

5.470 Animals in Residential Districts

Farm animals, including but not limited to ponies and horses, shall not be kept in residential districts. Customary household pets shall be limited to an aggregate of four (4) per family in residential districts.

5.480 Mobile (Manufactured) Home Parks

Mobile (manufactured) homes shall be permitted only in mobile home parks which meet the requirements of this section.

- a. No mobile (manufactured) home park shall have an area of less than ten (10) acres.
- b. Each mobile (manufactured) home site or space within the park shall have a minimum area of 5,000 sq. ft. provided further that the minimum width of each site shall be not less than fifty (50) feet.
- c. No mobile (manufactured) home shall be located within ten (10) feet of its respective site lines, provided further that there shall be no less than a twenty-five (25) foot clearance between mobile (manufactured) homes and any non-accessory building within the park.
- d. No mobile (manufactured) home shall be located closer to any property line of the park or any abutting public street than thirty (30) feet or such greater distance as may be established by this Ordinance with respect to conventional buildings in the District where the mobile (manufactured) home park is located.
- e. Not less than ten (10%) percent of the gross area of the park shall be improved for the recreational use of the residents of the park.
- f. All service and accessory buildings shall meet the requirements of this Ordinance and all other applicable codes and ordinances.
- g. The park shall meet all applicable requirements of the Borough's Subdivision and Land Development Ordinance.

500 COMMERCIAL AND MANUFACTURING USES

5.510 Adult Entertainment

A. Legislative Findings. The Borough Council finds that:

1. A concentration of adult book stores can cause a deleterious effect on the aesthetics and economics of the areas in which these uses are located;
2. In order to prevent the deterioration of communities and neighborhoods in the Borough of Jermyn and to provide for the orderly planned future development of the Borough, that, certain special regulations are necessary to insure that such developments will not contribute to the blighting or deterioration of the

3. For the purpose of controlling the concentration of certain uses, special regulations relating to the location of these uses are necessary.

B. Definitions

1. Adult book store. An establishment having a substantial or significant portion of its stock-in-trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or related to "specified sexual activities", or "specified anatomical areas", or an establishment with a segment or section devoted to the sale or display of such material.
2. Adult mini-motion picture theater. An enclosed building with a capacity for less than fifty persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein either individually or as part of an audience group of less than 50 persons.
3. Adult motion picture theater. An enclosed building with a capacity of fifty or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
4. Cabaret. An adult club, restaurant, theater, hall or similar place which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers exhibiting specified anatomical areas or performing specified sexual activities.
5. Specified anatomical areas
  - a. Less than completely and opaquely covered
    - (1) Human genitals, pubic region;
    - (2) Buttocks; and
    - (3) Female breasts below a point immediately above the top of the areola; and
  - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
6. Specified sexual activities
  - a. Human genitals in a state of sexual stimulation or arousal;
  - b. Acts of human masturbation, sexual intercourse or sodomy;
  - c. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.



7. Drug paraphernalia stores. Any retail store selling paraphernalia commonly related to the use of any drug or narcotic of which the sale, use or possession of is subject to the provisions of "The Controlled Substance Drug, Device and Cosmetic Act", 1972, April 14, P.L. 233, No. 64, 51 et seq., 35 P.S. Section 780-101 et seq., including but not limited to, water pipes, pipe "screens", hashish pipes, "roach clips", "coke" spoons, "bongs" and cigarette rolling paper, except that this shall not be deemed to include the sale of cigarette rolling papers by a store that also sells loose tobacco or the sale by prescription of implements needed for the use of prescribed drugs or narcotics.
8. Massage Parlors. Any establishment wherein body massage services are provided regardless of the gender of the provider or the customer, except where such service is provided by a certified masseur/masseuse.

C. Application. The following uses are designated as regulated uses:

1. Adult books stores;
2. Adult mini-motion picture theater;
3. Adult motion picture theater;
4. Cabaret;
5. Drug paraphernalia stores;
6. Massage parlors.

D. Prohibited Conduct. No regulated use shall be permitted:

1. Within any district other than I-1; and within one thousand (1,000) feet of any other existing regulated use; and/or,
2. Within five hundred (500) feet of any residentially zoned district, or any of the following residentially related uses:
  - a. Churches, chapels, convents, rectories, religious article or religious apparel stores;
  - b. Schools, up to and including the twelfth (12th) grade, and their adjunct play areas;
  - c. Public playgrounds, public swimming pools, public parks and public libraries;
  - d. All other public buildings and offices.
3. For the purposes of this section, spacing distances shall be measured as follows:
  - a. From all property lines of any "regulated use" in Section C.1. through C.6. above;
  - b. From the outward line or boundary of all residential zoning districts;
  - c. From all property lines of any uses identified in D.2.a. through D.2.d. above.

E. Signs and Other Visible Messages. All regulated uses shall be permitted signs and visible messages based on the allowable sign area of the zoning district in which they are located; provided:

1. Signs.

- a. Sign messages shall be limited to verbal description of material or services available on the premises, and,
- b. Sign messages shall not include any graphic or pictorial depiction of material or services available on the premises.

2. Other Visible Messages.

- a. Messages which are visible or intended to be visible from outside the property (such as on or within doors or windows) shall not display material, items, publications, pictures, films, or printed material available on the premises; or pictures, films, or live presentation of persons performing, or services offered on the premises.

F. Discontinuance of Operation. Should any of the regulated uses listed in C.1. through C.6. above cease or discontinue operation for a period of ninety or more consecutive days, it may not resume, nor be replaced by any other "regulated use" unless it complies with all the requirements set forth in Subsections D and E above.

5.520 Animal Hospitals, Kennels, Pounds and Similar Uses

In any zone district where permitted, no such use shall be located closer than one hundred (100) feet to any R-District, restaurant, or hotel, and shall show that adequate measures and controls shall be taken to prevent offensive noise and odor. No incineration shall be permitted on the premises.

5.530 Bakeries

Bakeries first permitted in any C-1 District shall be located no closer to an R-District than fifty (50) feet and goods produced on the premises shall be sold only at retail on the premises.

5.540 Retail Uses in I Districts

Such uses, designated in Schedule III hereof, shall be permitted only where the applicant proves that such use is or will be necessary to serve manufacturing uses and will not adversely affect the industrial development of adjoining land. Where such uses are permitted, the minimum lot size requirement shall be 10,000 square feet.

5.550 Manufacturing Uses

Manufacturing uses in any "I" District, when abutting an R-District, shall be screened from such district in accordance with the provisions of Section 4.700; and, such uses shall be located not less than 250 feet from any R-District.



5.560 Retail Sales for Guests Only

Where such uses are permitted the following shall apply:

- a. There shall be no external evidence of any gainful activity, however incidental, nor any access to any space used for gainful activity, other than from within the building.
- b. There shall be no harm to adjoining existing or potential residential development due to excessive traffic generation or noise or other circumstances.

5.570 Junk Yards and Similar Storage Areas-Including Automobile Wrecking

- 5.571 No new junk yards shall be permitted within the Borough limits after the date of passage of this Ordinance. Such uses existing at said date of adoption may continue their operations as nonconforming uses, but shall terminate within one year unless they shall be completely enclosed by a solid fence, screen or wall of sufficient height so as to obscure all view of such use.
- 5.572 No operations shall be conducted which shall cause a general nuisance or endanger the public health of the surrounding neighborhood.
- 5.573 No highly inflammable or explosive material shall be stored in bulk above ground, with the exception of fuel tanks or drums which are directly connected with heating appliances. Inflammable and explosive material storage shall be in compliance with all applicable Federal and State laws and regulations.
- 5.574 All materials or wastes causing fumes or dust, constituting a fire hazard, or attractive to rodents or insects, may be stored outdoors only in enclosed containers.

5.580 Earth-Extraction Industrial Activities

- 5.581 Procedure. All types of earth-extraction industrial activities shall be considered a temporary use of land and may be permitted by the Borough Council as a Conditional Use in the S-1 and I-1 Districts in accordance with the procedures established herein for Conditional Uses. Such use shall only be authorized as a temporary use for a period of not more than ten (10) years or such lesser period as may be established on a case-by-case basis by the Borough Council. Such temporary use may be extended for periods of time equal to or less than the original temporary use permit; provided, however, that each such request for an extension shall be in accordance with the procedures for any new application for a Conditional Use. Any such request for an extension of authorization shall be initiated not less than 120 days prior to the scheduled termination of the temporary use.

5.582 Excavations

All excavations must be enclosed by a fence not less than six (6) feet in height located at least ten (10) feet from the sides or perimeter of the excavation. All such excavation must be adequately drained to prevent the formation of pools of water. The side walls of all such excavations shall slope at an angle no steeper than one (1)



5.583 Special Provisions Governing Earth Extraction Activities

- a. The operator of any and all earth extraction operations existing within the Borough at the time of passage of this Ordinance shall apply for a permit as required under the terms of this Ordinance. Said application shall not include any such earth extraction activities which will be completed within 60 days of the passage of this Ordinance.
- b. All applications for earth extraction permits shall be filed with the Zoning Officer and shall include the following:
  1. A map in duplicate drawn to scale of not less than one inch equals 200 feet, which outlines the entire proposed area of earth extraction activities and shows the surface features, including buildings, dwellings, schools, railroads and highways within a distance of 500 feet from the perimeter of the proposed activities. In addition, said map will indicate the approximate or proposed depth of excavation and the number of surface acres of land subject to these activities.
  2. A bond payable to the Borough of Jermyn conditioned on saving the Borough and its officials of and from any and all claims, suits or demands caused by any blasting and further, to guarantee backfilling as required herein. The amount of said bond shall be set by an engineer designated by the Borough and based on his estimate of the reasonable cost of such replacement, but in no case shall the amount be less than \$1500 per acre of land to be excavated. Such bond shall be signed by the applicant and a corporate surety licensed to do business in the State of Pennsylvania, or the applicant may elect to deposit cash or United States Securities in lieu of surety bond. Upon covering the exposed surface and approval thereof by the Engineer, the Borough will release the applicant and his surety from their bond.
  3. A certificate of insurance with limits of \$100,000 for personal injuries and \$300,000 for property damage for the benefit of all persons who might be injured or suffer property damage as a result of said earth extraction operations.
  4. All earth extraction operations shall be backfilled and all overburden material shall be replaced in a manner which will restore the premises to an equal or same grade as existed on the original site before the commencement of the proposed earth extraction operation.
  5. The perimeter of any earth extraction operation shall not be nearer than 100 feet to any public right-of-way.
  6. If required by the Borough Council to ensure the public safety and welfare of persons and property in the immediate vicinity open excavation and pits shall be enclosed with a fence of not less than six (6) feet in height.



7. A statement signed by the applicant agreeing to comply with the requirement that no earth-extraction activities will be operated earlier than 7:00 A.M. nor later than 8:00 P.M. during each day and such activities shall not be operated on Sundays.

## 5.600 LARGE-SCALE DEVELOPMENTS

The purpose of this Section shall be to permit large-scale development in such a manner as to provide for the flexibility of design and arrangement of structures which would achieve the objectives of this Ordinance but would not be bound by the standards established for individual lot by lot developments. Such developments shall, however, be subject to the broader standards set forth below:

Large-scale developments as defined herein shall be permitted as a Special Exceptions in the districts enumerated in Article 3. and shall be developed in accordance with the following requirements:

### 5.610 Conformity with Comprehensive Plan

The proposed large-scale development shall conform to the Municipality's Comprehensive Plan in terms of general location.

### 5.620 Large-scale Residential Developments

The purpose of this Section shall be to permit the large-scale development of housing in such a manner as to provide for the flexibility of design and arrangement of dwelling structures which would achieve the objectives of this Ordinance but would not be bound by the standards established for individual lot by lot developments. Such developments, shall however, be subject to the broader standards set forth below.

#### 5.621 Spacing and Orientation of Residential Developments. Spacing between buildings and orientation in residential building groups shall be as follows:

- a. In buildings containing multiple dwelling units, walls containing main window exposures or main entrances, shall be so oriented as to insure adequate light and air exposures.
- b. Such buildings shall be so arranged as to avoid undue exposure to concentrated loading or parking facilities and shall be so oriented as to preserve visual and audible privacy between adjacent buildings.
- c. Large Scale Developments with Interior Circulation. When a development is designed to be served by an interior pedestrian or vehicular circulation system, buildings may face the interior roadways; provided, however, where such an orientation results in the rear or the side(s) of such buildings being within 100 feet of a public right-of-way, then such rear and/or side walls shall be screened from the public right-of-way in accordance with Section 4.723b.

#### 5.622 Vehicle and Pedestrian Circulation. Adequate provision for vehicle and pedestrian circulation shall be designed as follows:



- a. Safe and convenient arrangement of walks, roadways, driveways, and off-street parking and loading space.
- b. Separation of general vehicle traffic from pedestrian walks and public transportation loading places.
- c. A building group may not be so arranged that any temporary or permanently inhabited building is inaccessible by emergency vehicles.

5.623 Paving and Drainage. The developer shall install throughout any proposed large scale residential development, hard-surfaced streets, which shall include curbs or gutters, catch basins and storm sewers.

5.624 Development Standards

a. Minimum Lot Area Per Dwelling Unit

- 1) Single-Family Detached. Although the average minimum lot area per dwelling unit shall not be less than the minimum area requirement for the District where the development is located, the size of each lot may be reduced as needed, to not less than two-thirds of the minimum required in the District where located, provided, however, that for "cluster" developments each lot may be reduced to one-third of the minimum lot area, but the average area per dwelling unit, within each development section including open space shall not be less than the minimum otherwise required for the District where located.
- 2) Two-family Dwellings, and Multi-family Dwellings. The average minimum lot area per dwelling unit shall not be less than the minimum area required for each respective type of dwelling structure in the district where such principal permitted uses are first permitted. The dimensions of each individual lot may, however, be reduced by not more than one-third of the minimum requirement, provided that the average lot area per dwelling unit within each development district shall not be less than the area otherwise required.

b. Minimum Lot Size

There shall be no minimum lot size requirements for any housing types other than the average minimum lot area required for such dwellings as described in Subsection 5.624 a. hereof.

c. Minimum Lot Frontage

The minimum lot frontage requirement shall be as follows:

- 1) 1-family and 2-family dwellings, detached: 80 feet
- 2) 1-family and 2-family dwellings, semi-detached: 50 feet for each side
- 3) 1-family dwellings, attached (town-houses): 20 feet per dwelling unit plus an additional 25 feet at each end of all rows
- 4) 1-family cluster development: None



d. Minimum Lot Depth

No lot for any residential structure or group of residential structures shall have a lot depth of less than 100 feet.

e. Minimum Front Yards

The minimum front yard for all residential structures shall be 30 feet, except that garden apartments and other multi-family structures not including town houses shall have a minimum front yard of not less than 50 feet; provided, however, that these minimum front yard requirements may be reduced by not more than 20 percent if the developer shall provide adequate justification acceptable to both the Planning Commission and the Zoning Hearing Board.

f. Minimum Side Yards and Other Distances Between Buildings

Minimum side yards for all single-family dwellings including "cluster" developments shall be as specified in Schedule II hereof for the District where located. There shall be no side yard requirements for all other residential structures, except as follows:

- 1) Side Yards adjoining public rights-of-way or other thoroughfares shall be not less than 25 feet.
- 2) All other distances between buildings shall be as set forth under Section 5.412 and 5.621 hereof.

g. Maximum Lot Coverage

There shall be no maximum lot coverage limitation on a lot-by-lot basis; provided, however, that the overall coverage of land by buildings and other impervious surfaces within any development section shall not exceed 60 percent of the net land area (excluding land used for rights-of-way).

5.625 Supporting Commercial Facilities

Local retail and service commercial facilities, including those uses designated as principal permitted uses in a C-1 Commercial District may be permitted in a Large-scale Residential Development provided that such commercial development including required off-street parking, off-street loading and landscaping shall not exceed 10 percent of the net land area of the large-scale residential development; provided that such uses shall not include automobile service stations, bars, cocktail lounges, and similar uses; and, provided further, that the location of such commercial facilities shall be approved by the Planning Commission. Such permitted retail and service uses shall be designed to primarily serve the residents of the large scale development of which they are a part.

5.626 Esthetic Considerations

Due to the potential impact of a large-scale development on the Borough as a whole; and since the developer is provided the opportunity to modify otherwise minimum development standards, the Zoning Hearing Board may withhold the overall approval of such projects as well as the approval of reduced standards pending their review and approval of the proposed overall design, arrangement and layout of the buildings to be erected, including the exterior design of such buildings to insure that the architectural character of the large-scale development area will be compatible with that of the adjoining areas.

5.630 Large-Scale Commercial and Manufacturing Development

5.631 Spacing and Orientation of Commercial and Manufacturing Developments. Spacing between buildings and orientation in commercial and industrial building groups shall be as follows:

- a. Exterior walls of opposite buildings shall be located no closer than a distance equal to the height of the taller building.
- b. A building group may not be so arranged that any permanently or temporarily inhabited building is inaccessible by emergency vehicles.
- c. Individual Buildings on Public Rights-of-Way. The front facade of a building shall face the road/right of way which it abuts; provided, however, that if it is located on a corner parcel, it shall face the widest road; provided, however, that if both roads are of equal or near equal width, it may face on either road, unless the existing pattern of development has predetermined the road that shall be faced.

5.632 Signs and Lighting. All signs and lighting devices shall be of a type and design that will not conflict with traffic control signs and lights and shall be so oriented that they do not produce glare on the highway or adjacent residential development.

In any commercial development of 5 acres or more, identification signs may be erected in accordance with the provision of Section 5.980 hereof, except as follows:

- a. There shall be not more than one (1) such sign for each commercial establishment, but there may be a maximum of one additional sign identifying the large-scale development and the occupants thereof; provided, however, that where there is more than one (1) main entrance, such signs may be erected at each entrance.
- b. Signs identifying a large-scale commercial development may be free-standing or attached to a wall.



- c. Any free standing sign shall be located at the entrance way of the use which it identifies. No such free-standing sign shall extend more than 30 feet above the mean ground level where it is located.
- d. No sign identifying a building group shall have an area of more than 10 percent of the vertical wall area of the front of the building nor shall the total area of the sign of each tenant exceed 10 percent of the vertical building wall area of the front of the space occupied by the tenant.
- e. Except for signs identifying the large-scale development, all signs shall be attached to the principal buildings.
- f. No business sign shall project more than two (2) feet from the building facade to which it is attached.
- g. No business sign shall be erected or maintained upon the roof of a building nor shall any sign extend above the roof of a building a distance of more than five (5) feet, provided, however, that a business sign may be affixed to a parapet. It may not extend above the top of the parapet, except that it may extend not more than five (5) feet above the roof of the building and no such sign shall project more than one (1) foot from the parapet.
- h. The area of any sign shall include the entire face of the sign and any structural work incidental to its erection and/or decoration. If the sign is composed of individual letters, figures or designs, the space between and around such letter, figures, or designs shall be considered as part of the area.
- i. Plans showing proposed location and design of all signs, including directional traffic signs and parking signs shall be submitted to the Planning Commission for its review and recommendation to the Zoning Hearing Board which shall be responsible for approval. In granting such approval, special attention shall be given to considerations of safety and convenience of traffic movement, and the appropriate and harmonious relationships between buildings, structures, and signs, both on the site and in adjacent areas.
- j. Proper arrangement of signs and lighting devices with respect to traffic control equipment and adjacent residential districts shall be observed.
- k. Directional signs indicating the location of the occupant(s) may be erected and maintained, provided, however, that the size of such sign shall not exceed an area of six (6) square feet nor a length of four (4) feet, and provided further that there shall be not more than one (1) such sign for each entrance to any premises.
- l. The lesser dimension of any sign shall not exceed five (5) feet, provided, however, that for large-scale development signs, this provision shall not apply.

- 5.633 Planting and Screening. In business building groups abutting or within one hundred (100) feet of residential districts, fences, walls or year-round screen planting shall be provided when necessary to shield adjacent residential districts from parking lot illumination, headlights, heat, blowing papers and dust and to reduce the visual encroachments of commercial architecture, signs and activity.
- 5.640 Planned, integrated Shopping Centers and Industrial Parks shall be subject to the following requirements regardless of the applicants' request for consideration as a large scale development.
- 5.641 A tract of no less than 175,000 sq. ft. is required.
- 5.642 Only one ingress and one egress point is permitted for each 300 front feet along a Major Highway.
- 5.643 A site design plan showing building placement and vehicular safety control features, specific landscaping components, and the size and location of signage shall be submitted with all applications.
- 5.644 An architectural rendering showing the appearance of the facade(s) of the structure(s) visible from the Major Highway shall be submitted along with the site plan.
- 5.650 Justification for Exception

Where such exceptions are requested, they shall be granted solely for the purpose of promoting an integrated site plan no less beneficial to the residents or occupants of such developments as well as of neighboring properties than would be obtained under the standard requirements of this Ordinance.

## 5.700 SERVICES, AUTOMOTIVE

### 5.710 Off-Street Parking

In all districts, in connection with every manufacturing, business, institutional, recreational, residential or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, off-street parking space for automobiles available to the occupants of such buildings and to visitors thereto at no charge. Off-street parking developed in all districts shall be in accordance with the requirements set forth herein.

- 5.711 Size and Access. Each off-street parking space in a parking lot shall have an area of not less than one hundred fifty (150) square feet exclusive of access drives or aisles, and shall be of usable shape and condition. Except in the case of dwellings, no parking area shall contain less than 3 spaces.



There shall be adequate provisions for ingress and egress to all parking spaces. Access to off-street parking areas shall be limited to several well-defined locations and in no case shall there be permitted unrestricted access along the length of the street or alley upon which the parking area abuts.

No off-street parking shall be located in the front yard of any residential lot.

No point of ingress or egress shall be nearer, one to the other, than 300 feet, except where inadequate highway frontage precludes the feasibility of complying with this requirement.

- 5.712 Number of Parking Spaces Required. The number of off-street parking spaces required shall be as set forth in Table I following in accordance with the definition of "floor area" as set forth in Article 11 hereof, provided further that in any R-District, on any lot having an area of one (1) acre or less, private garage space may be provided for not more than four (4) motor vehicles. Space for one (1) additional motor vehicle may be provided for each one-fifth (1/5) acre by which the area of the lot exceeds one (1) acre; and in any R-District, not more than one garage space provided on any lot shall be used for the housing of a commercial motor vehicle greater than one-half (1/2) ton capacity.

In any case of a building, structure or premises, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is similar, in the opinion of the Zoning Hearing Board, shall apply.

- 5.713 Off-Site Facilities. All permitted and required accessory off-street parking spaces, open or enclosed, shall be located on the same zone lot as the use to which such spaces are accessory, except that such spaces may be provided elsewhere but shall be provided with a radius of no greater distance than 400 feet from the zone lot, and provided further, that required spaces are provided off the site in accordance with the provisions set forth herein and that such spaces shall be in the same ownership as the use to which they are accessory, or under permanent easement or lease to run throughout the life of the use and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and/or assigns to maintain the required number of spaces available throughout the life of such use, and such spaces shall conform to all regulations of the district in which they are located.



TABLE I

USES	MINIMUM REQUIRED PARKING SPACES
1. Churches and Schools	1 for each 3.5 seats in an auditorium or for each 17 classroom seats, whichever is greater.
2. Business and Professional Offices and Banks, except Medical and Dental Offices	3 for each 1,000 square feet of floor area.
3. Community Buildings, and Social Halls	1 for each 100 square feet of floor area.
4. Country Clubs, Golf Courses	1 for each 200 sq. ft. of floor area occupied by all principal and accessory structures, except those used for parking purposes. **
5. Single-family Dwellings	2 for each family or dwelling unit.
6. Motels, Hotels and Rooming Houses	1 for each rental unit.
7. Apartments, Townhouses and Garden Apartments *	2 for each dwelling unit.
8. Funeral Homes, Mortuaries	25 for each parlor.
9. Hospitals, Nursing and Convalescing Homes	1 for each 3 beds plus 1 for each employee in the maximum working shift.
10. Manufacturing Plants, Research or Testing Laboratories	1 for each 1,000 sq. ft. of floor area, plus 1 for each 4 employees in the maximum working shift; the total parking area shall not be less than 25 percent of the building floor area.
11. Medical or Dental Clinics, or Offices	5 spaces for each Doctor and each Dentist plus 1 space for each employee in the maximum working shift.
12. Restaurants, Beer Parlors and Night Clubs	1 for each 2.5 seats.
13. Retail Stores, Store Groups, Shops, and Personal Services	One (1) for each 300 feet of floor area.
14. Wholesale Establishments or Warehouses	1 for each 1 employee in maximum working shift, but not less than 25% of building floor area.
15. Outdoor Recreational Facilities	An adequate number of spaces should be provided so that all vehicles located at the facility can be accommodated in existing parking lots and not on the Borough's roads.
16. Auctions, Galleries	5 for each 500 sq. ft. of floor area.
17. Bowling Alleys	5 for each lane.
18. Movie Theaters, Auditoriums and Sport Stadiums	1 for each 2.5 seats.

\* Except Elderly Housing where 1 parking space for each 3 dwelling units shall be provided.

\*\* There shall be not less than 20 off-street parking spaces for each use.



## 5.720 Off-Street Loading

In any district, in connection with every building, or building group or part thereof hereafter erected and having a gross floor area of five thousand (5,000) square feet or more, which is to be occupied by manufacturing, or commercial uses, or distribution of material or merchandise by vehicles, there shall be provided and maintained, on the same zone lot with such building, off-street loading berths in accordance with the requirement of Table II following.

5.721 Size and Location. Each loading space shall be of sufficient size to accommodate vehicles that are likely to utilize the berth, but not less than 10 feet in width, 25 feet in length and 14 feet in height, and may occupy all or any part of any required yard, except where located adjacent to any R-District where they shall be set back a minimum of 6 feet from any such property line.

TABLE II

<u>USES</u>	<u>SQUARE FEET OF FLOOR AREA</u>	<u>REQUIRED OFF-STREET LOADING BERTHS</u>
1. Schools	15,000 or more	1
2. Hospitals (in addition to space for ambulance)	From 10,000 - 30,000 For each additional 30,000 or major fraction thereof.	1  1 additional
3. Undertakers and Funeral Homes	5,000 For each additional 5,000 or major fraction thereof.	1  1 additional
4. Hotels & Offices	10,000 or more	1
5. Retail, Commercial, Wholesale, Manufacturing, Storage & Miscellaneous	From 10,000 - 25,000 From 25,000 - 40,000 From 40,000 - 60,000 From 60,000 - 100,000 For each additional 50,000 or major fraction thereof	1 2 3 4  1 additional

5.730 Joint Facilities for Parking or Loading

Off-street parking and loading facilities for separate uses may be provided jointly if the total number of spaces so provided is not less than the sum of the separate requirements for each use and provided that all regulations governing the location of accessory spaces in relation to the use served are adhered to. Further, no accessory space or portion thereof shall serve as a required space for more than one use unless otherwise approved by the Zoning Hearing Board in accordance with the purposes and procedures set forth herein.

5.740 Development and Maintenance of Parking and Loading Areas

Every parcel of land hereafter used as a public or private parking area or loading area including a commercial parking lot shall be developed and maintained in accordance with the following requirements and Section 4.722 and other relevant sections hereof.

- 5.741 Surfacing. Any off-street parking or loading area shall be surfaced with an asphaltic or cement binder pavement or similar durable and dustless surface which shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide for the orderly and safe loading, parking and storage of self-propelled vehicles.
- 5.742 Modification of Requirements. The Zoning Hearing Board may authorize on appeal, a modification, reduction or waiver of the foregoing requirements, if it should find that in the particular case appealed the peculiar nature of the use, or the exceptional situation or condition must justify such action. Such modification shall be granted only in accordance with the procedure for variances, Section 8.210 hereof.
- 5.743 Residential Glare. The design of all parking and loading areas shall consider the topography of the facility so as to preclude the lights of vehicles from being directed towards adjacent dwellings or residential zones.
- 5.744 Lighting Off-street Parking Lots
- a. For all parking areas, driveways and walkways, all pole mounted luminaries shall be low maintenance poles and fixtures; and, all branch circuiting for lighting shall be installed below grade.
  - b. The placement of light standards shall be coordinated with the landscape plan to avoid a conflict with the effectiveness of light fixtures.
  - c. Lighting shall be directed away from adjacent residential uses and residential zones, and shall be shielded from fugitive skyward emissions.



5.750 Automobile Service Stations and Parking Lots

- 5.751 Location of Establishments and Access Thereto. Vehicular Service Stations, commercial parking lots for five (5) or more motor vehicles, automobile repair shops, or any vehicular access thereto are regulated as follows:
- a. A site development plan shall accompany all applications and shall show building and fuel pump placement and dimensions, parking, landscaping, internal circulation, and the size and location of signage.
  - b. All vehicular servicing activities except for those normally performed at fuel pumps shall be performed within completely enclosed buildings.
  - c. Minimum setbacks of fuel pumps shall be twenty (20) feet from the front yard setback line.
  - d. Fuel pumps shall not interfere with parking spaces or internal circulation and shall be located at least thirty (30) feet from all parking areas.
  - e. A minimum width of two hundred and fifty (250) feet at the building setback line is required.
  - f. Shall not be located within 100 feet of any boundary line of any R-District; provided, however, that where the rear lot line of the property shall be less than 100 feet distant from an R-District there shall be established along such rear lot line a buffer zone which shall be landscaped in accordance with the provisions of Section 4.723 hereof; and, no part of any parking space shall be less than 20 feet from any residential property line.
  - g. Shall not be located within two hundred (200) feet of property dedicated to or intended for schools, playgrounds, churches, hospitals, public libraries and institutions for dependents or for children, when located along the same street or road and in the same block as said properties.
  - h. Vehicular access to the above automotive uses shall be well-defined driveways and shall not be closer to the intersection of any two (2) street right-of-way lines than fifty (50) feet.
  - i. Except as otherwise required for off-street parking and loading areas in IAC zones, no such facilities for five (5) or more vehicles shall be nearer to any property line than five (5) feet.

- 5.760 Truck and Trailer Parking in Residential Districts. The resident of a dwelling in a residential district may park on the same zone lot where (s)he resides, a tractor or a truck; provided, however, that not more than one (1) such vehicle shall be parked on any zone lot; and provided, further that there shall be compliance with the following additional requirements:

- a. The motor of such a vehicle shall not be left running for more than thirty (30) minutes during any 24 hour period; provided, however, that said 30 minute period shall not be between 9:00 P.M. and 6:00 A.M.
- b. No refrigeration units on such vehicles shall be operated on a residential zone lot.
- c. No commercial vehicle having a length in excess of 40 feet shall be parked overnight on a residential zone lot.

5.770 Drive-In Eating and Drinking Places

Such businesses, where persons are served in automobiles shall be not closer than two hundred (200) feet to an R-District and shall be located on a major public street and shall provide ingress and egress so as to minimize traffic congestion, and shall comply with the following:

- 5.771 A minimum of eight (8) on-site vehicular waiting spaces are required for occupied vehicles waiting for window service.
- 5.772 The above spaces shall not interfere with parking spaces intended for non-drive through customers, internal circulation or pedestrian safety.
- 5.773 A site development plan shall be submitted showing building placement and dimensions, vehicular and pedestrian access, internal circulation, landscaping, and size and location of signage.

5.780 Drive-Through Business

- 5.781 For banks, financial institutions, fast food businesses, and any other business uses with "drive-through" service applications shall be accompanied by a site development plan showing building placement and dimensions, the location of all "drive-through" facilities, parking, internal circulation and the location and size of signage.
- 5.782 Such businesses, where persons are served in automobiles shall be not closer than two hundred (200) feet to an R-District and shall be located on a major public street and shall provide ingress and egress so as to minimize traffic congestion, and shall comply with the following:
  - a. A minimum of eight (8) on-site vehicular waiting spaces are required for occupied vehicles waiting for window service.
  - b. The above spaces shall not interfere with parking spaces intended for non-drive through customers, internal circulation or pedestrian safety.
  - c. Trash receptacles shall be provided outside the restaurant for patron use.



## 5.800 SERVICES, GENERAL

### 5.810 Cemetery, Mausoleum

Both of these uses shall provide entrances on a street or road with ingress and egress so designed as to minimize traffic congestion, and shall provide, in accordance with Section 4.723b, a permanently maintained planting strip on all property lines abutting any R-District or residential street.

### 5.820 Mortuaries, Undertakers and Funeral Parlors

Mortuaries, undertaking and funeral parlor establishments may be permitted as a special exception in those zone districts where they are enumerated in Articles 3, hereof, provided that all required parking is made available; the outward appearance of the building does not detract from the residential area where it may be proposed; and it is to be located on a street where the collection and movement of vehicles participating in a funeral procession will not adversely affect the major or secondary vehicular circulation pattern of the community.

Applications for such uses shall be accompanied by maps showing the proposed routing of funeral processions.

## 5.900 MISCELLANEOUS USES

### 5.910 Heliports

Heliports may be permitted, including the construction of runways and landing pads, provided that plans for such construction shall be approved by the Federal Aviation Administration and that such construction will not interfere with the comprehensive plan for the area which may be affected by it, nor create any hazards or inconvenience in presently developed areas. Except in the event of an emergency helicopter landings shall be permitted only at approved heliports.

### 5.920 Interchange Ramp Protection

Roads on any Approach Highway shall be prohibited for a distance of up to 1,000 feet from the end of any interchange ramp which intersects with the Approach Highway.

### 5.930 Outdoor Storage Areas

Such uses shall not abut existing residential development, a residential street or any R-District and the operation thereof shall be governed by the following provisions and any other conditions as may be required by the Zoning Hearing Board to protect the public health, safety, comfort, convenience, and general welfare and especially with regard to abutting properties and the occupants thereof.



- 5.931 Inflammables and Explosives. No highly inflammable or explosive liquids, solids or gases shall be stored in bulk above ground, except as permitted by state and federal regulations. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same premises as the tanks or drums of fuel are excluded from this provision.
- 5.932 Fencing and Setbacks. All outdoor storage facilities shall be enclosed by a fence or wall adequate to conceal such facilities and the contents thereof from adjacent property. Such walls and fences shall be distant not less than 10 feet from any property line and shall be distant not less than 25 feet from any public street.
- 5.933 Deposit of Wastes. No materials or wastes shall be deposited on any premises in such form or manner that they may be transferred off such premises by natural causes or forces.
- 5.934 Other Hazardous Materials. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
- 5.950 Radio and Television Towers, Masts and Aerials. Such uses shall be subject to all applicable regulations of the F.C.C. and other applicable Federal and State Regulating Bodies as evidenced by their approval of all plans thereof.
- 5.960 Telecommunications Facilities
- 5.961. Conditions That Apply to the Location of All Telecommunications Towers and Telecommunications Facility Buildings
- a. All applications for the location of Telecommunications Towers and Telecommunications Facility Buildings are subject to the requirements of the Jermyn Borough Subdivision and Land Development Ordinance, and are subject to the Site Plan Review by the Planning Commission and Approval by the Borough Council.
  - b. The Telecommunications tower shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E manual, as amended.
  - c. A soil report complying with the standards of Appendix I, Geotechnical Investigations, ANSI/EIA-222-E manual, as amended, shall be submitted to the Borough to document and verify design specifications of the foundation for the Telecommunications Tower, and anchors for the guy wires if used.
  - d. Telecommunications Towers shall be designed to withstand wind gusts of at least 100 miles per hour.
  - e. A Telecommunications Tower may not be located on a lot that is listed on a historic register or in an officially designated state or federal historic district.



- f. The applicant for the placement of a Telecommunications Tower shall be required to submit to the Borough evidence of the need for the Telecommunications Tower and that the applicant has exhausted all alternatives to constructing a Telecommunications Tower. Applicants are required to prove need by:
  - (1) Demonstrating via written evidence that, in terms of location and construction, there are no existing towers, Telecommunications Towers, buildings, structures, elevated tanks or similar uses able to provide the platform for the Telecommunications Antenna; and,
  - (2) Providing evidence, including coverage diagrams and technical reports, demonstrating that co-location on existing Telecommunications Towers is not technically possible in order to serve the desired need. Co-location is not possible if:
    - (a) Planned equipment would exceed the structural capacity of existing Telecommunications Towers within the Borough, considering existing and planned use of those Telecommunications Towers, and existing Telecommunications Towers cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost; or
    - (b) Planned equipment will cause radio frequency (RF) interference with other existing or planned equipment for the Telecommunications Tower, and the interference cannot be prevented at a reasonable cost; or
    - (c) Existing or approved Telecommunications Towers do not have the space on which planned equipment can be placed so it can function effectively and at least in parity with other similar equipment in place or planned; or
    - (d) Other reasons make it impractical to place the equipment planned by the applicant on existing and approved Telecommunications Towers.
- g. Telecommunications Towers shall not be closer than five hundred (500) feet to another Telecommunications Tower, such distance being measured as a horizontal from tower to tower.
- h. Telecommunications Towers shall be subject to a minimum setback from all overhead electric transmissions lines of a distance equaling the height of the tower.
- i. The applicant shall present documentation that the Telecommunications Tower is designed in accordance with all applicable state and federal regulations. Except as required by the Federal Aviation Administration, or other Federal or state agencies, no Telecommunications Tower may use artificial lighting or strobe lighting at night.



- j. An applicant for a Zoning Permit for a Telecommunications Tower must execute an agreement with the Borough, in a form legally sufficient to the Borough, requiring the removal of the Telecommunications Tower within one (1) year after the Telecommunications Tower ceases to function as such.
- k. Except when located on the roof of a building, a security fence, of approved design, of not less than eight (8) feet, and no greater than ten (10) feet, shall completely enclose the Telecommunications Tower. A fence of not less than eight (8) feet and no greater than ten (10) feet shall also completely enclose the anchored locations of guy wires, if used. This fencing shall be designed to be compatible with surrounding land uses.
- l. Except when located on the roof of a building, the applicant shall submit a landscaping plan. Sites in which Telecommunications towers are located shall be required to comply with the following landscaping requirements:
  - (1) Landscaping and planting of an approved design shall be provided for a depth of ten (10) feet along all public rights-of-way abutting the lot where the Telecommunications Tower is located. This requirement may be waived by the Zoning Hearing Board, provided that there is existing acceptable vegetation along the public rights-of-way abutting the lot.
  - (2) Landscaping, consisting of trees and shrubs, shall be required at the perimeter of the security fences and the Telecommunications Facility Building. Evergreen trees of ten (10) feet height at planting, and growth of a minimum of fifty (50) feet at maturity, shall be planted a maximum of fifteen (15) feet from each other around the perimeter of the security fence. Areas between the trees shall be interspersed with approved shrubbery planting of a height of not less than five (5) feet.
  - (3) Landscaping, consisting of approved evergreen trees of ten (10) feet height of planting, at a maximum of fifteen (15) feet from each other shall be required along all property lines abutting an existing residence, school, park or church. This requirement may be waived by the Zoning Hearing Board provided the abutting property owner(s) submit in writing to the Borough that they are waiving their right to this landscaping, or the Zoning Hearing Board may waive this requirement if there is existing acceptable vegetation along the property lines.
- m. A minimum of two (2) parking spaces shall be required. Spaces shall meet the applicable requirements of Section 5.700 hereof.
- n. Telecommunications Towers shall be fully automated and unattended on a daily basis. The site shall be visited only for periodic maintenance.
- o. The Telecommunications Facility Buildings shall be identified as Accessory Buildings, and the applicable regulations for the host zoning district shall apply.



- p. Guy wires, if utilized, must be anchored no closer than twenty-five (25) feet from any property line. Guy wires shall not cross or encroach any overhead telephone or electric power lines.
- q. Tower height shall be measured from the top of the foundation to the top point of the tower or the top point of the Telecommunications Antenna, whichever is higher.
- r. Internal access to the Telecommunications tower shall be provided by a minimum twelve (12) foot width cartway with a durable and dustless surface, such as concrete or a bituminous concrete surface for a minimum of fifty (50) feet from any public or private street. The length of the cartway beyond this fifty feet shall, at a minimum, be surfaced with a durable and dustless gravel surface. The vehicular access to the Telecommunications Tower and Telecommunications Facility Building, shall, whenever feasible, be provided along existing circulation driveways.
- s. Setbacks: Telecommunications Towers shall be required to be set back from adjacent property lines a minimum of one and one-half (1.5) times the height of the Telecommunications Tower. Such distance shall be measured in a straight line from the Telecommunications Tower to the property line. This setback shall be increased if a zoning district with a higher setback requirement abuts the property in which the Telecommunications Tower is located. In that situation, the largest setback requirement shall apply.
- t. A Telecommunications Tower shall be no higher than one hundred seventy five (175) feet.
- u. There shall be no more than one Telecommunications Tower on one lot.

5.962 Conditions on the Location and Placement of Telecommunications Antennas

Telecommunications Antennas may be attached to any nonresidential building or structure that is a permitted use in the district, including but not limited to, a church, a municipal or governmental building or facility, a building owned by a utility, or a Telecommunications Tower. Subdivision and Land Development Review is not required by the Planning Commission or the Governing Body for the location of Telecommunications Antennas on a building. The following conditions shall be met:

- a. No more than one (1) Telecommunications Antenna may be attached to any nonresidential building as a Permitted Use. A permit for one (1) Telecommunications Antenna on one building may be issued by the Zoning Officer after a review of the requirements stated in this Section.



- b. The location of two (2) or more Telecommunications antennas on any nonresidential building shall be considered as a Special Exception. There shall be a minimum distance equal to the height of the Telecommunications Antenna located on a nonresidential building and the location of any additional Telecommunications Antennas.
- c. The location of one (1) or more Telecommunications Antennas on any non-occupied structure, such as a Telecommunications Tower, a water tank, or an observation tower shall be considered as a Principal Permitted Use. Permit(s) for Telecommunications Antenna on non-occupied structures may be issued by the Zoning Officer after a review of the requirements stated in this Section. Subdivision and Land Development Review is not required by the Planning Commission or the Borough Council for the location of Telecommunications Antenna on a non-occupied structure.
- d. No telecommunications antenna shall exceed a height of 20 feet above the structure or building on which it is located.
- e. The top point height of any Telecommunications Antennas located on a Telecommunications Tower shall not exceed the height requirements for Telecommunications Towers stated in this Ordinance.
- f. Setback: Telecommunications Antennas located on buildings and structures shall be required to be set back from all property lines a minimum of the front yard setback requirement of the host district plus the height of the Telecommunications Antenna.

5.963 Telecommunications Towers and Telecommunications Antennas That are Related to the Operations of a Principal Use on the Same Lot

The following regulations shall apply to Telecommunications Towers and Telecommunications Antennas that are related to the operations of a principal use in any zoning district:

- a. No subdivision of land shall be required for the placement of a Telecommunications Tower on any lot where the use of that Telecommunications tower relates to the operations of a principal use on that lot.
- b. Telecommunications Antennas located on any building or structure where the use of that Telecommunications Antenna relates to the operations of a principal use on that building or structure shall be considered as Principal Permitted Uses in all zoning districts where they are authorized, and shall not require Site Plan and Land Development Approval from the Governing Body.



5.964 Exclusion of Residential Television and Radio Antennae From Height Regulations

The height regulations prescribed herein shall not apply to residential T.V. and radio antennas.

5.965 T.V. Satellite Dish Antennae and Other Antennae

- a. Purpose. The following regulations governing antennae are designed to protect the aesthetic environment of the vicinity where they are to be located as well as to protect the public health, safety and welfare. The provisions of this Section 5.824 shall not apply to a T.V. Satellite Dish Antennae and Other Antennae having a diameter of 36 inches or less.
- b. Permit Requirements. A special Satellite Reception Permit shall be required only for specific situations described below in Sections 5.965c. and 5.965d.
- c. Allowed Locations. In C-districts and I-districts they shall be allowed anywhere on the site or on the building. In R-districts they shall be limited to the rear yard. If the applicant adequately documents that reception is infeasible in the rear yard they may be located in any side yard. If, however, reception is infeasible in either of these areas, they may be located in the front yard or on the roof of the building to which they are appurtenant. If they are to be located in the front yard or on the roof of the building, a special Satellite Reception Permit shall be required as specified in Section 5.965b. hereof.
- d. Size and Height. In C-districts and I-districts, there shall be no restrictions regarding their size or height. In all R-districts, however, except as otherwise provided herein, they shall not exceed a diameter of 12 feet or a height of 20 feet. However, where such height and/or size restrictions preclude the feasibility of reception, these dimensions may be exceeded, but a special Satellite Reception Permit shall be required.
- e. Additional Requirements
  1. Except in a C-district or I-district, satellite television antennas shall be located and designed (to the extent reasonably feasible) to reduce visual impact on surrounding properties.
  2. Antennae shall meet all manufacturers' specifications, be of non-combustible and corrosive-resistant material, and be erected in a secure, wind-resistant manner.
  3. Every antenna must be adequately grounded for protection against a direct strike of lightning.
  4. Every Antenna shall be effectively screened from the adjoining premises and/or public right-of-way.

5.970 Water Storage Areas

- 5.971 Settling Ponds and Reservoirs. If the contents of settling ponds is poisonous, toxic or caustic, the settling pond must be fenced by an eight (8) foot fence of cyclone fencing or tighter topped by three (3) strands of barbed wire; if the contents emit noxious fumes, suitable ventilation controls must be exercised to prevent air pollution.
- 5.972 Retention and Detention Ponds/Basins. Except as otherwise provided in Section 5.971 hereof, any man-made water storage areas shall be fenced by an eight (8) foot fence of cyclone fencing or tighter.

5.980 Signs

Signs may be erected, reconstructed and maintained only when in compliance with the following provisions and the Building Code of the Borough of Jermyn.

- 5.981 Signs in Residential Districts. The following types of non-illuminated, non-advertising signs are permitted in all Residential Districts as follows:
- a. Nameplates and Identification Signs
    - 1. Signs indicating the name or address of the occupant, or a permitted home occupation, provided that they shall not be larger than two (2) square feet in area. Only one such sign per dwelling unit shall be permitted except in the case of corner lots where two such signs (one facing each street) shall be permitted for each dwelling unit.
    - 2. For buildings other than dwellings a single identification sign not exceeding six (6) square feet in area and indicating only the name and address of the building and the name of the management may be displayed, provided that on a corner lot two such signs (one facing each street) shall be permitted.
  - b. Sale or Rental Signs. Signs advertising the sale or rental of the premises upon which they are erected by the owner or broker or any other person interested in the sale or rental of such premises, and signs bearing the word "sold" or "rented" with the name of persons effecting the sale or rental may be erected or maintained, provided:
    - 1. The size of any such sign is not in excess of six (6) square feet; and
    - 2. Not more than two (2) sign is placed upon any property unless such property fronts upon more than one street, in which event two (2) more sign may be erected on each additional frontage.



- c. Institutional Signs. Signs of schools, colleges, churches, hospitals, sanatoria, or other institutions of a similar public or semi-public nature may be erected and maintained, provided:
1. The size of any such sign is not in excess of 20 square feet; and
  2. Not more than one (1) such sign is placed on a property, unless such property fronts upon more than one street, in which event two such signs may be erected, one on each frontage.
- d. Signs Accessory to Parking Areas. Signs designating entrances or exits to or from a parking area and limited to one sign for each such exit or entrance and to a maximum size of two (2) square feet each shall be permitted for each direction of traffic flow. One sign per parking area designating the conditions of use and identity of such parking area and limited to a maximum size of nine (9) square feet shall be permitted, provided that on a corner lot two such signs shall be permitted, one facing each street.
- e. Development Signs. Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer, or other persons interested in such sale or development, may be erected and maintained, provided:
1. The size of any sign is not in excess of 20 sq. ft.
  2. Not more than two (2) signs are placed upon any property, unless such property fronts upon more than one street, in which event two (2) such signs may be erected on such frontage; and
  3. Any such signs except signs identifying the development shall be removed by the developer within thirty (30) days of the final sale of property.
- f. Directional Signs. Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder, or agent, may be erected and maintained, provided:
1. The size of any such sign is not in excess of six (6) square feet, and not in excess of four (4) feet in length; and
  2. Not more than one such sign is erected on each five hundred (500) feet of street frontage.

- g. Artisans' Signs. Signs of mechanics, painters, and other artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided:
  - 1. The size thereof is not in excess of twelve (12) square feet; and
  - 2. Such signs are removed promptly upon completion of the work.
- h. Private Driveways. Signs indicating the private nature of a driveway, or trespassing sign, provided that the size of any such sign shall not exceed two (2) square feet.
- i. Height and Projection of Signs. No sign in an R-District shall project into the public way or project higher than one story or twenty (20) feet, whichever is lower.

5.982 Signs in "C" and "I" Districts. Business signs shall be permitted as follows:

- a. Size of Signs. (Detached). No detached sign shall have a gross surface of more than 100 sq. ft. in any "C" District or 150 sq. ft. in any "I" District.
- b. Size of Signs. (Attached). No attached sign shall have a gross surface area in excess of 20 percent of the building side on which it is attached.
- c. Location of Signs. In any C-1 District, all signs shall be securely attached to a building. Free-standing signs shall be permitted in "I" Districts only, provided that no such sign shall be nearer to any property line than the height of such sign, but in no case less than twenty (20) feet.
- d. Illumination of Signs. Flashing signs are prohibited. Revolving illuminated signs shall be considered as a Special Exception permitted in I-Districts provided that such signs shall not create any traffic hazard, or abut or face any residential property or any residential zone lot. Stationary illuminated signs are permitted in "C" or "I" Districts only.
- e. Portable Signs. Portable signs other than temporary artisans' signs are prohibited; provided, however, that portable signs shall be permitted only on a temporary basis, for a period of not more than one (1) month; provided, further, that, upon written application such temporary permit for a portable sign may be extended by the Zoning Officer, for cause, for a period of not more than one (1) additional month.

5.983 Outdoor Advertising. Outdoor advertisements (billboards) are permitted in "I" Zones only.



- a. No outdoor advertisement shall be permitted within two hundred (200) feet of any residential district, nor facing any public or parochial school, library, church, hospital or similar institutional use, if closer than two hundred (200) feet.
- b. No two outdoor advertisements shall be located closer to one another than one-thousand (1000) feet. Double outdoor advertising signs shall be treated as a single sign regarding this restriction governing the minimum distance between signs.
- c. Outdoor advertisements shall conform with all yard spaces required for the district in which they are located.
- d. The total surface area of any outdoor advertisements, exclusive of structural supports, and trim, shall not exceed, in square feet, four times the frontage of the lot or tract on which it or they stand, nor shall any individual outdoor advertisement exceed 672 square feet.
- e. No outdoor advertising sign shall be nearer to any property line than the height of such sign, but in no case less than 25 feet.

5.984 General Regulations. The following regulations shall apply to all permitted signs:

- a. Maintenance. Signs shall be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.
- b. Wall Signs. Display signs placed against the exterior walls of buildings or structures shall not extend more than 15 inches out from the wall surface. Wall signs exceeding forty (40) square feet in area shall be of non-combustible material.
- c. Projecting Signs. Attached signs shall not project from any building more than three (3) feet in the direction of a public street or public walk-way area nor shall any such sign extend over a public street or walk-way area. A clear space of not less than ten (10) feet shall be provided below all parts of projecting signs. Projecting signs exceeding forty (40) square feet in area shall be made of non-combustible material.
- d. Height of Signs. No sign except a free-standing sign shall be higher than the building on which such sign is located nor shall any sign be located upon the roof of any building; provided, however, that a business sign may be affixed to a parapet. No free-standing sign shall extend more than thirty (30) feet above the mean ground level where it is located.



- e. Permits (Building) for Signs. Building permits shall be required for all signs except temporary political signs, signs provided for in Subsection 5.981 and other accessory residential signs. For signs in the interest of the public information and convenience, the Zoning Officer, upon approval by the Zoning Hearing Board, may issue a temporary permit for a period to be designated by the said Board. Such temporary signs shall be removed by the property owner at the termination of any permit for the erection thereof.
- f. Fees. Fees for all signs requiring permits shall be in accordance with Section 9.600 hereof; provided, however, that no fee shall be charged for the erection of a sign necessary to the public welfare. Fees for all other signs shall be in accordance with Section 9.600 hereof.

#### 5.990 Temporary Uses

- 5.991 Temporary Tract Office, Tract Sign, Model Home. Such temporary use in any district shall be located on the property to which it is appurtenant and it shall be limited to a six (6) month period at the expiration of which time the applicant may request a further extension of time. Otherwise such temporary use shall be removed at the expense of the owner.

#### 5.992 Other Temporary Uses

- a. Types of Other Temporary Uses. Temporary uses, other than those specified in Section 5.991 hereof, shall be permitted only as Conditional Uses and may include such uses as a circus, carnival, bazaar, flea market, concert and other special exhibits, as well as the removal of culm banks and other waste deposits.
- b. Time Limitation on Permits. Except for tract offices, tract signs, model homes, and the removal of culm banks and other waste deposits, no temporary permits shall be issued for a period of more than thirty (30) consecutive days. For events of one (1) to two (2) day duration the permit shall be limited accordingly. Such limitation shall not, however, preclude the applicant from securing temporary permit renewals not to exceed a period of thirty (30) days covered by any such temporary permit. Application shall be filed with the Borough Council not less than one (1) month prior to the regular meeting of the Borough Council at which approval shall be considered.
- c. Condition of Site of Temporary Event. Upon the termination of the temporary event, the applicant shall restore the site to its original condition.
- d. Other Conditions. The applicant shall provide the Borough Council with evidence of adequate liability insurance in an amount to be determined by the Borough on a case-by-case basis, as well as evidence of adequate resources to assure the safety of the participants and the surrounding area.



- e. Additional Requirements. The Borough Council may establish additional requirements related to the terms and conditions, and the duration of each such temporary use on a case-by-case basis as needed to protect the public health, safety and welfare.