ARTICLE IV
Supplementary Regulations

§275.4.1 Nonconforming uses

The following provisions shall apply to all nonconforming uses and structures.

(A) Any nonconforming use may be continued but may not be extended or expanded or changed unless to a conforming use, except as permitted by the Board in accordance with the provisions of this chapter. Any change from one nonconforming use to another nonconforming use shall only be as permitted by the Zoning hearing board as a special exception. Such a change shall be limited to a use which in the judgement of the Board would have less of an impact based on the following criteria: lighting; noise; traffic; density of use; lot coverage; hours of operation; and environmental factors such as odors, emissions and vibrations.

(B) In the event that any nonconforming use, conducted in a structure or otherwise, ceases or is abandoned, for whatever reason, for a period of one year, such nonconforming use shall not be resumed, and any future use shall be in conformity with the provisions of this chapter.

(C) The nonconforming use of a building may be extended throughout those parts thereof which were manifestly arranged or designed for such use at the time of adoption of this chapter.

(D) Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approval and required permits have been granted or, where no approvals are necessary, where construction has been legally started before the enactment of this chapter or any amendment hereto and completed within the time frame allowed by the permit or two years, whichever is less.

(E) Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

(F) Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, this article shall also apply to any uses which thereby become nonconforming.

(G) A property owner may request a certificate of nonconformity for a nonconforming use or structure. Such a request must be accompanied by sufficient documentation to sustain the claim of nonconformance. If sustained, a certificate shall be issued. If, however, the claim is not proved by the documentation submitted or if there is a reasonable question thereon, the Zoning Officer shall refuse such certificate. Appeal to the Zoning hearing board can be made if desired after the Zoning Officer's determination.

(H) Any nonconforming structure or section thereof may be removed, reconstructed and used as before in the same location, if such reconstruction is performed within 12 months of removal, only if the restored building covers no greater area, has no greater height and contains no greater cubic content. The Zoning hearing board may approve as a special exception the expansion of a rebuilt structure’s lot coverage, height or cubic content by up to 50 percent; however, any reconstructed structure must meet the minimum yard and setback requirements of the district in which the structure is located. It also must meet the off-street parking, loading and delivery management requirements of this chapter.

(I) Nonconforming signs shall not be replaced except with a sign which meets all the applicable requirements of this ordinance.

§275.4.2 Existing lots of record

(A) Any lot of record existing at the effective date of this chapter or any amendments hereto, and held in separate ownership different from the ownership of adjoining lots, may be used for the erection of a structure conforming to the bulk and use regulations of the district in which it is located, even though its dimensions are less than the minimum requirements of this chapter, except as set forth hereafter.

(B) Where two or more adjacent lots of record with less than the required area and width are held by one owner on or before the date of enactment of this chapter or any amendment hereto, the nonconforming lot shall not be developed or used unless the adjoining lots are combined to form a single parcel, by replatting, deed restrictions, a deed of consolidation, or other means acceptable to the Borough in order to bring the lots of record to greater conformity with the minimum requirements of this Ordinance.

(C) No provision of the applicable lot provisions table relating to side and rear yard requirements shall prevent the reasonable use of a lot of record which existed as of the date of adoption of this Chapter or amendments hereto. The Zoning Officer may grant a reduction in the requirement for side yards and rear yards for lots of record which lack required lot width or area. However, in no event may such yard dimensions be reduced by more than 50 percent of that required by the applicable lot provisions table, without the approval of the Zoning Hearing Board.

§275.4.3 Extension of nonconforming structure

A nonconforming use or structure may be extended or enlarged with approval by the zoning officer, subject to the following:

(A) The extension or expansion is or becomes an attached part of the nonconforming structure and does not utilize any additional or adjoining land area other than the original parcel.

(B) The extension or expansion does not violate any additional lot, area, dimensional, off-street loading or parking requirements, or any other requirements of this Ordinance.

(C) The extension or expansion is for the purpose of expanding the same classification of nonconforming use in existence at the time of Ordinance adoption.

(D) The extension or expansion shall be permitted so as it does not increase the degree of the nonconformity of any structure and it does not intrude upon the sight triangle for motorists on an adjoining public road.

By way of example, a nonconforming structure that encroaches into a required setback by 10 feet may lawfully be expanded or extended so long as the expansion's encroachment does not exceed 10 feet.

§275.4.4 Accessory Structures

A. Except for fences and driveways, no accessory structure may be located between a principal structure and a public right-of-way or in a front yard nor may they be located closer to a public right-of-way than the principal structure on the parcel. This includes sheds, garages, satellite dish antennae, solar panels or similar apparatus.

B. Fences and walls. A fence or wall no higher than eight feet is permitted in a side and rear yard. A fence, hedge or wall is permitted in the front yard provided it is no higher than three feet and does not intrude upon the required sight triangle for vehicular traffic on adjoining streets or alleys per the terms of this code. The unfinished side, supporting rails, and posts of any fence shall face the interior of the property of the owner, and the finished side of the fence shall face the adjacent property. Fences and walls must be built of a durable and rigid material and must include sturdy supports that extend into the ground to provide permanent support and keep the fence in a plumb position. A retaining wall may be constructed in any yard as necessary to stabilize a natural earthen embankment and for that purpose only.
C. Essential services, handicapped access ramps, driveways, access drives, retaining walls, terraces without walls, steps, stairways and associated stoops of up to 24 square feet or those necessary to reach the ground from an existing porch, deck or other walkable structure are exempt from all area and yard regulations.
D. Unless otherwise noted in this code, accessory structures for a residential use may be located in side or rear yard areas to within three feet of a lot line. Otherwise, all residential accessory uses and structures shall meet all yard lot and area requirements.
E. Unless otherwise noted in this code, accessory structures for a non-residential use in the C, M or CL zoning districts may be located in side or rear yard areas to within 10 feet of a lot line. Otherwise, all non-residential accessory uses and structures shall meet all yard, lot and area requirements.
F. Swimming pools and associated decks regulated by the Pennsylvania Uniform Construction Code shall be permitted behind the back wall of the principal structure on the lot; provided, that the pool is located not less than 10 feet from any side yard line and 10 feet from the rear yard line. Pumps, filtration devices, and similar apparatus required by the pool may lie within the side or rear yards
G. Roof- and wall-mounted accessory uses shall comply with the setbacks for principal and accessory structures in the underlying zoning districts.
H. The total height from grade of a roof-mounted accessory use such as a satellite dish antenna, solar panel or wind turbine is placed shall not exceed by more than three feet above the maximum building height specified for principal or accessory buildings within the applicable zoning district
I. No more than 25 percent of the area of a property between the rear wall of the principal structure and the rear lot line may be occupied by enclosed accessory structures, either individually or in the aggregate.
J. Height limitations. In residential districts, no accessory buildings shall exceed 16 feet in height.

§275.4.5 Application of yard requirements

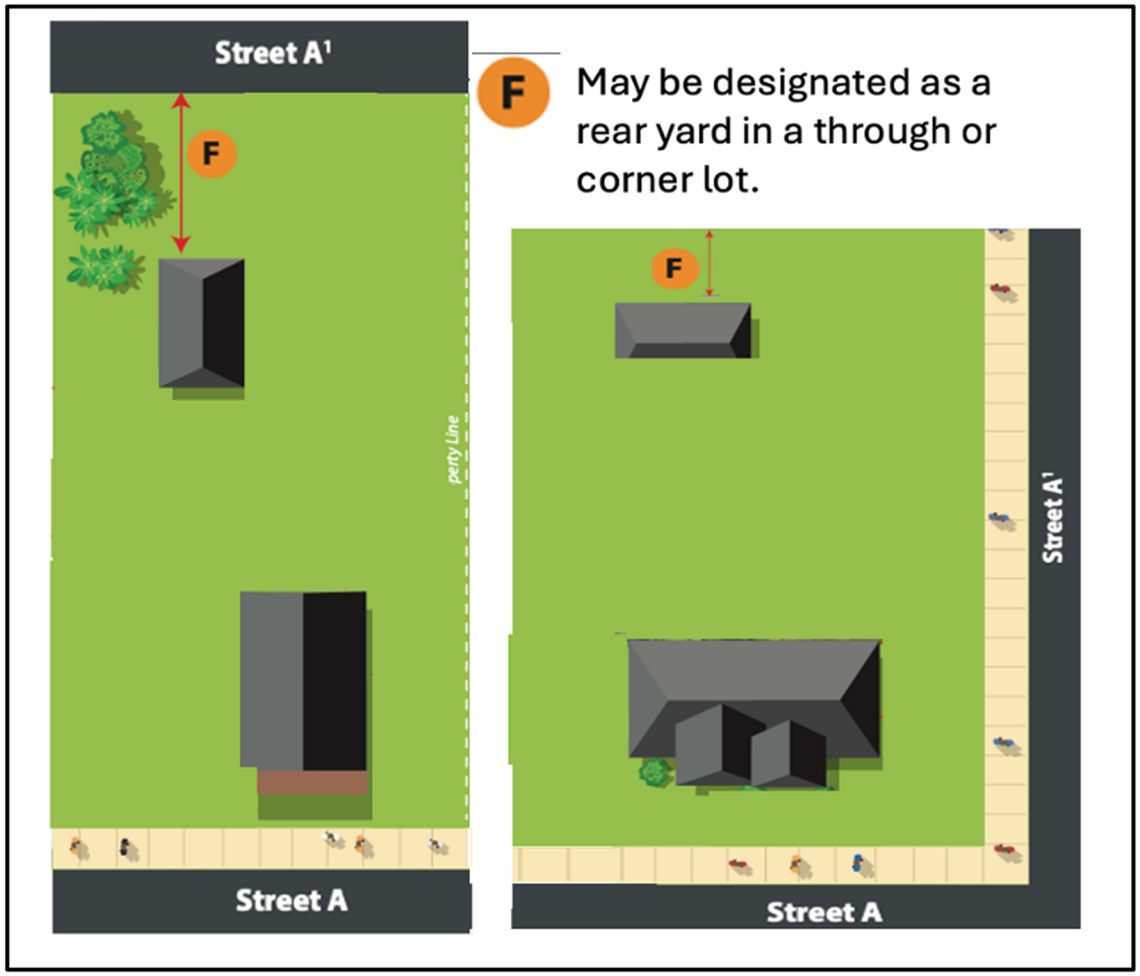
A. Lots which abut on more than one street shall provide the required front yard setbacks along every street except as provided herein.
B. All structures, whether attached to the principal structure or not and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, shall not project into any minimum front, side or rear yard except as otherwise specifically provided in this ordinance. The building setback shall be measured from the outermost point of a building roof overhang.

C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this code shall be included as a part of a yard, open space or off-street parking or loading space similarly required for any other building.

D. In corner lots, side yards opposite the street to which the property is addressed or opposite the front of the principal structure, as deemed appropriate by the zoning officer, may, upon request, be treated as rear yards for the purposes of this code. See Exhibit 275.4.6.

E. In through lots, front yards opposite the street to which the property is addressed or opposite the front of the principal structure, as deemed appropriate by the zoning officer, may, upon request, be treated as rear yards for the purposes of this code. See Exhibit 275.4.6.

Exhibit 275.4.6 – Rear Lot Designations



F. In any district other than the C-Commercial District, where a structure exists on an adjacent lot and is within one hundred fifty (150) feet of the proposed structure, and the existing structure has a front yard less than the minimum depth required, the minimum front yard shall be the average depth of the front yard of the existing structure on the adjacent lot and the minimum depth required for the district; where structures exist on both adjacent lots, the minimum depth of the front yard shall be the average depth of the front yards of the existing adjacent structures.

G. Swimming pools and associated decks regulated by the Pennsylvania Uniform Construction Code shall be permitted behind the back wall of the principal structure on the lot; provided, that the pool is located not less than 10 feet from any side yard line and 10 feet from the rear yard line. Pumps, filtration devices, and similar apparatus required by the pool may lie within the side or rear yards.
H. The following structures are exempt from height regulations provided they do not constitute a hazard: communication towers, church spires, chimneys, elevator bulk heads, smokestacks, conveyors, flag poles, agricultural silos, stand pipes, elevated water tanks, derricks, wind turbines and similar structures.
I. All structures must comply with the setback, lot and other requirements of this code unless expressly permitted elsewhere in this code, regardless of whether a permit is required for their construction or placement.

§275.4.7 Accessory Commercial Uses on Residential Property

Except as may be permitted by home business or in conjunction with a principal use other than residential, in all residential zoning districts and on all lots outside of a residential zoning district, on which are located single-family and multiple-family dwellings for residential use, no commercial, sales or business activity of any kind, inside or outside of a building, shall be permitted as an accessory use, except that yard sales, as defined, may occur no more than seven days per calendar year. Yard sales are permitted only at the primary residence of the person holding the yard sale.

§275.4.8 Accessory Drive-Through for Commercial Uses

Drive-through for financial institutions, car washes, dry cleaners, drive-through or drive-in restaurants, drive-in retail businesses or other establishments with drive-through facilities shall be permitted by the zoning officer as an accessory to the operation if they meet the following criteria:

A. Under no circumstances shall vehicular traffic be required to back onto public streets while utilizing the drive-through.
B. For each drive-through lane, a stacking area suitable for four vehicles per lane (including the vehicle at the point of service) shall be available between the point of service and a public street. Under no circumstances shall public streets serve as a drive-through lane.
C. A minimum length of 20 feet per vehicle and minimum lane width of 9 feet shall be required.

§275.4.9 Temporary structures; portable storage units

A. Temporary structures in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a one-year period, but such permits will automatically terminate when the construction work is completed, whichever is the earlier.
B. Portable storage units. These units are intended for the temporary storage of household goods during moving or remodeling. Units must be off the public right-of-way and shall not intrude upon the required sight triangle. The use of former mobile homes, shipping containers or semi-rigs, for such storage is not permitted in any district in the Borough. A permit shall be required prior to placement and permits shall be limited in duration to no

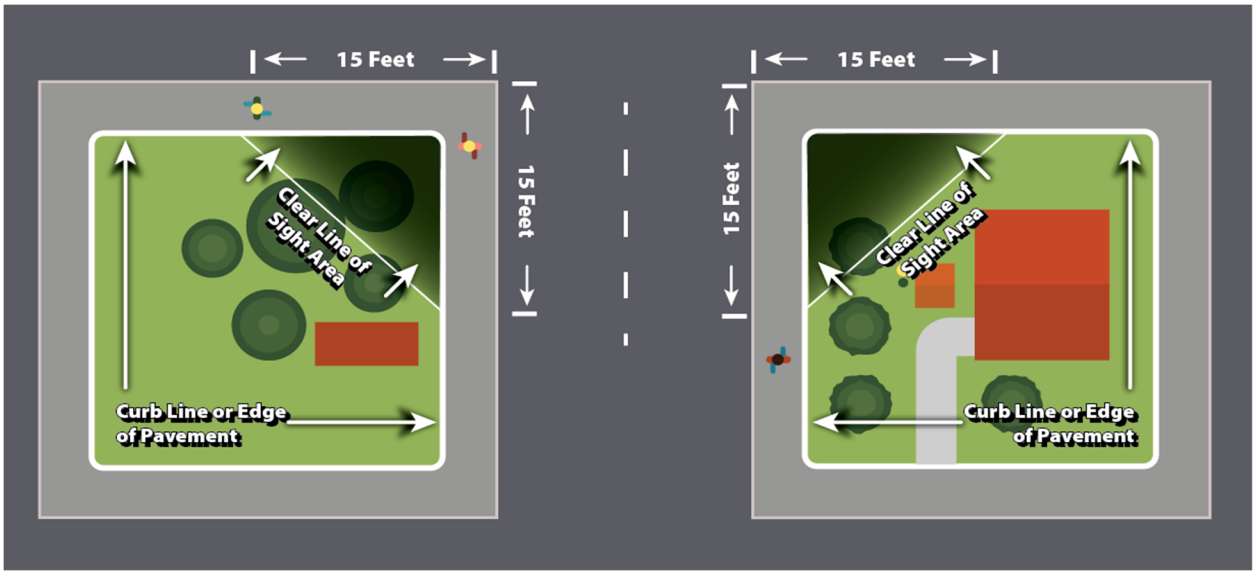
more than 30 days. After that time, they shall be removed or be in violation of this subsection and subject to the penalties thereof.

§275.4.10 Clear Sight Triangle

With the exception of the Commercial District, a clear-sight triangle shall be provided at all street and driveway intersections. Nothing shall be erected, placed or allowed to grow in a manner which obscures vision above the height of two and one-half feet above grade and below ten feet above grade, as described below and illustrated in Exhibit 275.4.11.

A. The sight triangle shall be established at the intersection of the curb lines or, where no curb is present, the intersection of the edges of pavement of each street, as shown in the following exhibit.
B. For corner properties at street intersections, an isosceles triangle shall be established for a distance of 15 feet at each side of the point of intersection of the street curb lines or edges of pavement, within which the sight triangle will apply.
C. Driveway Intersections: At driveway intersections with streets, an isosceles triangle shall be established for a distance of 15 feet at each side of the point of intersection of the street right-of-way with the driveway, within which the sight triangle will apply.

Exhibit 275.4.11 – Clear Sight Triangle



§275.4.12 Principal Structures on a Parcel

No more than one principal structure may be placed on a single parcel, with the exception of the I/C and M districts.

§275.4.13 Residing in basement structures

Residing in basement or foundation structures before completion of the total structure shall not be permitted.

§275.4.14 Commercial Waste Receptacles
In all zoning districts, all commercial waste receptacles larger than 95 gallons or multiple waste receptacles with an aggregate total of more than 100 gallons shall be screened from view from a public right-of-way with a wood, vinyl, masonry or comparable permanent screening structure.

§275.4.15 Recreational Vehicle Storage
Camping and recreational equipment storage. Campers, recreational vehicles, travel trailers, pickup coaches, motorized homes, boats and similar recreational equipment may be parked or stored on properties subject to the following requirements:

(A) At no time may such parked or stored equipment or vehicles be occupied or used for living, sleeping or housekeeping purposes.
(B) At no time may such equipment or vehicles be parked in a front yard area or closer to a street or right-of-way than the front wall of the principal structure.
(C) At no time may such equipment be parked or stored off of a gravel, concrete, asphalt or similar surface which prevents generation or dust or mud. Such unapproved surfaces shall include grass or any vegetated area.

§275.4.16 Performance standards
No use, land or structure in any district shall involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or person in the Borough. Furthermore, every use of land or structure in any district must observe the following performance requirements:

(A) Fire protection. Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.
(B) Electrical disturbances. No activity shall cause electrical disturbances adversely affecting radio, television or other electronic equipment in the neighboring area.
(C) Noise. Noise which is determined to be objectionable because of the volume or frequency, regardless of the source, shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for the public purposes, which shall be exempt from this requirement.
(D) Smoke. The maximum amount of smoke emission permissible shall be determined by use of the standards issued by the United States Bureau of Mines, the United States Environmental Protection Agency, the Pennsylvania Department of Environmental Resources or such entity as may have appropriate jurisdiction.
(E) Odors. In any district except the Manufacturing District, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property. In the Manufacturing District, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property that is used or zoned for residential purposes. This shall not apply to any form of fertilizer in districts where agriculture is a permitted use.
(F) Air pollution. No pollution of air by fly ash, dust, vapors or other substances shall be permitted which is harmful to health, to animals, to vegetation or to other property.
(G) Glare. Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted. All lighting shall comply with the Dark Sky regulations of this ordinance.

(H) Erosion. No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.
(I) Water pollution. The method for discharging wastes to public sewers, drains or watercourses shall be acceptable under the provisions of the Pennsylvania Sewage Facilities Act (Act 537 of 1968), as the same may be amended from time to time. In cases involving performance standards, the Board may require a plan of the proposed construction or development, a description of machinery proposed and specifications for the mechanisms and techniques to be used; and the Board may obtain qualified expert consultants to testify as to whether a proposed use will conform to the performance requirements.

§275.4.17. Prohibited Structures and Objects for Housing

At no time may any of the following be used for living quarters or dwellings, whether temporary or permanent:

(A) Accessory or storage structures such as garages, sheds, greenhouses or carports
(B) Storage units, trailers, current or former shipping containers
(C) Vans, cars, recreational vehicles, including park models, or other motor vehicles
(D) Any structure not built on a permanent foundation such as block, poured concrete, masonry, piers or other foundation approved under the borough or Pennsylvania uniform construction code.

This shall not be interpreted to apply to approved accessory dwelling units as defined by this ordinance or for legally occupied recreational vehicles in an approved Recreational Vehicle Park or Campground as governed by this code.

§275.4.18 Minimum Dwelling Size

No single-family detached dwelling shall be less than 1,000 square feet in size. This shall be interpreted to not include an attached garage nor basement or attic area.

§275.4.19 Skirting for Buildings on Piers

Any building that is set on piers shall have skirting made of concrete block, brick or a product equal to or exceeding the composition of concrete block or brick from grade to a point at least 8 inches above grade.

§275.4.20 Landscaping Requirements

(A) To promote the natural retention and flow of storm water, and to create areas of buffer and transition between various forms of land use, the following landscaping standards shall be applicable where a new principal non-residential use abuts a lot on which is located a single-family or two-family residence, or which is located in a residential zoning district.
(B) Any new building or structure of the commercial use shall be screened in conformance with this section, regardless of the size of the building or structure. Standalone parking lots which abut a lot on which is located a single-family or two-family residence, or which is located in a residential zoning district, shall comply only with screening and landscaping requirements pertaining to off-street parking.

(C) Buffering. A land development or construction project that meets the thresholds in subsections (A) and (B) above shall provide a buffer yard, in compliance with one of the following options, between the lot being developed and any abutting lot on which is located a single-family or two-family residence, or which is located in a residential zoning district:
   1. Type I Buffer Yard. A Type I buffer yard shall consist of a triple row of Norway spruces or comparable native species planted at oblique lines to one another so that a continuous screen is provided. All trees shall be a minimum of six feet at the time of planting.
   2. Type II Buffer Yard. A Type II buffer yard shall consist of a 25-foot planting strip between adjoining lot lines and any building or parking area on the lot being developed. The planting strip shall be suitably landscaped and maintained so as to provide a visual screen to a height of at least six feet throughout the year in accordance with a written landscape plan filed with and approved by the zoning officer. The screening may consist of natural vegetation sufficient for screening or combinations of conifers and deciduous trees and shrubbery and other landscaping features. At time of planting, trees shall be a minimum of six feet if coniferous and eight feet if deciduous.
   3. Type III Buffer Yard. A Type III buffer yard shall consist of an opaque fence at least four feet in height for the full length of the lot line on which the buffer is required. On the outside perimeter of the fence, a 10-foot planting strip shall be maintained. The planting strip shall be suitably landscaped and maintained so as to provide a visual screen to a height of at least six feet throughout the year in accordance with a written landscape plan filed with and approved by the zoning officer. The screening may consist of natural vegetation sufficient for screening or combinations of conifers and deciduous trees and shrubbery and other landscaping features. At time of planting, trees shall be a minimum of six feet tall if coniferous and eight feet tall if deciduous.

(D) Landscaping Plan. A landscaping plan shall be submitted to the zoning officer to show the delineation of required buffer yards and the type of planting, including proposed tree species and sizes and other landscaping meeting the requirements of this code. All landscaping shall be designed by a registered landscape architect or other person qualified by training and experience to provide landscaping plans, as determined by the zoning officer. No invasive or noxious species as defined by the Pennsylvania Department of Agriculture shall be permitted in any buffer yard or landscaping area. When approved by the zoning officer, the landscaping plan shall be retained for purposes of measuring compliance in the future.

(E) In all landscape plans, existing healthy trees and shrubbery should be retained as feasible.

(F) All fences, trees, shrubs and other landscaping materials shall be maintained substantially in the manner set forth in the approved plans. Trees and shrubs which have died shall be replaced within six months. The buffers do not need to be retained if the adjoining residential building is demolished and the residential use of the premises is abandoned or if the adjoining zoning district is changed from residential to some nonresidential zoning district and no residential uses are maintained on adjacent lots.

§275.4.21 Storage buildings

No shed, garage, carport or other building used for storage may be the only structure on a parcel in the R-1, R-2 or T districts.

§275.4.22 Dark Sky Standards

(A) Purpose – To require and set minimum standards for outdoor lighting to:

1. Provide for and control lighting in outdoor public places where public health, safety and welfare are potential concerns.
2. Protect drivers and pedestrians from the glare of non-vehicular light sources .
3. Protect neighbors, the environment and the night sky from nuisance glare and light trespass from improperly selected, placed, aimed, applied, maintained or shielded light sources.
4. Promote energy efficient lighting design and operation.
5. Protect and retain the intended visual character of the various Borough venues.

(B) Applicability

1. All uses where there is interior or exterior lighting that creates or has the potential to create a nuisance or hazard as viewed from outside, including but not limited to commercial, industrial, public and private recreational/sports and institutional uses, and architectural and landscape lighting.
2. Temporary seasonal decorative lighting and security lighting on residential properties is exempt from all but the glare-control requirements of this Ordinance.
3. Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during an emergency, are exempt from the requirements of this Ordinance.

(C) Criteria

1. Luminaire Design
   i. Luminaires shall be of a type and design appropriate to the lighting application.
   ii. For the lighting of predominantly horizontal surfaces such as, but not limited to parking areas, roadways, vehicular and pedestrian passage areas, merchandising and storage areas, automotive-fuel dispensing facilities, automotive sales areas, loading docks, active and passive recreational areas, building entrances, sidewalks, bicycle and pedestrian paths, and site entrances, luminaires shall be aimed straight down, have no uplight and shall be full-cutoff and fully shielded.
   iii. For the lighting of predominantly non-horizontal tasks or surfaces, such as, but not limited to, facades, landscaping, signs, billboards, fountains, displays and statuary, luminaires shall be adequately shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway. Minimal Luminaires as defined are exempt from the requirements of this section.
   iv. In the case of decorative street lighting luminaires, the Borough may approve the use of luminaires with an uplight component so long as they are frosted.

(D) Lighting Control

1. All lighting shall be aimed, located, designed, fitted, shielded and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely travel and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
2. Directional luminaires such as floodlights and spotlights shall be shielded, installed and aimed so that they do not project their output onto the properties of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public

roadway or pedestrian way. Floodlights installed above grade on residential properties shall not be aimed out more than 45º from straight down. When a floodlight creates glare as viewed from an adjacent residential property or use, the floodlight shall be required to be re-aimed and/or fitted with a shielding device to block the direct view of the glare from that property.

3. Illumination for building facades and/or surrounding landscapes for decorative, advertising or aesthetic purposes is prohibited between 11:00 p.m. and dawn, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until no more than one-half hour after closing.
4. The use of floodlights and wall-mounted luminaires (wall packs) to illuminate parking areas shall not be permitted.
5. Lighting for parking areas and vehicular and pedestrian traffic ways for commercial, industrial and institutional uses shall be automatically extinguished nightly within 1/2 hour of the close of the facility. When after-hours site safety/security lighting is proposed, such lighting shall not be in excess of twenty-five (25) percent of the number of luminaires required or permitted for illumination during regular business hours. Where there is reduced but continued onsite activity throughout the night that requires site-wide even illumination, the use of dimming circuitry to lower illumination levels by at least 50% after 11:00 p.m. or after normal business hours, or the use of motion sensor control, shall be permitted.
6. Glare control shall be achieved primarily through the use of such means as full cutoff/fully shielded luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle and luminaire placement.
7. The illumination projected from any use onto a residential use shall at no time exceed 0.1 footcandle, measured line-of-sight and from any point on the receiving residential property. This footcandle value, however, shall not be used as a criterion for assessing glare control onto the property.
8. Except as permitted for certain recreational lighting and/or permitted elsewhere in this paragraph, luminaires shall be full cutoff/fully shielded types and shall not be mounted in excess of twenty (20) feet above finished grade of the surface being illuminated. Where proposed parking lots consist of 100 or more contiguous spaces and the light sources are full-cutoff/fully shielded, the Borough may, at its sole discretion, based partially on mitigation of potential off-site impacts, allow a luminaire mounting height not to exceed 25’ AFG. Mounting height shall be defined as the distance from the finished grade of the surface being illuminated to the optical center of the luminaire. For recreational lighting maximum mounting height requirements, refer to “Recreational Uses” below.
9. Only the United States, Pennsylvania and Borough flags shall be permitted to be illuminated past 11:00 p.m. The light source shall have a beam spread no greater than necessary to illuminate the flag and shall be shielded so the light source (lamp) is not visible at normal viewing angles.
10. Under-canopy lighting for such applications as gas/service stations, hotel/theater marquees, fast-food/bank/drugstore drive-ups, shall be accomplished using flat-lens full-cutoff luminaires aimed straight down and shielded in such a manner that the lowest opaque edge of the luminaire shall be below the light source and its light

directing surfaces, at all lateral angles around the luminaire. The average maintained illumination in the area directly below the canopy shall not exceed 20 initial footcandles, with no value exceeding 30 initial footcandles.

(E) Luminaires and ancillary equipment shall be maintained so as to always meet the requirements of this Ordinance.

(F) Recreational Uses. The nighttime illumination of outdoor recreational facilities for baseball, basketball, soccer, tennis, track and field, and football typically necessitate higher than normally allowed luminaire mounting heights and aiming angles, utilize very high-wattage lamps and potentially produce unacceptable levels of light trespass and glare when located near residential properties. Permission to illuminate such facilities shall be granted only by special exception and when the Borough is satisfied that the health, safety and welfare rights of nearby property owners, and the municipality as a whole, have been properly protected. When recreational uses are specifically permitted by the Borough for operation during hours of darkness, the following requirements shall apply:

1. Race tracks and such recreational venues as golf driving ranges and trap-shooting facilities that necessitate the horizontal or near horizontal aiming of luminaires and projection of illumination, shall not permit any light trespass onto neighboring properties or streets. This may be accomplished by distance from property lines or streets, cutoff fixtures, shielding or screening as defined.
2. Recreational facilities for basketball, baseball, football, soccer, miniature golf, tennis or track shall not permit any light trespass onto neighboring properties or streets. This may be accomplished by distance from property lines or streets, cutoff fixtures, shielding or screening as defined.
3. Maximum mounting heights for recreational lighting measured to the center of the luminaire shall be in accordance with the following: Basketball 20’; Football 70’; Soccer 70’; Lacrosse 70’; Little League Baseball 70’; Miniature Golf 20’; Swimming Pool Aprons 20’; Tennis 20’; Track 20’.
4. The use of engine/generator portable boom lighting shall not be permitted.

(G) Plan Submission – Where site lighting is required or is proposed by Applicant, lighting plans shall be submitted, and the following elements may be required, as applicable, for Borough review and approval. The borough may require the plan to be prepared by a professional engineer or other qualified third party professional:

1. A site plan or plans, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), existing and proposed vegetation and landscaping, and adjacent uses that might be adversely impacted by the lighting. The lighting plan shall contain a layout of all proposed and existing luminaires, including but not limited to area, parking, architectural, building entrance, canopy, soffit, landscape, flag, sign, etc., by location, orientation, aiming direction, mounting height, lamp photometry and type.
2. A 10’x10’ illuminance grid (point-by-point) plot of maintained horizontal footcandles overlaid on the site plan, plotted out to 0.0 footcandles, which demonstrates compliance with the light trespass, illuminance and uniformity requirements as set forth in this Ordinance or as otherwise required by the Borough. When the scale of the plan, as judged by the Borough, makes a 10’x10’ grid plot illegible, a more legible grid spacing may be permitted.

3. Light-loss factors, initial lamp-lumen ratings and specific lamp manufacturer's lamp ordering nomenclature, shall be used in calculating the plotted illuminance levels.
4. Description of proposed equipment, including luminaire catalog cuts, photometrics, glare reduction devices, lamps, lamp correlated color temperature, on/off control devices, mounting heights, pole foundation details, pole protection means and mounting methods. All exterior lighting, including building-mounted lighting, shall meet the full-cutoff or fully-shielded definition of this ordinance.
5. Landscaping plans shall contain luminaire locations, demonstrating that the site lighting and landscaping have been coordinated to minimize conflict between vegetation and intended light distribution, both initially and at vegetation maturity.
6. When requested by the Borough, Applicant shall also submit a visual-impact plan that demonstrates appropriate steps have been taken to mitigate potential consequences of on-site and off-site glare and to retain the intended character of the Borough. This plan may require the inclusion of initial vertical footcandle values at specific off-site venues, e.g., bedroom windows of adjacent residential uses.

(H) Compliance Monitoring
1. Safety Hazards. If the Borough judges a lighting installation creates a safety hazard, whether or not a permit was required to install the lighting, the person(s) responsible for the lighting shall be notified and required to take remedial action.
2. Nuisance Glare and Inadequate Illumination Levels. When the Borough judges an installation produces unacceptable levels of nuisance glare, skyward light, excessive or insufficient illumination levels or otherwise varies from this Ordinance, the Borough may cause notification of the person(s) responsible for the lighting and require appropriate remedial action.
3. The Borough reserves the right to conduct post-installation inspections to verify compliance with Ordinance requirements and approved Lighting Plan commitments, and if deemed appropriate by the Borough, to require remedial action at no expense to Borough. Installer shall notify Borough to arrange for inspection and approval of all exterior lighting, including building-mounted lighting, prior to its installation.

(I) Nonconforming Lighting – Any luminaire or lighting installation existing on the effective date of this Ordinance that does not conform with the requirements of this Ordinance, shall be considered as a lawful nonconformance. A nonconforming luminaire or lighting installation shall be made to conform with the requirements of this Ordinance when it is replaced by another luminaire or luminaires or is abandoned or relocated; or when the number of existing luminaires is increased by 30 percent or more.

§275.4.23. Off-street loading and parking

Loading and parking facilities shall be provided in accordance with the specifications in this section in all districts whenever any new use is established or an existing use is enlarged.

(A) Off-street loading and deliveries. Every commercial use with a building footprint of 10,000 square feet or more which requires the distribution or receipt by vehicles of merchandise or materials shall (1) submit a plan for and shall provide and implement a vehicular maneuvering plan showing all deliveries shall be made without the use of public road cartways, including backing onto or off of said cartway; or (2) provide loading spaces as provided in the table below.

Table 275.4.24
OFF-STREET LOADING SPACE REQUIREMENTS

Uses	**Square Feet of Floor Area**	**Required Off-Street Loading Berths***
Schools	15,000 or more	1
Hospitals (in addition to space for additional ambulance)	10,000 to 300,000 Over 300,000	1 1
Undertaker and funeral parlors	5,000 or more	1
Hotels and offices	10,000 or more	1
Commercial, wholesale, manufacturing and storage	Up to 25,000 25,000 to 40,000 40,000 to 60,000 60,000 to 100,000 For each additional 50,000 or major fraction thereof	1 2 3 4 1 additional

* Each loading space shall be not less than 12 feet in width, 40 feet in length and 14 feet in height and designed so as not to encroach upon the public right-of-way.

(B) Off-street parking.

1. Size and access. Each off-street parking space shall have a uniform width of at least nine feet and an area of not less than 180 square feet, exclusive of access drives or aisles, and be in a usable shape and condition. Parking areas for non-residential uses and residential uses of three or more dwelling units shall be designed to provide sufficient turnaround areas so that vehicles are not required to back onto public streets. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive leading to the parking areas. Access drives shall be limited to well defined locations, and in no case shall there be unrestricted access along the length of a street.
2. Number of parking spaces required.
    i. The number of off-street parking spaces required is set forth in Table 275.4.25 below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply. If no similar uses are mentioned, the parking requirements shall be one space for each 500 square feet of building space for interior uses or each 1,000 square feet of property for exterior uses. Where more than one use exists on a lot, parking regulations for each use must be met. Except in the case of dwellings, no parking area shall contain fewer than three spaces.
    ii. Exemptions. Unless required by special exception or conditional use, all uses in the C District are exempt from the parking space requirements of this section. Second, lawful uses occupying a preexisting structure with no substantive physical changes to the dimensions of the building shall be exempt from the parking space requirements of this section, provided there are no conditional use or special exception requirements; and provided there are no substantive projected increases in parking demand as a result of a change in use.

Table 275.4.25
OFF-STREET PARKING SPACE REQUIREMENTS

Institutional, assembly, recreation and lodging - 1 per employee on major shift, plus: - 1 per each 2 beds, 1 per sleeping room or 1 per each 3 seats (3 classroom seats for schools) or 1 per each 500 sf of area open to the public, whichever is more	**Retail/office/service/industrial** - 1 per employee on major shift plus 1 per 500 sf of area open to the public
Includes: *Hotels and motels* *Rooming, boarding and tourist houses* *Hospitals, nursing and convalescent homes* *Churches and schools* *Commercial recreation – indoor, outdoor, ports arenas, stadiums, theaters, auditoriums and assembly halls, adult use businesses* *Community buildings and social halls, civic/cultural buildings, municipal buildings, libraries* *Dance halls, roller rinks, clubs and lodges* *Bowling alleys* *Sororities or fraternities* *Swimming pools*	*Includes:* *Automobile sales and Garages* *Banks and offices* *Bakery* *Barber, Salon* *Building supply/contractor yard, Landscaping/Nursery, Rental service/equipment* *Community garden* *Service stations, Light repair services* *Medical, veterinary, dental offices and clinics* *Retail stores, shops, Drugstores, medical marijuana dispensaries, Shopping Centers* *Furniture and appliance stores* *Food supermarkets* *College dormitory* *Restaurants and taverns* *Tailor/seamstress, Personal Services* *Laundry/dry cleaning drop-off* *Printing services* *Retail manufacturing* *Teaching studios* *Convenience food store* *Personal services* *Urban farm* *Laboratory/research facility* *Data Centers* *Wholesale warehouses and truck terminals* *Limited storage* *Public utility buildings* *Industrial and manufacturing establishments, including medical marijuana growing/processing*
Residential - 2 per dwelling unit	
Includes: *Single-family dwellings* *Two-family Dwellings* *Townhouses* *Multifamily dwellings* *Upper-floor residential* *Mobile Home Park*	

3. Location of parking area. Required parking spaces shall be located on the same lot with the principal use-Parking areas in the R-1, R-2 and T districts shall not be accommodated in the front yard space except in driveways. If needed, an additional space may be placed in front of the living area; however, such additional space shall not be more than 10 feet in width.

(C) Screening and landscaping. Off-street parking areas for more than five vehicles and off-street loading areas shall be effectively screened on each side which adjoins or faces any residential use or district. (See definition of "screening.")

1. There shall be a planting strip of at least five feet in width between all property lines and the parking lot. At a minimum, the required planting shall consist of one tree per each four parking spaces, and one shrub per each four parking spaces. The vegetation species shall be selected for its suitability for parking areas, including but not limited to de-icing chemical tolerance and general hardiness, and shall be appropriately sized for the planting area. The balance of the planting strip shall be maintained in plants or grasses. Existing healthy landscaping may be counted towards this requirement.
2. At the time of planting, all shrubbery shall be a minimum of 18 inches in height as measured from the ground after proper planting; all coniferous trees shall be a minimum of six feet in height as measured from the ground after proper planting; and all deciduous trees shall have a minimum of a two-inch caliper as measured at three feet from the ground after proper planting.
3. Where required, screening of parking areas may be accomplished by any of the following methods:
    i. A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in all seasons, as determined by the zoning officer, to form a solid continuous visual screen.
    ii. A man-made opaque structure such as a solid masonry wall or a solid fence.
    iii. A maintained, landscaped earthen-mound at least five feet wide.
    iv. Maintenance of the existing natural vegetation that, in its natural state, forms a screen as defined in this code.

(D) Minimum distance and setbacks. No off-street loading or parking area for more than five vehicles shall be closer than 10 feet to any adjoining property containing a dwelling, school, hospital, or similar institution, or to any abutting lot line within an R-1 or R-2 zoning district, with the exception that this shall not apply to mixed-use buildings.

(E) Surfacing. With the exception of industrial uses, all parking and loading areas and access drives shall have a paved surface, graded and drained to dispose of all surface water and designed to provide for orderly and safe loading and parking. Such areas shall be improved to provide a dust-free, mud-free area. Materials such as crushed limestone or gravel may be used.

(F) Lighting. Any lighting used to illuminate off-street parking or loading areas shall meet the Dark Sky regulations of this ordinance and in no case may be directed toward abutting streets, alleys or neighboring properties.

(G) Limitations of vehicular parking and storage. A house trailer, travel trailer, recreational vehicle, camper trailer, boat trailer or boat may be stored in any residential district, provided that it shall be stored only between the required side yards and behind the principal structure or in the driveway. Such vehicles shall not be used for residential purposes.

§275.4.26. Signs

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

(A) Regulations in all districts

1. A sign not exceeding four square feet in surface size, which announces the name, address or professional activity of the occupant of the premises on which said sign is located, is permitted.
2. A bulletin board not exceeding 40 square feet in connection with any church, school or similar public structure is permitted.
3. A temporary real estate development or construction sign, not more than 32 square feet in area, is permitted on a property being altered or developed. Such signs shall be at least 12 feet from the curb or edge of pavement. All such temporary signs shall be removed within two weeks after they have fulfilled their function (that is, the completion of the work).
4. A temporary real estate "for sale" or "for rent" sign, up to four square feet, shall be allowed in any district. Such signs shall be at least 12 feet from the curb or edge of pavement. All such temporary signs shall be removed within two weeks after they have fulfilled their function (that is, the sale or rental of real estate).
5. Signs and structures shall not be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic. These include but are not limited to any signs that move or emit noise or odors, whether by mechanical, wind-driven or other means.
6. Directional signs not larger than four square feet, in connection with any legal commercial activity or industry, may be permitted, provided they contain no information other than instructions for convenience for vehicular traffic in reaching such activity.
7. Signs shall not be permitted on Borough property except:
    i. Those posted by the Borough itself; and
    ii. Upon permission granted by the Council or Borough Administrator, those announcing charitable events.
8. Signs in public rights-of-way. No signs shall be permitted within public rights-of-way except as follows:
    i. PennDOT-approved traffic signs and devices.
    ii. Signs and banners specially approved by the Borough.
    iii. Historical markers as approved by the Borough.
    iv. Other signs specifically permitted within the public right-of-way under another section of this code.
9. No signs shall be permitted which are posted, stapled or otherwise attached to public utility poles, trees or traffic-control signs or devices within public rights-of-way.
10. Construction and Maintenance.
    i. All signs, except temporary signs, shall be constructed in a workmanlike fashion using durable materials. Signs shall be designed and constructed to withstand wind forces and in accordance with appropriate mechanical or electrical standards.
    ii. The owners of signs shall keep them in safe and good repair. Signs which become deteriorated or present a public hazard shall be removed or repaired. If the owner of a sign cannot be found or identified or fails to take appropriate action, the owner

of the property whereon the sign is located shall be responsible for its repair or removal.

iii. A sign shall be considered deteriorated if any of the following conditions are present:
   (1) Any portion is torn.
   (2) Any portion is missing.
   (3) Any hole, other than one installed by the manufacturer for mounting or other purposes, more than ½-inch in diameter is present.
   (4) Any portion of the message is missing or faded.
   (5) Any portion of the sign's support or attachment is loose, torn, frayed or otherwise damaged or the support is determined to be inadequate to support the load imposed.
   (6) The sign or any portion of the sign is constructed of paper, cardboard or other material that is not weather-resistant, unless it is completely covered or enclosed by a weatherproof device constructed for that purpose.

11. Line of sight. No sign shall be placed where it would block the line of sight for a public or private street, access drive or driveway or lawful service drive, and shall comply with sight-triangle provisions of this chapter.
12. Lighting of Signs.
   i. In addition to the Dark Sky regulations of this chapter, the following regulations shall apply to the lighting of new or relighting of existing signs:
      (1) Permanent signs may be internally or directly lighted with non-glaring lights or may be indirectly illuminated by shielded floodlights except where prohibited by this article.
      (2) Externally-illuminated signs shall have luminaires mounted at the top of the billboard or sign and aimed downward. The luminaires shall be designed, fitted and aimed to shield the lamp and its reflective surfaces from direct off-site view and to place the light output onto and not beyond the sign or billboard.
      (3) Internally illuminated billboards and signs shall have a dark field/background and light message.
      (4) Channel letter signs shall have dimming capability to allow adjustment of sign brightness when required by the Borough to accommodate local ambient conditions.
      (5) Signs shall be extinguished by no later than 11:00 each evening until 6 a.m., except that signs for establishments that operate or remain open past 11:00 p.m. may remain lighted no later than ½ hour past the time of the close of the establishment.
      (6) Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons, searchlights or strobe lighting shall not be permitted.
      (7) The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.
      (8) All lighting shall be screened from adjacent properties.
      (9) All electrical connections shall be shielded by underground or overhead electrical wires which meet all Borough codes.

(10) No temporary signs, including any sign not permanently attached to the ground or a structure in a manner conforming to the Pennsylvania Uniform Construction Code, shall be illuminated by direct means.

(11) No signs associated with single- or two-family residential uses shall be illuminated by any means except for posted building numbers required by law, which illumination shall be kept to the minimum necessary for legibility.

13. Signs for which the purpose they serve are closed shall be removed within 30 days of the date the closure.

(B) Signs in the R-1 and R-2 Districts

In the R-1 and R-2 Districts, signs will be permitted as follows, in addition to the requirements in Subsection A:

1. One permanent sign per street frontage, not to exceed 32 sf when associated with permitted uses other than single-family or two-family dwellings or 4 sf when associated with a single-family or two-family dwelling. Freestanding signs shall not exceed 6 feet in height above grade.
2. Temporary signs shall not exceed 12 sf in the aggregate.
3. Roof signs and pole signs shall be prohibited.
4. In addition to the signs provided above, a home occupation or nameplate sign no larger than 4 sf shall be permitted, provided that not more than one such sign shall be erected; and provided, that each such sign shall be fixed flat on the main wall of such building or erected in the front yard, but not closer than 10 feet from a lot line. Such signs shall not be illuminated by any means.
5. No temporary signs shall be no closer than three feet to the front lot line.

(C) Signs in the T District

In the T district, signs will be permitted as follows in addition to the requirements in Subsection A:

1. One permanent sign per street frontage, whether for one or multiple entities at a property, not to exceed 32 sf when associated with uses other than single-family or two-family dwellings or 4 sf when associated with a single-family or two-family dwelling. Freestanding signs shall not exceed 8 feet in height above grade.
2. In addition to the signs provided above, a home occupation or nameplate sign no larger than 4 sf shall be permitted, provided that not more than one such sign shall be erected; and provided, that each such sign shall be fixed flat on the main wall of such building or erected in the front yard, but not closer than 10 feet from a lot line. Such signs shall not be illuminated by any means.
3. Projecting and wall signs shall conform to the regulations of the zoning district wherein they are located.
4. Temporary signs shall not exceed 12 sf in the aggregate.
5. Roof signs shall be prohibited.

(D) Signs in the C District

In the C District, signs will be permitted as follows in addition to the requirements in Subsection A:

1. Two permanent signs per street frontage not to exceed 32 sf each when associated with uses other than a single-family or two-family dwelling, or 1 sign not to exceed

4 sf when associated with a single-family or two-family dwelling. Freestanding signs shall not exceed 15 feet in height.

2. For instances of more than one entity operating at one property, only one sign per entity of a maximum 32 sf shall be permitted along any one street frontage.
3. Temporary signs shall not exceed 32 sf in the aggregate.
4. Roof signs shall be prohibited.
5. Portable signs shall be permitted in the public right-of-way. Such signs shall be subject to the following regulations and shall not count toward the number or size limitations contained in this chapter:
   i. Signs are clearly accessory to, and placed on right of way abutting, a permitted business.
   ii. Limited to one portable sign per business establishment.
   iii. Signs contain a total area not exceeding six square feet per sign face and have no more than two faces.
   iv. Signs are displayed only during business hours.
   v. Placement of such signs allows an unobstructed sidewalk for pedestrian use of a width of not less than five feet and; provided, further, that such sign does not block a line of sight for vehicles or pedestrians.

(E) Signs in the M District

In the M District, signs will be permitted as follows:

1. Two permanent signs, not to exceed 100 sf in the aggregate. Freestanding signs shall not exceed 15 feet in height.
2. Temporary signs shall not exceed 32 sf in the aggregate.
3. Signs shall be no closer than 20 feet to the front lot line nor closer than 10 feet to side and rear property lines.

(F) Signs in the I/C District

In the I/C District, signs will be permitted as follows:

1. Two permanent signs per street frontage not to exceed 32 sf each when associated with uses other than a single-family or two-family dwelling, or 1 sign not to exceed 4 sf when associated with a single-family or two-family dwelling. Freestanding signs shall not exceed 15 feet in height.
2. For instances of more than one entity operating at one property, only one sign of a maximum 32 sf shall be permitted along any one street frontage. Projecting and wall signs shall conform to the regulations of the zoning district wherein they are located.
3. Temporary signs shall not exceed 32 sf in the aggregate.
4. Roof signs shall be prohibited.
5. Signs shall be no closer than three feet to any lot line.

(G) Sign Regulations and Nonconforming Uses.

Nonconforming uses may keep all permanent, pre-existing signs; provided, that such signs do not obstruct vehicular lines of sight or threaten public safety. If the signage for the use is changed, all future signs shall comply with regulations for the district in which the nonconforming use is located.

(H) Electronic Signs.

1. Electronic signs are not permitted within the following zoning districts: R-1, R-2 and T.

2. Electronic signs within the C, I/C and M districts shall be permitted by conditional use and shall be subject to all other sign regulations provided for in this ordinance. Further:
    i. No electronic sign may be illuminated in any manner which causes undue distraction, confusion or hazard to vehicular traffic.
    ii. Message display shall remain static for a minimum of five (5) seconds. There shall be no strobe, flashing effect or other animation other than scrolling during the display. Any transitions or change of the display between messages shall not be more than one (1) second. Transitions that involve fading or other animations other than scrolling shall not be permitted.
    iii. Illumination: The owner of the sign or their agent shall measure sign luminance with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the sign off, and again with the sign displaying a white image for a full color-capable sign, or a solid message for a single-color sign. All measurements shall be taken perpendicular to the face of the sign at the distance determined by the total square footage of the sign. Electronic signs of ten square feet or less shall be measured at a distance of thirty-two (32) feet. Electronic Signs of greater than ten (10) square feet shall be measured at a distance of 39 feet. The difference between the off and solid-message measurements using the criteria shall not exceed 0.3 foot-candles at night. A letter certifying compliance shall be provided to the zoning officer.
    iv. Dimming Capabilities: All permitted electronic signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurement. The sign or billboard nighttime light output shall be capable of being further dimmed if the Borough so requires when the lighting is judged to create a nuisance or hazard.
    v. Electronic signs which malfunction shall be turned off except for testing during any correction or repair.
    vi. No sign may be illuminated or functioning between the hours of 11 p.m. and 6 a.m.
    vii. The total sign area, including support structure, shall conform to the size requirements for the district in which it is located, but in no event may the height of the sign, including support structure, exceed 10 feet.
    viii. An image or graphic may be displayed but must be stationary. Any digital display containing animation, streaming video, or text or images which flash, pulsate or move in any manner other than text scrolling is prohibited. No sound may be used.