. Such information shall be available to the public for review upon request.
- E. The group home or halfway house shall notify the Zoning Officer within fourteen (14) days if there is a change in the type of clients, the sponsoring agency, the maximum number of residents, or if any applicable license/certification is suspended or withdrawn.
- F. Any medical or counseling services provided shall be limited to residents.
- G. No exterior signs shall identify the use.

- H. Construction of a group home or halfway house shall comply with minimum density and lot and yard regulations applicable to single-family dwellings set forth in Article VI of this Ordinance.

**733 GUEST HOUSE (Permitted Accessory Use: A-1, R-1, R-2, S-1)
POOL HOUSE (Permitted Accessory Use: All Zone Districts)**

- A. A guest house as defined by §302 of this Ordinance may only be approved, established, or constructed on parcels of two (2) acres or more.
- B. A guest house or pool house shall not exceed five hundred (500) square feet of gross floor area.
- C. Unattached guest houses may only be located in a rear yard and shall be set back a minimum of ten feet (10') from rear and side property lines and shall not exceed a height of twenty-five feet (25').
- D. The exterior architectural appearance of a guest house shall be compatible to that of the principal residential structure.
- E. Pool houses may only be located in rear and side yards and shall be set back a minimum of ten feet (10') from rear and side property lines and shall not exceed a height of fifteen feet (15').

734 HOME-BASED BUSINESS, MINIMAL IMPACT (Special Exception Accessory Use: All Zone Districts)

- A. The following uses shall not be permitted as a minimal impact home-based business: adult business, animal hospital, kennel or veterinarian clinic; commercial stable; funeral home or mortuary; retail business; restaurant, café, or coffee house; auto repair or auto body shop; transit-related- or maintenance facility; medical marijuana facility, wholesale business; or, warehousing and distribution.
- B. The Zoning Hearing Board may determine that other particular types or intensity of uses are unsuitable to be minimal impact home-based businesses or that the proposed lot area or setbacks are insufficient.
- C. The minimal impact home-based business shall be conducted completely indoors and may be within a principal dwelling or accessory structure. The total amount of floor area used for the minimal impact home-based business shall not be greater than twenty-five percent (25%) of the total floor area of the principal dwelling unit.
- D. Outdoor storage of materials, products, or equipment shall be prohibited.
- E. Display windows, business displays, or advertising visible from outside shall be prohibited. A personal sign identifying the minimal impact home-based business is permitted pursuant to the requirements of Article IX of this Ordinance.
- F. If a commercial vehicle is utilized in conjunction with the minimal-impact home-based business, the use shall comply with the requirements of Commercial Vehicle Parking in R-districts and on Residential Property set forth in Article X of this Ordinance.
- G. No machinery or equipment shall be permitted that produces noise, noxious odor, vibration, glare, electrical interference or radio or electromagnetic interference beyond the boundary

of the property. No use shall generate noise or glare in excess of what is typical in a residential neighborhood.

- H. The use shall comply with all performance standards and environmental protection standards set forth in Article VIII of this Ordinance.
- I. The use shall not routinely involve the parking of more than four (4) nonresident vehicles at any one time. The applicant shall prove to the satisfaction of the Zoning Hearing Board that the use will have adequate area for off-street parking and loading spaces.
- J. The Zoning Hearing Board may regulate the location of needed off-street parking to maintain the residential character, and may deny a minimal impact home-based business if adequate off-street parking cannot be accommodated.
- K. The exterior of the dwelling and lot shall not be changed in such a way to decrease its residential appearance, except for permitted parking spaces and a personal sign identifying the business.
- L. A minimal impact home-based business shall not be conducted in a way that is perceptible from beyond the property boundaries and not between the hours of 8 PM and 8 AM. This time limit shall also apply to any loading or unloading of vehicles that causes noise to abutting properties.
- M. The use shall not involve the storage or use of hazardous, flammable, or explosive substances, other than types and amounts commonly found in a dwelling. The use shall not involve the storage or use of toxic substances.
- N. In addition to permanent residents, one (1) nonresident of the dwelling may work on the premises of a minimal impact home-based business.
- O. Child Day Centers operated as minimal impact home-based businesses shall also comply with the following:
 - 1. The number of children that care is provided to shall be from four (4) to six (6).
 - 2. Smoke detectors shall be provided throughout the building, an "ABC"-rated fire extinguisher shall be provided, lights shall be provided at all exits, and at least one (1) exit window shall be provided with an opening within six feet (6') of the exterior grade level.
 - 3. All requirements of the Uniform Construction Code shall be met for home-based child day care centers.
 - 4. A minimum of one hundred (100) square feet of a safe, fenced-in exterior play area shall be provided. The play area shall not be within any front yard and shall be separated from any abutting residential property by a ten-foot-wide (10') evergreen buffer strip. The initial height of the evergreen planting shall be five feet (5').

735 HOME-BASED BUSINESS, NO IMPACT (Permitted Accessory Use: All Zone Districts)

- A. The no-impact home-based business shall be compatible with the residential use of the property and surrounding residential uses.
- B. The no-impact home-based business shall have no employees other than family members residing in the dwelling.

- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a no-impact home-based business use, including, but not limited to, parking, signs, or lights.
- E. The use shall comply with the requirements of Commercial Vehicle Parking in R-districts and on Residential Property set forth in Article X of this Ordinance.
- F. The no-impact home-based business may not use any equipment or process that creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- G. The no-impact home-based business may not generate any solid waste or sewage discharge, in volume or type, that is not normally associated with residential use in the neighborhood.
- H. The no-impact home-based business shall be conducted only within the dwelling and may not occupy more than twenty-five percent (25%) of the habitable floor area.
- I. The no-impact home-based business may not involve any illegal activity.

736 HOSPITAL (Conditional Use: M-1)

- A. A minimum net buildable site area of five (5) acres shall be required.
- B. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
- C. The use shall comply with all performance standards and environmental protection standards set forth in Article VIII of this Ordinance.

737 HOTEL/MOTEL (Permitted Use: M-1)

- A. A minimum net buildable site area of five (5) acres shall be required.
- B. All structures must be setback a minimum of one hundred feet (100') from all property lines.
- C. Each rental room shall contain a minimum of one hundred fifty (150) square feet of habitable floor space.
- D. The use shall provide accommodations (rental units) for rooming or boarding, casual and transient guests for a maximum stay of thirty (30) days.
- E. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

738 INDUSTRY, HEAVY & LIGHT (Permitted Use: M-1, M-2)

- A. A minimum net buildable site area of two (2) acres shall be required for all facilities defined as Heavy Industry under §302 of this Ordinance.

- B. All structures, including storage equipment and other materials, shall be set back a minimum of fifty feet (50') from all property lines, wetlands, and watercourses.
- C. All applicable performance standards as required under Article VIII of this Ordinance shall be met.
- D. All applicable Federal and/or state regulations shall be met. Copies of any required licenses and/or permits shall be provided to the Zoning Officer.
- E. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

739 JUNK YARD OR AUTOMOBILE WRECKING FACILITY (Conditional Use: M-2)

- A. All proposed junk yards or automobile wrecking facilities shall meet all applicable performance standards as required under Article VIII of this Ordinance, as well as all requirements of the Ransom Township Nuisance Ordinance, as amended.

740 MACHINE SHOP AND TIRE RE-TREADING AND RE-CAPPING (Permitted Use: M-1, M-2)

- A. All machine shops and tire re-treading and re-capping facilities, as defined by §302 of this Ordinance, shall comply with §738, subsections B. through E. of this Ordinance.

741 MINERAL AND NATURAL RESOURCE EXTRACTION AND PROCESSING (excluding Oil and Gas) (Conditional Use: M-1, M-2)

- A. The processing of minerals from any parcel shall be terminated within twelve (12) months following the termination of excavation on that parcel.
- B. A minimum twenty (20) acre parcel shall be required for mineral processing plants.
- C. The crushing, processing, excavation or any other operations associated with mineral extraction or processing shall be setback a minimum of one hundred (100') feet from road rights-of-way and lot boundaries and five hundred (500') feet from any existing residential use. Buffering, screening and fencing may be required for adjacent uses dependent upon specific site and adjacent use conditions.
- D. Excavating operations, including drilling, hauling, and blasting shall not be carried out on Sunday, and shall not be operated earlier than 7:00 AM nor later than 6:00 PM during the remainder of the week.
- E. Evidence of compliance with all state and Federal laws applicable to the extraction and processing for which a permit is sought shall be provided to the Board of Supervisors.
- F. A description of the character, timing, and duration of the proposed operation, including maps and plans showing the area and extent of the proposed activity, the location and design of all structures, depth of the excavation, areas for storage of soil materials, and facilities for processing, loading and transportation of minerals shall be submitted.
- G. The location of all structures and land uses that may be affected by the proposed operation and measures that will be taken to protect all structures and land uses from adverse impacts from extraction.

- H. Measures that will be taken to insure that any loss, diminution, or pollution of water supplies in areas affected by extraction will be corrected or replaced shall be provided.
- I. Measures that will be taken to insure that the performance standards contained in all sections of this ordinance shall be met shall be provided.
- J. Description of plans for the transportation of the extracted product, including routes of travel, number and weight of vehicles, and measures that will be taken to maintain all roads within the Township that are used to transport minerals and to repair any damages that may result from the use of roads for loads and volumes of traffic shall be provided.
- K. Plans for the restoration and reclamation of all land affected by the extraction and processing operation to a condition that will support uses that are permitted in the zone district shall be provided.
- L. In deciding upon an initial application for a conditional use permit for extraction or processing, the Board of Supervisors shall evaluate the impact of the proposed activity upon adjacent areas and upon the community at large and shall approve granting of a permit only if it finds that:
 - 1. The scale, pace, and duration of the proposed activity are reasonable in relationship to the ability of other portions of the community to maintain normal patterns of activity while extraction activities are ongoing.
 - 2. Adequate safeguards are provided to insure that damage will not be done to property elsewhere in the Township or to the natural environment.
 - 3. The proposed plan for reclamation and reuse of land is acceptable. If the proposed reclamation plan is for forestry or other undeveloped use, grading, drainage, and vegetation must be compatible with other such use areas in the Township. If the proposed reclamation is for development, the proposed development should be compatible with the regulations of the zone district in which it is located.
- M. In deciding upon an application for any expansion or change in an extraction or processing application, the Board of Supervisors shall consider all of the factors listed above and in addition shall grant a Conditional Use permit only if the following conditions are met:
 - 1. The performance of the applicant to date has been in conformance with all of the agreements made at the time of the initial conditional use approval; and
 - 2. No expansion in area of an extraction operation shall be permitted until extraction activities have been completed on an equivalent area of land and the land shall have been graded and vegetation established in accordance with the approved plan for reclamation of the site.
- N. In no case shall a conditional use permit granted by the Board of Supervisors extend to an area of land or mode of operation that is larger or in any way different from the scope of permits issued concurrently by state and/or federal permitting authorities for the same existing or proposed extraction or processing activity.
- O. Outdoor lighting, if any, shall be shielded and/or reflected away from adjoining properties in accordance with lighting standards as established by this Ordinance or other applicable Township Ordinances.

- P. This §741 shall not apply to excavations for home sites, driveways, roads, or other approved land developments.

742 MOBILE HOME PARK (Permitted Use: A-1)

- A. The use shall have a minimum net buildable site area of ten (10) acres.
- B. All mobile home parks shall be served by a central or community sewage disposal system and central or community water supply system.
- C. No lot in any Mobile Home Park shall be less than fifty feet (50') in width and have less than five thousand (5,000) square feet of lot area.
- D. No mobile home located on any lot within the mobile home shall be closer to any front perimeter lot line than twenty-five feet (25'); to any perimeter side lot line than ten feet (10'); to any rear perimeter lot line than twenty feet (20').
- E. Only one accessory building shall be allowed per individual mobile home lot and such accessory structure shall not contain a greater area than the area of the mobile home located on the same parcel.
- F. No mobile home park shall be located in the Flood Plain Overlay District.
- G. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut lots containing single-family dwellings, group homes, two-unit attached dwellings, duplexes, or townhouses. The initial height of the evergreen planting shall be five feet (5').
- H. All mobile home parks must meet Design Standards for such use set forth in the Ransom Township Subdivision and Land Development Ordinance.

743 MULTI-FAMILY DWELLING, GARDEN APARTMENT (Permitted Use: R-2)
TOWNHOUSE (Permitted Use: A-1, R-1, R-2, S-1)
RETIREMENT HOUSING (Permitted Use: R-2)
TWO-UNIT ATTACHED DWELLING (Permitted Use: A-1, R-1, R-2, S-1)
DUPLEX (over/under units) (Permitted Use: A-1, R-1, R-2, S-1)

- A. The requirements of this §743 do not apply to the construction of one (1) two-unit attached dwelling or one (1) duplex on an individual zone lot. Minimum lot, yard, and coverage requirements for one (1) two-unit attached dwelling or one (1) duplex shall be as set forth under Schedule II of this Ordinance for (TF) dwellings as noted in said Schedule II for the applicable zone district in which the two-unit attached dwelling or duplex is located.
- B. A minimum net buildable site area for multi-family dwellings, garden apartments, townhouses, two (2) or more two-unit attached dwellings, and two (2) or more duplexes shall be three (3) acres.
- C. All multi-family dwellings, garden apartments, townhouses, two (2) or more two-unit attached dwellings, and two (2) or more duplexes shall be served by an existing or approved public or community sewage and community water supply system.
- D. All multi-family dwellings, garden apartments, townhouses, two (2) or more two-unit attached dwellings, and two (2) or more duplexes shall be setback a minimum of one hundred feet (100') from the project property boundaries. Maximum lot coverage, maximum building height, and minimum lot dimensions shall be as set forth under Schedule

II of this Ordinance for (MF) dwellings as noted in said Schedule II for the applicable zone district in which the multi-family dwellings, garden apartments, townhouses, two (2) or more two-unit attached dwellings, and two (2) or more duplexes are located.

- E. As defined under §302 of this Ordinance, the maximum number of dwelling units per building or structure shall not exceed the following:
 - 1. Two-unit attached or duplex: two (2)
 - 2. Townhouses: six (6)
 - 3. Garden Apartments: eight (8)
- F. In addition to the minimum yard requirements, off-street parking, streets, and storm water drainage facilities, a minimum of ten percent (10%) of the gross site area of Townhouse and/or Garden Apartment developments shall be set aside as Common Open Space, as defined under §302 of this Ordinance, and shall be maintained in accordance with the Ransom Township Subdivision and Land Development Ordinance.
- G. Off-street parking shall be provided in accordance with the requirements of Article X of this Ordinance.
- H. All buildings or structures shall be separated by no less than twenty-five feet (25').
- I. Access roads through the development shall comply with the street standards for Minor Streets, including minimum right-of-way widths, as required by the Ransom Township Subdivision and Land Development Ordinance, as amended. Direct access of individual parking spaces to the minor street shall not be permitted; instead, private access drives to the parking areas or building groups shall be provided.
- J. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards where the project abuts any existing single- or two-unit dwellings or duplexes. The initial height of the evergreen planting shall be five feet (5').
- K. Walkways of such design and construction as approved by the Township shall be provided from all buildings and/or units to respective parking areas and common open space areas.
- L. Exterior storage areas for trash and rubbish shall be screened from public view on three sides and shall be contained in covered, vermin-proof containers.
- M. A minimum of two (2) changes in the front wall plane with a minimum offset of four feet (4') shall be provided for every attached grouping of townhouses in one (1) building.

743A NEW OR USED CAR, MOTORCYCLE, MOPED, ATV OR TRAILER RENTAL OR SALES
(Permitted Use: C-1, M-1)

- A. No vehicle or trailer on display shall occupy any part of an existing street right-of-way or within the area designated as customer parking.
- B. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards where the project abuts any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
- C. The use shall comply with lighting and glare requirements as set forth in §814 of this Ordinance.

744 OIL AND GAS EXPLORATION, EXTRACTION, AND DEVELOPMENT (Conditional Use: A-1, M-1, M-2, S-1)

- A. All oil and gas exploration, extraction, and development operations shall be subject to the requirements of Article IX-A of this Ordinance.

744A NIGHTCLUB, TAVERN, OR BOTTLE CLUB (Permitted Use: M-1)

- A. Nightclubs, taverns, or bottle clubs shall neither be located within five hundred feet (500') of a church, school, park, or playground, nor within one hundred fifty feet (150') of an existing residential dwelling.
- B. The zoning permit shall only be issued on a conditional basis until evidence of a liquor license issued by the PA Liquor Control Board is received by the Township.
- C. All activities associated with the use, including the consumption of alcoholic beverages, shall be performed within an enclosed structure.
- D. Any use that proposes seating and/or serving of alcoholic beverage on a patio, deck or other outdoor structure, shall be considered a Special Exception and require approval by the Zoning Hearing Board, in accordance with special exception procedure as set forth in the Ordinance.

744B OUTDOOR FURNACE (Permitted Accessory Use: All Zone Districts)

- A. All outdoor furnaces, as defined by this Ordinance, shall meet all requirements of the Ransom Township Nuisance Ordinance, as amended.

745 OUTDOOR EXHIBITIONS, SPORTS ASSEMBLY, ENTERTAINMENT, AND AMUSEMENTS (Conditional Use: M-1)

- A. Uses defined as Outdoor Exhibition, Sports Assembly, Entertainment, and Amusement in §302 of this Ordinance shall not be located closer than five hundred feet (500') from the following:
1. any Residential Use as listed in Schedule I and defined by Article III of this Ordinance
 2. public or private school
 3. cultural facility, gallery, or library
 4. hospital
- B. Minimum setbacks shall be one hundred feet (100') for all yards for all uses defined as Outdoor Exhibition, Sports Assembly, Entertainment, and Amusement in §302 with the exception of miniature golf courses. Minimum setbacks for miniature golf courses shall be fifty feet (50') for all yards.
- C. Proof of any licensing from appropriate state or federal agencies shall be required for issuance of a building and zoning permit.
- D. The noise factor shall be considered, and noise deadening devices or other means to prevent the noise from becoming objectionable to surroundings areas shall be required.
- E. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

**745A OUTDOOR RECREATION AND SPORTS (excluding Shooting Ranges [See Article IX-C])
(Permitted Use: A-1; Special Exception: S-1)**

- A. Minimum setbacks shall be fifty (50') for all yards for all uses defined as Outdoor Sports in §302 of this Ordinance.
- B. Golf courses shall be designed that golf balls are highly unlikely to enter public roads or abutting properties. Fairways and greens shall be setback a minimum of fifty feet (50') from all property lines.
- C. Clubhouses, retail sales of equipment, swimming pools, and restaurants may be permitted as accessory uses to outdoor sports. All buildings and swimming pools shall be located no less than one hundred feet (100') from any Residential Use as listed in Schedule I and defined by Article III of this Ordinance, unless the owner of such abutting use(s) grants a waiver in writing to reduce the setback to fifty feet (50').
- D. Clubhouses, retail sales, and restaurants permitted as accessory uses shall meet minimum parking requirements for such uses set forth in Article X of this Ordinance as if they were principal permitted uses.

745B PATIO, DECK, OR GAZEBO (Permitted Accessory Use: All Zone Districts)

- A. Patios, decks, and gazebos, as defined in §302 of this Ordinance, shall be set back a minimum of ten feet (10') from side and rear lot lines and shall meet minimum front yard setbacks as set forth in Schedule II of this Ordinance for the applicable zone district in which the property proposing the patio, deck or gazebo is located.
- B. Building and zoning permits shall be required for all decks where at least one (1) of the support structures is twenty-four inches (24") or higher above grade.

745C PETS, KEEPING OF (Permitted Accessory Use: All Zone Districts)

- A. This section shall apply to the keeping of household pets in all zone districts and the raising of livestock in conjunction with an accessory agricultural use on parcels less than three (3) acres (See §705) in all zone districts except A-1.
- B. This section does not apply to the keeping of horses on residential property. See §718, Stables.
- C. This section does not apply to service dogs, as defined by the Americans with Disabilities Act (ADA).
- D. This section does not apply to emotional support animals utilized by a disabled person protected by the Fair Housing Amendments Act of 1988, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act. A letter or prescription from a qualified medical professional, in accordance with the aforementioned acts, may be required as proof of use of an exotic animal as an emotional support animal.
- E. The raising of livestock as defined in §302 of this Ordinance shall be prohibited on residential property in all zone districts except A-1. This includes property used for agriculture that is considered accessory to a residential use as set forth in §705 and §745C. A. of this Ordinance.
- F. Only those types of animals that are domesticated and compatible with a residential character shall be permitted as household pets as defined in §302 of this Ordinance.

Household pets shall not include bears; non-domesticated cats such as lions, cougars, jaguars, tigers, bobcats, lynx; wolves; wolf-dog hybrids; monkeys; and venomous snakes poisonous to humans.

- G. The keeping of household pets shall not be conducted in such a manner that it will create a serious nuisance, including noise and odor, a health hazard, or a public-safety hazard.
- H. No household pets dangerous to humans shall be allowed outdoors, except within a secure caged or fenced area or on a leash under full control of the owner.
- I. The person with the duty of care of household pets shall be responsible for collecting and disposing of all fecal matter from such pets.
- J. The outdoor keeping of bees shall be allowed in all zone districts; however, any area used for the keeping of bees shall be setback a minimum of one hundred fifty feet (150') from all property lines and shall be well marked.
- K. A maximum number of five (5) pigeons shall be permitted on lots less than one (1) gross acre in area unless the owner can prove compliance with the State Carrier Pigeon Act.
- L. A maximum number of five (5) poultry animals shall be allowed as household pets, provided they are not kept for commercial purposes.
- M. No numerical restrictions shall apply to any other type of household pets, provided they comply with §745C G., H., and I. above.

746 PLANNED RESIDENTIAL DEVELOPMENT (PRD) (Conditional Use: R-1, R-2)

It is the purpose and intent of this Section to permit and encourage a more varied, efficient, attractive and economical development pattern, to increase flexibility in the location and arrangement of homes; to provide a more usable pattern of open space; to provide for flexibility of design, and to reduce the long-term costs of maintaining infrastructure to the community while furthering the purpose of this Ordinance. The uses permitted in a Planned Residential Development may include all types of residential uses, and those nonresidential uses listed below.

A. Procedure:

Planned Residential Developments shall be processed concurrently with the subdivision/land development process set forth in the Township Subdivision and Land Development Regulations, and shall comply with the development requirements for a major development or subdivision.

B. Minimum Size:

Planned Residential Developments shall contain a minimum of fifty (50) acres of land that shall be part of the same parcel of land and contiguous.

C. Lot Size and Density of Development:

The gross residential density of the PRD shall not exceed two (2) dwelling units per acre. The developer shall present proposed lot sizes (length, width, and area) as a part of the plan submission. The minimum lot area for single-family detached dwelling unit lots shall be fourteen thousand (14,000) square feet of land area and no more than fifty percent (50%) of the total single-family detached dwelling unit lots shall be less than twenty thousand (20,000) square feet in land area.

D. Setbacks:

The PRD developer shall present proposed building setback lines for all lots as a part of the plan submission; however, adjacent structures shall not be located closer than thirty feet (30') to each other. Planned Residential Developments proposing two-unit attached dwellings, duplexes, townhouses, multi-family dwellings, garden apartments, or non-residential uses in an R-1 Zone District shall not locate the structures closer than one-hundred feet (100') to a perimeter property line of the development. Suitable landscaping and/or screening may be considered as an alternative to the 100' buffer area.

E. Sewers:

Planned Residential Developments shall be served by a central or community sanitary sewer system.

F. Water Supply:

If water service is to be provided by means other than by private wells owned and maintained by the individual owners of the lots within the Planned Residential Development, the developer or applicant must present evidence that the PRD is to be supplied water service by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

G. Open Space:

1. All areas of a Planned Residential Development not conveyed to individual lot owners and not occupied by buildings and required or proposed improvements shall be dedicated in perpetuity as permanent open space to be used for the sole benefit and enjoyment of the residents of the development. Land designated as open space shall be maintained as open space and shall not be sold, used to meet open space requirements for other developments, subdivided, developed or dedicated to any other use.
2. Open space areas shall be maintained so that their use and enjoyment as open space are not reduced or destroyed. Open space areas shall be preserved and maintained by either one or both of the following methods:
 - a. Dedication to a property owners association that assumes full responsibility for protection and maintenance of the open space.
 - b. Deed-restricted private ownership that shall prevent development of the open space, provide for its maintenance, and protect the rights of owners or occupants of the dwelling units of the proposed project to use and enjoy, in perpetuity, such open space.
3. At least fifty percent (50%) of the designated open space area shall be usable for active recreational activities and shall not include wetlands, quarries, slopes over twenty-five percent (25%), or acreage used for improvements. Storm drainage facilities and sewage effluent disposal areas shall be considered improved areas.

However, in no case shall less than twenty-five percent (25%) of the gross area of the tract or parcel be dedicated to open space. The developer shall submit a schedule or plan, and proposed agreement(s) showing the proposed open space ownership and maintenance, as indicated in item 2.

H. Non-residential Uses:

Non-residential uses shall be permitted to be incorporated into the Planned Residential Development provided the following conditions are satisfied:

1. A minimum of one-hundred (100) dwelling units must be planned for development within the contiguous area of the tract.
2. No non-residential structures may be constructed until a minimum of fifty percent (50%) of the planned dwelling units have been constructed.
3. Non-residential uses shall be limited to the following:
 - a. A maximum of two-hundred (200) gross square feet of non-residential floor area may be constructed per dwelling unit.
 - b. All non-residential uses shall meet the applicable zoning regulations for setbacks for the C-1 zone district (Schedule II), parking and loading areas (Schedules III and IV), and parking area landscaping requirements.
 - c. Only the following uses may be constructed and integrated into a Planned Residential Development:
 - Child day-care centers
 - Retail businesses serving the development
 - Commercial or professional offices or services
 - Cafés or coffee houses
 - Other non-residential uses deemed to be appropriate by the Board of Supervisors for incorporation in the design of the PRD.

747 PRIVATE GARAGE AND CARPORT (Permitted Accessory Use: All Zone Districts)

- A. A private garage or carport attached to a principal building shall be considered a part of the principal building and shall conform to the building height limitations and minimum required setbacks for principal structures.
- B. On the side yard of a corner lot abutting the street right-of-way, unattached private garages or carports shall be set back the minimum required front yard setback for a principal structure in the applicable zoning district.
- C. No unattached private garages or carports shall be located closer than ten feet (10') from a principal structure or exceed a wall height of fifteen feet (15').
- D. All unattached private garages or carports shall be setback a minimum of ten feet (10') from all side and rear property lines. See Subsection B. above for corner lots.
- F. A maximum of four (4) bays shall be allowed for detached private garages or carports or any combination thereof on lots less one (1) acre. On lots one (1) acre or larger, newly proposed detached private garages or carports or any combination thereof may contain more than four (4) bays.

- G. Private garages or carports attached, or proposed to be attached, to a principal dwelling shall be considered a part of the principal dwelling and shall not be subject to any bay limitations as set forth in §747 H. above.

748 PRIVATE GREENHOUSE (Permitted Accessory Use: All Zone Districts)

- A. Private, noncommercial greenhouses and nurseries may not be erected or established in any required front yard, but shall be allowed in side and rear yards.
- B. Private greenhouses or nurseries shall be setback a minimum of ten feet (10') from all side and rear property lines.
- C. Private, noncommercial greenhouses and nurseries shall not exceed one thousand (1,000) square feet of gross floor area.

749 PRIVATE INDOOR RECREATION (Special Exception Accessory Use: All Zone Districts)

- A. A private indoor recreation accessory use as defined by §302 of this Ordinance may only be approved, established, or constructed on parcels of two (2) acres or more.
- B. A private indoor recreation accessory use shall not exceed three thousand (3,000) square feet of gross floor area.
- C. The use shall only be located within a rear yard and shall be setback a minimum of fifty feet (50') from all property lines.
- D. The use shall be effectively screened from adjacent properties by evergreen plantings, subject to approval by the Zoning Hearing Board.
- E. The maximum building height shall be twenty-five feet (25').
- F. Water and sewage disposal facilities may be installed in the building, subject to approval by the Township's Sewage Enforcement Officer or appropriate permitting officer or agency.
- G. The exterior architectural appearance of the building or structure shall be compatible with that of the principal residential dwelling, subject to approval by the Zoning Hearing Board.
- H. No equipment, motors, heating or cooling systems or other similar operational apparatus shall be permitted that produces noise, noxious odor, vibration, electrical interference or radio or electromagnetic interference beyond the boundary of the property. Lighting and glare associated with the use shall be subject to the requirements set forth in §814 of this Ordinance.

750 FUNERAL HOME OR MORTUARY (Permitted Use: C-1, M-1)

- A. Any crematorium operated in conjunction with a funeral home or mortuary shall be enclosed within and considered part of the principal structure. There shall be no separate structure used as a crematorium.
- B. In all zone districts where allowed, any funeral home or mortuary that proposes to operate a crematorium shall be set back a minimum of two hundred feet (200') from all side and rear property lines, one hundred feet (100') from road rights-of-way, and five hundred feet (500') from any existing dwelling or building.

- C. The operation of the crematorium shall be limited to non-holiday weekdays (Monday through Friday).
- D. Any funeral home or mortuary that proposes to operate a crematorium shall comply with all applicable state and/or federal regulations.
- E. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

751 PRIVATE OUTDOOR TENNIS AND SIMILAR COURT (Permitted Accessory Use: All Zone Districts)

- A. Outdoor tennis and other similar courts, including any apron or walkway, shall only be allowed in rear yards and shall be setback a minimum of fifteen feet (15') from all property lines.
- B. Outdoor tennis and other similar courts may be completely or partially surrounded by a fence, provided that such fence is erected in conformance with §728 D. of this Ordinance.
- C. Lighting and glare associated with the use shall be subject to the requirements set forth in §814 of this Ordinance. All lights must be off when the court or courts are not in use.

752 PRIVATE SWIMMING POOL AND HOT TUB (Permitted Accessory Use: All Zone Districts)

- A. Building and zoning permits shall be required for all private swimming pools and hot tubs as defined by this Ordinance.
- B. In-ground swimming pools shall be completely surrounded by a secure fence, wall, portion of a building, or other structure not less than four feet (4') in height, constructed, installed, secured and enclosed in accordance with the requirements of the Uniform Construction Code. Pool safety and security measures shall be constructed to make it difficult for small children to climb up or slip through. All gates or door openings through the enclosure (other than a door to a building) shall be self-closing and include a self-latched device on the poolside for keeping the gate or door securely closed at times when not in use.
- C. Aboveground swimming pools shall include a secure fence, wall, or other enclosure a minimum of four feet (4') high above the surrounding average ground level, constructed, installed, secured and enclosed in accordance with the requirements of the Uniform Construction Code. Aboveground pools shall be equipped with an access ladder that can be raised and located in a position that is a minimum of four feet (4') above the surrounding ground level or otherwise completely inaccessible to children when the pool is unattended. Exempt from this enclosure requirement are swimming pools less than twenty-four inches (24"), provided such pools do not have a water re-circulating system or involve structural materials.
- D. Outdoor hot tubs must be securely covered when not in use. Swimming pools must either be drained or securely covered when not in use over an extended period of time (i.e. non-swimming season October 1 through April 30).
- E. All private swimming pools, hot tubs, and decks or patios surrounding a pool or hot tub shall be setback a minimum of ten feet (10') from all side and rear lot lines. No pool or hot tub

shall be located in any front yard or in any yard that abuts a street right-of-way in the case of corner lots.

- F. No pool or hot tub shall be located above any underground electrical lines or under any overhead electrical lines.
- G. All private swimming pools and hot tubs shall not be filled or contain any water until all security measures and safety enclosures, as are set forth in the current edition of the Uniform Construction Code, have been completed and installed by the owner/contractor, and the owner has been issued a Certificate of Occupancy or Compliance by the Zoning Officer and/or Building Inspector.

753 PUBLIC OR COMMERCIAL PARKING (Conditional Use: M-1)

- A. Maximum height of a multi-level parking structure shall be forty feet (40') or three (3) levels, whichever is less.
- B. A public or commercial parking lot shall not be used for parking of heavy construction equipment, vehicle repairs or vehicle sales.
- C. Public or commercial parking lots shall be designed and landscaped in accordance with §1003 of this Ordinance.
- D. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

753A GROUP PICNIC AREA (Special Exception: A-1, M-1, S-1)

- A. A minimum net buildable site area of three (3) acres shall be required.
- B. All structures and recreational facilities shall be set back a minimum of one hundred feet (100') from all property lines and road rights-of-way.
- C. A buffer strip may be required to screen the use from adjacent properties. The size and type of buffering shall be at the discretion of the Zoning Hearing Board.
- D. Hours of operation shall be limited to 9:00 AM to 9:00 PM.
- E. The use shall be subject to nuisance elements as provided for in Article VIII of this Ordinance.
- F. Grass areas can be utilized for required off-street parking, but the minimum number of parking spaces shall be as required in Article X of this Ordinance. In no case, shall vehicles be allowed to park on public or private road rights-of-way.
- G. A land development plan shall be submitted to the Township and approval of such plan shall be required in accordance with the Township Subdivision and Land Development Ordinance.

754 RECYCLING FACILITY (Permitted Use: M-1, M-2)

- A. Materials to be dropped-off, processed, separated, and/or collected shall be paper, fabric, cardboard, plastic, metal, aluminum and glass. All materials shall be kept in appropriate containers, with appropriate sanitary measures and frequent emptying to prevent the attraction of insects and/or rodents and to avoid fire hazards.

- B. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

755 RELIGIOUS INSTITUTION (Permitted Use: M-1; Special Exception: A-1, R-1, R-2)

- A. Any meeting hall, offices for administration of the institution, banquet facility, licensed child or adult daycare, or playground shall be permitted as accessory uses in conjunction with a religious institution provided that such uses are of such a character and intensity that they would be clearly customary and incidental to the religious institution.
- B. Rectories, convents, parsonages, or other religious living quarters shall meet all applicable standards and requirements for residential uses, including the type of dwelling unit proposed in the zone district in which the quarters are located.
- C. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

756 RESEARCH LABORATORY (Special Exception: M-1)

- A. Research activities that require outdoor facilities shall be enclosed by a fence a minimum of six feet (6') in height.
- B. Any state or federal licensing requirements shall be met and evidence of such licensing shall be provided to the Zoning Officer and Board of Supervisors.
- C. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

756A RESORT OR CONFERENCE CENTER (Special Exception: S-1)

- A. Resorts or conference centers must comply with all requirements for Hotels/Motels as specified under §737 of this Ordinance.
- B. A minimum net buildable area of twenty (20) acres shall be required for a resort or conference center.
- C. Any proposed resort or conference center must provide one or more types of outdoor recreation and sports as defined by this Ordinance.
- D. The outdoor recreation and sports uses proposed in conjunction with a resort or conference center shall meet all requirements for Outdoor Sports and Recreation as specified in §745A of this Ordinance.

756B RESTAURANT, CAFÉ, OR COFFEE HOUSE (Permitted Use: C-1 [carry-out only], M-1)

- A. Any restaurant, café, or coffee house that proposes outdoor seating shall be set back a minimum of one hundred feet (100') from any residential buildings located on adjacent properties.
- B. Dumpsters and waste containers shall be effectively screened from public view.

757 ROOMING AND BOARDING HOUSE (Permitted Use: R-2)

- A. Each sleeping room shall be limited to two (2) adults, with a maximum of three (3) persons per sleeping room.
- B. The use shall be limited to a maximum number of sixteen (16) residents, including all permanent residents.
- C. Each rental room shall contain a minimum of one hundred fifty (150) square feet of habitable floor space.
- D. One (1) full bathroom shall be provided for each four (4) rental rooms.
- E. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
- F. Any type of identifying sign shall be limited to a surface area of six (6) square feet per side.
- G. Any state or federal licensing requirements shall be met and evidence of such licensing shall be provided to the Zoning Officer.

758 SANITARY LANDFILL OR SOLID WASTE FACILITY (Permitted Use: M-2)

- A. Solid waste facilities, as defined and regulated by the Pennsylvania Department of Environmental Protection (DEP), shall include the following operations: landfills, transfer facility, refuse vehicle staging areas, leaf composting facility, resource recovery facility, and waste disposal and processing facility. Solid waste facilities shall also include solid waste storage areas and vehicular waste transportation staging areas defined as areas designated for the use or staging of any type of vehicle or container utilized for the use of transportation of solid waste.
- B. No solid waste facility shall be located closer than five hundred feet (500') to any of the following: existing public right-of-way; property line; residential structure; public, semi-public, or institutional use; commercial or recreational facility. The access road and other improvements, serving the solid waste facility, shall be constructed according to the regulations contained in the Township Subdivision and Land Development Regulations.
- C. All solid waste facilities shall be completely enclosed by a chain link fence not less than ten feet (10') in height. The fence shall be completely erected within six (6) months after issuance of a zoning permit for the facility. All gates shall be closed and locked when the operation is closed for business. The fence and gate shall be maintained in such a manner as not to become unsightly. There shall be no advertising sign of any kind placed on the fence. The perimeter of the entire facility shall be landscaped to effectively screen the facility from adjacent properties.
- D. The solid waste facility's hours of operation shall be limited to the following: between the hours of 7:00 AM to 9:00 PM Monday to Friday; between the hours of 8:00 AM to 12:00 PM on Saturday; and shall not operate on Sunday or national holidays. In no event shall filled or partially filled refuse trucks be allowed to remain on site after closing time.
- E. Prior to the issuance of a Zoning Permit, the owner/developer of the facility shall prepare a surface water and groundwater study for the proposed operation. The study shall detail the existing surface and subsurface water conditions and explain the precautions that will be undertaken to prevent any surface or groundwater contamination from the proposed facility.

- F. All solid waste facilities shall comply with the applicable regulations of the Pennsylvania Department of Environmental Protection (DEP).
- G. Exempt from the provisions of this section are:
 - 1. Refuse vehicles parked at retail business establishments for a maximum of three (3) hours while the operator of the refuse vehicle uses the establishment.
 - 2. Solid waste containers designed to accept solid waste from retail business establishments, wholesale business establishments and residential buildings.

758A SAWMILL OR PLANING MILL (Permitted Use: M-1, M-2)

- A. No sawmill or planing mill shall be located closer than five hundred feet (500') from any R-district or residential use as listed in Schedule I and defined by Article III of this Ordinance.
- B. No sawmill or planing mill shall operate between the hours of 6:00 PM and 8:00 AM or on Sundays or any Federally-designated holiday(s).

759 COLLEGE/UNIVERSITY AND DORMITORY (Permitted Use: M-1)

- A. Any proposed college or university must be an accredited educational institution and proof of such accreditation shall be provided to the Zoning Officer.
- B. A minimum net buildable site area of ten (10) acres shall be provided for any college or university and associated dormitories.
- C. A minimum setback of one hundred feet (100') shall be required for all yards.
- D. Dormitories shall be limited to full-time students, faculty, or staff of the college/university.
- E. Multiple structures on the site of a college or university shall not be closer to one another than fifty feet (50').
- F. Any proposed sports facilities associated with a college or university that fall under the definitions of Commercial Indoor Recreation, Outdoor Recreation and Sports, and/or Outdoor Exhibition, Sports Assembly, Entertainment, and Amusement as defined by this Ordinance shall comply with all applicable requirements for those types of uses as specified in this Article VII.

760 SELF-STORAGE FACILITY (Permitted Use: M-1)

- A. Minimum distance between buildings shall be twenty feet (20').
- B. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
- C. The facility shall be surrounded by a fence no less than six feet (6') in height and designed to restrict access. There shall be defined entrances and exits.
- D. No locker/warehouse shall be used for any of the following:
 - 1. habitation

2. residential purposes
 3. storage or keeping of animals
 4. storage of food or other types of perishable materials
 5. storage of solid or liquid waste
 6. storage of hazardous materials
- E. No locker/warehouse shall be used for any other purpose except storage, and shall not be used for any other type of commercial or manufacturing activity. No materials, supplies, equipment, or goods shall be stored outside of the warehouse structures, with the exception of vehicles used for the operation of the facility, boats, recreational vehicles, and trailers.
- F. The use shall be provided with adequate outdoor lighting for security. Such lighting shall conform to performance standards set forth in Article §814 of this Ordinance.
- G. All applications for a building and zoning permit shall include detailed information on the nature and quantity of materials to be stored on the premises. Proposed space rental agreements shall be submitted with the application and shall provide specific rules to insure the requirements of this §760 are satisfied.
- H. All lockers/warehouses shall be fire and water-resistant.

761 SHOPPING MALL, CENTER OR PLAZA (Conditional Use: M-1)

- A. Any site proposed for multiple-occupant commercial establishments shall be held in single ownership or in unified control. The applicant shall provide the Township with evidence of such ownership or control.
- B. One (1) ingress/egress point shall be allowed on each abutting street and shall be designed and constructed according to PennDOT guidelines.
- C. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

761A SHED OR STORAGE STRUCTURE (Permitted Accessory Use: All Zone Districts)

- A. On the side yard of a corner lot abutting the street right-of-way, sheds and storage structures shall be set back the minimum required front yard setback for a principal structure in the applicable zoning district.
- B. Sheds or storage structures shall not be located closer than ten feet (10') from a principal structure or exceed a wall height of fifteen feet (15').
- C. All sheds or storage structures shall be setback a minimum of ten feet (10') from all side and rear property lines and meet the minimum required front yard setback for a principal structure in the applicable zoning district. See subsection A. above for corner lots.
- D. No automobile, trailer, tractor-trailer or any similar unit of this nature may be converted, altered, or changed into a permanent or temporary shed or storage structure.

762 SIGN (Permitted Accessory Use: All Zone Districts)

- A. All signs shall be subject to the requirements of Article IX of this Ordinance.

762A SINGLE-FAMILY DWELLING & NONRESIDENTIAL USE ON SAME LOT IN C- AND M-ZONES (Conditional Use: C-1, M-1, M-2)

- A. In the C-1, M-1, and M-2 Zoning Districts, one (1) residential unit per lot shall be permitted in association with a non-residential use(s) without an increase in the minimum lot dimensions provided that the residential unit is attached to and is an integral part of the principal non-residential structure and meets minimum yard setbacks required by this Ordinance for the applicable zoning district or non-residential use.
- B. A single-family detached dwelling shall be permitted on a lot in the C-1, M-1, and M-2 Zoning Districts in association with a non-residential use(s) on the same lot provided that the minimum lot dimensions and minimum yard setbacks required by this Ordinance for the applicable zoning district are met for both the residential and non-residential use.
- C. A distance at least equal to the highest adjoining building shall separate residential and non-residential buildings.

763 SLAUGHTERHOUSE (Special Exception: M-1)

- A. A minimum net buildable site area of two (2) acres shall be required.
- B. The use shall be setback one hundred feet (100') from all property lines.
- C. Any state or federal licensing requirements shall be met and evidence of such licensing shall be provided to the Zoning Hearing Board.
- D. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards. The initial height of the evergreen planting shall be five feet (5').

764 SOLAR COLLECTOR (Permitted Accessory Use: All Zone Districts)

- A. Roof-mounted solar collectors shall be permitted to extend a maximum of five feet (5') above the maximum building height for the zone district in which it is located.
- B. Ground-mounted solar collectors shall be shall be setback a minimum of ten feet (10') from side and rear property lines and meet the minimum front yard setback for a principal structure in the applicable zoning district.

764A SOLAR ENERGY FACILITY (Conditional Use: A-1, M-1, M-2, S-1)

- A. A minimum net buildable site area of two (2) acres shall be required. If the solar energy facility is proposed on a parcel that contains an existing use then the minimum net buildable area shall be two (2) acres plus the minimum net buildable site area of the existing use, as provided for under Schedule II and/or the applicable section of Article VII of this Ordinance.
- B. Solar collectors shall not exceed a maximum height of thirty-five feet (35'), which is the maximum building height for all zone districts as provided for under Schedule II of this Ordinance.
- C. A fence may be required around the facility or portions of the facility for safety reasons. The height and type of fencing shall be as determined by the Board of Supervisors.
- D. Landscaping may be required to screen as much of the solar energy facility features as possible. The Township may permit any combination of existing vegetation, topography,

walls, decorative fences or other features instead of landscaping, if the same achieves the same degree of screening as the required landscaping.

- E. The applicant must demonstrate that it has obtained the required licenses from governing state and federal agencies. The applicant shall also document compliance with all applicable state and federal regulations. The applicant shall submit the name, address and emergency telephone number for the operator of the solar energy facility; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the solar energy facility.
- F. Access to the solar energy facility shall be provided by means of a public street or easement to a public street. The easement shall be a minimum of twenty feet (20') in width and shall be improved to a width of at least ten feet (10') with a dust-free, all-weather surface for its entire length. If the solar energy facility is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift.
- G. The applicant shall provide details about anticipated glare from the facility and document how potential nuisances to area properties and public roads will be controlled.
- H. No solar power facility shall be located within five hundred feet (500') of any structure listed on any public historic register.
- I. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- J. On-site transmission and power lines shall to the greatest extent possible be placed underground.
- K. Should any solar power facility cease to be used, the owner or operator or then owner of the land on which the solar power facility is located, shall be required to remove the same within one (1) year from the abandonment of use. Failure to do so shall authorize the Township to remove the facility and assess the cost of removal to the foregoing parties. The Township may also file a municipal lien against the land to recover the costs of removal and attorney's fees. In addition, at the time of zoning permit issuance for any solar power facility, the Township shall require a financial guarantee, in a term, form and amount determined by the Township Board of Supervisors with the advice of the Township Solicitor, to guarantee the removal of the solar power facility.
- L. A land development plan shall be required for all solar energy facilities and approval of such plan shall be required in accordance with the Township Subdivision and Land Development Ordinance.

765 TEMPORARY USE (Permitted Accessory Use: All Zone Districts)

The Zoning Officer may issue a temporary permit for accessory structures or uses necessary during construction, or other special circumstances or events of a nonrecurring nature, subject to the following provisions:

- A. The life of such permit, excluding a permit for a temporary portable on-demand storage container (POD) or a temporary outdoor festival, shall not exceed one (1) year and may be renewed semi-annually for an aggregate period of not more than two (2) years.

- B. Temporary portable on-demand storage containers (PODs) may be located on private property (off street) subject to the following:
1. The POD may be located on the site for a period not to exceed sixty (60) days in duration from the time of delivery to time of removal. An extension of time may be granted by the Zoning Officer, subject to conditions for an additional time period of thirty (30) days. No more than two (2) extensions of time may be granted for any POD. No POD shall be located on a specific property for more than two (2) 60-day periods in any given calendar year.
 2. PODs located on a site that is under re-construction/rehabilitation due to a fire, flood, or other natural disaster shall be exempt from Subsection 1. above and shall be allowed to remain on-site for the duration of the re-construction/rehabilitation for up to a maximum time period of eighteen (18) months.
 3. No automobile, trailer, tractor-trailer or any similar unit of this nature may be converted, altered, or changed into a POD.
 4. In residential zones, no more than two (2) PODs may be located on a specific property at one time or exceed a size of eight feet six inches (8'6") in height, ten feet (10') in width or twenty feet (20') in length. In non-residential zones, no more than three (3) PODs may be located on a specific property at one time or exceed a size of eight feet six inches (8'6") in height, ten feet (10') in width or forty feet (40') in length.
 5. PODs shall not be located closer than ten feet (10') from any side or rear property line and shall be set back the minimum required front yard setback for a principal structure in the applicable zoning district.
 6. The property owner shall be responsible to secure the POD in such a manner that it does not endanger the safety of persons or property in the vicinity of the POD. In the event of high winds or other weather conditions where the POD may become a physical danger to persons or property, the Zoning Officer or appropriate law enforcement officers may require the immediate removal of the POD.
- C. Such temporary structures or uses shall be removed completely upon the expiration of the permit without cost to the Township.
- D. Recreational vehicles inhabited as temporary uses shall not be located in the Flood Plain Overlay District.
- E. Temporary outdoor festivals; carnivals; celebrations; country, craft, or county fairs; block parties; or picnics, held in conjunction with profit or non-profit organizations, shall require a permit, and the use shall not be conducted for a period longer than fourteen (14) days. The organization or individual conducting the activity shall provide the Zoning Officer with specific information on the activity or activities to be conducted and a Certificate of Liability Insurance prior to the issuance of the zoning permit. Measures for adequate security and clean up and temporary comfort facilities may also be required. No temporary outdoor activity shall conduct any business or event defined as an Adult Business by this Ordinance.

765A TRADE AND TECHNICAL SCHOOL (Permitted Use: M-1)

- A. Copies of all required Federal and state permits and/or licenses shall be provided to the Zoning Officer and Zoning Hearing Board.

766 TRANSIT-RELATED BUSINESS AND MAINTENANCE FACILITY (Special Exception: M-1)

- A. All activities and all storage of equipment, materials, and/or vehicles shall not be located within fifty feet (50') of any road rights-of way and one hundred feet (100') of any wetland, watercourse, or surface drainage facility.
- B. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
- C. For a site not abutting an R-district or residential use, a ten-foot-wide (10') evergreen buffer strip may be required along one or more property lines dependent upon specific location characteristics. The initial height of the evergreen planting shall be five feet (5').
- D. Parking of school and church buses or vans on residential property shall not be considered a bus or truck terminal as defined by this Ordinance.

767 WAREHOUSING, DISTRIBUTION OR OUTDOOR STORAGE (Permitted Use: M-1)

- A. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

767A WASTEWATER TREATMENT FACILITY, NON-MUNICIPAL (Conditional Use: M-1, M-2)

- A. The following setbacks shall be maintained for the treatment facility and any truck parking or staging areas:
 - 1. two hundred feet (200') from all property lines and road rights-of-way.
 - 2. three hundred feet (300') from any existing residential structure not located on the project parcel.
 - 3. two hundred feet (200') from any water body, watercourse or wetland. This shall not apply to any required discharge or intake structures at the receiving stream or water supply.
- B. Ancillary facilities such as offices, employee parking, and accessory structures shall be setback a minimum of fifty feet (50') from all property lines and road rights-of-way.
- C. The applicant shall provide a map showing the public roads in the Township proposed to be used to access the facility and provide an evaluation of the condition of any Township road that will be used and the potential damage that may occur from such use. The applicant shall also comply with Township road bonding requirements, if applicable.
- D. The facility shall be subject to all applicable requirements of PA DEP and such other state and Federal requirements that may be applicable. A copy of all DEP permits and/or DEP-issued documents and reports associated with the operation shall be submitted to the Township.
- E. Adequate vehicle parking and staging areas shall be provided on site to prevent parking or staging on any public road right-of-way.

767B HYDRAULIC FRACTURING WATER WITHDRAWAL FACILITY (Conditional Use: M-1)

- A. Ancillary facilities such as offices, employee parking, and accessory structures shall be setback a minimum of fifty feet (50') from all property lines and road rights-of-way.
- B. The applicant shall provide a map showing the public roads in the Township proposed to be used to access the facility and provide an evaluation of the condition of any Township road that will be used and the potential damage that may occur from such use. The applicant shall also comply with Township road bonding requirements, if applicable.
- C. The facility shall be subject to all applicable requirements of PA DEP and such other state and Federal requirements that may be applicable. A copy of all DEP permits and/or DEP-issued documents and reports associated with the operation shall be submitted to the Township.
- D. Adequate vehicle parking and staging areas shall be provided on site to prevent parking or staging on any public road right-of-way.

768 WATER EXTRACTION AND BOTTLING (Conditional Use: M-1, S-1)

- A. All water extraction and bottling operations as defined by this Ordinance must provide the Township Board of Supervisors with evidence of an approved construction/operation permit from the appropriate Commonwealth permitting agency.

769 WHOLESALE BUSINESS (Permitted Use: M-1)

- A. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

769A WINE TASTING ROOM (Special Exception: All Zone Districts)

- A. Any wine-tasting room not located on the site of a boutique winery or agricultural operation shall be set back a minimum of fifty feet (50') from all property lines or road rights-of-way.
- B. Any state or federal licensing requirements shall be met and evidence of such licensing shall be provided to the Zoning Officer and Zoning Hearing Board.
- C. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

770 WIND ENERGY FACILITY (Conditional Use: S-1)

- A. A Building and Zoning Permit shall be required for every wind farm and windmill installed at any location in the Township.
- B. All other uses ancillary to the wind farm (such as a business office, maintenance depot, etc., greater than 1,000 sq. ft.) are prohibited from the wind farm. This shall not prohibit the installation as accessory structures of equipment containers not intended for human occupancy to house only equipment necessary for the operation of the wind farm.
- C. A wind farm may be permitted on a property with an existing use subject to the following land development standards:

1. The minimum net buildable site area, minimum setbacks and maximum height required by the underlying zone district shall apply to the wind farm and windmills, and the land remaining for accommodation of the existing principal use(s) on the lot shall also continue to comply with the minimum net buildable site area, density and other requirements of the underlying zone district.
 2. The vehicular access to the equipment building shall, whenever feasible, be provided along existing driveways. The applicant shall present documentation that the owner of the property has granted an easement or other legal interest for the land for the proposed facility and that vehicular access is provided to the facility.
- D. The applicant shall demonstrate that the windmills are at the minimum height required to function satisfactorily. No windmill that is taller than this minimum height shall be approved.
- E. If the parcel on which the wind farm is a separate and distinct parcel, the underlying zone district minimum net buildable site area shall apply and in all cases, the lot shall be of such size that all required setbacks are satisfied. No windmill shall be located closer to any property line than two and one-half (2-½) times its height. The setback for equipment containers, other accessory structures and guy wire anchors shall be a minimum of fifty feet (50') from all property lines.
- F. If the land on which the wind farm is leased, or is used by license or easement, the setback for any windmill, the support structure, equipment containers, other accessory structures, and guy wire anchors shall be a minimum of fifty feet (50') from the line of lease, license or easement.
- G. No windmill shall be located less than one thousand feet (1,000') from any principal residential structure existing prior to the erection of the windmill.
- H. The applicant shall demonstrate that the proposed windmills are safe and the surrounding areas will not be negatively affected by structure failure, falling ice or other debris, electromagnetic fields, or radio frequency interference. All windmills shall be fitted with anti-climbing devices, as approved by manufacturers. The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed wind farm and support structure will be designed and constructed in accordance with accepted engineering practices and all requirements of any applicable construction code. Within forty-five (45) days of initial operation, the owner and/or operator of the wind farm shall provide a certification from a Pennsylvania registered professional engineer that the wind farm and all structures comply with all applicable regulations.
- I. A fence may be required around windmills and other equipment, unless the design of the structures adequately provides for safety.
- J. Landscaping may be required to screen as much of the wind farm ground features as possible, the fence surrounding the support structure, and any other ground level features (such as a building), and in general buffer the wind farm ground features from neighboring properties. The Township may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if the same achieves the same degree of screening as the required landscaping.
- K. The applicant must demonstrate that it has obtained the required licenses from governing state and federal agencies. The applicant shall also document compliance with all applicable state and federal regulations. The applicant shall submit the name, address and emergency telephone number for the operator of the wind farm; and a Certificate of Insurance

evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the wind farm.

- L. Access to the wind farm shall be provided by means of a public street or easement to a public street. The easement shall be a minimum of twenty feet (20') in width and shall be improved to a width of at least ten feet (10') with a dust-free, all-weather surface for its entire length. If the wind farm site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift.
- M. Windmills shall comply with all applicable Federal Aviation Administration (FAA) and PennDOT Bureau of Aviation regulations. No windmill may be artificially lighted except as required by FAA requirements. The applicant shall provide a copy of the response to *Notice of Proposed Construction or Alteration* forms submitted to the FAA and PennDOT Bureau of Aviation.
- N. The applicant shall document that the radio, television, telephone or reception of similar signals for nearby properties will not be disturbed or diminished, and this may be accomplished by remedial measures instituted by the wind farm developer.
- O. A wind farm shall not be located within one thousand feet (1,000') of any structure listed on any public historic register.
- P. Should any wind farm or windmill cease to be used, the owner or operator or then owner of the land on which the wind farm or windmill is located, shall be required to remove the same within one (1) year from the abandonment of use. Failure to do so shall authorize the Township to remove the facility and assess the cost of removal to the foregoing parties. The Township may also file a municipal lien against the land to recover the costs of removal and attorney's fees. In addition, at the time of zoning permit issuance for any windmill, the Township shall require a financial guarantee, in a term, form and amount determined by the Township Board of Supervisors with the advice of the Township Solicitor, to guarantee the removal of the windmill.
- Q. A land development plan shall be required for all solar energy facilities and approval of such plan shall be required in accordance with the Township Subdivision and Land Development Ordinance.

771 WIND TURBINE (Special Exception Accessory Use: All Zone Districts)

- A. This section shall apply to a wind turbine accessory to a principal structure or existing use that is sized and intended to be used to generate electricity for the principal structure or use to which it is accessory.
- B. No accessory wind turbine shall exceed a height (defined as Wind Turbine Height under §302 of this Ordinance) of one hundred feet (100'). Any such structure shall maintain a setback from all property lines not less than one hundred twenty percent (120%) of the height of the structure, but in no case shall be less than fifty feet (50') from any property line.
- C. The minimum height between any wind turbine blade and the ground shall not be less than thirty feet (30').

772 POWER FACILITY, EXCLUDING SOLAR & WIND ENERGY (Conditional Use: M-1)

- A. No power facility shall be nearer to one another than two thousand feet (2,000').
- B. A power facility shall not be located within one thousand feet (1,000') of any structure listed on any public historic register.
- C. The applicant must demonstrate that it has obtained the required licenses from governing state and federal agencies.
- D. A land development plan shall be required for all power facilities and approval of such plan shall be required in accordance with the Township Subdivision and Land Development Ordinance.

773 MEDICAL MARIJUANA FACILITY (Permitted Use: M-1, M-2)

- A. All Medical Marijuana Facilities as regulated by the Medical Marijuana Act (Act 16 of 2016) shall be subject to the requirements of Article IX-B of this Ordinance.

ARTICLE VIII

SUPPLEMENTAL PROVISIONS

801 STREET FRONTAGE REQUIRED

Every principal building shall be built upon a lot with frontage upon a public or private street improved to meet Township standards or for which such improvements have been insured by the posting of a performance guarantee pursuant to the Subdivision and Land Development Ordinance. However, the Township Board of Supervisors may approve the subdivision and development of one single family residential lot having no road frontage but access to a public or private road by means of an approved private access drive.

802 TWO OR MORE PRINCIPAL USES

Two or more principal uses or structures are permitted on a parcel in a single ownership provided that all applicable requirements for such uses and structures as specified within the Township Subdivision and Land Development Ordinance and elsewhere in this Zoning Ordinance are met and that the following additional requirements are met:

A. Residential Uses and Structures

1. The minimum distance between detached single-family dwelling structures and/or two-unit attached or duplex structures shall be twice the required side yard distance for such structures in the applicable zoning district. The minimum distance between multi-family dwelling, garden apartment, and/or townhouse structures shall be as required in §743 of this Ordinance.
2. The number of housing units permitted on a single parcel shall be determined by totaling the required net buildable site area for all the housing units proposed.

B. Non-residential Uses and Structures

1. The minimum distance between permitted principal residential and non-residential structures shall be the sum of their minimum required side yards within the applicable zoning district.
2. The minimum distance between permitted principal non-residential structures shall be the sum of their minimum required side yards within the applicable zoning district. Each such non-residential structure to be erected on a single parcel shall meet all applicable requirements for minimum lot area, minimum yards, parking, maximum lot coverage and maximum building coverage of Article VI of this Ordinance, the same as if each such non-residential structure was to be erected on a separate conforming parcel.
3. Single structures designed or used for more than one permitted principal non-residential use (e.g. shopping malls, centers, or plazas; multiple occupancy offices; condominium type commercial professional, office; or retail structures etc.) shall meet all applicable requirements for minimum lot area, minimum yards, maximum lot coverage and maximum building coverage of Article VI of this Ordinance and any specific requirements under Article VII. They shall further meet the parking requirements of Article X of this Ordinance. Where no specific use of any area of any such structure is specified at the time of application for a land development permit, parking for such area shall meet the provisions of Article X of the Ordinance requiring

the greatest number of parking spaces for uses permitted in structures of the type to be erected.

803 MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES

- A. **MAXIMUM BUILDING HEIGHT.** The maximum height of all buildings and structures within all Zone Districts shall be as provided for in Schedule II of this Ordinance.
- B. **RESIDENTIAL, AGRICULTURAL AND INSTITUTIONAL BUILDING HEIGHT EXCEPTIONS.** District height limitations shall not apply to church spires, belfries, cupolas and domes, monuments, chimneys, farm silos, radio and television masts or aerials and parapet walls extending not more than four feet (4') above the limiting height of the building.
- C. **COMMERCIAL, UTILITY AND INDUSTRIAL STRUCTURE HEIGHT EXCEPTIONS.** District height limitations may be exceeded for masts, aerials, towers, chimneys, solar energy equipment, windmills and communications equipment. These height limitation exceptions are subject to specific-use height limitations as set forth in Article VII of this Ordinance.

803A PERVIOUS PAVEMENT STANDARDS REGARDING MAXIMUM LOT COVERAGE

- A. When pervious concrete pavement, as defined by this Ordinance, is used in the development of a lot, twenty-five percent (25%) of the area covered by the pervious concrete pavement shall be regarded as impervious surface and shall be calculated as part of the maximum lot coverage requirements set forth in Schedule II of this Ordinance.
- B. If other types of pervious surfaces are proposed, they will be reviewed and, if acceptable, approved on a case-by-case basis by the Township Engineer. The credit for the pervious coverage shall be based upon actual field performance data provided by the manufacturer of such pervious surface type.
- C. Pervious concrete pavement and any other approved pervious pavement surface can not be replaced with any impervious surface material, as defined by this Ordinance. In addition, design and maintenance of the pervious pavement surface shall be done in accordance with the Ransom Township Storm Water Management Ordinance and the Commonwealth's Storm Water Management Best Management Practices, regardless of the size of the pervious pavement area.
- D. Performance of the pervious concrete design, installation, and maintenance shall be guaranteed through the provision of a Developer's Agreement and through the creation of a permanent Improvement Maintenance Guarantee as set forth in the Ransom Township Subdivision and Land Development Ordinance, as amended.

804 FLAG LOTS

Flag lots as defined under §302 of this Ordinance shall be allowed under circumstances where there is sufficient acreage to create an additional lot but not sufficient road frontage for both lots to meet minimum lot widths. Only one (1) flag lot may be located directly to the rear of a lot with adequate road frontage. Such flag lots, when permitted, shall contain a minimum twenty-five (25') foot-wide access strip leading to the net buildable site area of the lot, which must meet applicable area, width, depth, and setback requirements for the zone district in which the lot is located.

805 MINIMUM NET BUILDABLE SITE AREA PER DWELLING UNIT OR PERMITTED USE

All lots must contain a minimum net buildable site area per dwelling unit or permitted use as set forth under Schedule II of this Ordinance for the zoning district in which the lot is located. In

calculating the minimum net buildable site area per dwelling unit or permitted use, one hundred percent (100%) of the following constraints shall be deducted:

- A. Public and/or private road or utility rights-of-way
- B. Easements
- C. Wetlands
- D. 100-year Flood Plain
- E. Slopes greater than twenty-five percent (25%)
- F. Flag lot "access strips." See Flag Lot definition under §302.

806 BUFFER YARDS AND SCREENING

Buffer yards and/or screening or fencing may be required between residential and nonresidential uses or between Permitted and Special Exception or Conditional Uses. Installation and maintenance of the buffer yard or screening or fence shall be the responsibility of the applicant proposing non-residential or special exception uses and shall be a condition of the application approval. The buffer yards shall comply with the following:

- A. The buffer yard shall be measured from the lot or parcel boundary line or from the near street line where a street serves as the lot or parcel boundary line. Buffer yards may not be part of an existing or future street right-of-way, but shall be in addition to that right-of-way.
- B. The buffer yard may be coterminous with required side, or rear yards, and in case of conflict, the larger yard requirements shall apply.
- C. In all buffer yards, the exterior width beyond the planting screen shall be planted with grass seed, sod or ground cover, and shall be maintained and kept clean of all debris, and rubbish.
- D. The buffer yard shall be a landscaped area free of structures, manufacturing, processing activity, materials, storage of materials and vehicular parking. No driveways or streets shall be permitted in the buffer yards except at point of ingress or egress.
- E. All buffer yards shall include a dense screen planting of trees, shrubs or other plant materials, or both, to the full length of the lot line to serve as a barrier to visibility, air borne particles, glare and noise. Such screen planting shall be in accordance with the following requirements.
 - 1. The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one year.
 - 2. The screen planting shall be so placed that at maturity it will not be closer than one foot (1') from any street or property line.
 - 3. The screen planting or fence shall be broken only at points of vehicular or pedestrian access.
- F. Fences or walls may be required on an individual site basis as a supplement or alternative to required screening. Where required for screening, fences or walls shall be constructed of approved materials in accordance with §728.

807 PROJECTIONS INTO REQUIRED YARDS

Certain architectural features may project into required yards as follows:

- A. Cornices, canopies, eaves, or other architectural features may project into required minimum yards a distance not exceeding a total of three feet (3').
- B. Fire escapes may project a distance not exceeding four feet, six inches (4' 6").
- C. Any stair and necessary landings may project a distance not to exceed six feet (6'), provided such stair and landing shall not extend above the first floor of the building.
- D. Bay windows, balconies, fire places and chimneys may project a distance not exceeding three feet (3'), provided that such features do not occupy, in the aggregate, more than one-third (1/3) of the length of the building wall on which they are located.

808 LANDSCAPING AND NATURAL VEGETATION PROTECTION

A. Residential Uses.

Any part of a residential site where existing vegetation has been disturbed and is not used for dwellings, accessory structures, parking, or sidewalks shall be provided with all-season ground cover.

B. Non-Residential Uses.

A landscaping plan for all non-residential uses shall be required. Minimum landscaping requirements shall be as follows:

- 1. All disturbed areas of the site and all unusable areas in and around parking facilities shall be landscaped.
- 2. Plants shall be of a type compatible with the Township's climate.
- 3. Required buffers shall be landscaped with evergreen plants and be of adequate size to effectively screen for a reasonable number of years.
- 4. Attractive natural features shall be preserved to the greatest extent possible.
- 5. Plastic landscape materials shall not be used in place of live trees, shrubs, and ground cover.
- 6. All trees to be planted shall have a trunk diameter of at least one inch (1") measured one foot (1') above the ground.
- 7. Ground cover shall be spaced to allow for complete fill-in within one (1) year of planting.
- 8. Adequate soil preparation in accordance with accepted landscaping practices shall be required.
- 9. The property owner shall maintain all landscaping in good growing condition.

809 REGULATION OF NUISANCE ELEMENTS

No land or structure in any Zoning District shall be used or occupied in any manner that creates any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazards; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, electromagnetic or other

radiation, or other condition in such manner or in such amount as to affect adversely the reasonable use of the surrounding area or adjoining premises.

A. Noise Control

1. No person shall operate or cause to be operated on private or public property any source of continuous sound (any sound which is steady, fluctuating or intermittent with a recurrence greater than one time in any fifteen (15) second interval) in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use category in the following table when measured at or beyond the property boundary of the receiving land use.

Continuous Sound Levels by Receiving Land Use

Receiving Land Use Category	Time	Sound Level Limit
Residential, Public Space, Open Space, Agricultural or Institutional	1 7:00 a.m.- 7:00 p.m.	60 dBA
	2 7:00 p.m.- 7:00 a.m. plus Sundays & Legal Holidays	50 dBA
Commercial or Business	1 7:00 a.m.- 7:00 p.m.	65 dBA
	2 7:00 p.m.- 7:00 a.m. plus Sundays & Legal Holidays	60 dBA
Industrial	At all times	70 dBA

2. For any source of sound that emits a pure tone, the maximum sound level limits set forth in the above table shall be reduced by 5 dBA. For any source of sound that emits an impulsive sound (a sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any fifteen (15)-second interval) the excursions of sound pressure level shall not exceed 20 dBA over the ambient sound pressure level, regardless of time of day or night or receiving land use, using the "fast" meter characteristic of a Type II meter, meeting the ANSI specifications S1.4-1971.
3. The maximum permissible sound levels by the receiving land use category as listed in the previous table shall not apply to any of the following noise sources:
 - a. The emission of sound for the purpose of alerting persons to the existence of an emergency.
 - b. Emergency work to provide electricity, water, or other public utilities when public health or safety is involved.
 - c. Domestic power tools or equipment, between the hours of 8:00 AM and 9:00 PM
 - d. Explosives and construction operations.
 - e. Agriculture.
 - f. Motor vehicle operations.

- g. Public celebrations, authorized by the Township or a non-profit, community-based organization or religious institution.
- h. Surface carriers engaged in commerce by railroad.
- i. The unamplified human voice.

B. Vibration Control

Operating or permitting the operations of any device that creates vibration that is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or at fifty feet (50') from the source if on a public space or public right-of-way shall be prohibited. For the purposes of this section, "vibration perception threshold" means the minimum ground-or-structure-borne vibration motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects.

C. Outdoor Storage Control

- 1. No flammable or explosive liquids, solids, or gases shall be stored in bulk above the ground except for tanks or drums of fuel directly connecting with energy devices, heating devices, or appliances located and operated on the same lot as the tanks or drums of fuel.
- 2. All outdoor storage facilities for fuel, raw materials, and products stored outdoors, including those permitted in paragraph 1 above, shall be enclosed by a fence of a type, construction and size as shall be adequate to protect and conceal the facilities from any adjacent properties. Fencing shall not only encompass the question of safety but also of screening and the screening shall preferably be evergreens. All National Office of Safety and Health Administration (O.S.H.A.) regulations shall be met.
- 3. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse. Applicable Department of Environmental Protection regulations shall apply.
- 4. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible or otherwise attractive to rodents or insects, shall be stored outdoors only if enclosed in containers adequate to eliminate such hazards. Applicable Department of Health and National O.S.H.A. regulations shall apply.

D. Sewage Waste Treatment and Disposal Control

All methods of sewage and waste treatment and disposal shall be approved by the Pennsylvania Department of Environmental Protection and in accordance with the Sewage Plan for the Township.

E. Dust, Dirt, Smoke, Vapors, Gases, Odors, and Heat Control

- 1. The air pollution control regulations promulgated by the State Air Pollution Control Act of January 9, 1960, Public Law 2119, as amended, shall be used to control the emissions of dust, dirt, smoke, vapors, gases, odors, and heat in the Township.

2. The regulations are part of Title 25 Rules and Regulations, Department of Environmental Protection, Subpart C, Protection of Natural Resources, Article III Air Resources.

810 EXCAVATIONS, MINES AND FILL OPERATIONS

Any excavations for the removal of topsoil or other earth materials, stone or mineral products must be carried out with respect for the environment, the health, safety, welfare of the neighborhood and community and meet the specific use requirements of Article VII of this Ordinance. All mining, excavation, filling operations and expansions of the operating areas existing at the time of this Ordinance shall comply with the following permit requirements:

- A. The applicant shall submit a soil erosion and stream sedimentation plan in an acceptable form to the Lackawanna County Conservation District.
- B. The applicant may be required to submit an environmental effects study defining the impact during activity. The applicant shall submit an operating plan and schedule and a reclamation plan describing the proposed reclamation conditions after the activity is completed. At a minimum, the land shall be returned to approximately the same degree of slope as the surrounding lands and shall be planted with suitably selected new trees or other plant materials to assure a successful forest growth or other suitable re-vegetation of the site. Fill materials shall meet PA DEP approval.
- C. The applicant will assure, and may be required to post bond to assure, the Township that the operation will be carried out in a proper manner consistent with preservation of the environment and satisfaction of appropriate State requirements and to assure maintenance of an adequate vegetative cover for a period of five (5) years following conclusion of reclamation activities.
- D. The dumping of earth, gravel, rock or other materials not subject to decay, noxious or offensive odors may be permitted in any zone or any vacant land provided that the existing grade shall not be raised more than three feet (3') above the nearest road, that hazardous or nuisance conditions are not created or that an unsightly appearance or unstable slopes are not created. No substance controlled, regulated or monitored by state or federal statute or regulation shall be transported into, transshipped, stored or disposed of within Ransom without Township approval.
- E. Slopes shall be covered with a suitable ground cover. A maximum of a thirty percent (30%) graded incline or decline shall be permitted in relationship to existing adjoining property grades after excavation.
- F. The Township may require an annual permit for operations which extend beyond one (1) year and/or which change in character from the permit description of activity.
- G. All activities shall comply with all applicable State and Federal regulations, copies of required licenses and permits shall be provided to the Township Zoning Officer.

810A SIZE OF DWELLING UNITS (EXCLUDING MOBILE HOMES)

In order to promote the public health, safety and welfare of occupants residing in residential dwelling structures, the following minimum floor areas for human habitation shall be required in all dwelling units designed for permanent occupancy.

A. **Single Dwelling Unit Structures**

Minimum floor space for human habitation in a detached structure containing only one dwelling unit shall be eight hundred (800) square feet.

B. **Multi Dwelling Unit Structures**

Minimum floor space for human habitation in any structure containing two or more dwelling units shall meet the following requirements:

Minimum Floor Space	
Number of Bedrooms	(Square Feet)
Efficiency Unit	500 sq. ft.
One Bedroom Unit	650 sq. ft.
Two Bedroom Unit	750 sq. ft.
Three or More Bedroom Unit	875 sq. ft. + 100 sq. ft. for each additional bedroom

C. No dwelling unit shall be less than twelve (12') feet wide.

811 MOBILE HOMES

A. All mobile homes placed upon residential lots or within mobile home parks shall meet the specifications for manufacture of mobile homes set forth in the Uniform Construction Code, as adopted by the Township. Zoning and Building Permits shall be required for the location and re-location of mobile homes.

B. Mobile homes placed upon residential lots outside of mobile home parks shall comply in all respects with the requirements set forth in this Ordinance for single-family dwellings.

812 MODULAR HOMES

A. All modular homes placed on residential lots shall meet the specifications for manufacture of modular homes set forth in the Uniform Construction Code, as adopted by the Township. Zoning and Building Permits shall be required for modular homes.

B. Modular homes shall comply in all respects with the requirements set forth in this Ordinance for single-family dwellings.

812A MINIMUM RESIDENTIAL LOT IMPROVEMENTS

Any lot or parcel of land proposed for residential use, whether permanent, seasonal, part time or recreational by means of a permanent or movable housing structure or recreational vehicle shall be improved to certain minimum requirements prior to issuance of a residential occupancy permit.

The minimum required improvements shall include:

A. A safe potable water supply and delivery system.

B. A sewage disposal system which meets all state and Township requirements.

C. Required off-street parking spaces.

- D. Power supply facilities approved by the local utility company.

813 STORM WATER MANAGEMENT

Any development project proposed within Ransom Township shall meet all storm water management requirements of the Ransom Township Storm Water Management Ordinance and Pennsylvania Title 25, Chapter 102, Department of Environmental Protection requirements for Erosion and Sedimentation Control. Applicants for Township Zoning and Building Permits shall prepare and submit storm water management control plans as required by these Pennsylvania Act requirements and also as required by Ransom Township ordinances governing site grading and drainage and storm water management. Storm Water Management Plans are subject to review and approval by the Township Engineer.

Single residential lots that are exempt from the above storm water management requirements shall meet the requirements of the Single Lot Residential Storm Water Management Plan found in Appendix A of this Ordinance.

814 LIGHTING AND GLARE

- A. Purpose. To require and set minimum standards for outdoor lighting to:

1. Provide lighting in outdoor public places where public health, safety and welfare are potential concerns.
2. Protect drivers and pedestrians from the glare of non-vehicular light sources that shine into their eyes and thereby impair safe traverse.
3. Protect neighbors and the night sky from nuisance glare and stray light from poorly aimed, placed, applied, maintained or shielded light sources.
4. Protect and retain the suburban/rural character of the Township.

- B. Applicability

1. Outdoor lighting shall be required for safety and personal security for uses that operate during hours of darkness where there is public assembly and traverse, including but not limited to the following uses: multi-family residential, commercial, industrial, public-recreational and institutional.
2. The Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors may require lighting be incorporated for other uses or locations, as they deem necessary.
3. The glare-control requirements herein contained apply to lighting in all above-mentioned uses as well as, but not limited to, sign, architectural, landscape and residential lighting.

- C. Criteria

1. Illumination Levels

- a. Lighting, where required by this Ordinance, shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook.

- b. Future amendments to said recommended practices shall become a part of this Ordinance without further action of the Township.
- c. Examples of intensities for typical outdoor applications, as extracted from the 8th Edition of the Lighting Handbook, are presented below.

Use/Task	Maintained Footcandles	Uniformity Avg. : Min.
(a) Streets, local commercial Residential	0.9 Avg. 0.4 Avg.	6:1 6:1
(b) Parking, multi-family residential, • Low vehicular/pedestrian activity • Medium vehicular/pedestrian activity	0.2 Min. 0.6 Min.	4:1 4:1
(c) Parking, industrial/commercial/institutional/municipal • High activity, e.g., regional shopping centers/fast food facilities, major athletic/civic/cultural events. • Medium activity, e.g. community shopping centers, office parks, hospitals, commuter lots, cultural/civic/recreational events • Low activity, e.g., neighborhood shopping, industrial employee parking, schools, church parking.	0.9 Min. 0.6 Min. 0.2 Min.	4:1 4:1 4:1
(d) Sidewalks	0.5 Avg.	5:1
(e) Building entrances, commercial, industrial, institutional	5.0 Avg.	-
(f) Service Station Pump Islands	10.0 Avg.	
(g) Car Dealerships	20.0 Max.	5:1 Max :Min.

- Notes: 1. Illumination levels are maintained horizontal footcandles on the task, e.g., pavement or area surface.
2. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio. E.g., for commercial parking high activity, the average footcandles shall not be in excess of 3.6 (0.9 x 4).

2. Lighting Fixture Design

- a. Fixtures shall be of a type and design appropriate to the lighting application and aesthetically acceptable to the Township.
- b. For lighting horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA "full-cutoff" criteria (no light output emitted above 90 degrees at any lateral angle around the fixture).
- c. The use of floodlighting, spotlighting, wall-mounted fixtures, decorative globes and spheres and other fixtures not meeting IESNA "full-cutoff" criteria, shall be permitted only with the approval of the Township, based upon applicability in retaining the rural character of the Township and achieving acceptable glare control.
- d. When requested by the Township, fixtures shall be equipped with or be modified to incorporate light directing and/or shielding devices such as shields, visors, skirts or hoods to redirect offending light distribution and/or reduce direct or reflected glare.
- e. For residential applications, omni-directional fixtures, e.g., post top, wall bracket, wall pack, globe and sphere, shall meet IESNA "full-cutoff" criteria.

- f. NEMA-head fixtures, a.k.a. "barn lights" or "dusk-to-dawn lights," shall not be permitted where they are visible from other uses, unless fitted with a reflector to render them full cutoff.

3. Control of Nuisance and Disabling Glare

- a. All outdoor lighting, whether or not required by this ordinance, on private, residential, commercial, industrial, municipal, recreational or institutional property; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
- b. All outdoor lighting fixtures shall be shielded in such a manner that no light is emitted above a horizontal plane passing through the lowest point of the light emitting element, so that direct light emitted above the horizontal plane is eliminated. All individual outdoor lighting fixtures that illuminate the area under outdoor canopies shall comply with this requirement. Outdoor canopies include, but are not limited to, the following applications:
 - 1). Fuel island canopies associated with service stations and convenience stores.
 - 2). Exterior canopies above storefronts in shopping centers and malls.
 - 3). Exterior canopies above driveways and building entrances.
 - 4). Pavillions and gazebos.
- c. Floodlights and spotlights shall be so installed or aimed that they do not project their output into the windows of neighboring residences, adjacent uses, skyward or onto a public roadway. The use of searchlights or laser source lights for advertising or entertainment purposes is prohibited.
- d. Unless otherwise permitted by the Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors, e.g., for safety or security or all-night operations, lighting for commercial, industrial, public recreational and institutional applications shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, to permit extinguishing outdoor lighting fixtures between 11:00 PM. and dawn, to mitigate nuisance glare and sky-lighting consequences.
- e. Lighting proposed for use after 11:00 PM, or after the normal hours of operation for commercial, industrial, institutional or municipal applications, shall be reduced by seventy-five percent (75%) from then until dawn, unless supporting a specific purpose and approved by the Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors.
- f. All illumination for advertising signs, buildings and/or surrounding landscapes for decorative, advertising or esthetic purposes is prohibited between 11:00 p.m. and sunrise, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing.
- g. Illumination for flagpole lighting may not exceed 10,000 lumens.

- h. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- i. In no case shall the intensity of illumination exceed 0.1 vertical footcandle measured line-of-site at the property line.
- j. Externally illuminated signs and billboards shall be lighted by fixtures mounted at the top of the sign and aimed downward. Such fixtures shall be automatically extinguished between the hours of 11:00 PM and dawn except as specifically approved by appropriate officers or agents of the Township.
- k. Except as specifically approved by appropriate officers or agents of the Township, fixtures meeting IESNA "full-cutoff" criteria shall not be mounted in excess of twenty feet (20') above finished grade and fixtures not meeting IESNA "cutoff" criteria shall not be mounted in excess of sixteen feet (16') above grade.
- l. Directional fixtures for such applications as façade, fountain, feature and landscape illumination shall be aimed so as not to project their output beyond the objects intended to be illuminated, shall be extinguished between the hours of 11:00 PM and dawn and shall not be in conflict with the Township's aim to maintain its rural character.
- m. Service-station canopy lighting shall be accomplished using flat-lens full-cutoff downlighting fixtures, shielded in such a manner that the edge of the fixture shield shall be level with or below the light source envelope.
- n. The use of white strobe lighting for tall structures such as smokestacks and chimneys is prohibited, and no lights, whatsoever, shall be mounted on a communications tower, except as may be required by the FCC, Federal Aviation Administration, or other government agency that has jurisdiction.

4. Installation

- a. For new installations, electrical feeds for fixtures mounted on poles shall be run underground, not overhead.
- b. Poles supporting lighting fixtures for the illumination of parking areas and located directly behind parking spaces shall be placed a minimum of five feet (5') outside paved area or on concrete pedestals at least thirty inches (30") high above the pavement, or suitably protected by other approved means.
- c. Lighting fixtures shall not be mounted in excess of twenty feet (20') above grade.

5. Maintenance

Lighting fixtures and ancillary equipment shall be maintained so as always to meet the requirements of this Ordinance.

D. Plan Submission

1. For subdivision and land-development applications where site lighting is required or proposed, lighting plans shall be submitted to the Township for review and approval and shall include:
 - a. A site plan, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and adjacent use that might be adversely impacted by the lighting, containing a layout of all proposed fixtures by location and type
 - b. Isofootcandle plots for individual fixture installations, or 10' x 10' illuminance-grid plots for multi-fixture installations, that demonstrate compliance with the intensity and uniformity requirements as set forth in this Ordinance.
 - c. Description of the proposed equipment, including fixture catalog cuts, photometrics, glare reduction devices, lamps, on/off control devices, mounting heights, pole foundation details and mounting methods.
2. The Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors may elect, at their discretion, to require that lighting plans for other than subdivision and land development applications also be submitted to the Township for review and approval.
3. When requested by the Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors, applicant shall also submit a visual-impact plan that demonstrates appropriate steps have been taken to mitigate on-site and off-site glare and to retain the suburban/rural character of the Township.
4. Post-approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the Township for review and approval.

E. Post Installation Inspection

The Township reserves the right to conduct a post-installation nighttime inspection to verify compliance with the requirements of this Ordinance, and if appropriate, to require remedial action at no expense to the Township.

F. Compliance Monitoring

1. Safety Hazards

- a. If the Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors judge a lighting installation creates a safety or personal-security hazard, the person(s) responsible for the lighting shall be notified in writing and required to take remedial action.
- b. If appropriate corrective action has not been effected within thirty (30) days of written notification, the Township may commence legal action as provided in Section H. below.

2. Nuisance Glare and Inadequate Illumination Levels

- a. When the Zoning Officer, Zoning Hearing Board, or Township Board of Supervisors judge an installation produces unacceptable levels of nuisance

glare, skyward light, excessive or insufficient illumination levels or otherwise varies from this Ordinance, the Township may cause written notification of the person(s) responsible for the lighting and require appropriate remedial action.

- b. If appropriate corrective action has not been effected within thirty (30) days of notification, the Township may commence legal action as provided in Section H. below.

G. Nonconforming Lighting

Any lighting fixture or lighting installation existing on the effective date of this Ordinance that does not conform with the requirements of this Ordinance shall be considered as a lawful nonconformance subject to the following:

Unless minor corrective action is deemed by the Township to be an acceptable alternative, a nonconforming lighting fixture or lighting installation shall be made to conform with the applicable requirements of this Ordinance when:

1. It is deemed by the Township to create a safety hazard
2. It is replaced, abandoned or relocated
3. There is a change in use

H. Violations and Penalties

Any person found to be in violation of the lighting and glare regulations set forth in this section shall be subject to enforcement and penalty regulations set forth in §1209 of this Ordinance.

815 WETLANDS

If the Township determines that wetlands may be present or may be impacted, a delineation of the wetlands, as defined and regulated by the U.S. Army Corps of Engineers and Fish and Wildlife Service, and PA DEP, may be required on any building and zoning permit proposing a new land-use or expansion of an existing use. The applicant shall be responsible for the delineation and shall guarantee that the wetlands have been properly delineated. If no wetlands are present, the applicant shall provide a certified statement to that effect.

No development in wetlands shall be undertaken except in accordance with all Federal and state wetland regulations, and evidence of such compliance shall be furnished to the Township.

No building and zoning approval granted by the Township shall in any manner be construed to be an approval of compliance by the applicant with any Federal or state wetland regulations. The Township shall have no liability or responsibility to the applicant or any other person for compliance with said regulations.

816 WATERCOURSES AND WATER BODY BUFFERS

A minimum buffer zone or building setback of fifty feet (50') shall be maintained from the top of the bank of any natural watercourse or body of water for the purposes of protecting water quality and ensuring recreational access. No structures, sewage disposal systems, or any impervious surfaces shall be constructed or placed within these buffer zones; exceptions are uncovered docks, boat launches, and street or driveway crossings. In residential subdivisions, these buffer zones shall be established via a protective easement.

ARTICLE IX

SIGN REGULATIONS

901 PURPOSE

It is recognized that signs, placed upon the premises and/or structures to which they relate, serve a vital communicative function by allowing residents and visitors alike to readily ascertain the availability and location of facilities that serve their needs.

It is the purpose of this ordinance to optimize the communicative value of on-premise signs within the landscape and along public thoroughfares by providing for an orderly and equitable means for the presentation and assimilation of the messages that such signs contain.

902 DEFINITIONS

Abandoned Sign - A sign that no longer identifies or advertises a location, product, or activity conducted on the premises on which the sign is located.

Animated Sign - A sign employing actual motion or the illusion of motion. Animated signs, that are differentiated from *changeable* signs as defined and regulated by this ordinance, include the following types:

1. Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.
2. Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
3. Electrically Activated: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
 - a. Flashing: Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
 - b. Patterned Illusionary Movement: Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Architectural Projection - Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein. See also: Awning; Back-lit Awning; and Canopy, Attached and Freestanding.

Awning - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a

supporting framework that may be either permanent or retractable.

Awning Sign - A sign displayed on or attached flat against the surface or surfaces of an awning. See also: Wall or Fascia Sign.

Back-lit Awning - An awning whose covering material exhibits the characteristic of luminosity obtained by means of a source of illumination contained within its framework.

Banner - A flexible substrate on which copy or graphics may be displayed.

Banner Sign - A sign utilizing a banner as its display surface.

Billboard - See: Off-Premise Sign and Commercial Outdoor Advertising Sign.

Building Facade - That portion of any exterior elevation of a building extending vertically from grade to the top of the parapet wall or eaves and horizontally across the entire width of the width of the building elevation.

Canopy (Attached) - A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Similar to a Marquee.

Canopy (Freestanding) - A multi-sided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

Canopy Sign - A sign affixed to the visible surface(s) of an attached or freestanding canopy. May be internally or externally illuminated. Similar to a Marquee Sign. Refer also to Section III herein for visual reference example.

Changeable Sign - A sign with the capability of content change by means of manual or remote input and includes the following types:

1. **Manually Activated** - Changeable sign whose message copy or content can be changed manually on a display surface.
2. **Electrically Activated** - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: Electronic Message Sign or Center.

Commercial Outdoor Advertising Sign - A permanent off-premise sign erected, maintained or used in the outdoor environment for the purpose of providing copy area for commercial or noncommercial messages.

Copy - The graphic content or message of a sign.

Copy Area of Sign - The actual area of the sign copy as applied to any background. Copy area on any individual background may be expressed as the sum of the geometrically computed area(s) encompassing separate individual letters, words, or graphic elements on the background.

Directional Sign - Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

Double-faced Sign - A sign with two faces, back to back.

Electric Sign - Any sign activated or illuminated by means of electrical energy.

Electronic Message Sign or Center - An electrically activated Changeable Sign whose variable message capability can be electronically programmed.

Exterior Sign - Any sign placed outside a building.

Facade - See Building Facade.

Fascia Sign - See Wall Sign

Flashing Sign - See Animated Sign, Electrically Activated

Freestanding Sign - A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. Refer also to Section §903 herein for visual reference examples.

Frontage (Property) - The length of the property line(s) of any single premise along either a public way or other properties on which it borders.

Frontage (Building) - The length of an exterior building wall or structure of a single premise along either a public way or other properties that it faces.

Ground Sign - See Freestanding Sign

Illuminated Sign - A sign characterized by the use of artificial light, either projecting through its surface(s) [Internally illuminated]; or reflecting off its surface(s) [Externally illuminated].

Interior Sign - Any sign placed within a building, but not including Window Signs as defined by this ordinance. Interior Signs, with the exception of Window Signs as defined, are not regulated by this ordinance.

Mansard - A roof-like facade comparable to an exterior building wall.

Marquee - See Canopy (Attached). Definition is similar.

Marquee Sign - See Canopy Sign. Definition is similar.

Multiple-Faced Sign - A sign containing three (3) or more faces.

On-Premise Sign - A sign that is erected, maintained or used in the outdoor environment for the purpose of the display of messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

Outdoor Advertising Signs - A permanent sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

Parapet - The extension of a building facade above the line of the structural roof.

Pole Sign - See Freestanding Sign.

Political Sign - A temporary sign intended to advance a political statement, cause, or candidate for office.

Portable Sign - Any sign not permanently attached to the ground or to a building or building surface.

Projecting Sign - A sign other than a Wall Sign that is attached to or projects more than eighteen inches (18") from a building face or wall or from a structure whose primary purpose is other than the support of a sign. Refer also to §903 herein for visual reference example.

Real Estate Sign - A temporary sign advertising the sale, lease, or rental of the property or premises upon which it is located.

Revolving Sign - A sign that revolves three hundred and sixty degrees (360°) about an axis. See also: Animated Sign, Mechanically Activated.

Roof Line - The uppermost line of the roof of a building or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

Roof Sign - A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs. Refer also to Section §903 herein for visual reference example of roof sign, and comparison of differences between roof and fascia signs.

Sign - Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Noncommercial flags or any other flags displayed from flagpoles or staffs will not be considered to be signs.

Sign Structure - Any structure designed for the support of a sign.

Temporary Sign - A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

Under Canopy Sign or Under Marquee Sign - A sign attached to the underside of a canopy or marquee.

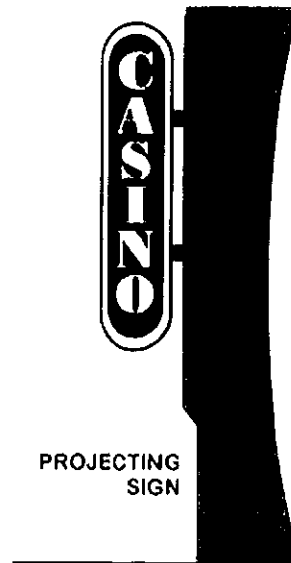
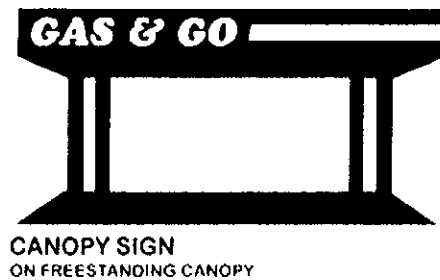
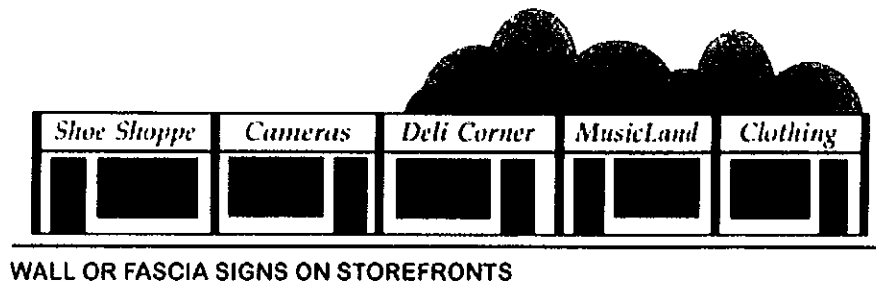
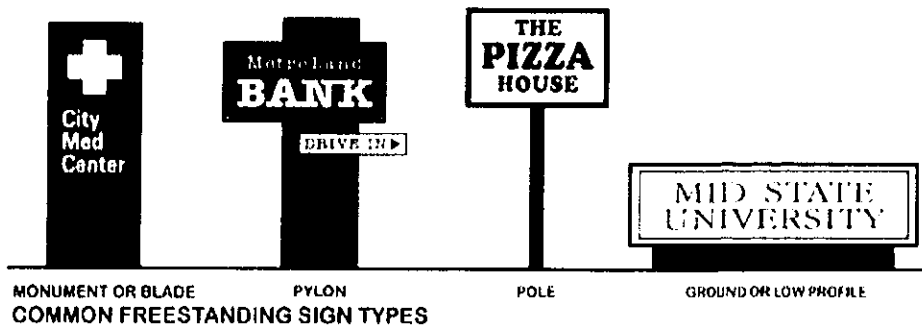
V-Sign - A sign containing two faces of equal size, positioned at an interior angle subtending less than one hundred seventy-nine degrees (179°) at the point of juncture of the individual faces.

Wall or Fascia Sign - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen inches (18") from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. Refer also to section III herein for visual reference examples, and comparison examples of differences between wall or fascia signs

and roof signs.

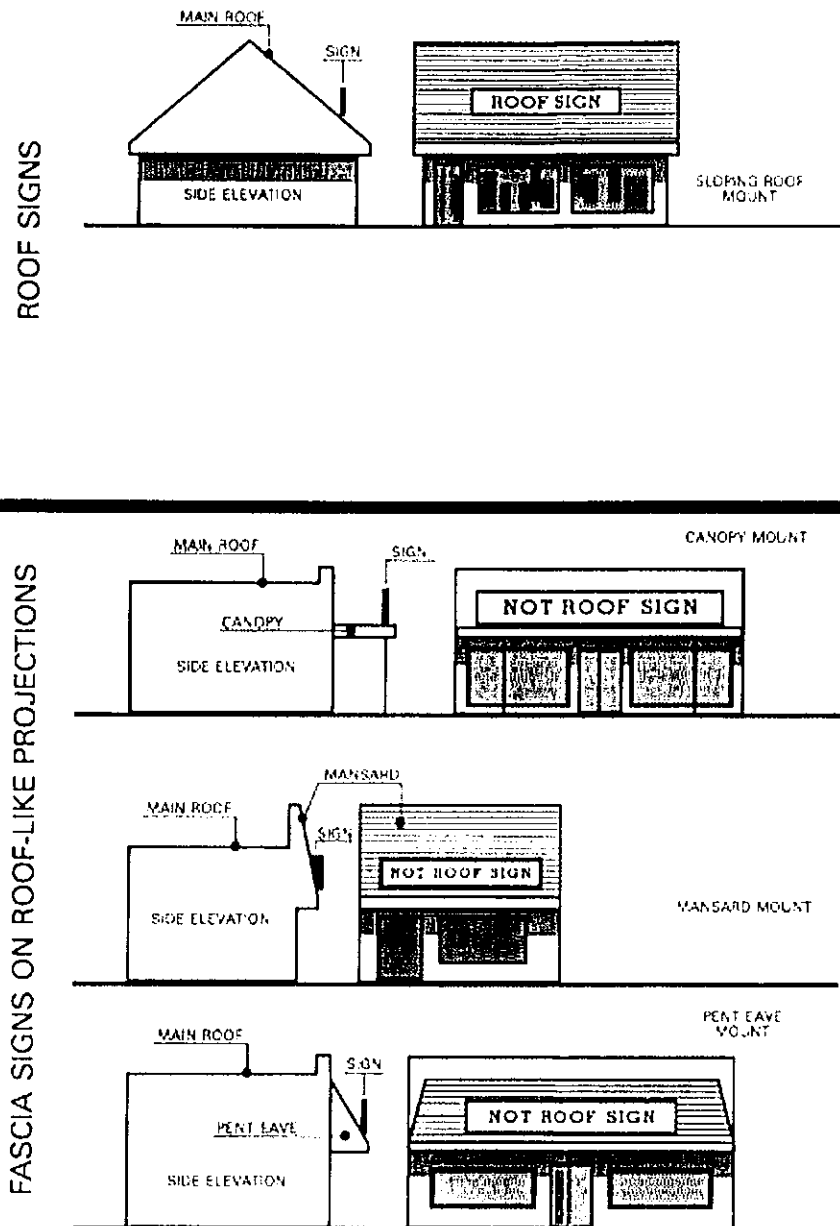
Window Sign - A sign affixed to the surface of a window with its message intended to be visible to exterior environment.

903 GENERAL SIGN TYPES



General Sign Types

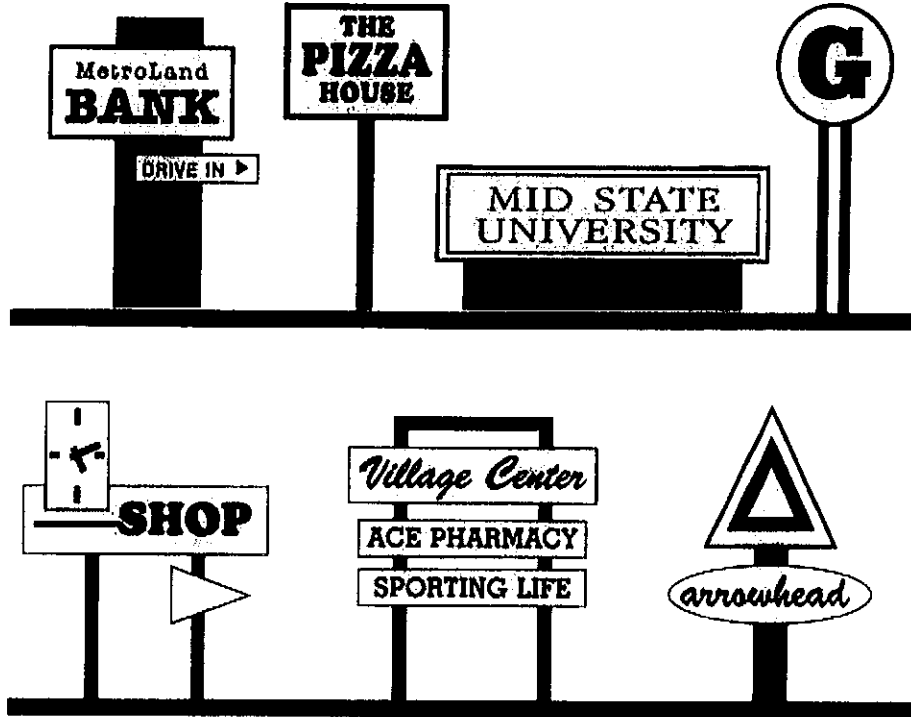
904 COMPARISON - ROOF & WALL OR FASCIA SIGNS



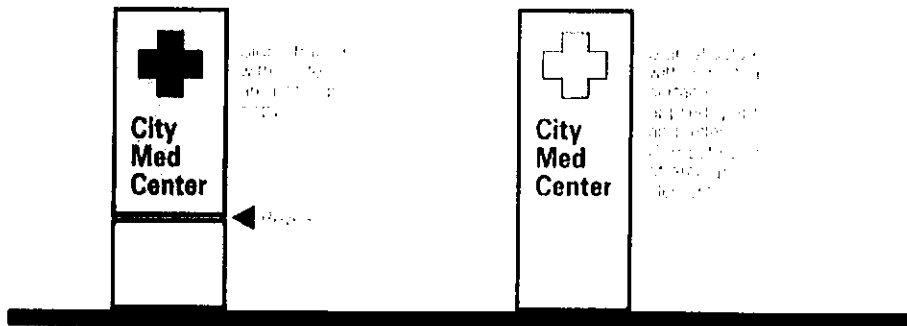
Comparison - Roof and Wall or Fascia Signs

905 **SIGN AREA - COMPUTATION METHODOLOGY**

Sum of Shaded Areas Only Represent Sign Area



Sign structures



SIGN AREA - COMPUTATION METHODOLOGY
Sum of Shaded Areas Only Represent Sign Area
Signs constructed with panels or cabinets

Sum of Shaded Areas Only Represent Sign Area for Ordinance Compliance Purposes

Signs consisting of individual letters, elements, or logos placed on building walls or structures

METROLAND BANK
Drive In Branch

◀ Compute area of individual letters, elements only

▶ Compute area of entire sign including background color of entire sign

METROLAND BANK
Drive In Branch



Arrowhead

▶ Compute sum of area of individual letters, elements, and structures

PARKING ▶

Village Center

▶ Compute area of individual letters, elements, and structures, including background color of entire sign

SIGN AREA - COMPUTATION METHODOLOGY

Sum of Shaded Areas Only Represent Sign Area for Code Compliance Purposes

Signs consisting of individual letters, elements, or logos placed on building walls or structures

906 GENERAL PROVISIONS

- A. Any sign hereafter erected or maintained shall conform to the provisions of this Ordinance and the provisions of the Uniform Construction Code and any other ordinance or regulations of the municipality.
- B. No sign other than an official traffic sign or similar sign shall be erected within the lines of any street or public right-of-way unless specifically authorized by other ordinances or regulations of the municipality or by specific authorization of the municipal authorities.
- C. Signs projecting over public walkways may do so only subject to the projection and clearance limits either defined herein or, if not so defined, at a minimum height of ten feet (10') from grade level to the bottom of the sign. Signs, architectural projections, or sign structures projecting over vehicular access areas must conform to the minimum height clearance limitations imposed by the municipality for such structures.
- D. No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device.
- E. If a premise contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage. The sign area(s) thus calculated may then be applied to permitted signs placed on each separate wall or property line frontage.
- F. Mechanically Activated Animated Signs and Electronically Activated Animated Signs are prohibited in all zone districts. Environmentally Activated Animated Signs and Manually Activated Changeable Signs are permitted in all zones. Electrically Activated Changeable Signs are permitted in commercial and manufacturing zones only. Changeable signs, both Manually Activated and Electrically Activated, shall be limited to fifteen (15) square feet per side of total signage area.
- G. Every sign permitted by this ordinance shall be kept in good condition and repair. When any sign becomes insecure, in danger of falling, or is otherwise deemed unsafe by the Zoning Officer, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this ordinance, the owner thereof or the person or firm using same shall, upon written notice by the Zoning Officer forthwith in the case of immediate danger and in any case within not more than ten (10) days, make such sign conform to the provisions of this ordinance, or shall remove it. If within ten (10) days, the order is not complied with, the Zoning Officer may remove or cause such sign to be removed at the expense of the owner and/or the user of the sign.
- H. Any sign that no longer advertises or identifies a use conducted on the property on which said sign is erected must be removed within ten (10) days after written notification from the municipal Zoning Officer; and upon failure to comply with such notice, the Zoning Officer is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building, structure, or ground on which the sign is located.
- I. Any sign legally existing at the time of the passage of this ordinance that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered a legal non-conforming use or structure and may continue in such status until such time as it is either abandoned or removed by its owner.

- J. Temporary signs, unless otherwise regulated by specific provisions of this ordinance relating to size, use, and zone in which placed, shall be subject to the following regulations:
1. Except for those temporary signs whose time of display is specifically addressed elsewhere in this ordinance, no temporary sign shall be permitted to be displayed for a period in excess of ninety (90) days in any one period of three hundred sixty-five (365) days.
 2. Except for those temporary signs whose size is specifically addressed elsewhere in this ordinance, the size of any temporary sign shall not be in excess of the size permitted for any permanent sign of like configuration and/or type in a given zone.
 3. Any temporary sign that is electrically energized or that contains any electrical device must conform to the same requirements that relate to permanent electric signs under this ordinance.

907 PERMITS

- A. The erection and maintenance of Temporary Signs as defined by this Ordinance shall not require permits.
- B. Unless specifically exempted in §907 A. above, a permit must be obtained from the Zoning Officer for the erection and maintenance of all signs in the municipality. Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safe manner and in a manner in accord with all the other provisions of this ordinance.
- C. Before any permit is granted for the erection of a sign or sign structure requiring such permit, plans and specifications shall be filed with the Zoning Officer showing the dimensions, materials, and required details of construction including loads, stresses, anchorage, and any other pertinent data. The permit application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected.
- D. No new sign shall hereafter be erected, constructed, or maintained except as herein provided and until after a permit, if required, has been issued by the Zoning Officer.
- E. No sign shall be enlarged or relocated except in conformity to the provisions herein, nor until a proper permit, if required, has been secured. The changing of movable parts or components of an approved sign that is designed for such changes, or the changing of copy, display and/or graphic matter, or the content of any sign or sign structure shall not be deemed an alteration.
- F. Permit fees to erect, alter, or relocate a sign shall be in accordance with the sign fee schedule adopted by the municipality.

908 AREA OF SIGNS

- A. Signs containing integral background areas: The area of a sign containing a clearly defined background area as defined herein shall be expressed as the area of the smallest standard geometric shape capable of encompassing the perimeter of the background area of the sign. In the case of signs in which multiple background areas are separated by open space, sign area shall be expressed as the sum of the areas of all separate background areas,

calculated as referenced above, but without regard for any open space between the separate background areas.

- B. Signs without integral background areas: In instances in which a sign consists of individual elements such as letters, symbols, or other graphic objects or representations that are painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, architectural projection, or to any surface not specifically designed to serve as a sign background, the sign area shall be expressed as the sum of the individual areas of the smallest geometric shapes capable of encompassing the perimeters of the individual elements comprising the sign.
- C. In computing the area of a double-faced sign, only one side shall be considered provided all faces are identical in size. The area of multiple-faced signs in which the interior angle formed by the faces is greater than ninety-one degrees (91°) shall be expressed as the sum of the areas of all the faces, except for multiple-faced signs containing faces that are configured back to back, in which case the area of the faces configured back to back will be calculated according to the rule for double-faced signs.

909 ELECTRICAL STANDARDS

No sign shall be illuminated by other than electrical means, and electrical devices, components, and wiring shall be installed and maintained in accordance with the requirements of the electrical code as adopted by the municipality. In no case shall an open spark or flame be used for display purposes unless specifically approved by the Zoning Officer.

910 REGULATION BY ZONING DISTRICT

A. On-Premise Signs Permitted In All Zones

In addition to any signs designated as allowable in this Ordinance, the following signs and/or sign types are permitted in all zones:

1. One sign per premises or property, suitable for the display of commercial or non-commercial speech, provided that the area of any such sign shall not exceed six (6) square feet, and further provided that, if freestanding, such sign shall not exceed a height above the grade level on which it is placed of four feet (4') to the top of the sign. Premises or properties with frontage on more than one street shall be permitted one such sign on each separate street frontage.
2. Temporary Real Estate signs as defined herein, provided that the area of such signs shall not exceed the following limitations by zone:

Residential and Conservation - six (6) square feet
Commercial and Manufacturing - twelve (12) square feet

and further provided that not more than one (1) such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one street, in which case one such sign shall be permitted only during the time in which the property advertised is available for sale, lease, or rental, and must be removed within ten (10) days after execution of an agreement of sale, lease, or rental.

3. Trespassing signs, signs indicating the private nature of a road, driveway, or

premises, provided that the area of any such sign shall not exceed six (6) square feet.

4. Temporary Signs erected in connection with the development or proposed development of the premises or property provided that the area of any such sign shall not exceed fifteen (15) square feet per each lot or unit in the subject development, or ninety-six (96) square feet, whichever is smaller. Not more than one (1) such sign shall be placed on property held in single and separate ownership unless the property fronts on more than one (1) street, in which case one (1) such sign shall be permitted on each separate street frontage. Such signs shall be removed within ten (10) days after the development has been completed and/or the last structure occupied.
5. Temporary Political Signs as defined herein provided that the area of any such signs shall not exceed thirty-two (32) square feet and that not more than two (2) such signs shall be displayed on any single privately owned premises or property, unless such premises or property fronts on more than one street in which case two (2) such signs shall be permitted on each separate street frontage. If used for the purpose of advertising political parties and/or candidates for election or issues subject to referendum, such signs shall be removed within ten (10) days following such election or referendum.
6. Temporary signs advertising special events and/or promotions of a commercial or non-commercial nature, provided that such signs shall be non-illuminated, shall be displayed during a time period of no more than forty-five (45) days prior to the special event and/or promotion, and shall be removed within five (5) days following the special event and/or promotion; and further provided that not more than one (1) such sign shall be placed on any single premises or property unless such premises or property fronts on more than one street in which case one (1) such sign shall be permitted on each separate street frontage. The area and height of any such sign shall not exceed the following limitations by zone:

Residential and Conservation - ten (10) square feet in area and six (6') in height.

Commercial and Manufacturing - thirty-two (32) square feet in area and eight (8') in height.

7. Informational or public service signs as required on any premises or property for the purpose of advertising the availability of rest rooms, telephones, or similar facilities of public convenience provided that the area of any such sign shall not exceed four (4) square feet.
8. Memorial signs or historical signs or tablets, provided that the area of any such sign shall not exceed four (4) square feet.
9. Directional signs as defined herein and as required on any premises or property provided that the area of any such sign shall not exceed the following limitations by zone:

Residential - four (4) square feet.

All other zones - nine (9) square feet.

B. On-Premise Signs Permitted In Residential , Agricultural and Conservation Zones

1. Signs displaying the name and address of the occupant of the premises provided that

the area of any such sign shall not exceed two (2) square feet and that not more than one (1) such sign shall be erected or displayed for each occupant of a premise, unless such premises fronts on more than one (1) street in which case one (1) such sign shall be permitted on each separate street frontage.

2. Temporary signs of contractors or artisans displayed during the period such contractors or artisans are performing work on the premises on which such signs are displayed, provided that the area of any such sign shall not exceed twelve (12) square feet. Such signs shall be limited to one (1) sign per contractor or artisan, and shall be removed immediately upon completion of the work of the contractor or artisan.
3. One sign per premises advertising a Minimal Impact Home-Based Business provided that the area of any such sign shall not exceed two (2) square feet.
4. Permanent subdivision identification signs, and/or signs identifying apartment or condominium complexes, provided that the area of any such sign shall not exceed thirty-two (32) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the subdivision, apartment, or condominium complex and/or for each means of entrance to or exit from the subdivision, apartment, or condominium complex.
5. Signs for permitted non-residential or permitted institutional uses provided that the area of any such sign shall not exceed thirty-two (32) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the permitted use, and for each means of entrance to or exit from the permitted use.

C. General Regulation - On-Premise Signs In Residential, Agricultural, and Conservation Zones

1. Unless otherwise regulated by specific reference herein, freestanding signs shall be limited to a height above the grade level on which they are placed of nine (9') feet to the top of the sign.
2. Animated and Illuminated Signs are prohibited.
3. Roof Signs are prohibited.

D. On-Premise Signs Permitted In Commercial and Manufacturing Zones

1. Freestanding Signs:
 - a. Freestanding signs shall be limited to one (1) except for a use that fronts on more than one street or other property usage, in which case one (1) such sign shall be permitted for each separate street frontage or frontage on other property usage. If a use exceeds three hundred lineal feet (300') on any frontage, one additional such sign on such frontage shall be permitted; and for each multiple of three hundred lineal feet (300') of frontage thereafter, one additional such sign shall be permitted for each separate street frontage or frontage on other property usage.

Unless otherwise regulated by specific reference herein, the area and height above grade of any freestanding sign shall not exceed thirty-two (32) square feet in area and twenty (20') in height above grade.

- b. In the case of a use designated as a shopping center or planned industrial park with more than one business, one (1) freestanding sign per each three hundred lineal feet (300') of frontage or multiple thereof displaying all the business names shall be permitted for each separate street frontage, frontage on other property usage, and/or for each means of entrance to or exit from the use. The area and height of any such sign shall not exceed thirty-two (32) square feet per business or ninety-six (96) square feet in total sign area, regardless of the number of businesses, and twenty (20') in height above grade.
- c. Within the environs of a use designated as a shopping center or planned industrial park, freestanding signs shall be permitted as required for the primary purpose of promoting traffic safety through the provision of directional information within the environs of the use, provided that any such sign shall not exceed an area and height of thirty-two (32) square feet in area and ten (10') in height above grade.

2. Parallel Signs:

- a. Parallel Signs include wall or fascia signs, roof signs, and permanently applied window signs or signs otherwise permanently applied to walls or other building surfaces.
- b. The total area of all signs affixed or applied essentially in a parallel plane to any given building facade shall not exceed an area computed as a percentage of the building facade, including window and door areas and cornices to which they are affixed or applied in accordance with Table I below:

TABLE I - PARALLEL SIGNS	
DISTANCE of sign from road	PERCENTAGE of building face or wall permitted for sign area
0 to 100 feet	Fifteen (15%)
101 - 300 feet	Twenty (20%)
Over 300 feet	Twenty-Five (25%)

- c. In the case of a shopping center or a group of stores or other business uses on a lot held in single and separate ownership, the provisions of this section relating to the total area of signs permitted on a premises shall apply with respect to each building, separate store, or similar use.
- d. Roof signs, Special Considerations:
 - 1. The area calculation in accordance with Table I for any roof sign whose orientation on a roof may be other than parallel to an individual building facade shall be computed with reference to the building facade which most closely parallels the orientation of such sign.

3. Canopy Signs (Also Marquee Signs and Signs on Architectural Projections):
 - a. Signs affixed or applied in an essentially flat plane to the face of a building or freestanding canopy, marquee, or architectural projection provided that the copy area of any such sign, as defined herein, does not exceed an area equal to forty percent (40%) of the product of the height and length of the face area of the canopy, marquee, or architectural projection to which such sign is affixed or applied.
 - b. Graphic treatment in the form of striping or patterns shall be permitted on the face of any building or freestanding canopy, marquee, or architectural projection without restriction, and the area of any such graphic treatment shall not be calculated as a component of permitted copy area.
4. Awning Signs:
 - a. Signs affixed or applied to the face or side surfaces of an awning or backlit awning provided that the copy area of any such sign, as defined herein, does not exceed an area equal to fifty percent (50%) of the total background area of the awning or backlit awning surface to which it is affixed or applied; or alternatively, does not exceed an amount equal to the amount of copy area permitted for parallel signs as provided herein, whichever is greater.
 - b. Graphic treatment and/or embellishment in the form of striping, patterns, or valances shall be permitted on the face or side surfaces of any awning or backlit awning without restriction, and the area of any such graphic treatment and/or embellishment shall not be calculated as a component of permitted copy area.
5. Projecting Signs:
 - a. Projecting signs shall be limited to one (1) per building facade on which any such sign is mounted except for a use that fronts on more than one street or other property usage, in which case, one (1) such sign shall be permitted per facade for each separate street frontage or frontage on other property usage. In the case of a building in which any individual facade exceeds two hundred lineal feet (200'), one (1) such sign shall be permitted for each two hundred lineal feet (200') of such facade or multiple thereof on each separate street or other property usage on which such facade fronts.
 - b. The area of any projecting sign shall not exceed one (1) square foot per every two (2) lineal feet of the building facade on which such sign is mounted, except that no such sign shall be larger in area than thirty-two (32) square feet.
 - c. No projecting sign shall extend in a vertical dimension above the highest architectural point of the facade to which it is mounted in excess of twenty-five percent (25%) of the vertical dimension of the facade itself.
 - d. Projecting signs extending over a public sidewalk shall be limited to a projection distance not to exceed two-thirds (2/3) of the width of the sidewalk.
 - e. Projecting signs shall not be permitted in addition to any permitted

freestanding signs on any given property frontage, except that, in the case in which a premises is permitted either freestanding or projecting signs on any one frontage, projecting signs may be substituted for any of the permitted freestanding signs on such frontage, provided that the requirements herein specifically relating to size, height, and extension of projecting signs are met.

6. Under Canopy Signs:

Signs affixed to the underside of a canopy, marquee, or architectural projection shall be limited to a copy area not to exceed eight (8) square feet. One such sign shall be permitted for each means of entrance to or exit from a premises utilizing a canopy-type structure, and/or for every one hundred lineal feet (100') of such canopy-type structure.

7. Temporary Signs (Exterior):

a. Temporary signs, in the form of banners, portable signs, or other means of graphic communication shall be in accord with the provisions of Section §906 J, General Provisions, as provided herein. The area of any temporary sign shall not exceed an area computed in accord with (1) and (2) below. The area allowances so computed shall not be included in any computation of area allowances for other signs as provided herein.

1. Freestanding temporary signs - thirty-two (32) square feet

2. Building-mounted temporary signs - Fifteen percent (15%) of the building facade on which such sign is mounted.

8. Temporary Signs (Window):

Temporary signs displayed as window signs as defined herein shall be in accord with the provisions of Section §906 J, General Provisions, as provided herein and shall not exceed an area equal to fifty percent (50%) of the window area on which such signs are displayed. This area allowance shall not be included in any computation of area allowances for other signs as provided herein.

ARTICLE IX-A

OIL AND GAS EXPLORATION, EXTRACTION, AND DEVELOPMENT

901-A PURPOSE

The purpose of this section is to provide for the reasonable development of land for oil and gas drilling while providing adequate health, safety and general welfare protections of the township's residents. Oil and gas exploration, drilling and extraction operations involve activities that are economically important and will impact the township. Accordingly, it is necessary and appropriate to adopt reasonable requirements for oil and gas resource development so that these resources can be obtained in a manner that is economically remunerative, and that minimizes the potential impact on the residents of the township.

902-A DEFINITIONS

Applicant - Any person, owner, operator, partnership, company, corporation and its subcontractors and agents who has an interest in real estate for the purpose of exploring or drilling for, producing, or transporting oil or gas.

Building - An occupied structure with walls and roof with which persons live or customarily work. The term shall not include a barn, shed or other storage building.

Collector Street - A public street or road which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets. For the purposes of this Article IX-A, all state-owned roads are considered collector streets as well as Township Route 310/311, locally known as Aston Mountain Road.

Department - The Pennsylvania Department of Environmental Protection (PA DEP).

Derrick - Any portable framework, tower mast and/or structure which is required or used in connection with drilling or re-working a well for the production of oil or gas.

Drilling Pad - The area of surface operations surrounding the surface location of a well or wells. Such area shall not include an access road to the drilling pad.

Fracking - The process of injecting water, customized fluids, sand, steam, or gas into a gas well under pressure to improve gas recovery.

Local Street - A public street or road designed to provide access to abutting lots and to discourage through traffic.

Oil and Gas - Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well.

Oil and Gas Development or Development - The well site preparation, construction, drilling, redrilling, hydraulic fracturing, and/or site restoration associated with an oil or gas well of any depth; water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas. The definition does not include natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions.

Oil or Gas Well - A pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal.

Oil or Gas Well Site - The location of facilities, structures, materials and equipment whether temporary or permanent, necessary for or incidental to the preparation, construction, drilling, production or operation of an oil or gas well. This definition also includes exploratory wells.

Operator - The person designated as the well operator on the permit application or well registration.

Owner - A person, who owns, manages, leases, controls or possesses an oil or gas well.

Natural Gas Compressor Station - A facility designed and constructed to compress natural gas that originates from an gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

Natural Gas Processing Plant - A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

Storage Well - A well used for and in connection with the underground storage of natural gas, including injection into or withdrawal from an underground storage reservoir for monitoring or observation of reservoir pressure.

903-A ZONING CLASSIFICATIONS

Subject to the provisions of this ordinance:

- A. An oil or gas well site that would be placed more than five hundred feet (500') from all property lines of the property where the oil or gas well is sited is permitted within the S-1, A-1, M-1 and M-2 Zoning Districts as a Conditional Use. Otherwise, such siting and/or use with the S-1, A-1, M-1 and M-2 Zoning Districts shall be prohibited.
- B. Oil and gas well sites are prohibited within the R-1, R-2, and C-1 Zoning Districts.
- C. A natural gas compressor station or a natural gas processing plant or any similar facilities performing the equivalent functions that would be located more than one thousand feet (1000') from all property lines of the property where the natural gas compressor station or the natural gas processing plant or similar facility is located is permitted within the S-1, A-1, M-1 and M-2 Zoning Districts as a Conditional Use. Otherwise, such siting and/or use within the S-1, A-1, M-1 and M-2 Zoning Districts shall be prohibited.
- D. Natural gas compressor stations or natural gas processing plants or any similar facilities performing the equivalent functions are prohibited within the R-1, R-2, and C-1 Zoning Districts.

904-A APPLICABILITY

- A. This Article IX-A applies to all oil and gas well sites, natural gas compressor stations, and natural gas processing plants that will be permitted or constructed after the effective date of this ordinance.
- B. Oil and gas well sites, natural gas compressor stations, and natural gas processing plants that were permitted or constructed prior to the adoption of this ordinance shall not be required to meet the requirements of this ordinance; provided that any modification to an existing or permitted oil or gas well site that occurs after the effective date of this ordinance and materially alters the size, type, location, number of wells and other accessory equipment or structures, or any physical modifications to an existing natural gas compressor station or natural gas processing plant shall require compliance with and a permit under this ordinance.
- C. Federal or state law or regulation preempts ordinance requirements that conflict with federal or state statute or regulation. Ransom Township acknowledges that it is pre-empted from regulating the operational methods of the oil and gas industry and may only regulate land uses.

905-A PERMIT REQUIREMENT

- A. No oil or gas well site, natural gas compressor station, or natural gas processing plant or an addition to an existing oil or gas well site, natural gas compressor station, or natural gas processing plant shall be constructed or located within Ransom Township unless a zoning permit has been issued by the township to the owner or operator approving the construction or preparation of the site for oil or gas development or construction of natural gas compressor stations or natural gas processing plants.
- B. The zoning permit application, or amended zoning permit application, shall be accompanied by a fee as established by resolution in the township's schedule of fees.
- C. Any modification to an existing and permitted oil or gas well site that materially alters the size, location, number of wells or accessory equipment or structures, or any modification to an existing natural gas compressor station or natural gas processing plant shall require a modification of the zoning permit under this ordinance. Like-kind replacements shall not require a zoning permit modification.

906-A PRE-APPLICATION CONFERENCES

A. *Purpose*

Before submitting an application the applicant is strongly encouraged to meet with township officials to determine the requirements of and the procedural steps and timing of the application. The intent of this process is for the applicant to obtain necessary information and guidance from the township before entering into any commitments or incurring substantial expenses with regard to the site and plan preparation.

B. *Process*

A pre-application conference is voluntary on the part of the applicant and shall not be deemed the beginning of the time period for review as prescribed by law. The pre-application conferences are intended for the benefit of the applicant in order to address the required permit submittals and are advisory only, and shall not bind the township to

approve any application for a permit or to act within any time limit relative to the date of such conference.

907-A PERMIT APPLICATION AND REQUEST FOR HEARING

- A. The applicant shall provide to the township a request for a Conditional Use Hearing, applicable fees, and a permit application with the following:
1. A narrative describing an overview of the project including the number of acres to be involved, the number of wells to be drilled, and the location, and number and description of equipment and structures to the extent known.
 2. A narrative describing an overview of the project as it relates to natural gas compressor stations or natural gas processing plants.
 3. The address of the oil or gas well site, natural gas compressor station or natural gas processing plant as determined by the township for information of Emergency Responders.
 4. The contact information of the individual or individuals responsible for the operation and activities at the oil or gas well site shall be provided to the Township and all Emergency Responders. Such information shall include a phone number where such individual or individuals can be contacted twenty-four hours per day, three-hundred sixty-five days a year. Annually, or upon any change of relevant circumstances, the applicant shall update such information and provide it to the Township and all Emergency Providers.
 5. A location map of the oil or gas well site showing the approximate location of derricks, drilling rigs, equipment and structures and all permanent improvements to the site and any post construction surface disturbance in relation to natural and other surroundings. Included in this map shall be an area within the development site for the location and parking of vehicles and equipment used in the transportation of personnel and/or development and use of the site. Such location shall be configured to allow the normal flow of traffic on public streets and shall be undisturbed.
 6. A location map of the natural gas compressor station or natural gas processing plant including any equipment and structures and all permanent improvements to the site.
 7. A narrative and map describing the manner and routes for the transportation and delivery of equipment, machinery, water, chemicals and other materials used in the siting, drilling, construction, maintenance and operation of the oil or gas well site.
 8. A certification or evidence satisfactory to the township that, prior to the commencement of any activity at the oil or gas well site, the applicant shall have accepted and complied with any applicable bonding and permitting requirements; and shall have entered into a township roadway maintenance and repair agreement with the township, in a form acceptable to the township solicitor, regarding the maintenance and repair of the township streets that are to be used by vehicles for site construction, drilling activities and site operations.
 9. A description of, and commitment to maintain, safeguards that shall be taken by the applicant to ensure that Township streets utilized by the applicant shall remain free of dirt, mud and debris resulting from site development activities; and the applicant's

assurance that such streets will be promptly swept or cleaned if dirt, mud and debris occur as a result of applicant's usage.

10. Verification that a copy of the operation's Preparedness, Prevention and Contingency Plan has been provided to the Township and all Emergency Responders.
11. A statement that the applicant, upon changes occurring to the operation's Preparedness, Prevention and Contingency Plan, will provide to the Township and all Emergency Responders the dated revised copy of the Preparedness, Prevention and Contingency Plan while drilling activities are taking place at the oil or gas well site.
12. Assurance that, at least 30 days prior to drilling, the applicant shall provide an appropriate site orientation and training course of the Preparedness, Prevention and Contingency Plan for all Emergency Responders. The cost and expense of the orientation and training shall be sole responsibility of the applicant. The applicant shall not be required to hold more than one site orientation and training course annually under this section.
13. A copy of the documents submitted to the department (PA DEP), or if no document has been submitted to the department (PA DEP), a narrative describing the environmental impacts of the proposed project on the site and surrounding land and measures proposed to protect or mitigate such impacts.
14. A copy of all permits and plans from appropriate regulatory agencies or authorities issued in accordance to environmental requirements.
15. A copy of all permits and plans from the appropriate regulatory agencies or authorities issued in accordance with applicable laws and regulations for the proposed use.

908-A DESIGN AND INSTALLATION

A. *Access*

1. No oil or gas well site shall have access solely through a local street. Access to the oil or gas well site shall be from a collector street.
2. Accepted professional standards pertaining to minimum traffic sight distances for all access points shall be adhered to.

B. *Structure Height*

1. Permanent structures associated with an oil and gas site, both principal and accessory, shall comply with the height regulations for the zoning district in which the oil or gas well site is located.
2. Permanent structures associated with natural gas compressor stations or natural gas processing plants shall comply with the height regulations for the zoning district in which the natural gas compressor station or natural gas processing plant is located.
3. There shall be an exemption to the height restrictions contained in this section for the temporary placement of drilling rigs, drying tanks, and other accessory uses necessary for the actual drilling or re-drilling of an oil or gas well.

- a. The duration of such exemption shall not exceed the actual time period of drilling or re-drilling of an oil or gas well.
- b. Provided further the time period of such drilling and exemption shall not exceed six (6) months.
- c. The operator shall give the Township prior written notice of the beginning date for its exercise of the exemption.

C. *Setbacks*

1. Drilling rigs shall be located a minimum setback distance of 2.5 times their height from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.
2. The drilling pad for the oil or gas well site shall comply with all setback and buffer requirements of the zoning district in which the oil or gas well site is located.
3. Natural gas compressor stations or natural gas processing plants shall comply with all setback and buffer requirements of the zoning district in which the natural gas compressor station or natural gas processing plant is located.
4. Exemption from the standards established in this subsection may be granted by the Township upon a showing by the operator that it is not feasible to meet the setback requirements from surface tract property lines and that adequate safeguards have or will be provided to justify the exemption.
5. Drilling pads, natural gas compressor stations or natural gas processing plants shall be set back two hundred feet (200') from buildings or sites registered or eligible for registration on the National Register of Historic Places or the Pennsylvania Register of Historic Places.

D. *Screening and Fencing*

1. Security fencing shall not be required at oil or gas well sites during the initial drilling, or re-drilling operations, as long as manned 24-hour on-site supervision and security are provided.
2. Upon completion of drilling or re-drilling, security fencing consisting of a permanent chain link fence shall be promptly installed at the oil or gas well site to secure well heads, storage tanks, separation facilities, water or liquid impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.
3. Security fencing shall be at least six feet (6') in height equipped with lockable gates at every access point and having openings no less than twelve feet (12') wide. A landscaped buffer strip shall be provided on the outside of the fencing.
4. Emergency Responders shall be given means to access oil or gas well site in case of an emergency.
5. Warning signs shall be placed on the fencing surrounding the oil or gas well site providing notice of the potential dangers and the contact information in case of an emergency.

6. In construction of oil or gas well sites the natural surroundings should be considered and attempts made to preserve existing trees and other native vegetation.

E. *Lighting*

1. Lighting at the oil or gas well site, or other facilities associated with oil and gas drilling development, either temporary or permanent, shall be directed downward and inward toward the activity, so as to minimize the glare on public roads and nearby buildings within one hundred feet (100') of the oil or gas well development.
2. Lighting at a natural gas compressor station or a natural gas processing plant shall be limited to security lighting.

F. *Noise*

1. The applicant shall take the following steps to minimize noise resulting from the oil or gas well development.
2. Prior to drilling of an oil or gas well or the operation of a natural gas compressor station or a natural gas processing plant, the applicant shall establish by generally accepted testing procedures, the continuous seventy-two (72) hour ambient noise level at the nearest property line of a residence or public building, school, medical, emergency or other public facility, or one hundred feet (100') from the nearest residence or public building, medical, emergency or other public facilities, whichever point is closer to the affected residence or public building, school medical, emergency or other public facility. In lieu of the establishment of the ambient noise level established by the continuous seventy-two (72) hour test the applicant may assume and use, for the purpose of compliance with this ordinance, a default ambient noise level of 55 dBA. The sound level meter used in conducting any evaluation shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment, which will provide equivalent data.
3. The applicant shall provide the township documentation of the established ambient noise level prior to starting oil or gas drilling and/or production operations.
4. The noise generated during the oil and gas operations or the natural gas compressor station or the natural gas processing plant shall not exceed the average ambient noise level established in subsection 2. above by more than:
 - a. 5 decibels during drilling activities.
 - b. 10 decibels during hydraulic fracturing operations.
 - c. 5 decibels for a gas compressor station or a natural gas processing plant.
 - d. Allowable increase in subsection c. above shall not exceed the average ambient noise level for more than ten (10) minutes within any one-hour period.
5. Effective sound mitigation devices shall be installed to permanent facilities to address sound levels that would otherwise exceed the noise level standards when located near a residence, public building, school, medical, emergency or other public facilities.
6. Exemption from the standards established in this subsection may be granted by the Township during the drilling stage or at the oil or gas well site, or the gas

compressor station, or at the natural gas processing plant for good cause shown and upon written agreement between the applicant and the township.

7. Complaints received by the township shall be addressed by the applicant, within 24 hours following receipt of notification by continuously monitoring for a period of forty-eight hours at the nearest property line to the complainant's residential or public building or one-hundred feet from the complainant's residential or public building, school medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the township and shall mitigate the problem to the allowable level if the noise level exceeds the allowable rate.
8. Natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions shall be constructed so as to mitigate sound levels, or have installed mitigation devices to mitigate sound levels that would otherwise exceed the ambient noise level standards at residential or public buildings, medical, emergency or other public facilities.

G. *Prohibitions*

1. No drilling shall be allowed in the floodway designated as such in the Flood Insurance Study (FIS) and shown on the Federal Emergency Management Agency (FEMA) maps.
2. No drilling shall be allowed in the 100-year flood plain as shown on the Federal Emergency Management Agency (FEMA) maps.

ARTICLE IX-B

AIRPORT DISTRICT OVERLAY

901-B PURPOSE

The purpose of this article is to create an airport district overlay that considers safety issues around the ***Wilkes-Barre/Scranton International Airport***, regulates and restricts the heights of constructed structures and objects of natural growth, creates appropriate zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such zones, creates the permitting process for use within said zones and provides for enforcement, assessment of violation penalties, an appeals process, and judicial review.

902-B RELATION TO OTHER ZONING DISTRICTS

The Airport District Overlay shall not modify the boundaries of any underlying zoning district. Where identified, the Airport District Overlay shall impose certain requirements on land use and construction in addition to those contained in the underlying zoning district.

903-B DEFINITIONS

The following words and phrases when used in this Article IX-B shall have the meaning given to them in this article unless the context clearly indicates otherwise.

Airport Elevation - The highest point of an airport's useable landing area measured in feet above sea level. The airport elevation of the ***Wilkes-Barre/Scranton International Airport*** is 962' above sea level. (*Runway elevation*)

Airport Hazard - Any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. Cons. Stat. §5102.

Airport Hazard Area - Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Ordinance and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

Approach Surface (Zone) - An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The approach surface zone, as shown on Figure 1, is derived from the approach surface.

Conical Surface (Zone) - An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally to one (1) foot vertically for a horizontal distance of 4,000 feet. The conical surface zone, as shown on Figure 1, is based on the conical surface.

Department - Pennsylvania Department of Transportation.

FAA - Federal Aviation Administration of the United States Department of Transportation.

Height - For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal Surface (Zone) - An imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The horizontal surface zone, as shown on Figure 1, is derived from the horizontal surface.

Larger Than Utility Runway - A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Nonconforming Use - Any pre-existing structure, object of natural growth, or use of land that is inconsistent with the provisions of this Ordinance or an amendment thereto.

Non-Precision Instrument Runway - A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction - Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this Ordinance.

Precision Instrument Runway - A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary Surface (Zone) - An imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The primary surface zone, as shown on Figure 1, is derived from the primary surface.

Runway - A defined area of an airport prepared for landing and takeoff of aircraft along its length.

Structure - An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

Transitional Surface (Zone) - An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven (7) feet horizontally to one (1) foot vertically (7:1). The transitional surface zone, as shown on Figure 1, is derived from the transitional surface.

Tree - Any object of natural growth.

Utility Runway - A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

Visual Runway - A runway intended solely for the operation of aircraft using visual approach procedures.

904-B ESTABLISHMENT OF AIRPORT ZONES

There are hereby created and established certain zones within the Airport District Overlay ordinance, defined in Section 903-B and depicted on Figure 1 and illustrated on ***Wilkes-Barre/Scranton International Airport*** Hazard Area Map, hereby adopted as part of this ordinance, that include:

1. Approach Surface Zone
2. Conical Surface Zone
3. Horizontal Surface Zone
4. Primary Surface Zone
5. Transitional Surface Zone

905-B PERMIT APPLICATIONS

As regulated by Act 164 and defined by 14 Code of Federal Regulations Part 77.13(a) (as amended or replaced), any person who plans to erect a new structure, to add to an existing structure, or to erect and maintain any object (natural or manmade), within the Airport Hazard Overlay Zone, *shall first notify the Department's Bureau of Aviation (BOA) by submitting PENNDOT Form AV-57 to obtain an obstruction review of the proposal at least 30 days prior to commencement thereof.* The Department's BOA response must be included with this permit application for it to be considered complete. If the Department's BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of this Overlay District Article. If the Department's BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in Section 906-B.

No permit is required to make maintenance repairs to or to replace parts of existing structures that do not enlarge or increase the height of an existing structure.

906-B VARIANCE

Any request for a variance shall include documentation in compliance with 14 Code of Federal Regulations Part 77 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA and the Department's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:

- A. No Objection - The subject construction is determined not exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determination a variance shall be granted.
- B. Conditional Determination - The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in Section 909-B, Obstruction Marking and Lighting.
- C. Objectionable - The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant.

Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not

be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the intent of this ordinance.

907-B USE RESTRICTIONS

Notwithstanding any other provisions of this Ordinance, no use shall be made of land or water within the Airport District Overlay in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the ***Wilkes-Barre/Scranton International Airport***.

908-B PRE-EXISTING NON-CONFORMING USES

The regulations prescribed by this Ordinance shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of a non-conforming use. No non-conforming use shall be structurally altered or permitted to grow higher, so as to increase the non-conformity, and a non-conforming use, once substantially abated (subject to the underlying zoning ordinance,) may only be reestablished consistent with the provisions herein.

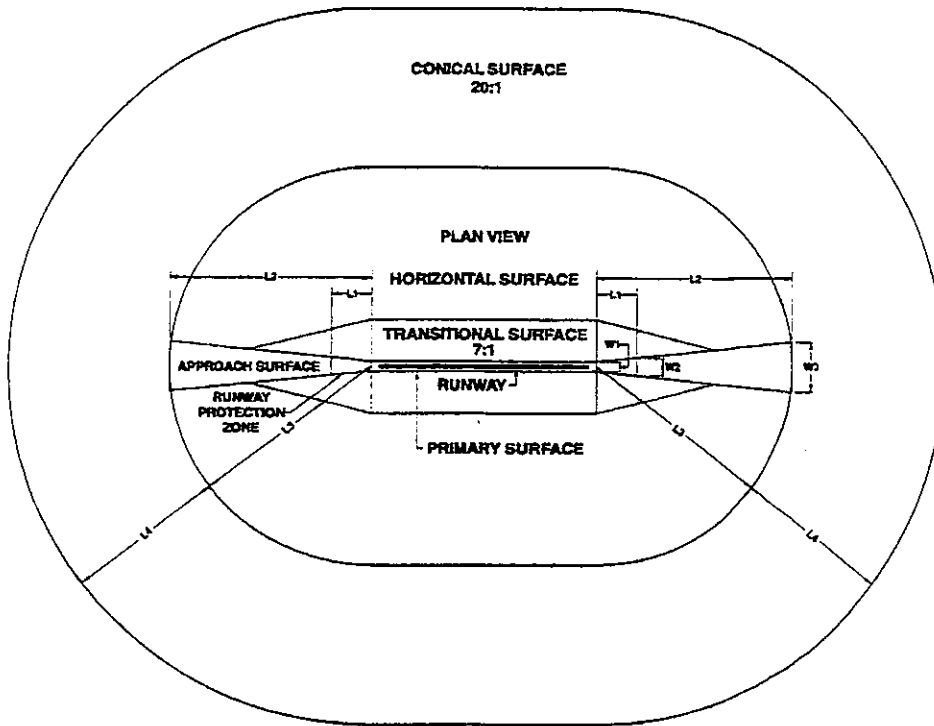
909-B OBSTRUCTION MARKING AND LIGHTING

Any permit or variance granted pursuant to the provisions of this ordinance may be conditioned according to the process described in Section 906-B to require the owner of the structure or object of natural growth in question to permit the municipality, at its own expense, or require the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

910-B CONFLICTING REGULATIONS

Where there exists a conflict between any of the regulations or limitations prescribed in this ordinance and any other regulation applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

Figure 1: Part 77 Surface Areas



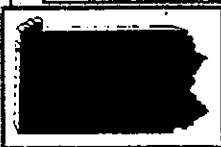
FAR PART 77 "IMAGINARY SURFACES" DIMENSION REQUIREMENTS										
Runway Type	Runway End		Conical Surface (L4)	Horizontal Surface (L3)	Approach Surface			Approach Slope	Primary Surface Width	Transitional Surface
	Approach	Other			Length (L2)	Inner Width (W1)	Other Width (W3)			
Small Airplanes ²	V	V	4,000	5,000	5,000	250	1,250	20:1	250	7:1
		NP	4,000	5,000	5,000	500	1,250	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
		P	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
	NP	V	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	2,000	20:1	1,000	7:1
		P	4,000	5,000	5,000	1,000	2,000	20:1	1,000	7:1
Large Airplanes ²	V	V	4,000	5,000	5,000	500	1,500	20:1	500	7:1
		NP	4,000	10,000	5,000	500	1,500	20:1	500	7:1
		NP 3/4	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
		P	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
	NP	V	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP 3/4	4,000	10,000	10,000	1,000	3,500	34:1	1,000	7:1
		P	4,000	10,000	10,000	1,000	3,500	34:1	1,000	7:1
Large and Small Airplanes	NP 3/4	V	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		P	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
	P	V	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		P	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1

1 - In Feet
2 - Less than 12,500 lbs maximum certified takeoff weight
3 - Greater than 12,500 lbs maximum certified takeoff weight

V = Visual approach 20:1
NP = Nonprecision approach 34:1
NP 3/4 = Nonprecision approach with visibility minimums as low as 3/4 statute miles 34:1
P = Precision approach 50:1

Note: L1 is the length of the RPZ and W2 is the outer width of the RPZ as defined by approach visibility minimums

Source: Federal Aviation Administration



Pennsylvania Land Use
Compatibility
Guidelines



FAR PART 77 SURFACES AND DIMENSION REQUIREMENTS

Exhibit
3

ARTICLE IX-C

MEDICAL MARIJUANA FACILITIES

901-C PURPOSE

The purpose of this article is to establish a process and standards for the establishment, construction, and operations of medical marijuana facilities, pursuant to the Pennsylvania "Medical Marijuana Act" (PA Act 16, 2016) to allow for the integration of an allowed industry while providing for the protection of the public's health, safety, morals, and general welfare.

902-C DISTRICT REGULATIONS

- A. Academic Clinical Research Centers are permitted in the M-1 and M-2 zone districts with consideration for the applicable performance standards found in this Article IX-C.
- B. Medical Marijuana Grower/Processors are permitted in the M-1 and M-2 zone districts with consideration for the applicable performance standards found in this Article IX-C.
- C. Medical Marijuana Transport Vehicle Offices are permitted in the M-1 and M-2 zone district, with consideration for the applicable performance standards found in this Article IX-C.
- D. Medical Marijuana Dispensaries are permitted in the M-1 and M-2 zone district, with consideration for the applicable performance standards found in this Article IX-C.

903-C DEFINITIONS

- A. **Academic Clinical Research Center** - An accredited medical school within this Commonwealth that operates or partners with an acute care hospital licensed within this Commonwealth.
- B. **Caregiver** - The individual designated by a patient to deliver medical marijuana.
- C. **Certified Medical Use** - The acquisition, possession, use, or transportation of medical marijuana by a patient, or the acquisition, possession, delivery, transportation or administration of medical marijuana by a caregiver, for use as part of the treatment of the patient's serious medical condition, as authorized by certification by the Commonwealth.
- D. **Clinical Registrant** - An entity that:
 - 1. Holds a permit both as a grower/processor and a dispensary; and
 - 2. Has a contractual relationship with an academic clinical research center under which the academic clinical research center or its affiliate provides advice to the entity, regarding, among other areas, patient health and safety, medical applications and dispensing and management of controlled substances.
- E. **Dispensary** - A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit issued by the Department of Health (DOH) of the Commonwealth to dispense medical marijuana.

- F. **Form of Medical Marijuana** - The characteristics of the medical marijuana recommended or limited for a particular patient, including the method of consumption and any particular dosage, strain, variety and quantity or percentage of medical marijuana or particular active ingredient.
- G. **Grower/Processor** - A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the DOH to grow and process medical marijuana.
- H. **Identification Card** - A document issued by the DOH that permits access to medical marijuana.
- I. **Medical Marijuana** - Marijuana for certified medical use as legally permitted by the Commonwealth of Pennsylvania with Act 16.
- J. **Medical Marijuana Organization or Facility** - A dispensary or a grower/processor of marijuana for medical purposes.
- K. **Medical Marijuana Delivery Vehicle Office** - Any facility used to house delivery vehicles for supplying marijuana plants or seeds to one or more marijuana grower/processors and/or dispensaries.
- L. **Registry** - The registry established by the DOH for all medical marijuana organizations and practitioners.

904-C USE REGULATIONS

A. ACADEMIC CLINICAL RESEARCH CENTERS

- 1. Parking requirements will following the parking schedule found in Article X of this Ordinance as listed for trade and technical schools.
- 2. An academic clinical research center may only grow medical marijuana in an indoor, enclosed, and secure building which includes electronic locking systems, electronic surveillance and other features required by the DOH. The grower/processor facility shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
- 3. All external lighting serving an academic clinical research center must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties as established in Article XIII.
- 4. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').

B. MEDICAL MARIJUANA GROWER/PROCESSOR

- 1. A medical marijuana grower/processor may only grow medical marijuana in an indoor, enclosed, and secure building which includes electronic locking systems, electronic surveillance and other features required by the DOH. The

grower/processor facility shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.

2. The floor area of a medical marijuana grower/processor shall include sufficient space for production, secure storage of marijuana seed, related finished product cultivation, and marijuana related materials and equipment used in production and cultivation or for required laboratory testing.
3. There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from any facility where medical marijuana growing, processing or testing occurs.
4. Marijuana remnants and byproducts shall be secured and properly disposed of in accordance with the DOH Policy and shall not be placed within any unsecure exterior refuse containers.
5. The grower/processor shall provide only wholesale products to other medical marijuana facilities. Retail sales and dispensing of medical marijuana and related products is prohibited at medical marijuana grower/processor facilities.
6. Growers/processors may not locate within 1,000 feet of the property line of a public or private school or child day-care center.
7. All external lighting serving a medical marijuana grower/processor must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties as regulated in Article XIII of this Ordinance.
8. Parking requirements shall follow the parking schedule found in Article X for Light Industry land-uses.
9. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
10. Entrances and driveways to a medical marijuana grower/processor must be designed to accommodate the anticipated vehicles used to service the facility.
 - a. All accesses must secure the appropriate highway occupancy permit (State, County or Township).
11. Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed it should be from within a secure environment.

C. MEDICAL MARIJUANA TRANSPORT VEHICLE SERVICE

1. A traffic impact study is required where the office is operated.
2. Parking requirements will follow the parking schedule found in Article X of this Ordinance for transit-related businesses.

3. All external lighting serving a medical marijuana transport vehicle service must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties as regulated in Article XIII of this Ordinance.
4. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
5. Entrances and driveways to a medical marijuana transport vehicle service must be designed to accommodate the anticipated vehicles used to service the facility.
 - a. All accesses must secure the appropriate highway occupancy permit (State, County or Township).
6. If for some reason a medical marijuana product is to be temporarily stored at a medical marijuana transport vehicle service facility, the facility must be secured to the same level as a medical marijuana grower/producer and dispensary.
7. Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed it should be from within a secure environment.

D. MEDICAL MARIJUANA DISPENSARY

1. A medical marijuana dispensary must be legally registered in the Commonwealth and possess a current valid medical marijuana permit from the DOH.
2. A medical marijuana dispensary may only dispense medical marijuana in an indoor, enclosed, permanent, and secure building and shall not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other motor vehicle.
3. A medical marijuana dispensary may not operate on the same site as a facility used for growing and processing medical marijuana.
4. Medical marijuana dispensaries shall have a single secure public entrance and shall implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing medical marijuana.
5. Permitted hours of operation of a dispensary shall be 8 am to 8 pm of the same calendar day.
6. A medical marijuana dispensary shall be a maximum of 3,000 gross square feet, of which no more than 500 square feet shall be used for secure storage of product, and shall have an interior customer waiting area equal to a minimum of twenty-five percent (25%) of the gross floor area.
7. A medical marijuana dispensary shall:
 - a. Not have a drive-through service;
 - b. Not have outdoor seating areas;
 - c. Not have outdoor vending machines;

- d. Prohibit the administering of, or the consumption of medical marijuana on the premises; and
 - e. Not offer direct or home delivery service.
- 8. A medical marijuana dispensary may dispense only medical marijuana to certified patients and caregivers and shall comply with all lawful, applicable health regulations.
 - 9. A medical marijuana dispensary may not be located within 1,000 feet of the property line of a public or private school or a child day-care center. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of municipality in which it is located.
 - 10. A medical marijuana dispensary shall be a minimum distance of 1,000 feet from the next nearest medical marijuana facility. This does not include complementing or supporting businesses covered by different definitions. This distance shall be measured in a straight line from the closest exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted, regardless of municipality in which it is located. This separation distance does not apply to the distance between the grower/processor or academic clinical research centers and the specific dispensary they serve, or with which they partner.
 - 11. Any medical marijuana facility lawfully operating shall not be rendered in violation of these provisions by the subsequent location of a public, private or parochial school or a day-care center.
 - 12. All external lighting serving a medical marijuana dispensary must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties as regulated in Article XIII of this Ordinance.
 - 13. Parking requirements will follow the parking schedule found in Article X of this Ordinance for medical clinics.
 - 14. All external lighting serving a medical marijuana transport vehicle service must be shielded in such a manner to not allow light to be emitted skyward or onto adjoining properties as regulated in Article XIII of this Ordinance.
 - 15. A ten-foot-wide (10') evergreen buffer strip shall be provided along all side and rear yards that abut any Residential Use as listed in Schedule I and defined by Article III of this Ordinance. The initial height of the evergreen planting shall be five feet (5').
 - 16. Entrances and driveways to a medical marijuana transport vehicle service must be designed to accommodate the anticipated vehicles used to service the facility.
 - a. All accesses must secure the appropriate highway occupancy permit (State, County or Township).
 - 17. Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed it should be from within a secure environment.

ARTICLE IX-D

OUTDOOR SHOOTING RANGES

901-D PURPOSE

This Article IX-D is intended to provide minimum standards to regulate outdoor shooting ranges and outdoor archery ranges (hereinafter referred to as ranges) in order to protect neighboring property owners and the public at large from the dangers of wild or ricocheting projectiles and from excessive noise and other nuisances.

902-D DEFINITIONS

As used in this Article IX-D, the following definitions shall apply:

Applicant: any person, firm, corporation, or other legal entity seeking to develop an outdoor shooting range.

Backstop: a device constructed to stop or redirect bullets fired on a range.

Baffles: barriers to contain bullets and to reduce, redirect or suppress sound waves. Baffles are placed either overhead, alongside, or at ground level to restrict or interrupt errant or off-the-target shots.

Ballistics: the study of what happens to moving projectiles in the barrel and in flight: their trajectory, force, impact, and penetration. The study is divided into three sections: internal, external and terminal. "Internal" refers to what happens inside the barrel before the bullet or shot leaves the muzzle. "External" is what happens after the bullet or shot leaves the barrel and travels to its final point of impact "Terminal" is what happens to the bullet or shot at the final point of impact.

Berm: an embankment used for restricting bullets to a given area or as a dividing wall between ranges.

Bullet: a single projectile fired from a firearm.

Bullet trap: a device designed to trap or capture the entire bullet and fragments as opposed to redirecting the projectile into a water or sand pit.

Expansion: any change to a public outdoor shooting range existing as of the effective date of the ordinance or any range developed and operating by virtue of a permit that results in additional firing positions or a lengthened daily period of operations. Expansion shall also include any change increasing the length of the direct fire zone or the area of the shotfall zone in order to accommodate the use of firearms not identified in the then existing permit application. Modifications made solely for the purpose of or resulting in maintenance or improvement of a facility, such as the installation of sewer, water or other utilities, pavement of a parking lot, the installation of safety baffles, construction of side or backstop berms, or the construction or remodel of a clubhouse, shall not be considered an expansion.

Firearm: a term used to describe any gun, usually small, from which a bullet is propelled by means of hot gasses generated by burning powder (usually smokeless or black powder).

Firing distance: the distance between the firing line and the target line.

Firing line: a line parallel to the targets from where firearms are discharged.

Firing position (point): an area directly behind the firing line having a specified width and depth that is occupied by a shooter, his or her equipment and, if appropriate, an instructor or coach.

Firing Range: a facility designed for the purpose of providing a place on which to discharge firearms, shoot air guns, and/or archery equipment. "Firing range" may also refer to several ranges constructed in a complex.

NRA: National Rifle Association.

Pistol: a firearm capable of being held, aimed and fired with one hand. Also known as a handgun.

Public shooting range: a firing range where a user fee is charged or a monetary contribution is solicited in lieu of a user fee, or where a person must be a member of a group to be allowed to use the facility and membership requires the payment of dues or fees.

Ricochet catcher: a device installed along a backstop, a berm, or on the range floor, designed to capture ricocheting projectiles. Ricochet catchers are more frequently used on backstop areas where the slope or backstop material does not positively contain bullets.

Rifle: a modern firearm designed to be fired from the shoulder with its main characteristic being a rifled (grooved) barrel that imparts a spin to a single projectile as it travels through the bore. Includes rifles designed for military or law enforcement use having a pistol grip stock instead of a shoulder stock. Also includes black powder and other muzzle loading firearms, some of which may have rifled barrels.

Safety baffles: vertical or sloping barriers designed to prevent a projectile from traveling into an undesired area or direction. Most often used to prevent bullets from leaving a firing range.

Safety fan: applies only to rifle and pistol firing ranges. The safety fan of a firing range consists of three parts: the direct fire zone, the safety zone, and the ricochet zone. The direct fire zone is that area into which all shots are fired during the normal course of shooting. This zone includes all directions and angles of fire used on a firing range while shooting at a specific target, either stationary or moving, from a specific firing point. The length of the direct fire zone extends to the maximum range of the ammunition and firearm used on the firing range, but can be shortened by physical barriers or other devices which reduce the maximum distance of a bullet's trajectory. The safety zone extends 10 degrees to the left and right of the direct fire zone and protects against errant bullets caused by cross fire or accidental discharge of a firearm. The ricochet zone is that area 45 degrees to the left and right of the firing line, and extended a certain distance dependent on the type of firearm and ammunition allowed on the range (i.e., 85 yards for air guns, and up to 1,200 yards for high-powered rifles). The line is then extended parallel to each side of the safety zone downrange to the intersection of a line extended from the terminus of the direct fire zone through the outer corner of the safety zone.

Shotfall zone: that area of a shotgun firing range where spent shotgun shot falls to the earth and where development, other than trap or skeet houses or the equivalent facilities for other types of shotgun events, and human occupancy, other than operators of the trap, skeet or equivalent facilities, is prohibited during active shooting.

Shotgun: a firearm designed to be fired from the shoulder with a smoothbore barrel that fires shot shells possessing a varying number of round pellets. Includes law enforcement and military shotguns which may have a pistol grip stock instead of a shoulder stock. Also includes

barrels designed to be used with rifled slugs, most generally having smoothbores, but in some cases may be rifled.

Target line: a line parallel to the firing line along which targets are places.

903-D DEVELOPMENT STANDARDS

In addition to current NRA. standards for shooting range design, the following shall apply to the development of outdoor shooting ranges, The planning commission may vary from these standards where the applicant has demonstrated that the proposed facility includes alternative designs and features, either natural or manmade, which will otherwise mitigate the potential adverse impacts to the health, safety and welfare of owners or users of neighboring properties, users of the shooting range, and the general public.

1. Application – Required Information

In addition to the other information and data required for a subdivision and/or land development contained in the Ransom Township Subdivision and Land Development Ordinance, the following general information shall be required for an outdoor shooting range:

- (a) An assessor's map of the subject property;
- (b) The types of firearms, ammunition and shooting to be allowed, such as trap, skeet, muzzle loader, high power rifle, small bore rifle, pistol, action pistol, etc.;
- (c) A site plan drawn to scale illustrating the items listed below. The site plan shall be drawn at a scale not smaller than one inch equals 200 feet, and not larger than one inch equals 50 feet:
 - (1) The property lines of the parcel(s) on which the firing range(s) are to be developed,
 - (2) For rifle and pistol ranges, the safety fan and its component parts with dimensions for all firing ranges; for shotgun firing ranges, the component parts and dimensions of the shotfall zones,
 - (3) All existing and proposed structures on the range, labeled for their intended use,
 - (4) The location and dimensions of all firing lines and firing positions,
 - (5) The location and dimensions of all target lines and related facilities,
 - (6) The locations, dimensions and slope of all backstops and side berms, whether natural or manmade; the volume, material and source of all imported materials shall be noted,
 - (7) The locations and dimensions of all baffles; horizontal drawings of the baffles shall be included, and building materials shall be identified,
 - (8) The location and dimensions of all walkways,
 - (9) All screening, landscaping and fencing,

- (10) The location of all utilities, including but not limited to electrical, potable water, wastewater disposal, and drainage ways, both natural and artificial,
- (11) The location of all lighting facilities,
- (12) The location of all roads, driveways, and parking facilities, including the number of parking spaces,
- (13) The location of all streams, watercourses, and wetlands on the property,
- (14) A list of property owners within one-half (1/2) mile of the perimeter of the property on which the outdoor shooting range is proposed for development,
- (15) The land use of all properties abutting the shooting range property, and,
- (16) Other information deemed appropriate by the Township Engineer.

2. Range Design Standards

- (a) **Pistol and Rifle Firing Ranges.** Pistol and rifle firing range design shall include sufficient land area under control of the applicant for a safety fan (direct fire zone, safety zones and ricochet zones) to accommodate the ballistics of the highest powered firearms and ammunition to be used on the range. Such geographic areas shall be based on current National Rifle Association (NRA) guidelines for shooting range design. Such spatial requirements may be reduced in consideration of natural topographic features or manmade improvements, including but not limited to, backstop and side berms, bullet traps, ricochet catchers, and overhead or ground safety baffles which will provide sufficient safety measures to protect adjacent properties.
- (b) **Shotgun Ranges.** Trap ranges shall have a shotfall zone on property under control of the applicant as established by a line which extends 50 yards to the right and 50 yards to the left of, and perpendicular to, the centerline of the trap house. From each end of said line, boundary lines having interior angles of 130 degrees shall extend down range for 300 yards. Skeet ranges shall have shotfall zones on property under control of the applicant which are a complete semi-circle with a center point and a radius of the semi-circle being 300 yards. Shotfall zones for crazy quail, sporting clays or other shotgun firing ranges shall be determined on a case-by-case basis.
- (c) **Security Fencing.** The entire perimeter of all outdoor shooting range safety fans and shotfall zones shall be enclosed with a six-foot (6') high non-climbable fence to prevent unauthorized entry into the area. Range caution signs with eight (8") inch tall red letters on a white background shall be posted at a maximum one hundred (100') feet around the perimeter of the parcel or parcels on which the outdoor shooting range is located such that each sign is visible and legible from the next. The signs shall read "SHOOTING RANGE AREA. KEEP OUT!" The same signs shall be posted similarly on the security fencing surrounding the safety fan(s).
- (d) **Setbacks.** Outdoor shooting ranges shall be set back a minimum of five hundred (500') feet from any property line and not less than one-half (1/2) mile from any residential building and one-quarter (1/4) mile from any commercial building. This limitation shall not apply to structures on the same parcel as the outdoor

shooting range. Other range facilities including buildings and parking lots shall be set back a minimum of one hundred (100') feet from the property line and street right-of-way.

- (e) **Sound Abatement Shields or Barriers.** Sound Abatement Shields or Barriers shall be installed on outdoor shooting ranges located within one-half (1/2) mile of a residential building or one-quarter (1/4) mile from a commercial building unless significant natural barriers exist. The applicant shall present credible evidence that the sound of shooting at the property line of the shooting range does not exceed the ambient noise limits set forth in Article VIII, Section 809 of this Ordinance. All noise studies shall be performed by a professional engineer registered in the Commonwealth of Pennsylvania or by a person with a degree in a discipline related to acoustics. The burden of proof that the proposed range will meet this standard shall rest with the applicant.
- (f) **Backstops.** All backstops shall have sufficient depth of sand or other similar soft earthen material that is free of rocks, stones and other hard objects that may result in bullet ricochets. All manmade berms shall be vegetated to reduce the potential for erosion. A manmade, mechanical backstop may be substituted upon approval of the planning commission. All backstops and berms shall be maintained to perform their intended functions.
- (g) **Drainage and Erosion Control.** The range and associated facilities shall be designed to keep storm runoff from the range site at a volume and velocity no greater than what existed prior to range development. Appropriate erosion control measures shall be designed and installed to maintain the water quality of the storm runoff from the range to predevelopment levels.
- (h) **Watercourses or Wetlands.** Firing ranges shall be developed such that there are no streams, ponds, lakes, or other watercourses or wetlands located between any firing line and target line or within any shotgun shotfall zone.
- (i) **Access Road.** The access road to enter and exit the outdoor shooting range and its facilities shall be of sufficient width to permit emergency vehicles traveling in opposite directions to pass safely, exclusive of the berm. The access road shall conform to Article 5, Section 517, of the Ransom Township Subdivision & Land Development Ordinance.
- G) **Parking.** In addition to all other provisions regulating the required number of parking places under this ordinance, there shall be, at a minimum, one and one-half parking places for each firing position.
- (k) **Hours of operation.** No firearm may be discharged outdoors between sunset and 8:00 a.m., Monday through Saturday, and between sunset and 9:00 a.m. on Sundays and holidays. Ransom Township reserves the right to establish more restrictive time limits as a condition of approval.
- (l) **Other Regulations.** In addition to the standards and requirements for development of outdoor shooting ranges under this Ordinance, the applicant must comply with all applicable NRA standards and federal and state regulations and requirements for development of an outdoor shooting range.

ARTICLE X

OFF-STREET PARKING AND LOADING

1001 REQUIRED OFF-STREET PARKING SPACES

It is the intent of this Article to provide adequate off-street parking for all residents, clients, customers and employees of every use.

The following provisions of Schedule III apply to new uses and to any enlargement or expansion of an existing use.

Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each building or use that, after the effective date of this Ordinance, is established, erected, enlarged or altered for any of the following purposes or uses in any district: (For uses not specifically listed, the requirements for the most similar use listed shall be followed. When a use not specifically listed is dissimilar from listed uses, the Township Zoning Hearing Board shall determine the requirements based upon the intent of this Article as stated above.)

**SCHEDULE III
OFF-STREET PARKING REQUIREMENTS**
(sfgfa = square feet of gross floor area; sf = square feet)

Land Use	Required Parking Spaces
Residential Uses	
Single-family dwellings	2 spaces per dwelling unit
Two-unit attached dwellings	2 spaces per dwelling unit
Duplex (over/under)	2 spaces per dwelling unit
Townhouses	2 spaces per dwelling unit
Multi-family dwellings, garden apartments	2 spaces per dwelling unit
Planned Unit Development	2 spaces per dwelling unit
Mobile Home Parks	1 space per dwelling unit
Apartments above Commercial Use	1 space per dwelling unit
Group Homes	1 space per two beds + 1 space per employee on largest shift
Rooming and Boarding Houses	1 space per rental unit + 2 spaces per permanent dwelling unit
Bed and Breakfast Inns	1 space per rental unit + 2 spaces per permanent dwelling unit
Assisted Living, Nursing & Personal Care Homes	1 space per 3 residents + 1 space per employee on largest shift
Retirement Housing	0.75 spaces per dwelling unit
Hotels/Motels	1 space per rental unit + 1 space per 3 three employees on largest shift + 1 space per 400 sf of meeting area + 1 space per 3 seats of restaurant area
Conversion from Non-residential Use to Residential Units	2 spaces per conversion unit
Commercial Uses	
Adult Businesses	1 space per 300 sfgfa open to the public
Animal Hospital, Kennel or Veterinary Clinic	1 space per 400 sfgfa; no fewer than 4 spaces
Auto Repairs, Service Stations, Auto Body Shops, and Car Washes	<u>Auto Repairs, Service Stations, Body Shops</u> : 1 space per service bay and mechanic <u>Car Wash</u> : two stacking spaces per bay + 1.5 spaces per employee on largest shift
Bakeries & Confectionary Products	1 space per 300 sfgfa
Banks, Finance, and Insurance	1 space per 300 sfgfa + 5 stacking spaces for each drive-through window
Banquet Facilities	1 space per 4 seats at maximum capacity
Bicycle Rentals or Sales	3 spaces per 1,000 sf of showroom or outdoor display area + 1 space per employee on largest shift
Boutique Wineries	1 space per 400 sfgfa open to the public + 1 space per employee on largest shift
Bulk Fuel Storage	1.5 spaces per employee on largest shift
Commercial Greenhouses or Nurseries	1 space per 1,000 sf of sales area
Commercial or Professional Offices or Services	1 space per 300 sfgfa
Contractor's Offices and Yards	1.5 spaces per employee on largest shift
Convenient Store with Gas Pumps	1 space per 200 sfgfa open to the public
Flea Markets	1 space per 500 sf of sales area, indoor or outdoor
Funeral Homes or Mortuaries	1 space per 5 seats at maximum cap. + 1 space per employee on largest shift
Horse Stables, Commercial	1 space per 3 horses boarded on premise
Lumberyards	3 spaces per 1,000 sf of sales area + 1 space per employee on largest shift
New or Used Car, Motorcycle, Moped, ATV, or Trailer Rentals or Sales	3 spaces per 1,000 sf of showroom or outdoor display area + 1 per employee on largest shift
Nightclubs, Taverns and BYOB Est.	1 space per every 3 seats

Ransom Township Zoning Ordinance

Land Use	Required Parking Spaces
Restaurants, Cafes or Coffee Houses	1 space per every 3 seats + 1 space per 2 employees on largest shift + 5 stacking spaces for each drive-through window (if applicable) <u>Carry-out Restaurant</u> : no fewer than 5 spaces
Retail Businesses	1 space per 300 sfga
Self-Storage Facilities	1 space per 10 storage units + 1 space per employee on largest shift
Shopping Malls, Centers or Plazas	1 space per 300 sf of leaseable area
Transit-Related Businesses and Maintenance Facilities	1.5 spaces per employee on largest shift
Wholesale Businesses	1 space per 800 sfga
Wine Tasting Rooms	1 space per 400 sf open to the public
Casinos or Gambling Establishments	1 space per 400 sfga + 1 space per employee on largest shift
Manufacturing Uses	
Industry, Heavy	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Industry, Light	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Junk Yards & Automobile Wrecking	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Machine Shops	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Medical Marijuana Facilities	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Recycling Facilities	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Research Laboratories	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Sawmills	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Slaughterhouses	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Solid Waste Facilities	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Tire Re-treading and Recapping	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Warehousing, Distribution, or Outdoor Storage	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Services & Public Uses	
Abused Person Shelters	1 space per 3 sleeping rooms + 1 space per employee on largest shift
Adult or Child Day Care Centers or Nursery Schools and Preschools	1 space per employee on largest shift + 1 space per 6 clients/students at maximum designed capacity
Colleges and Dormitories	<u>Colleges</u> : 1 space per 3 employees/faculty + 1 space per 3 students not residing on campus. <u>Dormitories</u> : Spaces equal to 75% of maximum designed occupancy.
Drug or Other Treatment Centers	1 space per 2 beds + 1 space per employee on largest shift
Hospitals	1 space per 5 beds + 1 space per 2 employees on largest shift + 1 space per doctor on staff
Medical Clinics & Social Services	1 space per examination room + 1 space per employee on largest shift + 1 space per doctor on staff
Public and Semi-Public Buildings & Uses	<u>Non-School Public or Semi-Public Building</u> : 1 space per 400 sfga open to public + 1 space per employee on largest shift. <u>Public or Private Elementary/Middle School</u> : 1 space per teacher and staff member + 1 space per classroom. <u>Public or Private High School</u> : 1 space per teacher and staff member + 5 spaces per classroom.
Religious Institutions	1 space per 4 seats + 1 space per 200 sf of meeting room area + 1 space per 2 employees
Television/Radio Stations Publishing & Information Services	5 spaces + 1 space per employee on largest shift
Trade & Technical Schools	1 space per 2 students based on maximum designed capacity + 1 space per instructor and/or employee

Land Use	Required Parking Spaces
Recreational Uses	
Campgrounds	1 space per camp site
Commercial Indoor Recreation	<u>Amusement Arcade</u> : 1 space per 300 sfga + 1 space per 2 game machines. <u>Billiard Hall</u> : 2 spaces per table. <u>Bowling Alley</u> : 5 spaces per alley + 1 space per employee on largest shift. <u>Health or Membership Club</u> : 1 space per 2 patrons based on maximum designed capacity + 1 space per employee on largest shift. <u>Indoor Courts</u> : 3 spaces + 2 spaces per court. <u>Indoor Swimming Pools</u> : 1 space per 75 sf of water area. <u>Indoor Skating Rinks, Shoot Ranges, Gymnasium</u> : 1 space per 300 sfga.
Cultural Facilities, Galleries and Libraries	1 space per 400 sfga + 1 space per employee on largest shift
Shooting Ranges, Outdoor & Archeries	1 space per target area
Fraternal, Civic, or Social Clubs	1 space per 300 sfga
Outdoor Recreation, Entertainment, and Sports	<u>Amusement Park</u> : 1 space per 300 sfga of enclosed buildings + spaces equal to 33% of maximum capacity of outdoor facilities. <u>Arena or Stadium</u> : 1 space per 3 seats (bench capacity computed at 1 seat for each 36" of bench length). <u>Golf Course, Drive Range, or Miniature Golf</u> : 2 spaces per hole and/or tee + 1 space per 2 employees on largest shift. <u>Groves and/or Outing Facilities</u> : Spaces equal to 10% of active recreation area. <u>Racetrack or Cart-Track</u> : 1 space per seats (bench capacity computed at 1 seat for each 36" of bench length). <u>Tennis Courts</u> : 2 spaces per court. <u>Zoos</u> : 1 space per 2000 sf of land area.
Theaters	1 space per 3 seats (bench capacity computed at 1 seat for each 36" of bench length) + 1 space per 2 employees on largest shift
Resource Production and Extraction Uses	
Agricultural Products Processing	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Mineral and Natural Resource Processing	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces
Energy Storage Facilities	1.5 spaces per employee on largest shift
Power Facilities	1.5 spaces per employee on largest shift
Water Extraction & Bottling	1.5 spaces per employee on largest shift + a minimum of 2 visitor spaces

1002 GENERAL REGULATIONS APPLYING TO REQUIRED OFF-STREET PARKING FACILITIES

A. Existing Parking

Structures and uses in existence at the effective date of this Ordinance shall not be subject to the requirements of this Article so long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced to an amount less than that required by this Ordinance.

B. Fractional Space

Where the computation of required parking spaces results in a fractional number, the fraction of one quarter or more shall be counted as one.

C. Changes in Use

Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwellings, seating capacity or otherwise to create a need, based upon the requirements of Schedule III, for an increase of ten percent (10%) or more in the number

of existing parking spaces, the number of additional spaces to be provided shall be based upon the incremental change or enlargement.

D. Conflict With Other Uses

No parking area shall be used for any other use that interferes with its availability for the parking need it is required to serve.

E. Continuing Character of Obligation

All required parking facilities shall be provided and maintained so long as the use that the facilities were designed to serve still exists. Off-street parking facilities shall not be reduced in total extent except when such reduction is in conformity with the requirements of this Article in conjunction with a change in the nature of the use.

F. Joint Use

Two or more uses may provide for required parking in a common parking lot; the total number of spaces in such lot shall not be less than the sum of the spaces required for each use individually, unless such lot is provided as otherwise specified in this section.

G. Mixed Uses

Where a permitted use contains or includes more than one of the types of uses identified in Schedule III, the number of parking spaces required shall be computed according to the most restrictive parking requirements.

H. Location of Parking Spaces

Required off-street parking spaces shall be on the same lot or premises with the principal use served, or where this requirement cannot be met, within four hundred feet (400') walking distance of the principal use.

I. Modification of Parking Requirements

The Zoning Hearing Board may authorize a modification, reduction, or waiver of the off-street parking requirements in exceptional cases of use, zone lot size or shape, or other unusual situations.

1003 DESIGN STANDARDS FOR OFF-STREET PARKING FACILITIES

A. Applicability

The design standards specified in this Section shall be mandatory for all new off-street parking facilities with a capacity of four (4) or more vehicles.

B. General Requirement

Such facilities shall be designed so that their use shall not constitute a nuisance, or hazard, or unreasonable impediment to traffic.

C. Space and Aisle Dimensions

All parking spaces shall have a total stall area of no less than one hundred eighty (180) square feet. The minimum parking aisle width for 90° parking shall be twenty-four feet

(24'); for 45° parking it shall be fifteen feet (15') and for 30° parking it shall be eighteen feet (18').

D. Accessibility

Parking areas shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.

E. Entrance and Exit Drives

The width of entrance and exit drives shall be a minimum of twelve feet (12') and maximum of fifteen feet (15') at curb line for one-way use only and a minimum of twenty feet (20') and maximum of thirty feet (30') at the curb line for two-way use. Driveways entering state highways shall meet PennDOT regulations and a Highway Occupancy Permit shall be acquired from PennDOT.

F. Access Points

At least forty feet (40') shall be provided between the closest edges of access point openings and no access point opening edge shall be closer than thirty feet (30') from the closest edge of a street intersection.

G. Design

Parking areas shall be arranged and marked for orderly, safe movement. No parking areas shall be designed to require or encourage parked vehicles to back into a public street in order to leave a parking space.

H. Grading, Surface, Drainage

Except for areas that are landscaped and so maintained, all portions of required parking facilities, including driveways, shall be surfaced with a 4" sub-base, a 2" bituminous base course and 1" bituminous wearing course (or similar durable and dustless surface), graded and drained to dispose of all surface water.

I. Nighttime Illumination

All driveways, aisles, maneuvering spaces, vehicular service areas or spaces between or about buildings, designed for use by more than four (4) cars after dusk, other than those related to an individual dwelling, shall be illuminated in accordance with Section 814 of this Ordinance.

J. Separated from Street

Except where entrance and exit drives cross street lines, all parking areas for any purpose other than residential uses as defined by this Ordinance shall be physically separated from any public street by a concrete curb and by a landscaped planting strip that shall be not less than ten feet in depth (10'). This ten foot (10') planting strip shall be parallel to the street line and shall be measured from the street line.

K. Perimeter Landscaping and Screening

Perimeter landscaping shall be required along any side of a parking lot of ten (10) or more spaces that abuts adjoining developed property that is not a right-of-way. A landscaping

strip a minimum six feet (6') in width shall be located between the parking area and the abutting property lines.

One tree for each forty feet (40') shall be planted in the landscaping strip. This requirement does not mean that a tree must be planted at every 40-foot interval around the perimeter of the parking lot, but is intended to allow the designer some latitude in designing the landscape plans.

L. Interior Landscaping

Parking lots of ten (10) or more spaces shall be constructed, enlarged, or reconstructed with interior landscaping, subject to approval by the Township zoning officer, Township Board of Supervisors, and/or Township engineer. Not less than six percent (6%) of the interior of a parking lot shall be landscaped and one (1) shade tree shall be planted for every one thousand (1,000) square feet of parking space area. All planting material shall be suitable for planting in the county and require minimal maintenance. All shade trees to be used shall be eight (8') to ten feet (10') in overall height upon planting and a variety that shall attain an average mature spread greater than twenty feet (20').

M. Maintenance

The owners and their agencies shall be responsible for providing, protecting, and maintaining all parking lot landscaping in healthy and growing condition, replacing it when necessary and keeping it free of refuse and debris.

1004 OFF-STREET LOADING

A. General Requirement

Every building or use that requires the receipt or distribution of material or merchandise by vehicles shall provide at least one (1) off-street loading berth and shall also provide additional berths in accordance with Schedule IV of this Ordinance.

B. Minimum Size and Location

Each off-street loading and unloading space shall be a minimum of twelve feet (12') wide by forty-five feet (45') long and fourteen feet (14') in height, and, in addition, have sufficient maneuvering room separate from other parking to eliminate traffic conflicts within off-street loading and parking areas.

**SCHEDULE IV
OFF-STREET LOADING BERTH REQUIREMENTS
(in addition to §1004 A.)**

USES	SQUARE FEET GROSS FLOOR AREA	ADDITIONAL REQUIRED LOADING BERTHS
Schools, Public or Private	15,000 or more	1
Hospitals (in addition to ambulance space)	10,000 – 30,000	1
	For each additional 30,000 or major fraction thereof	1
Funeral Homes or Mortuaries	>5,000	1
	For each additional 5,000 or major fraction thereof	1
Hotels/Motels & Professional Offices	>15,000	1
Commercial Uses, Wholesale, Manufacturing Uses, & Storage Facilities	15,000 – 25,000	1
	25,000 – 40,000	2
	40,000 – 60,000	3
	60,000 – 100,000	4
	For each additional 50,000 or major fraction thereof	1 additional

1005 RESIDENTIAL DRIVEWAYS AND SIDEWALK OPENINGS

The maximum width of driveways and sidewalk openings measured at the street lot line shall be thirty feet (30'); the minimum width shall be ten feet (10').

1006 RECREATIONAL VEHICLE PARKING

A maximum of one (1) uninhabited recreational vehicle in transportable condition may be stored or parked on a lot outside of an enclosed structure provided that the following are met:

- A. The recreational vehicle must be owned by: 1) the occupants of the property upon which the recreational vehicle is located; or 2) any authorized visitors of the property occupants.
- B. The recreational vehicle shall not be stored in any yard abutting a street that would obstruct the clear-sight triangle or vehicle sight line.

ARTICLE XI

NON-CONFORMING USES, STRUCTURES, AND LOTS

1101 STATEMENT OF INTENT

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

To achieve this end, lawful existing uses that would be prohibited or restricted under the terms of this Ordinance, or future amendments, and that do not conform to the character and regulations of the zoning district in which they are located must be subject to certain limitations. The regulations set forth below are intended to provide a gradual remedy for the undesirable conditions resulting from indiscriminate mixing of uses, and to afford a means whereby nonconforming uses can be gradually eliminated and reestablished in more suitable locations within the municipality. Similarly, lots, buildings or other structures that do not comply with one or more of the applicable district requirements as to lot width, minimum lot area and yard spaces, building coverage or height, etc. are deemed to be nonconforming.

- B. To avoid undue hardship, nonconforming uses of land, buildings, and structures shall generally be permitted to remain; the purpose of regulating non-conforming uses, which are not appropriate for their location, is to restrict further investment, when economically reasonable, in such non-conforming uses. Exceptions shall be made in those instances where extensive investment is involved to avoid any unnecessary harassment or hardship in the use of such facilities.
- C. To eliminate any undue hardship, nothing in this Ordinance shall be deemed to require any change in plans, specifications, construction or intended use of any building or structure for which plans, specifications and contract negotiations, or construction has started, prior to the effective date of this Ordinance, or amendments thereof.

1102 CONTINUATION OF USE

- A. A use, building or structure that shall be made nonconforming, as defined in Section 302, at the time of passage of this Ordinance, or any applicable amendment thereto, may be continued except as otherwise set forth in this Article.
- B. A use, building or structure in existence at the time of passage of this Ordinance shall be considered nonconforming if the yards, area, height, coverage, dimensions, off-street parking, or other conditions do not conform with the regulations for the zoning district (as enumerated in Article VI) in which the use, building or structure is located.

1103 REGISTRATION OF NON-CONFORMANCES

It shall be the responsibility of the party asserting a nonconformity to complete an Application for a Non-Conformance Certificate (Appendix B) and to provide the evidence that the nonconformity is legal. The Zoning Officer shall submit any application for a Non-Conformance Certificate to the Planning Commission for the Commission's review and recommendation with regard to the evidence of nonconformity, after which a written certificate of nonconformity shall be issued by the Zoning Officer upon satisfaction of the evidence provided. The property owner shall have the right to appeal to the Zoning Hearing Board any decision by the Zoning Officer denying the issuance of the certificate.

1104 REGULATION OF NONCONFORMING USES AND STRUCTURES

An existing nonconforming use or structure cannot be enlarged, reconstructed, substituted or structurally altered unless required to do so by law, order, or as follows:

A. Enlargement

1. Any nonconforming use or structure may be enlarged up to, but not more than thirty-five percent (35%) of its floor area and/or lot area, as it existed at the time of passage of this Ordinance. Such enlargement must conform to all other regulations of the zoning district where it is situated. This enlargement provision may be used only once for any nonconforming use or structure.
2. If more than one (1) structure exists on a property or properties containing a nonconforming use, the thirty-five percent (35%) expansion allowed by §1104 A. 1. above shall be applied to one (1) structure only.
3. No new structures shall be allowed as part of an enlargement of a nonconforming use.
4. Any nonconforming use or structure shall not, however, be expanded into a more restrictive zoning district than where it is located. In terms of restrictiveness the S-1 zoning district shall be considered the most restrictive followed by the R-1, R-2, A-1, C-1, M-1, and the M-2 as the least restrictive.
5. Any nonconforming use or structure may be enlarged or expanded in accordance with §1104 A. 1. above onto a new property of record only if that property is immediately adjacent to the existing location, the properties were both under the same ownership as of the effective date of this Ordinance, and the owner has clearly exhausted all alternatives available for enlargement or expansion on the existing property.

B. Repairs and Maintenance

1. Normal maintenance repairs and incidental alteration of a building or other structure containing a non-conforming use is permitted, provided it does not extend the area or volume of space occupied by the nonconforming use.
2. A building or other structure containing residential nonconforming uses may be altered in any way to improve interior livability, provided that no structural alterations shall be made that would increase the number of dwelling units or the bulk of the building.

C. Displacement and Change of Use

1. A nonconforming use may be changed into a conforming use. A nonconforming use may be changed into another nonconforming use only if permitted by the Zoning Hearing Board as a Special Exception and subject to the following conditions:
 - a. The applicant shall show that the nonconforming use cannot reasonably be changed to a conforming use.

- b. The applicant shall show that the proposed change will be equally or less objectionable in external effects than the existing nonconforming use, or more appropriate than the existing nonconforming use with regard to:
 - 1). Traffic generation and congestion.
 - 2). Nuisance elements as regulated under Section §809 of this Ordinance.
 - 3). Hours and manner of operation.
 - 4). Appearance.
 - 5). Impact on the surrounding neighborhood or general public welfare.
2. A nonconforming use shall not be extended to displace a conforming use, except to provide room for parking or loading facilities that will serve the nonconforming use and that will subsequently lessen traffic congestion resulting from the nonconforming use.
3. Buildings or structures, regardless of conformity or ownership, shall not be combined for the purpose of extending an existing nonconforming use, or for creating a different nonconforming use.

D. Restoration

When a nonconforming building is partially or totally destroyed by fire, explosion or other disaster, it may be restored to its original use provided the owner of the structure secures a zoning and building permit within six (6) months of such incident and the structure must be totally restored within one (1) year of the permit issuance, unless the owner requests an extension in writing not less than thirty (30) days prior to the end of the one-year period. Such extension shall be for a period of one (1) year, and a maximum of two (2) extensions may be requested.

Should the owner of the structure not comply with the time limits for restoring the structure, any future restoration or reconstruction of the structure and use must conform to the regulations of the zoning district, unless authorized as a special exception by the Zoning Hearing Board.

E. Termination

1. When discontinued for a period of one (1) year or more, a nonconforming use shall be terminated. If, however, in the opinion of the Zoning Hearing Board after a Special Exception hearing requested by the owner/applicant, the structure is not substandard and the design of the structure does not lend itself to conversion to a conforming use, this provision shall not apply.
2. Change to a conforming use shall be considered an abandonment of the nonconforming use, and such nonconforming use shall be terminated and cannot be reestablished.

F. Approval Granted Prior to Passage of Ordinance

A building, structure, or use that does not conform to this Ordinance, and where construction of such building, structure or use has not yet commenced but has been issued a zoning permit or that has obtained a preliminary subdivision or land development plan approval in compliance with existing laws prior to the passage of this Ordinance shall be deemed a legal nonconforming use. Should construction of such building, structure or use fail to commence prior to the expiration of the zoning permit and/or preliminary subdivision

or land development plan approval period, the nonconforming use shall be considered terminated at the time of the permit or plan approval expiration. A nonconforming building, structure, or use approved prior to the passage of this ordinance as part of a final subdivision or land development plan shall be considered terminated if said final plans are not recorded in the office of the Lackawanna County Recorder of Deeds within the time period as required by the Pennsylvania Municipalities Planning Code, Act 247, as amended.

G. Nonconforming Foundations Existing Prior to the Passage of Ordinance

A foundation without a supported structure above that does not meeting minimum setback requirements as required by this Ordinance and existed prior to the passage of this Ordinance shall not be considered a nonconforming structure as defined by this Ordinance. Construction of any structures after the passage of this Ordinance shall not be allowed on existing foundations that do not meet the current minimum setback requirements.

1105 NONCONFORMING LOTS

- A. Any principal-permitted use may be erected on any existing nonconforming vacant lot of record, provided that all district regulations regarding minimum yards, maximum lot coverage, and maximum building height; Specific Use Development Requirements; and Supplemental Provisions are met.
- B. Minimum side and rear yard requirements as provided for under §603 Schedule II-A or §604 Schedule II-B may be reduced by fifty percent (50%) of the minimum requirement on any existing nonconforming vacant lot of record.
- C. Any principal-permitted use that requires larger minimum lot dimensions (Article VII) than those required by §603 Schedule II-A or §604 Schedule II-B of this Ordinance shall not be permitted on nonconforming vacant lots of record.

1106 ZONING DISTRICT CHANGES

Whenever the boundaries of a zoning district are changed so as to transfer an area from one district to another district, the provisions of this Article XI shall apply to any nonconforming uses, structures, or lots existing in the district to which the area was transferred.

1107 CHANGE IN OWNERSHIP

Change in ownership of a nonconforming use, structure, or lot shall not affect its nonconformance status and shall be allowed to continue as the use, structure, or lot existed prior to the change in ownership.

ARTICLE XII

ADMINISTRATION AND ENFORCEMENT

1201 GENERAL PROCEDURE

A. Sequence of Permit Steps

Under the terms of this Ordinance, all new construction, alterations or changes in type of occupancy must be made in conformance with the requirements contained in this ordinance. All persons desiring to undertake such new construction, alterations or changes shall conform to the following general procedure, as well as to all other applicable provisions of this Ordinance.

1. Application for Permit. The applicant shall apply to the Zoning Officer for a Zoning Permit and Certificate of Compliance by filling out the appropriate application and by submitting the required fee.
2. Issuance of Zoning Permit. If the applicant's proposed action is in compliance with the regulations contained in this Ordinance, a Zoning Permit shall be issued by the Zoning Officer either on his own authority or, in certain cases as described below, after referral to the Zoning Hearing Board, Board of Supervisors or to the Planning Commission.
3. Action in Accordance with Zoning Permit. After receipt of the Zoning Permit and any other applicable permits, the applicant may proceed to undertake the construction, alteration or change in use permitted by the Zoning Permit.
4. Inspection by Zoning Officer. After completion of the construction, alteration or change in use, and before occupancy takes place on the premises, the Zoning Officer inspects the premises and issues a Certificate of Compliance/Occupancy if the actions are in accordance with the Zoning Permit.
5. Issuance of Certificate of Compliance/Occupancy. The receipt of the Occupancy Permit by the applicant ensures the right to continue the use as approved.

B. Zoning Permit Types

Under the terms of this Ordinance, six (6) general classes of Zoning Permits may be issued that complies with the appropriate sections of this Ordinance. Each of these classes requires a different procedural action as described below:

1. Permitted Use. An application for a "Permitted Use" Zoning Permit requires the review of the Zoning Officer, who determines whether the proposed construction, alteration or change in use is in accordance with the requirements of this Ordinance. The Zoning Officer then either issues or refuses to issue a Zoning Permit accordingly.
2. Special Exception. An application for a "Special Exception" Zoning Permit must be referred to the Zoning Hearing Board and to the Planning Commission by the Zoning Officer. The Zoning Officer is not empowered to make an independent decision on this matter, although he may submit recommendations to the Zoning Hearing Board and to the Planning Commission. The Planning Commission reviews the application and analyzes the proposed "Special Exception" to determine compliance with the provisions of this Ordinance. The Planning Commission then gives its

recommendations to the Zoning Hearing Board, which shall hold a hearing pursuant to public notice and make the final decision on the "Special Exception." The Zoning Hearing Board shall then notify the Zoning Officer to either issue or refuse a Zoning Permit accordingly.

3. Conditional Use. An application for a "Conditional Use" Zoning Permit must be referred to the Planning Commission by the Zoning Officer. The Zoning Officer is not empowered to make an independent decision on this matter, although the Zoning Officer may submit recommendations to the Planning Commission. The Planning Commission shall review the application and analyze the proposed "Conditional Use" to determine compliance with the provisions of this Ordinance. The Planning Commission shall submit its recommendations to the Township Board of Supervisors, which shall hold a hearing pursuant to public notice and make the final decision and notify the Zoning Officer to either issue or refuse the Zoning Permit accordingly.
4. Zoning Permit after an Appeal. The applicant may appeal any action taken by the Zoning Officer by submitting an application for an appeal to the Zoning Officer and to the Secretary of the Zoning Hearing Board. The Zoning Hearing Board shall give public notice of the date for a hearing to review the application to determine if the Zoning Officer has acted properly. After the hearing, and after reaching its decision, the Zoning Hearing Board shall order the Zoning Officer to either issue or refuse a Permit accordingly.
5. Permit After a Variance Request. Where the applicant feels that there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Ordinance the applicant may apply for a variance by submitting an application requesting such variance to the Zoning Officer and to the Secretary of the Zoning Hearing Board. The Zoning Hearing Board shall give public notice of the date for a hearing to review the application for a variance. After the hearing and after reaching its decision, the Zoning Hearing Board shall order the Zoning Officer to issue or refuse the Zoning Permit accordingly.
6. Permit After Request for Reclassification or Amendment. Where an applicant feels that the Zoning Ordinance is in need of change in any part, the applicant may petition the Township Board of Supervisors to consider an amendment to the ordinance. Such a petition shall be referred to the Planning Commission and County Planning Commission for their recommendations. The Township Board of Supervisors shall then, after public notice, hold a public hearing on the proposed amendment. After the hearing, the Township Board of Supervisors shall make their decision on the proposed amendment. If the amendment is adopted the applicant can then proceed to apply for a Zoning Permit in the manner applicable to the type of use that the applicant wishes to propose.

1202 ZONING OFFICER

A. Appointment

The Zoning Officer shall be appointed by the Township Board of Supervisors and shall not hold any elective office in the municipality. The Zoning Officer shall continue to serve the municipality until such time as the Township Board of Supervisors declares otherwise. The Zoning Officer shall meet any qualifications established by the Township Board of Supervisors and shall be able to demonstrate to their satisfaction a working knowledge of municipal zoning regulations.

B. Administration and Enforcement

The provisions of this Ordinance shall be administered by the Zoning Officer. The Zoning Officer shall have the following duties and powers:

1. Inform Applicants. The Zoning Officer shall provide information for prospective applicants as to the type of form to be filed, the information to be submitted, and explain the procedures for filing applications. Such information shall be offered as a public service and no charge shall be made for such service.
2. Form of Applications, Permits and Certificates. The form of all applications, permits and certificates to be used by the Zoning Officer under the terms of this Ordinance shall be prescribed by the municipality. Said applications, permits and certificates may be combined with other applications, permits and certificates required by the Uniform Construction Code.
3. Receive Applications. The Zoning Officer shall receive and examine all applications for permits and certificates required under the terms of this Ordinance.
4. Issue Permits. The Zoning Officer shall issue permits for the construction, alteration, or change of use, and certificates of compliance that are in accordance with the requirements of this Ordinance within thirty (30) days of the receipt of the applications for such permit or certificate.
5. Refuse Permits. The Zoning Officer shall refuse applications for permits or certificates that are not in accordance with the requirements of this Ordinance within thirty (30) days of the receipt of such application. Said refusal shall be in writing and shall state the reasons for such action.
6. Issue Notice of Violation. The Zoning Officer shall make a written notice of a violation and issue the same by certified mail on the person, firm or corporation violating any provisions of this Ordinance in accordance with §1209 of this Ordinance. A copy of said notice of violation shall be forwarded to the Township Board of Supervisors.
7. Keep Records. The Zoning Officer shall keep records of applications, permits or certificates issued or denied, of variances granted, of inspections made, or reports rendered and of notices of violations issued.
8. Monthly Report. The Zoning Officer shall submit a monthly report to the Township Board of Supervisors on the number of applications made, or permits or certificates issued or denied, of variances granted, of inspections made, of reports rendered, of notices of violations issued, and of any other information requested by the Township Board of Supervisors.
9. Other Powers and Duties. The Zoning Officer shall perform all other duties as may be provided or made necessary by the terms of this Ordinance.

1203 ZONING HEARING BOARD

A. Creation of Zoning Hearing Board

The Zoning Hearing Board of the Township of Ransom is hereby created (also referred to as the "Board") as set forth in the Pennsylvania Municipalities Planning Code, as amended.

B. Appointment and Terms of Members

The Zoning Hearing Board shall consist of five (5) residents of the Township appointed by resolution of the Township Board of Supervisors. The terms of office of the five-member Zoning Hearing Board shall be five (5) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Zoning Hearing Board shall promptly notify the Township Board of Supervisors of any vacancies that occur and any appointment to fill any vacancy shall be only for the unexpired portion of the term.

The Township Board of Supervisors may also appoint, by resolution, up to (3) residents of the Township to serve as alternate members of the Zoning Hearing Board. The term of office of the alternate members shall be three (3) years. An alternate member of the Zoning Hearing Board may participate in any proceeding or discussion of the Zoning Hearing Board but shall not be entitled to vote as a member of the Zoning Hearing Board nor be compensated unless designated by the chairman of the Zoning Hearing Board as a voting alternate member.

All members and alternate members of the Zoning Hearing Board shall hold no other office, board or authority membership, or employment in the Township.

C. Jurisdiction

The zoning hearing board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

1. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to sections 609.1 and 916.1(a) (2) of the Pennsylvania Municipalities Planning Code (MPC), Act 247, of 1968 as reenacted and amended.
2. Appeals from the determination of the zoning officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application thereof, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
3. Appeals from a determination by a municipal engineer or the zoning officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.
4. Applications for variances from the terms of the zoning ordinance and flood plain management ordinance or such provisions within a land use ordinance, pursuant to §1206 hereof.
5. Applications for special exceptions under the zoning ordinance or flood plain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to §1207 hereof.
6. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of the zoning ordinance.
7. Appeals from the zoning officer's determination under section 916.2 of the MPC.

8. Appeals from the determination of the zoning officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving applications under the municipality's subdivision and land development ordinance.

D. Interpretation of Zoning District Boundaries

Should a dispute arise over the location of a zoning district boundary, the Zoning Hearing Board shall decide on the exact location of the boundary line, applying the rules for interpreting district boundaries as specified in §404 of this Ordinance.

E. Other Duties and Powers

The Zoning Hearing Board shall perform such other duties as may be provided or made necessary by this Ordinance including the following:

1. To authorize the Zoning Officer to issue Zoning Permits for Special Exceptions, Variances, and Certificates of Nonconformance.
2. To hold hearings in accordance with Section 908 of the Pennsylvania Municipalities Planning Code, as amended.
3. To authorize the termination of a nonconforming use pursuant to Article XI.
4. To refer any pertinent matter to the Planning Commission for review and recommendation, and defer any decision thereon for a period of not more than thirty (30) days from the date of referral to the Planning Commission, pending a report from the Commission.
5. To maintain a record of all decisions and the findings upon which said decisions shall be based.

F. Organization

1. The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board, but the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board as provided in §1209 hereof. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Township and laws of the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the Township and shall submit a report of its activities to the Governing Body as requested by the Governing Body.
2. If, by reason of absence or disqualification of a member, a quorum is not reached, the chairman of the board shall designate as many alternate members of the board to sit on the board as may be needed to provide a quorum. Any alternate member of the board shall continue to serve on the board in all proceedings involving the matter or case for which the alternate was initially appointed until the board has made a final determination of the matter or case. Designation of an alternate pursuant to this section shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

G. Conflict of Interest

A Board member shall be disqualified from any matter before the board in which the member has:

1. A direct personal or financial interest.
2. Signed a petition relating to the matter before the board.
3. Expressed any bias, prejudice or individual opinion on the matter before the board, prior to the hearing and/or pending of a decision.

H. Referral to Planning Commission

The Zoning Hearing Board shall refer any applications or appeals that in the opinion of the Zoning Hearing Board require review by the Commission.

Within thirty (30) days of receipt of such an application from the Zoning Hearing Board, the Planning Commission shall review the application and recommend approval, disapproval, or approval subject to conditions or modifications and shall submit a written report to the Zoning Hearing Board stating all recommended conditions and modifications and the reasons for such approval or disapproval.

I. Removal of Members

Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Township Board of Supervisors taken after the Zoning Hearing Board member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the Zoning Hearing Board member shall request it in writing.

1204 PERMITS AND CERTIFICATES

A. Zoning Permits

The purpose of the Zoning Permit is to determine compliance with the provision of this Ordinance, and no person shall erect, structurally alter, or convert any structure, building or part thereof, nor alter the use of any land, subsequent to the adoption of this Ordinance, until a Zoning Permit has been issued by the Zoning Officer.

1. Application for Permits. All applications for Zoning Permits shall be in writing and on forms furnished by the Zoning Officer and shall be accompanied by a site plan and required fee.
2. Permits to be Shown. Zoning Permits shall be issued in duplicate and one (1) copy shall be kept conspicuously on the premises affected whenever construction work is being performed thereon. No owner, contractor, workman or other person shall perform construction work of any kind unless a Zoning Permit covering such work has been previously issued, and is being displayed as required by this Ordinance, nor shall construction work of any kind be conducted on the subject premises after notification of the revocation of said Zoning Permit.
3. Revocation of Permits. The Zoning Officer may revoke a Zoning Permit at any time if it appears that the application or accompanying plan is false or misleading, or that work being done upon the premises differs materially from that called for in the application. In such a case, the person holding the permit shall immediately

surrender it and all copies thereof to the Zoning Officer. Before issuing a new Zoning Permit, the Zoning Officer may require the applicant to file an indemnity bond in favor of the municipality with sufficient surety conditioned for compliance with this Ordinance and all building laws and ordinances then in force and in a sum sufficient to cover the cost of removing the building if it does not so comply.

B. Certificate of Compliance/Occupancy

A Certificate of Compliance, issued in duplicate, certifying that the premises complies with the provisions of this Ordinance and may be used for the purposes set forth in the permit, shall be issued by the Zoning Officer after inspection and prior to the use of any building or structure, or part thereof, for which a Zoning Permit is required, or for any change of use of any existing building or structure or part thereof, or for any change of land use. A record shall be kept of all Certificates of Compliance/Occupancy, and the original applications shall be kept on file in the office of the Zoning Officer.

1. Application for Certificate of Compliance/Occupancy. Application for a Certificate of Compliance shall be made in writing on a form furnished by the Zoning Officer setting forth such facts as the Zoning Officer may require.
2. Permit Shall Continue. Any Certificate of Compliance/Occupancy once granted shall continue in effect so long as there is no change of use, regardless of change of owners, tenants or occupants.

1205 APPEALS

A. Appeal from Decision of Zoning Officer

1. Any person, officer of the municipality, or firm or corporation that deems itself aggrieved by any order of the Zoning Officer shall have the right to file a written appeal to the Zoning Hearing Board within thirty (30) days of the issuance of said order. Such appeal shall contain the information required in §1205 D. and a duplicate copy shall be sent to the Zoning Officer. The Zoning Officer shall transmit to the Zoning Hearing Board all papers constituting the record upon which the action appealed from was taken.
2. It shall be competent for the Zoning Officer to recommend to the Zoning Hearing Board a modification or reversal of this action in cases where he believes substantial justice requires the same but where the Zoning Officer does not have the authority to grant the relief sought. The Zoning Hearing Board shall conduct a hearing and render a decision on the appeal pursuant to the requirements and time limits prescribed in §1209 of this Ordinance. Any party may appear in person or be represented by an agent or attorney.

B. Expiration of Appeal Decision

Unless otherwise specified by the Zoning Hearing Board, a decision on any appeal or request for a variance shall expire if the applicant fails to obtain any necessary Zoning Permit, or comply with the conditions of said authorized permit within one (1) year from the date of authorization thereof.

C. Stay of Proceedings

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

D. Information Required on Appeals to the Zoning Hearing Board

All appeals and applications to the Zoning Hearing Board shall be in writing on forms prescribed by the Zoning Hearing Board. Every appeal or application shall include the following:

1. The name, address, and phone number of the applicant, or appellant.
2. The name, address, and phone number of the owner of the parcel to be affected by such proposed change, or appeal.
3. Tax map number (a.k.a. Property Identification Number) of the affected parcel.
4. Names and addresses of all adjacent property owners within three hundred feet (300') of the affected parcel.
5. A brief description and location of the parcel to be affected by such proposed change, or appeal.
6. A statement of the present zoning classification of the parcel in question, the improvements thereon and the present use thereof.
7. A statement of the section of this Ordinance under which the appeal is made, and reasons why it should be granted or a statement of the section of this Ordinance governing the situation in which the alleged erroneous ruling is being appealed, and the reasons for this appeal.
8. A reasonable accurate description of the present improvements, and the additions or changes intended to be made under this application, indicating the size of such proposed improvements, material, and general construction thereof. In addition,

there shall be attached a plot plan of the real property to be affected, indicating the location and size of the lot and size of improvements existing thereon and proposed to be erected thereof.

1206 VARIANCES

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

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
- B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- C. That such unnecessary hardship has not been created by the appellant.
- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance, and to protect the public health, safety, and welfare.

Upon approval of a variance, the Board shall direct the Zoning Officer to issue a permit to the applicant, which permit shall authorize the applicant to proceed with development in accordance with the terms of the approved variance.

Variances shall be valid for a period of one (1) year from the date of approval. If the proposed development or use for which the variance was granted is not commenced within one (1) year of approval, the applicant shall submit a new application for a variance and shall require approval thereof.

1207 SPECIAL EXCEPTIONS

A. Board Action

Special Exceptions, as enumerated in §502 of this Ordinance, shall be permitted only upon authorization by the Zoning Hearing Board. The Zoning Officer shall refer such applications to the Planning Commission for their review and recommendations. The Board shall hear

and decide requests for special exceptions in accordance with the standards and criteria set forth herein. In granting a special exception, the board may attach such reasonable conditions and safeguards, in addition to those expressed in this ordinance, as it may deem necessary to implement the purposes of this zoning ordinance and Act 247 as amended.

B. Review Criteria

Approval of special exceptions shall be authorized only if they are found to comply with the following requirements and other applicable requirements as set forth in this Ordinance.

1. That the use is a permitted Special Exception in the applicable zoning district as set forth in Schedule I hereof.
2. That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
4. That the use shall be compatible with adjoining development and the character of the neighborhood where it is proposed to be located.
5. That adequate landscaping and screening is provided as required in §806 and §808 of this Ordinance and as otherwise provided herein.
6. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
7. That the use conforms to all applicable regulations governing the use, as specified herein.
8. That such use shall not result in unsafe traffic conditions, traffic congestion or other dangerous traffic conditions.

C. Affect of Filing an Application

When an application for a special exception has been filed with the Zoning Hearing Board, and the subject matter of such application would ultimately constitute either a "land development" as defined in Section 107 or a "subdivision" as defined in Section 107 of the PA Municipalities Planning Code, Act 247, as amended, no change or amendment of the zoning, subdivision or other governing ordinance or plans shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. Provided, further, should such an application be approved by the Zoning Hearing Board, the applicant shall be entitled to proceed with the submission of either land development or subdivision plans within a period of six (6) months or longer or as may be approved by the Zoning Hearing Board following the date of such approval in accordance with the provisions of the governing ordinance or plans as they stood at the time the application was duly filed before the Zoning Hearing Board. If either a land development or subdivision plan is so filed within said period, such plan shall be subject to the provisions of Section 508 (1) through (4) of the PA Municipalities Planning Code, Act 247, as amended, and specifically to the time limitations of Section 508 (4) which shall commence as of the date of filing such land development or subdivision plan.

1208 CONDITIONAL USES BEFORE THE BOARD OF SUPERVISORS

A. Procedure

Conditional uses shall be allowed only upon a determination by the Board of Supervisors that they comply with the standards and criteria set forth herein. The governing body shall hold hearings on and decide requests for conditional uses in accordance with the standards and criteria set forth herein. The hearing shall be conducted by the governing body or the governing body may appoint any member or an independent attorney as a hearing officer. The decision shall be made by the governing body. However, the applicant, in addition to the municipality, may, prior to the decision of the hearing, waive decision by the governing body and accept the decision of the hearing officer as final. In granting a conditional use, the governing body may attach such reasonable conditions and safeguards, in addition to those expressed in the ordinance, as it may deem necessary to implement the purposes of this ordinance.

B. Timing and Administrative Procedures

1. The governing body shall render a written decision on the conditional use application within 45 days after the last hearing before the governing body. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefore. Conclusions based on any provisions of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
2. Where the governing body fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in Section 908 (1.2) of the MPC, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the governing body to meet or render a decision as hereinabove provided, the governing body shall give public notice of the decision within ten days from the last day it could have met to render a decision. If the governing body shall fail to provide such notice, the applicant may do so.
3. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision shall be delivered to the applicant personally or mailed to him no later than the day following its date. Delivery of the decision shall be in a manner that provides the Board of Supervisors with evidence of receipt of the decision by the applicant.
4. The Board of Supervisors may, upon a review of the application including the environmental assessment, establish such additional requirements for the development and the operation of the conditional use as may be required to protect the public health, safety and general welfare of the community; provided, however, that such additional requirements shall not be related to off site transportation or road improvements.
5. Application for a Conditional Use shall be referred to the Planning Commission for review; and, no such application shall be finally authorized until the Planning Commission has submitted its review findings, or until 30 days after referral to the Planning Commission, whichever occurs first.

6. No Conditional Use shall be authorized without a hearing thereon. Hearings shall be conducted pursuant to §1209 hereof.

C. Review Criteria

Approval of conditional uses shall be authorized only if they are found to comply with the following requirements and other applicable requirements as set forth in this Ordinance.

1. That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
2. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
3. That the use shall be compatible with adjoining development.
4. That adequate landscaping and screening is provided as required in §806 and §808 and as otherwise provided herein.
5. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
6. That the use is compatible with the Township's Comprehensive Plan.
7. An environmental assessment shall be submitted with all applications for conditional uses in accordance with §1208 D. hereof.

D. Environmental Assessment

1. All applications for a Conditional Use must be accompanied by an Environmental Assessment as specified herein; provided, however, that upon the request of the developer, components of the Environmental Assessment may be waived by the Board of Supervisors when such components are deemed unnecessary for certain Conditional Uses.
2. The purpose of the Environmental Assessment is to provide the Board of Supervisors with sufficient information to determine if the proposed use will be harmful or beneficial to the Township; and to determine corrective actions if needed to mitigate potential adverse environmental impacts.
3. Due to the importance of securing professional, objective data in the Environmental Assessment, the selection of the professionals to be engaged in its preparation shall be subject to the approval of the Board of Supervisors. The developer will further provide the Board of Supervisors with assurances, adequate to protect the Township from violations of non-compliance with measures required to mitigate identified adverse environmental impacts.
4. Content of the Environmental Assessment

a. Description of the Proposal

Describe the proposed or recommended actions, its purpose, where it is to be located, when it is proposed to take place, and its interrelationship with other

projects or proposals, including information and technical data sufficient to permit assessment of environmental impact by the Township.

b. Description of the Environment

Include a comprehensive description of the existing environment without the proposal and the probable future environment with the proposal. This description should focus both on the environmental details most likely to be affected by the proposal and on the broader regional aspects of the environment, including ecological interrelationships. Particular attention should be given to the potential effects of past or present use of the site as a repository for toxic or hazardous wastes.

c. The Environmental Impact of the Proposed Activities

Describe the environmental impacts of the proposed action. These impacts are defined as direct or indirect changes in the existing environment, both beneficial and detrimental. Whenever possible these impacts should be quantified. This discussion should include the impact not only upon the natural environment but upon land use as well. Provide separate discussion for such potential impacts as man-caused accidents and natural catastrophes and their probabilities and risks. Specific mention should also be made of unknown or partially understood impacts.

d. Mitigating Measures Included in the Proposed Action

Include a description of measures which are proposed to be taken or which are required to be taken to enhance, protect, or mitigate impacts upon the environment, including any associated research or monitoring.

e. Any Adverse Effects That Cannot be Avoided Should the Proposal be Implemented

Include a discussion of the unavoidable adverse impacts described in 1208 D. 4. c. & d. above, and an analysis of whom or what will be affected and the degree of impact.

f. The Relationship Between Local Short-Term Use of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

Describe the local short-term use of the environment involved in the proposed action in relation to its cumulative and long-term impacts and give special attention to its relationship to trends of similar actions which would significantly affect ecological interrelationships or pose long-term risk to health or safety. Short-term and long-term do not refer to any fixed time period, but should be viewed in terms of the various significant ecological and geophysical consequences of the proposed action.

g. Any Irreversible and Irretrievable Commitments of Resources Which Would be Involved in the Proposed Action Should it be Implemented

Describe, and quantify where possible, any irrevocable uses of resources, including such things as resource extraction, erosion, destruction of

archaeological or historical sites, elimination of endangered species' habitat, and significant changes in land use.

h. Alternatives to the Proposed Action

Identify alternatives to the proposed action, and describe the environmental impacts, both beneficial and adverse, of the various alternatives considered.

5. Outline Considerations for Developing Environmental Assessment

a. Description of the Proposal

- 1) Who is proposing the action?
- 2) What is the nature of the action to be taken?
- 3) What is it designed to accomplish? What identified needs will be met and to what degree?
- 4) Where will it take place?
- 5) When will it take place? Indicate phasing of acquisition and development activities, if applicable, and timetables for completion.
- 6) How does it fit in with local Planning efforts, comprehensive plans, etc.

b. Description of the Environment

- 1) Present and past land uses of the site and of the surrounding area.
- 2) Special topographic features which may be present.
- 3) Describe the site's surface and subsurface geologic characteristics.
- 4) Describe the nature of the soils in the area, particularly their fertility and susceptibility to erosion.
- 5) Describe the area's water resources, with specific reference to ground water, water quality, aquifers and aquifer recharge areas, and areas subject to flooding.
- 6) Describe the area's vegetation, including species composition, distribution, commercial utility and aesthetics. Special reference should be made to unusual or unique species.
- 7) Describe the nature of existing transportation routes in the immediate area and the accessibility to the project site.

c. Environmental Impact of the Proposed Action

- 1) What will be the effect on land uses in the area?
- 2) Will the project affect a site listed on the National Register of Historic Places?

- 3) In what way will soils and topography be affected? Consider such things as soil compaction, erosion, exposure of slopes, excavation which may create unstable slope/soil configurations, cutting and filling, removal of topsoil, paving, loss of existing natural landscape qualities, blockage of view lines to landmarks, blockage of view corridors, etc.
- 4) Will solid wastes be generated? How and where will they be disposed of? Indicate what types and volumes will be generated and how and where it will be stored prior to disposal and method of disposal. Discuss removal of clearance, demolition, and construction wastes.
- 5) How will water resources be affected? Consider the water table, runoff, sewer systems, rivers and streams, water supply, etc. Indicate content of any effluent which will be discharged. Address loss of floodwater absorption capacity in natural absorption areas, effects on stream volume, velocity, and seasonal flows, diversion or blockage of surface water, alterations of natural watercourses, introduction or increase of effluents or toxic, hazardous, or radioactive substances to runoff or water bodies, effects on aquatic life, any blockage or impairment of access to watercourses, effects on groundwater recharge, release of groundwater supply, withdrawal of groundwater supplies, blockage of groundwater flow, contamination of groundwater supply, effect on water temperatures, sedimentation, changes in levels of water bodies.
- 6) How will vegetation be affected? Discuss the removal of ground cover, loss of valuable local species, loss of wildlife habitat, introduction of vegetation which will spread to adjacent lands, introduction of exotic vegetation, creation of areas of highly visible, drying, or decaying vegetation.
- 7) How will fauna be affected? Consider habitat destruction, reduction of population, impact caused by human intrusion, mobility restrictions, food chains, etc.
- 8) How will transportation routes be affected? Consider congestion, hazards, capacities of affected roads and intersections and traffic to be generated, generation of truck traffic.
- 9) Effect on air quality and ambient noise level? Include what odors will originate; types and concentrations of gases, vapors, particulates, and smoke; noise and vibration levels at property lines and the level of heat and/or glare. Indicate levels of electromagnetic radiation at property lines. Indicate effects on local temperatures and wind circulation and whether there are any plants, animals, or materials in the area that are particularly susceptible to expected emissions. Indicate the nature, concentration and quantity of radioactive material to be discharged to the environment, pathways for entering the environment, dose to populations and biota, and possible concentrations through food chains.
- 10) Describe management practices proposed for the area.

d. Mitigating Measures Included in the Proposed Action

Describe actions or measures which will be taken to avoid or alleviate adverse environmental effects. Include reference to erosion control methods and adherence to air, noise or water pollution control techniques and standards.

e. Unavoidable Adverse Effects

If adverse effects have been identified under other sections of the Environmental Impact Study and cannot be mitigated, they should be again identified here. Describe who or what will be affected, and to what degree. Quantify wherever possible.

f. Relationship Between the Local Short-Term Use of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity

What are the impacts of the proposal in the context of other similar projects? In what way will future generations be affected by the currently proposed actions?

How do the immediate and long-range impacts on the area with the project compare with the immediate and long-range impacts without the project?

g. Any Irreversible and Irretrievable Commitments of Resources

Describe any irrevocable commitments of resources resulting from implementation of the proposal. An evaluation must be made of the extent to which the proposed action curtails or restricts the range of possible resources uses. Such commitments may occur because of resources extraction, erosion, destruction of archaeological, geological or historic features, destruction of fragile habitat or endangered species habitat, unalterable changes in land use, and resources used in project development.

h. Alternatives to the Proposed Action

Identify alternatives which may be considered, including modification of the present proposal and different approaches to gaining the same result.

The beneficial and adverse effects of the alternatives should be discussed, along with the reasons for rejection. Where appropriate, consideration should be given to alternate construction methods which may avoid environmental degradation.

1209 HEARINGS

The Zoning Hearing Board, or Board of Supervisors if applicable, shall conduct hearings and make decisions in accordance with the following requirements:

- A. Public notice shall be given, and written notice shall be given to the applicant, the zoning officer, adjacent property owners within 300 feet of the property in question, and to any person who has made timely request for the same. Written notice shall be given to the applicant by certified mail. All others shall be given written notice in a manner prescribed by the governing body. In addition to the written notice provided herein, written notice of said

hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.

- B. The governing body may prescribe reasonable fees with respect to hearings before the zoning hearing board. Fees for said hearings may include compensation for the secretary and members of the zoning hearing board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the zoning hearing board, expenses for engineering, architectural or other technical consultants or expert witness costs.
- C. The first hearing before the board or hearing officer shall be commenced within 60 days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing before the board or hearing officer shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the board or hearing officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete his case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and municipality, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.
- D. The hearings shall be conducted by the board or the board may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the board; however, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive decision or findings by the board and accept the decision or findings of the hearing officer as final.
- E. The parties to the hearing shall be the municipality, any person affected by the application who has made timely appearance of record before the board, and any other person including civic or community organizations permitted to appear by the board. The board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the board for that purpose.
- F. The chairman or acting chairman of the board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- H. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- I. The board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the

applicant and the board. The cost of the original transcript shall be paid by the board if the transcript is ordered by the board or hearing officer or shall be paid by the person appealing from the decision of the board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

- J. The board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
- K. The board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his decision or findings are final, the board shall make his report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the board prior to final decision or entry of findings, and the board's decision shall be entered no later than 30 days after the report of the hearing officer. Except for challenges filed under section 916.1 of the Pennsylvania Municipalities Planning Code where the board fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in subsection C. of this section, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the board to meet or render a decision as hereinabove provided, the board shall give public notice of said decision within ten days from the last day it could have met to render a decision in the same manner as provided in subsection A. of this section. If the board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.
- L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the board not later than the last day of the hearing, the board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

1210 AMENDMENTS

The Township Board of Supervisors may, on its own motion or by petition, amend, supplement, change, modify or repeal this Ordinance, including the Zoning Map, by proceedings in accordance with Section 609 of the Pennsylvania Municipalities Code, as amended.

1211 LANDOWNER CURATIVE AMENDMENTS

A landowner who desires to challenge on substantive grounds the validity of this Ordinance or Zoning Map, or any provision thereof, that prohibits or restricts the use or development of land in which he has an interest may do in accordance with Section 609.1 of the Pennsylvania Municipalities Planning Code, as amended (MPC).

1212 MUNICIPAL CURATIVE AMENDMENTS

If the township determines that this Zoning Ordinance or any portion thereof is substantially invalid, it shall take action as prescribed in Section 609.2 of the Pennsylvania Municipalities Planning Code, as amended (MPC).

1213 ENFORCEMENT AND VIOLATIONS

A. Complaints of Violations

Whenever a violation of this Ordinance occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate and report thereon.

B. Enforcement Procedures

1. Enforcement Notice

- a. If it appears to the Township that a violation of this zoning ordinance has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this section.
- b. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.
- c. An enforcement notice shall be mailed to the alleged violator by certified mail and shall state at least the following:
 - 1) The name of the owner of record and any other person against whom the Township intends to take action.
 - 2) The location and tax map number (a.k.a. Property Identification Number) of the property in violation.
 - 3) The specific violation with a description of the requirements that have not been met, citing in each instance the applicable provisions of the Ordinance.
 - 4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - 5) That the recipient of the notice has the right to appeal to the zoning hearing board within the prescribed period of time and in accordance with procedures set forth in §1205 hereof.

- 6) That failure to comply with the notice within thirty (30) days of the date of said notice, unless extended by appeal to the zoning hearing board, constitutes a violation, with possible sanctions clearly described.

2. Causes of Action

In case any building, structure, landscaping, or land is or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this ordinance, the governing body, or with the approval of the governing body an officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on the governing body of the Township. No such action may be maintained until such notice has been given.

3. Appeals

Any recipient of a notice of enforcement shall have the right to appeal to the zoning hearing board to remove such notice. Such appeals, however, must be filed with the zoning hearing board not more than ten (10) business days following the receipt of such an enforcement notice.

C. Enforcement Remedies

1. Magisterial district judges shall have initial jurisdiction over proceedings brought under this subsection C.
2. Any person, firm or corporation who or which has violated or permitted the violation of any of the provisions of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation until the fifth day following the date of the determination of a violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination by the magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Ordinance shall be paid over to the Municipality.
3. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

4. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township, the right to commence any action for enforcement pursuant to this section.

D. Actions Initiated Prior to Passage of Ordinance

The passage of this Ordinance shall not automatically suspend any pending actions instituted one (1) year or less prior to said passage against any person, firm, or corporation accused to be in violation of Township zoning laws existing prior to said passage. Before any proceedings may be suspended, an appropriate legal determination must be made as to whether or not the person, firm or corporation is also in violation of this Ordinance. If it is ruled that the person, firm, or corporation is not in violation of this Ordinance then the action may be suspended; if the ruling is otherwise, then the proceedings shall continue as instituted.

E. Fees

As authorized by Section 617.2(e) and Section 908(1.1) of the Pennsylvania Municipalities Planning Code (MPC), the Township Board of Supervisors shall establish by resolution a uniform schedule of fees, charges and expenses, as well as a collection procedure, for zoning permits, zoning hearing board and Board of Supervisors proceedings, and other matters pertaining to this Ordinance.

Permits shall be issued only after fees have been paid in full, and the Zoning Hearing Board or Board of Supervisors shall take no action on appeals, variances, special exceptions, and/or conditional uses until all fees have been paid in full.

The appearance fee for a stenographer at hearing proceedings shall be shared equally by the applicant and the Township. The cost of the original transcript shall be paid by the Township, or shall be paid by the Township if the transcript is ordered by the Zoning Hearing Board, or shall be paid by the person appealing from the decision of the Zoning Hearing Board if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting the copy or copies. In other cases, the party requesting the original transcript shall bear the cost.

1214 APPEALS TO COURTS

The procedure set forth in Article X-A of the Pennsylvania Municipalities Planning Code as amended (MPC) shall constitute the exclusive mode for securing review of any decision rendered pursuant to Article XII of this Ordinance, or deemed to have been made under the jurisdiction of the Pennsylvania Municipalities Planning Code as amended (MPC).

APPENDIX A

SINGLE LOT RESIDENTIAL STORM WATER MANAGEMENT PLAN

**Owner/Developer/Applicant
Information**

_____ Last Name	_____ First Name	_____ M.I.	_____ Phone Number
_____ Present Address (No. & Street)		_____ City/Town	_____ State
			_____ Zip

**Residential Lot
Information**

_____ Project Address (No. & Street)	_____ City/Town	_____ State	_____ Zip
_____ Lot Size	_____ House length & width	_____ Driveway length & width	

The requirements for Storm Water Management found in Section 813 of the Ransom Township Zoning Ordinance will be satisfied if the following conditions and limitations are met:

1. The project is single lot residential construction.
2. There is no contiguous land undergoing development by the same owner, builder, or developer.
3. Total site impervious cover does not exceed 15% of the lot size; and
4. Total land area disturbed during construction is less than 10,000 square feet. Land area that is disturbed for septic system construction may be subtracted from the total disturbed area provided it is revegetated.

Conditions

The following conditions for design and construction shall be met and maintained. Should circumstance exist preventing one or more of these conditions from being satisfied, alternative techniques may be implemented at the discretion of the Ransom Township Engineer upon review of the alternative techniques by another professional consultant or outside agency, such as PA DEP or the county conservation district.

Design

1. All storm water practices shall be designed and located to prevent basement seepage, erosion, flooding, or other damage to adjacent or downstream properties.
2. The drainage area to each rooftop downspout shall be 500 square feet or less. Drainage areas to individual downspouts greater than 500 square feet shall be treated using drywells, raingardens, or other non-structural Best Management Practices per the PA Stormwater Best Management Practices Manual.
3. All rooftop downspouts shall discharge to and drain continuously through an adequate length of vegetation (e.g., vegetated channels, French drains, swales, or filter strips) in a non-erosive manner.
4. To the extent practical, all other site impervious areas shall discharge to and drain continuously through vegetation in a non-erosive manner.
5. The total impervious area draining to any single discharge point shall be 1,000 square feet or less.
6. It is recommended that all access roads and/or driveways constructed for this project use open sections in lieu of curb and gutter.
7. If site conditions exist that prevent all the conditions of this Single Lot Residential Plan from being met, the owner/developer shall submit a Storm Water Management Plan to the Ransom Township Engineer in accordance with the Ransom Township Storm Water Management Ordinance.
8. The Ransom Township Engineer will inspect the site prior to issuance of the zoning permit by the Zoning Officer. He or she will determine if adequate grading is possible or if drywells are required.
9. Ransom Township shall be contacted at least 48 hours prior to the start of drywell construction to schedule an inspection.
10. The proposed work shall not impact waters and/or wetlands of the State and any associated buffers without authorization from the appropriate Federal and/or State agencies. Permits required by Federal or State agencies for the protection of wetlands are the responsibility of the property owner, contract purchaser, or authorized agent.
11. All storm water practices and/or runoff controls shall be installed according to this Single Lot Residential Plan. Subsequent alteration or modification of these practices requires approval from the Township Engineer.
12. The applicant/homeowner shall maintain in good condition all storm water practices constructed in accordance with this Standard Plan.
13. Access to the site will be made available at all reasonable times during construction and with reasonable notification after construction for inspection by the Zoning Officer and Township Engineer.
14. The applicant/homeowners shall promptly repair and/or restore all storm water practices found in noncompliance by the Township Engineer.
16. The Township Engineer reserves the right to deny approval under this Single Lot Plan and require that a design be prepared according to the Ransom Township Storm Water Management Ordinance.
17. Nothing in this Single Lot Residential Plan relieves the applicant from complying with any and all Federal, State, and local laws and regulations.

Certification

I certify that I have the authority to make application using this Standard Plan; that the information contained herein is correct and accurate; and that all clearing, grading, construction, and development will be conducted according to this Standard Plan and all laws and regulations.

Name (Please Print)

Signature

Date

Storm Water Management achieved through grading

Yes

No

Township Engineer

Date

Storm Water Management achieved through drywells

Yes

No

Township Engineer

Date

APPENDIX B

INSTRUCTIONS
FOR APPLYING FOR A CERTIFICATE OF NON-CONFORMANCE

This form is to request a Certificate of Non-Conformance for properties not currently in compliance with the provisions of the Ransom Township Zoning Ordinance. That is, uses that were lawfully established or structures/lots that were lawfully sited/plotted prior to the enactment of the Zoning Ordinance or any subsequent revision that would otherwise prohibit such structure or use today may be registered as non-conforming and receive a certificate attesting to such.

1. Complete the request form.
2. For non-conforming structures or lots, have a Pennsylvania registered surveyor survey the property and...
3.
 - a. Locate or set all corner pins.
 - b. Provide all dimensions and bearings and the total gross and net acreage of the property.
 - c. Plot on the survey map the location and distance to property lines and bodies of water of all the structures.
 - d. Provide a copy of the property deed.
3. For non-conforming uses (those not permitted in the applicable zoning district as established by Section 504, Schedule I), add a narrative describing...
 - a. The current use of the property or structure.
 - b. When the use was established or structure built.
4. Locate evidence of when the use was established and/or structure built. (This can be dated photographs, utility or sales records, licenses and permits issued for the property, dated newspaper articles, tax records, receipts, or anything else that may tell the history of the property.)
5. Submit this form, the survey map, deed, narrative, evidence of establishment and a check for \$50.00 (payable to Ransom Township) to:
Ransom Township
2435 Hickory Lane
Clarks Summit, PA 18411
6. If you have any questions call the Ransom Township Municipal Office at 570-586-7250.
7. Upon receipt of the application, the Zoning Officer and Planning Commission will investigate the property. You may be contacted for additional information. If the use/structure can be verified as having been lawfully established in conformance of the laws in effect at that time, a certificate will be issued by the Zoning Officer. If the certificate is denied, you may appeal the decision to the Zoning Hearing Board (additional applications and fees will apply).

RANSOM TOWNSHIP

Request for a Certificate of Non-Conformance

Name of Property Owner:	Tax Map ID #
	Zoning District:
Permanent mailing address of property owner:	
Street address of the property for which the certificate is requested:	
Nature of non-conformance (check all that apply):	
☐ Non-conforming Structure	☐ Other (list below)
☐ Non-conforming Lot	
☐ Non-conforming Use	
Describe the use of the property (Use additional sheet if necessary):	
I have enclosed (check as applicable)...	
☐ A certified survey map of the property which shows all the structures on the property and the extent of non-conformance and a copy of the property deed	
☐ A narrative describing the use of property	
☐ Evidence of when use was established and/or structure built	
☐ A check for \$50.00 made payable to Ransom Township	

I certify that the information provided on this form and submitted accessory to this form are correct and true to the best of my knowledge and belief. I understand that false statements are made subject to 18 pa.C.S.A. §4904 relating to unsworn falsification to authorities. I hereby request that a Certificate of Non-Conformance be issued for the subject property.

Signature

Date