

ORDINANCE NO. / - 2012

At a special meeting of the Board of Supervisors of Morris Township, Greene County, Pennsylvania, held on Wednesday, November 28, 2012, at 3:15 P.M. at the Morris Township Municipal Building, 1317 Browns Creek Road, Sycamore, Greene County, Pennsylvania, a quorum being present, the following ordinance was adopted.

WHEREAS, the Board of Supervisors of Morris Township, Greene County, Pennsylvania, requested the Morris Township Planning Commission to review Act 13 and a recently adopted Campground Ordinance and prepare amendments to the Morris Township Zoning Ordinance.

WHEREAS, The Morris Township Planning Commission held a public meeting on Tuesday, August 14, 2012, pursuant to public notice on July 31, 2012 and August 7, 2012, in newspaper of general circulation within Morris Township, completed its work and made a motion to present the Board of Supervisors the proposed Amendments to the Zoning Ordinance, together with recommendations and explanatory materials. Informally, the said documents were presented to the Board of Supervisors.

WHEREAS, on Thursday, September 6, 2012, the Board of Supervisors of Morris Township formally received the proposed Amendments to the Zoning Ordinance, together with recommendations and explanatory materials, adopted a Resolution to (1) hold a public hearing on Tuesday, October 4, 2012, at 6:00 P.M. at the Nineveh Community Center, Nineveh,

Greene County, Pennsylvania, as part of a regular meeting, pursuant to public notice in newspaper of general circulation within Morris Township; (2) at least 30 days prior to date of the hearing, a copy of said proposed Amendments to the Zoning Ordinance be forwarded to the Greene County Planning Commission for their review and comment; and (2) at least one week prior to date of the hearing, a notice of the public hearing be conspicuously posted at points notifying potentially interested citizens.

WHEREAS, in as much as the rezoning constitutes a comprehensive rezoning, a notice of public hearing was not be sent by first-class mail to the addresses of all real estate within the area being rezoned.

WHEREAS, on August 31, 2012, at least 30 days prior to October 4, 2012, the date of the public hearing, a copy of said proposed Amendments to the Zoning Ordinance were forwarded to the Greene County Planning Commission for their review and comment.

WHEREAS, September 27, 2012, at least one week prior to date of the hearing, a notice of the public hearing be conspicuously posted at points notifying potentially interested citizens.

WHEREAS, the Board of Supervisors held a public hearing on October 4, 2012, pursuant to public notice on September 16, 2012 and September 26, 2012 in newspaper of general circulation within Morris Township.

WHEREAS, said proposed Amendments to the Zoning Ordinance have not been changed substantially or revised to include land previously not affected by it.

WHEREAS, by Resolution dated November 1, 2012, the Board authorized the publication, advertisement, and availability of the proposed zoning amendments, pursuant to the Provision of Section 610 of the MPC, for a special meeting of the Board to be held on Wednesday, November 28, 2012, at 3:15 p.m.

WHEREAS, on November 20, 2012, the Board of Supervisors pursuant to Section 610 of the Municipal Planning Code advertised its intention to enact the proposed amendments on Wednesday, November 28, 2012, at 3:15 p.m. Further the Board supplied a copy of the proposed Amendments to a newspaper of general circulation in Morris Township and an attested copy to the Greene County Law Library.

WHEREAS, no substantial amendments are made to the proposed amendments.

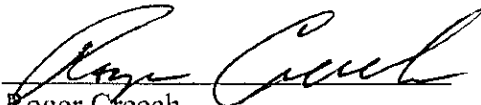
WHEREAS, said Board of Supervisors desire to adopt said Amendments to the Zoning Ordinance.

NOW, THEREFORE, it is ordained and enacted by the Board of Supervisors of Morris Township, Greene County, Pennsylvania, that said Board adopt the proposed Amendments to the Zoning Ordinance of Morris Township, Greene County, Pennsylvania, as set forth in Exhibit "A" attached hereto.


FURTHER, it is enacted and ordained that within 30 days of enactment a copy of the Amendments to the Zoning Ordinance shall be forwarded to the Greene County Planning

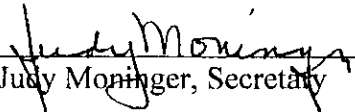
Commission.

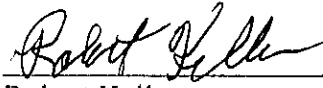
MORRIS TOWNSHIP
BOARD OF SUPERVISORS

BY: 
Roger Creech

ATTEST:


Glenn Adamson


Judy Moninger, Secretary


Robert Keller

ARTICLE 1

LAND USE ORDINANCE

100 GENERAL PROVISIONS:

101 TITLE: This Ordinance is known as and may be cited as the Morris Township Land Use Ordinance:

102 EFFECTIVE DATE: This Ordinance shall take effect on the 28th day of November, 2012.

103 PURPOSE, INTERPRETATION, AND CONFLICTS: In interpreting and applying the provisions of this ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, conveniences, comfort, morals, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any ordinance, rule, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this ordinance, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance; nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this ordinance shall control.

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

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

ARTICLE 2

201 APPLICABLE DEFINITIONS:

Except where specified in the following definitions all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "occupied" or "used" shall include "arranged, designed,

constructed, altered, converted, rented, leased, or intended to be used"; and the word "shall" is intended to be mandatory; the word "abut" shall include the words "directly across from."

201.1 ACCESSORY USE OR STRUCTURE. A use or structure subordinate to and located on the same lot as the principal use or building and serving a purpose customarily incidental to the use of the principal building

201.1A. ADULT-ORIENTED USE - Any adult bookstore, adult cabaret, or adult mini-motion picture theater, as defined herein and which, under the Pennsylvania Obscenity Code, must exclude minors or may not knowingly disseminate to minors.

- (a) ADULT STORE - an establishment, having a substantial or significant portion of its stock in trade (for sale or rental), books, magazines or other materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to 'specified sexual activities' or 'specified anatomical areas' as defined herein.
- (b) ADULT CABARET - a cabaret, tavern, theater, or club which features strippers, male or female impersonators, or similar entertainers who exhibit, display, or engage in nudity, sexual conduct or sadomasochistic abuse, as defined in the Pennsylvania Obscenity Code.
- (c) ADULT MINI-MOTION PICTURE THEATER - an enclosed building offering video presentations distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons within private viewing booths and/or by use of token or coin operated projectors or other video machines.
- (d) ADULT THEATER - any business, indoor or outdoor, which exhibits a motion picture show or other presentation which in whole or in part, depicts nudity, sexual conduct or sadomasochistic abuse as defined in the Pennsylvania Obscenity Code.
- (e) MASSAGE ESTABLISHMENT - any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the State. This definition does not include an athletic club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

(f) ANATOMICAL AREA, SPECIFIED - the depiction of male genitals in a discernibly turgid state, whether uncovered or completely and opaquely covered.

(g) SEXUAL ACTIVITIES, SPECIFIED -

1. Acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genital pubic area, buttocks, or if such a person be a female, breasts.
2. The condition of human male or female genitals when in a state of sexual stimulation or arousal.
3. Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

201.2 ALLEY. A public or private way affording only secondary means of access to abutting property.

201.3 BOARD OR ZONING HEARING BOARD. The Zoning Hearing Board of Morris Township

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

201.5 BUILDING COVERAGE, MAXIMUM. The maximum ratio obtained by dividing the ground floor area of all principal and accessory buildings on a lot by the total area of the lot upon which the buildings are located (including covered porches, carports, and breeze ways, but excluding open patios).

201.6 BUILDING HEIGHT. The vertical distance of a building measured from the average level of the highest and lowest portion of the building site covered by the building to the ceiling of the uppermost story.

201.7 BUILDING, PRINCIPAL. A building in which is conducted the main or principal use of the lot on which it is situated.

201.7A.CAMPGROUND - The term campground shall mean a tract or contiguous tracts of land, or any portions thereof, which have been so designated and improved that it contains two (2) or more camping sites for the placement thereon of campers. Individual camping site shall have one camper placed on each site.

201.7B.CAMPER - The term camper shall mean a vehicular portable structure to be mounted on

a chassis or wheels and towed or constructed as an integral part of a self-propelled vehicle for use as temporary dwelling for travel, recreation, and vacation commonly known as travel trailers, pickup coaches, motor homes, or camping trailers.

201.7C.CAMPING SITE - The term camping site shall mean a parcel of land in an organized camp or campground for the placement of a single trailer and/or multiple tents and the exclusive use of its occupants.

201.8 COAL MINING, UNDERGROUND. All underground area within a continuous barrier of undisturbed coal from which such coal is extracted.

201.9 COAL MINING FACILITIES, UNDERGROUND. Structures and installations necessary to the operation of an underground coal mine which shall include slopes, shafts or portals for the primary purpose of gaining access from the surface to an underground coal mine by persons or equipment to mine and remove coal, coal preparation and cleaning plants and related equipment, ponds and treatment facilities, coal refuse disposal areas, silos for storage of coal, access roads, above ground repair, personnel areas and structures, transport facilities, railroad systems servicing the mine, concrete or batch plants, crushers, and all other equipment and facilities used in connection with underground coal mining, coal preparation activities, coal exploration activities, and coal refuse disposal activities. Facilities used by state and federal regulatory agencies are not included in this definition.

201.10 COAL MINING ADJUNCT FACILITY. A support facility, not a coal mining facility, required for and used only in connection with an underground coal mine which is to:

- (a) Supply air or power, including power line rights-of-way, to the underground coal mine;
- (b) Ventilate air or gas from the underground coal mine, which shall include fans and fans buildings;
- (c) Remove water from the underground coal mine; and
- (d) Mine effluent treatment facilities.

201.11 COAL MINE CONVEYER. A mechanical contrivance utilizing belt, chain or chute type devices to transport products, overland or underground, from coal mining operations via owned land holdings, acquired right-of-way or easements.

201.12 COAL TIPPLE AND CLEANING PLANT. A coal mining facility utilized for bringing coal and related substances from an underground coal mine to the surface for the storing, processing, classifying, and transporting of coal.

201.13 COMMERCIAL (Business). Engaging in a business, enterprise, activity or other undertaking related to or connected with trade or commerce in general.

201.14 COMMISSION OR PLANNING COMMISSION. The Planning Commission of Morris Township.

201.15 DISTRICT OR ZONE. A portion of the territory of Morris Township within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

201.16 DWELLING. Any building, vehicle, or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons. The term dwelling shall not be deemed to include mobile home, rooming house, tourist home, hotel, hospital or nursing home.

- (a) Dwelling, Single-Family. A detached building designed for or occupied exclusively by one family; not to include mobile home as defined herein.
- (b) Dwelling, Two-Family. A detached or semi-detached building where not more than two individual family or dwelling units are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or to a common cellar.
- (c) Dwelling, Multi-Family. A building designed for occupancy by three or more families living independently of each other, and containing three or more dwelling units. Such buildings shall consist of the following types:
 - 1. Apartments. A multi-family dwelling occupied as separate living quarters for more than two families with direct access from the outside or through a common hall and further provided with separate cooking, sleeping and bathroom facilities for the exclusive use of each family.
 - 2. Townhouse - Row Houses. A multi-family dwelling containing 3 to 6 dwelling units and not exceeding 2-1/2 stories in height, having a solid masonry fire wall between each unit and individual separate access from the outside to each unit.

3. Garden Apartment. A multi-family dwelling containing 6 to 12 units and not exceeding three stories in height.

(d) Dwelling, Mobile. (See Mobile Home)

201.17 DWELLING UNIT. One or more rooms, including a kitchen (or kitchenette) and sanitary facilities in a dwelling structure, designed as a unit for occupancy by not more than one family for living and sleeping purposes.

201.18 ESSENTIAL SERVICES. Essential services include the provisions of gas, electrical, steam, communication, telephone, sewer, water, public safety and other similar services. The facilities required to provide such services shall consist of:

- (a) Limited facilities including equipment such as poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment which does not require enclosure within a building or which can be constructed within a public right-of-way.
- (b) Major facilities including equipment which requires enclosure within a building or construction on its own site such as gas storage areas, substations, telephone exchanges and telephone booths.

201.19 EXTRACTIVE INDUSTRIES, PROCESSING AND STORAGE.

Any mining, quarrying or processing of coal, limestone, clay, sand, gravel, coal methane gas, or other mineral resources for sale or otherwise used for commercial purposes, including drilling and other activity related to the extractive process.

201.20 EXTRACTIVE OPERATIONS. Surface mining of coal, earth removal, stone removal or quarrying, coal bed methane gas drilling, and such other operations and/or procedures that are normally conducted for profit wherein soil and/or its contents are removed as a business activity. Not included are oil and gas operations covered by Act 3.

201.21 FAMILY. A "family" consist of one or more persons each related to the other by blood (or adoption), together with such blood relatives' respective spouses, who are living together in a single dwelling and maintaining a common household. A "family" includes any domestic servants and not more than one gratuitous guest residing with said "family".

201.22 FRONTAGE. Land abutting a road, measured along and parallel to the road right-of-way.

- 201.23 HOME OCCUPATION. This use for financial gain of a residential dwelling which is clearly incidental to or secondary to the residential use of a dwelling unit; is customarily carried on within a dwelling unit by one or more than one occupant of the dwelling unit and is limited to members of the family except in the case of a profession, in which case an additional employee may be employed. Home occupation uses secondary to the principal use include fine art studios, professional offices for accountants, doctors, dentists, lawyers, musicians, engineers, surveyors, architects, planners clergymen, authors, teachers, real estate agents, insurance agents, and hairdressers.
- 201.24 INSTITUTIONAL RESIDENCE OR GROUP HOME. A dwelling occupied by a group of non-related persons or by a number of family units under the supervision and/or care of an institution, organization or person which is responsible for the welfare of the residents.
- 201.25 JUNK. Junk shall include scrap iron, scrap tin, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used fires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition, but are subject to being dismantled.
- 201.26 JUNK YARD. Junk yards shall consist of buildings, structures or premises where junk, waste, discarded or salvage materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards, house wrecking, and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition.
- 201.27 MANUFACTURING. The process of making wares or goods by hand or by machinery or by other agency, with or without division of labor.
- 201.28 MINE DISPOSAL AREA. Areas used for the deposit of mine waste and located not less than three hundred (300) feet from any occupied dwelling, unless waived by the owner thereof; provided however, under no circumstances shall the deposit of mine waste be closer than fifty (50) feet from the property line.
- 201.29 MOBILE HOME. A transportable, single family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and

constructed so that it is used without a permanent foundation.

201.30 MOBILE HOME LOT. A parcel of land in a mobile home park, improved with the necessary utility connection and other appurtenances necessary for the erection thereon of a single mobile home and/or lot which is leased by the park owner to the occupants of the mobile home erected on the lot.

201.31 MOBILE HOME PARK. A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

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

- (a) Lot, Corner. A lot situated at and abutting the intersection of two streets.
- (b) Lot, Depth. The mean horizontal distance between the front and the rear lot lines.
- (c) Lot Lines. The property lines bounding the lot.
 - 1. Lot Line, Front. The line separating the lot from a street right-of-way.
 - 2. Lot Line, Rear. The lot line opposite and most distant from the front lot line.
 - 3. Lot Line Side. Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line.
 - 4. Side Yard of Corner Lot. Any corner lot shall have a side yard equal in width to the minimum front yard setback of any adjoining lot fronting on the side street.
- (d) Lot Width. The width of the lot between side lot lines at the front building line as prescribed by the front yard regulations.

(e) Lot Area. The computed area contained within the lot lines.

201.33 NONCONFORMING LOT. Any lot which does not conform with the minimum width, depth and area dimensions specified for the district where such a lot is situated.

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

201.35 NONCONFORMING USE. A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

201.36 NURSING HOME. Any premises containing sleeping rooms used by persons who are lodged and furnished with meals and nursing care.

201.37 PARKING FACILITIES. Parking facilities shall consist of outdoor areas used for the storage of vehicles or of specially designed buildings or garages used for the same purpose. 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.

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

201.39 PERMIT. A document issued by the Township authorizing an applicant to undertake certain activities.

(a) 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.

- (b) 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.

- 201.40 PERMITTED USE. Any use which does not require special action by the Board before a zoning permit is granted by the Zoning Officers.
- 201.41 PLANNED RESIDENTIAL DEVELOPMENT. A structure or a group of structures designed to be maintained and operated as a unit in single ownership or control by an individual, partnership, corporation or cooperative group and which has certain facilities in common, such as yards and open spaces, recreation areas, garages and parking areas.
- 201.42 PORCH. A roofed or unroofed structure projecting from the front, side, or rear wall of the building which shall have no wall more than thirty inches high and which shall be open on all sides except the side adjoining the building.
- 201.43 PORTAL, COAL MINING. A coal mine facility utilized for the access and egress of men and materials in underground coal mine operations.
- 201.44 PROFESSIONAL OFFICE. Professional offices shall include the office of a physician, dentist, optometrist, minister, architect, landscape architect, city planner, engineer, insurance man, realtor accountant, lawyer or author and other similar types of professions.
- 201.45 PROPERTY LINE. Property line shall mean the perimeter of the contiguous land surface area under the coal operator's control, whether such control is in the nature of a deed in fee simple, leasehold, easement, license, or other legal interest.
- 201.46 PUBLIC NOTICE.. Notice given not more than thirty (30) days and not less than fourteen (14) days in advance of any public hearing required by Act 247, Pennsylvania Municipalities Planning Code. Such notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. 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 be not more than thirty days or less than fourteen days from the date of the hearing.
- 201.47 ROOMING HOUSE. A building containing a single dwelling unit and rooms for

the rooming and/or boarding of one or more persons for compensation.

201.48 SANITARY LAND FILL. Household or agricultural garbage, trash or refuse deposited in an opening in the ground, operated, supervised and maintained in accordance with regulations of the Pennsylvania Department of Health and Environmental Resources.

201.49 SIGN, ADVERTISING. An "advertising sign" is a sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located, or to which it is affixed.

201.50 SIGN, BUSINESS. A "business sign" is a sign which directs attention to a business or profession conducted or to a service offered upon the premises where such sign is located. Such business sign shall not include advertisement of products by brand name except where such brand name signifies the major product offered on the premises; such as new car dealerships or major appliance sales.

201.51 SIGN, GROSS SURFACE AREA OF. The "gross" surface area of a sign shall be the entire area with a single continuous perimeter enclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of same. The gross surface area of signs having more than one surface visible to the public (double-faced or multiple faced signs) shall be the sum total sign face area, whether or not such visible face contains descriptive data.

201.52 SIGNS, TYPES OF.

- (a) Billboard (Poster Panel). A board, panel or tablet used for the display of printed or painted advertising matter.
- (b) Ground Sign. A sign supported in or upon the ground surface.
- (c) Poster Panel. See billboard.
- (d) Projecting Sign. A display sign which is attached directly to the building wall and which extends more than fifteen inches from the face of the wall.
- (e) Roof Sign. A display sign which is erected, constructed and maintained above the roof of the building. This type of sign is not permitted.

- (f) Temporary Sign. A display, banner or other advertising device constructed of cloth, canvas, fabric or other light temporary materials, with or without a structural frame, intended for a limited period of display.
- (g) Wall Sign. A display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

201.53 SPECIAL USE. A use which because of its unique characteristics requires individual consideration in each case by the Board before a zoning permit may be issued.

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

201.55 STREET. A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley.

201.56 STRUCTURE. Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, including stationary and portable carports.

201.57 STRUCTURAL ALTERATION. Any change in the structural members of a building, such as wall, columns, beams or girders, or any addition to any structure, but not including normal maintenance or minor repairs or improvements.

201.58 SURFACE MINING. The extraction of minerals from the earth, from waste or stock piles, or from pits or banks by activities conducted upon the surface of the land that require the removal of the overburden, strata or material overlying, above or between the minerals, or by otherwise exposing and retrieving the minerals from the surface. These activities include, but are not limited to, strip, drift, auger and open pit mining, dredging, quarrying, leaching, slope top removal, box cutting, and activities related thereto. Mining activities carried out beneath the surface by means of shafts, tunnels or other underground mine openings are not included in this definition.

201.58A.TENTS. the term tents shall mean a portable lodging unit usually made out of skins, canvas, plastic, or strong cloth stretched and usually sustained by poles, and is dependent upon separate toilet and lavatory facilities

201.59 TIPPLES, COAL. A coal mine facility utilized for the processing, loading and storing of coal.

201.60 TRAVEL TRAILER. A vehicle used for temporary living or sleeping purposes, and standing on wheels.

201.61 USABLE OPEN SPACE. A portion of a lot used for residential purposes, exclusive of required front and side yard areas, which is not covered by buildings or parking area and is suitable for use as outdoor open space for the residents thereon.

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

201.63 VENTILATING SHAFTS. A coal mine adjunct operation consisting of a structure and appurtenant facilities to permit the introduction and removal of air and other gases from underground coal mines, including degasification bore holes and related facilities and equipment.

201.64 YARD. An open space, as may be required by this Ordinance, on the same lot with a building or a group of buildings, which open space lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

201.65 ZONING OFFICER. The administrative Officer charged with the duty of enforcing the provisions of this Ordinance.

ARTICLE 3

ZONING USE DISTRICTS AND REGULATIONS

301 ESTABLISHMENT OF ZONING USE DISTRICTS. The township is divided into the zoning use districts listed hereunder and shown by the district boundary lines on the township zoning map; which is a part of this ordinance.

A-1 Agricultural District
R-1 Residential District
R-2 Residential District