**ARTICLE 13**

**DEFINITIONS**

1. **INTERPRETATIONS**

Unless the context otherwise requires, the following definitions shall be used in the interpretation of this Ordinance. Words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "person" shall include a corporation, partnership, trust, company, organization, firm and association as well as an individual; the word "lot" shall include the words "plot" and "parcel"; the term "shall" is mandatory, the word "may" permissive; and the word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

1. **DEFINITIONS**

ABANDONED: The visible or otherwise apparent discontinuance of a nonconforming use of a building or premises, or the removal of the characteristic equipment or furnishings used in the performance of a nonconforming use without its replacement by similar equipment or furnishings, or the replacement of the nonconforming use or structure.

ACCESS DRIVE: A durable, all-weather surfaced means, other than a street, which provides vehicular access from a street or public road to a lot; e.g. a driveway or private right-of-way.

ACCESSORY BUILDING: See BUILDING, ACCESSORY.

ACCESSORY RESIDENTIAL USE: For the purposes of this Ordinance, an accessory residential use shall be defined as a residential dwelling unit which is accessory to the principal commercial use of a lot; i.e. an apartment located above or adjoining a retail establishment. (See also Section 432.)

ACCESSORY STORAGE TRAILER: See STORAGE TRAILER, ACCESSORY.

ACCESSORY STRUCTURE: See STRUCTURE, ACCESSORY.

ACCESSORY USE: See USE, ACCESSORY

ADULT BOOK STORE: A retail establishment having as a substantial or significant portion of its stock and trade, books, magazines and/or other periodicals which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", or an establishment with a section or area devoted to the sale or display of such material.

ADULT ENTERTAINMENT ESTABLISHMENT: Adult book stores, adult theaters, massage parlors, and similar establishments providing entertainment of a sexual nature where minors are restricted. (See also Section 418.)

AGENT: Any person, other than the landowner of a lot, who, acting under specific authorization of the landowner, submits plans, data and/or applications to the Zoning Officer or other designated Township official for the purpose of obtaining approval thereof.

AGRIBUSINESS: The sale of agricultural products or commodities, including but not limited to, farm produce, seed, fertilizers, and farm machinery.

AGRICULTURAL PURPOSES: The use of more than ten (10) acres of land for the purpose of producing agricultural commodities, which shall include but not be limited to: growing grains, fruits, vegetables, nursery plants, Christmas trees, or timber; raising poultry or livestock; producing agricultural commodities through greenhouse production. In some instances, the use of land for agricultural purposes may involve the construction of barns, silos, feed lots and/or farm-related accessory buildings. ·

AGRICULTURAL STRUCTURE: A structure, as defined in 44 C.F.R. §59.1, that is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock; an agricultural structure specifically excludes structures used for human habitation.

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, aquiculture, forestry, animal and poultry husbandry, and the accessory uses for packing, treating, or storing the produce; provided however, that the operation of any such accessory use shall be secondary to that of the normal agricultural activities. (See also Section 424.)

ALTERATION: As applied to a building or structure, an alteration shall be defined as a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or increasing in height, or the moving from one location or position to another. An alteration does not include maintenance and repair.

AMENDMENT: A change or revision to the text or map of the Piatt Township Zoning Ordinance approved and enacted by the Township Supervisors.

ANIMAL HUSBANDRY: For the purposes of this Ordinance, animal husbandry shall be defined as the raising or keeping of livestock and/or poultry for capital gain or profit or with the intent of selling livestock or poultry products as a commercial enterprise, including custom butchering. (See also Section 424.)

ANIMAL HOSPITAL: SEE VETERINARY HOSPITAL

APPLICANT: Any landowner, developer, lessee or an authorized agent who submits plans, data and/or applications to the Zoning Officer or other designated Township official for the purpose of obtaining approval thereof.

AREA: The surface included within a set of lines.

* 1. Area, Lot: The area contained within the property lines of individual parcels of land shown on a plan, excluding any area within a street right-of-way (whether public or private), but including the area of any easement.
  2. Area, Buildable: That portion of a lot bounded by the required front, side and rear yards.
  3. Area, Site: The total area of a proposed development, regardless of interior lot lines or proposed lots, streets, or easements.

AUTO BODY SHOP: A business establishment where repairs or body work is performed primarily for automobiles or other motor vehicles. (See also AUTOMOTIVE REPAIR SHOP.)

AUTOMOTIVE REPAIR SHOP: A building or structure used primarily for making major repairs to motor vehicles (automobiles, motorcycles, trucks, farm equipment of machinery, and/or snowmobiles), including overhauling, body work, painting, refinishing and upholstering, as well as incidental servicing and maintenance. (See also Section 416.)

AUTOMOTIVE SALES FACILITY: Any building or land area used for the display and/or sale of new or used automobiles or other motor vehicles, including warranty repair or associated work.

AUTOMOTIVE SERVICE STATION: A building or place of business where gasoline or any motor vehicle fuel or oil or other lubricating substance, batteries, tires, and other automotive accessories are supplied and dispensed to the motor vehicle trade, at retail, and where minor repair service may be offered. (See also Section 416.)

AUTO SALVAGE OPERATION: See JUNK YARD.

BASE FLOOD: A flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100 year flood" or one-percent (1%) annual chance flood).

BASE FLOOD DISCHARGE: The volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).

BASE FLOOD ELEVATION (BFE): The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

BASEMENT: 1) That portion of a building partly underground but having more than half of its clear height above the average lot grade. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if it is used for business or dwelling purposes. 2) For flood plain management purposes, a basement shall be that area of a building or structure having its floor below ground level on all sides.

BED AND BREAKFAST ESTABLISHMENT: An establishment, dwelling, or part thereof, in which individual rooms are offered for temporary lodging purposes by the owner or operator for limited periods of time. Breakfast may also be provided for overnight guests as a part of the lodging fee. (See also Section 414.)

BOARDING OR ROOMING HOME: A single family dwelling or part thereof, where lodging is provided for a fee by the legal owner-occupant thereof. Such lodging may be provided for no more than six (6) persons unrelated to the owner and shall be for periods of time exceeding one (1) week, whether or not arrangements have been made for meals other than just breakfast, thus differing from Bed and Breakfast establishments. (See also Section 410.)

BOARD OF SUPERVISORS: The elected governing body of Piatt Township, Lycoming County, PA.

BOARD OR ZONING HEARING BOARD: The Zoning Hearing Board of Piatt Township, Lycoming County, PA. ·

BORROW AREA: An excavated area where material has been borrowed for use as fill at another location, not including the excavation or removal of fill or the grading of a site preparatory to the construction of a building.

BUFFER YARD: Yard space, either landscaped or planted, provided to visually separate or shield one use from another. (See also Section 505.)

BUILDABLE AREA: That portion of a lot bounded by the required front, side and rear yards.

BUILDING: A structure having a roof supported by columns or walls which is used for the shelter, housing or enclosure of persons, animals, or property. Included shall be all manufactured homes and trailers to be used for human habitation. The word "building" shall include any part thereof.

* 1. Building, Accessory: A detached, subordinate building or structure located on the same lot as the principal building, serving a purpose customarily incidental and subordinate to the use of the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building
  2. Building, Principal: A building or structure in which the principal use of the site is conducted or is intended to be conducted.
  3. Building, Attached: A building which has one (1) or more party walls in common with adjacent buildings.
  4. Building, Detached: A building which has no party walls and is surrounded by open space on all sides of the lot.

BUILDING COVERAGE: That percentage of the plot or lot area covered by the principal and accessory buildings, including covered porches, carports, and breeze ways, but excluding open patios, parking or loading areas.

BUILDING HEIGHT: A vertical distance measured from the average elevation of the proposed finished grade of the ground surrounding the building to a point midway between the highest and lowest point of the roof, excluding chimneys, spires, towers, tanks and similar projections which may be attached to a building.

BUILDING LINE: The required setback (front, side or rear) of a building from a property or street line.

BUILDING SETBACK LINE: The line established by the required minimum front yard setback from the street right-of-way or front lot line for buildings and/or structures. The building setback line shall be the point at which the lot width is measured.

BUILDING/ZONING PERMIT: 1) The permit required by this Ordinance for the construction, alteration, or change of use of any structure. 2) A permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements of this Ordinance for the district in which it is to located.

CAMPGROUND: A tract or tracts of ground, or portion thereof, used for the purpose of providing two (2) or more spaces for recreational vehicles or tents for camping purposes, with or without a fee charged for the leasing, renting, or occupancy of such space. Such facility may also be considered a recreational vehicle park. (See also Section 427.)

CARPORT: A roof structure, used in conjunction with a dwelling, providing space for the parking or storage of motor vehicles and enclosed on not more than two (2) sides.

CAR WASH: Any building or premises used for washing automobiles or other motor vehicles for commercial purposes.

CARTWAY: The surface of a street or alley available for vehicular traffic, including traveled lanes and on-street parking spaces, but excluding shoulders, curbs, sidewalks or drainage swales.

CELLAR: A portion of a building partly underground, having half or more than half of its clear height below grade. A cellar shall not be considered in determining the permissible number of stories.

CERTIFICATE OF NONCONFORMANCE: A certificate issued by the Zoning Officer which acknowledges the existence of a nonconforming use, structure or lot as of the effective date of this Ordinance, thereby authorizing its right to continue until it is eliminated or abandoned.

CERTIFICATE OF OCCUPANCY: A certificate issued by the Zoning Officer stating that all work authorized by the Building/Zoning Permit has been satisfactorily completed or in cases not involving construction, a proposed new use is in conformity with the Ordinance and the building or land may be occupied.

CHANGE OF USE: An alteration of a building or a change of use existing within a building or on a lot to a new use which imposes other provisions of the Zoning Ordinance.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street or driveway intersections defined by lines of sight between points at a given distance from the intersection of the street centerline. (See also Section 504 E.2.)

CLINIC, MEDICAL OR DENTAL: An establishment where patients are examined or treated by one or more physicians, dentists, psychologists, or social workers, but not involving any overnight admissions.

CLINIC, VETERINARY: An establishment where animals are examined and treated by one or more veterinarians, but where no boarding is provided.

CLUB, LODGE OR FRATERNAL ORGANIZATION: An organization catering exclusively to members and their guests in premises or buildings for social, recreational, or administrative purposes, which are not conducted for profit. Clubs shall include but not be limited to service organizations, hunting or sportsmen's clubs, fraternal organizations, as well as social, athletic or similar groups.

COMMON OPEN SPACE: See OPEN SPACE, COMMON.

COMMUNICATION TRANSMITTING AND RECEIVING FACILITIES: All forms of transmitting and/or receiving antennae, dishes, or devices, and the poles, masts, towers or other structures which support them, as well as any buildings which may be necessary for the operation or maintenance of such uses.

COMPLETELY DRY SPACE: A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

COMPREHENSIVE PLAN: The complete plan for development of Piatt Township, Lycoming County, PA, dated April 1975, which policies and guidelines were updated and restated as General Development Goals and Objectives, dated November 1994.

CONDITIONAL USE: A use permitted in certain districts, as provided for in Article 3, which may only be authorized by the Township Supervisors as set forth in Section 1101, after review and recommendation of the Township Planning Commission.

CONDOMINIUM: A building or group of buildings in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

CONSTRUCTION: See NEW CONSTRUCTION.

CONTRACTOR'S SHOPS AND/OR YARDS: A building or buildings and space used for the storage of construction equipment and/or building materials. Such uses may also include equipment repair facilities and office space. (See also Section 420.)

CONVENIENCE MARKET: A retail establishment selling a limited range of food products and some household or other consumer goods. Such facilities generally offer fewer items and maintain a smaller inventory of merchandise than a supermarket or grocery store. In some cases, gasoline and related automotive supplies are also offered on a self-service basis.

CONVERSION APARTMENT: A dwelling or other building existing at the effective date of this Ordinance which is converted for residential occupancy by more than one (1) family. The specific number of permitted dwelling units shall be as set forth in Section 403 of this Ordinance.

COUNTY: Lycoming County, PA.

CULTURAL FACILITIES: Art galleries, auditoriums, libraries, museums or similar facilities open to the public or connected with a permitted educational, institutional, philanthropic, service or religious use.

CUMULATIVE SUBSTANTIAL DAMAGE: Flood related damages sustained by a structure on two or more separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

DAY CARE CENTER: A private facility enrolling more than 6 young children where tuition, fees, or other forms of compensation for the care of the children is charged and which is licensed, inspected and approved to operate as a child day care center by the PA Department of Public Welfare. (See also Section 413.)

Declaration of Land Restriction (Non-Conversion Agreement): A form signed by the property owner to agree not to convert or modify in any manner that is inconsistent with the terms of the permit and these regulations, certain enclosures below the lowest floor of elevated buildings and certain accessory structures. The form requires the owner to record it on the property deed to inform future owners of the restrictions.

DENSITY: The number of families, individuals, dwelling units, or housing structures permitted to be constructed or situated on a specific unit of land.

DENTAL CLINIC: See CLINIC, MEDICAL OR DENTAL.

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures; the placement of mobile homes or manufactured housing; streets, and other paving; utilities; filling, grading, and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land. (See also LAND DEVELOPMENT.)

DISTRICT: A zoning district as laid out on the Zoning Map, along with the regulations pertaining thereto.

DOCK: A temporary structure extending into a stream or other body of water for the purpose of securing a boat(s). (See also Section 436.)

DRIVEWAY: A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

DWELLING: A building, structure, or shelter designed for or occupied exclusively as the residence or sleeping place of one or more persons.

* 1. Dwelling, Single Family Detached: A dwelling containing only one (1) dwelling unit from ground to roof, having independent outside access and open space on all sides, except for a mobile home as defined herein. (See also MOBILE HOME.)
  2. Dwelling, Single Family Attached: A dwelling containing only one (1) dwelling unit from ground to roof, having independent outside access and a portion of one or two walls in common with an adjoining dwelling(s); i.e. a townhouse. For the purposes of this Ordinance, a single family attached dwelling structure shall contain a minimum of three (3) dwelling units.
  3. Dwelling, Two-Family: An attached or semi-attached building containing two (2) independent dwelling units which are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or a common basement or cellar; i.e. a duplex.
  4. Dwelling, Multi-Family: A dwelling structure containing three (3) or more dwelling units, with or without independent outside access, but not a single family attached dwelling as defined above; i.e. an apartment building.
  5. Dwelling, Seasonal: A dwelling intended for occupancy only occasionally during the year, including dwellings intended for summer or winter recreational use such as cottages, hunting cabins, and mobile homes. All seasonal dwellings spall. be originally designed to adequately accommodate the proposed purposes and shall not include buses, sheds, garages or other such facilities not expressly meant to house people.·

For the purposes of this Ordinance, a MULTI-FAMILY HOUSING DEVELOPMENT shall consist of more than one (1) multi- family dwelling structure or more than one (1) single-family attached dwelling structure, or a combination thereof.

DWELLING UNIT: One or more rooms in a dwelling structure designed for the use by one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities. Recreational vehicles and facilities for transient lodging shall not be considered as dwelling units for the purposes of this Ordinance.

EASEMENT: A right of way granted for the limited use of land for public or quasi-public purposes.

ENCLOSED USE: A use which is located entirely within a structure.

ENTERTAINMENT FACILITY, PUBLIC: An indoor retail facility operated for the purpose of providing entertainment for the public, including but not limited to bowling alleys, roller skating rinks, motion picture theaters, health clubs, and similar types of establishments, but excluding adult entertainment facilities. (See also Section 417.)

ESSENTIALLY DRY SPACE: A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

ESSENTIAL UTILITY DISTRIBUTION SERVICES: See UTILITY DISTRIBUTION SERVICES, ESSENTIAL.

FAMILY: One or more persons occupying a single dwelling unit and living as a single household unit, whether or not related by blood, marriage or adoption. (See also GROUP FAMILY HOUSEHOLD.)

FAMILY DAY CARE HOME: A family residence where care is provided for no more than six (6) children unrelated to the resident household by an occupant of the home and which is registered by the PA Department of Public Welfare to provide such care.

FARM: For the purpose of this Ordinance, a farm shall be defined as a parcel often (10) acres land which is used for agricultural purposes or activities.

FARM BUILDING: See AGRICULTURAL STRUCTURE.

FENCE: Any combination of materials or plantings creating an enclosure or barrier to prevent intrusion from outside or straying from within. For the purposes of this Ordinance, fences shall not be considered structures. (See also Section 504 D. and PRIVACY FENCE.)

FLOOD: A temporary inundation of normally dry land areas.

FLOOD INSURANCE RATE MAP (FIRM): The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS): The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

FLOODPLAIN AREA: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY: The channel of the watercourse and portions of the adjoining floodplains which are reasonably required to carry and discharge the 1 percent annual chance flood without cumulatively increasing the water surface elevation more than one foot. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 1 percent annual chance flood floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

FLOODWAY FRINGE: The area within the Special Flood Hazard Area adjacent and outside of the Floodway.

FLOOR AREA: The area of a structure covered by floors.

* 1. Floor Area, Gross: The sum of the gross horizontal areas of all of the floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, excluding interior parking spaces for motor vehicles, basement or cellar floor areas where this area is not used for business or dwelling purposes, and the area of covered porches, decks, patios and terraces.
  2. Floor Area, Habitable: Any floor area within a dwelling unit which is useable for living purposes, including area for working, sleeping, eating, cooking and recreation, or a combination thereof Stairways, hallways and floor area used only for storage purposes, such as closet, attic or unimproved basement space shall not be considered habitable floor area, nor shall any space where the floor-to-ceiling height is less than five (5) feet.

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

FOUNDATION: For the purposes of this Ordinance; a foundation shall be defined as a permanent support for a dwelling unit or other structure consisting of masonry construction placed upon footers set below the frost line and extending around the entire perimeter of the dwelling or structure, or other technique or methodology of demonstrated capability. (See. also Section 404.) ·

FREEBOARD: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Free-board" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

GARAGE: A building or structure used for the parking and storage of vehicles.

* 1. Garage, Private: An accessory building or an accessory portion of a principal building designed or used for the parking or storage of motor vehicles which is not a commercial enterprise available to the general public, provided however that no more than one space therein may be leased to a non-resident of the premises.
  2. Garage, Public: A building or group of buildings used primarily for the parking or storage of motor vehicles available to the general public for compensation. (See also AUTOMOTIVE REPAIR SHOP.)

GENERAL DEVELOPMENT GOALS AND OBJECTIVES: Specific principles and guidelines prepared by the Piatt Township Planning Commission, dated November 1994, intended to update the policies of the Piatt Township Comprehensive Plan of 1975 and provide guidance for the future development of Piatt Township.

GENERAL FLOODPLAIN: That portion of the floodplain area for which no specific flood profiles exist and which is designated as approximated 100-year floodplain area on the Township's Flood Boundary and Floodway Maps.

GENERAL STORE: See CONVENIENCE MARKET.

GOVERNMENT OR COMMUNITY BUILDING: A building or structure owned and/or maintained by a governmental entity or established municipal-wide organization which is accessible to the public, i.e. a Township or municipal building, a grange hall, or similar facilities.

GRADE: The degree of rise or descent of a sloping surface.

* 1. Grade, Street: The elevation of the centerline of an existing or proposed street; the percentage of slope.
  2. Grade, Finished: The final elevation of the ground surface after development.

GROSS FLOOR AREA: See FLOOR AREA, GROSS.

GROUP DAY CARE HOME: A residence where day care is provided for between seven (7) and 12 children unrelated to the resident household and which is licensed and inspected by the PA Department of Welfare to provide such care. For the purposes of this Ordinance, a group day care home may be either a principal or accessory use. (See also Section 413.)

GROUP FAMILY HOUSEHOLD: A group of individuals not related by blood, marriage, adoption or guardianship living together in one dwelling unit as a single housekeeping unit under a common housekeeping plan based on an intentionally structured relationship providing organization and stability.

GROUP HOME; GROUP CARE FACILITY: A facility or dwelling unit housing no more than eight (8) persons unrelated by blood, marriage, adoption guardianship which operates as a group family household, including but not limited to homes for orphans, foster children, the elderly, mentally or physically handicapped persons, battered children and women, and specialized treatment facilities providing less than primary health care. (See also Section 411.)

HABITABLE FLOOR AREA: See FLOOR AREA, HABITABLE.

HEAVY INDUSTRIAL OR MANUFACTURING: An industrial or manufacturing operation that produces a substantial amount of noise, smoke, odor, dust, vibration, or glare, or combination thereof as a result of the operation. In many instances these emissions can be annoying or noxious to the general public, even though they are within the limits established by the PA Department of Environmental Protection.

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE: Any structure that is:

* 1. listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined.by the Secretary of the Interior to qualify as a registered historic district;
  3. individually listed on a State Inventory of Historic Places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
  4. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
     1. by an approved state program as determined by the Secretary of the Interior; or,
     2. directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION: An accessory use or occupation operated for gain or profit, conducted entirely within a dwelling and carried on by the inhabitants thereof: which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. (See also Section 432.)

HORTICULTURAL ACTIVITIES: The growing of fruits, vegetables, flowers, ornamental plants, shrubs, or trees for profit.

HOTEL: A building, structure or facility offering transient lodging accommodations to the general public, and where additional services may be provided such as restaurants, meeting rooms and recreational facilities.

IDENTIFIED FLOODPLAIN AREA: Those floodplain areas identified as the Special Flood Hazard Area on the Flood Insurance Rate Maps and Flood Insurance Study, but may include additional areas where no FEMA maps nor studies have defined the boundary of the floodway. See Article 603 A.

INDUSTRIAL OPERATIONS: For the purposes of this Ordinance, industrial operations shall be defined as those manufacturing, assembly or processing activities itemized in the District Regulations, Article 3, and meeting the supplementary use regulations set forth in Section 418. (See also MANUFACTURING.)

INDUSTRIAL PARK: A tract of land which has been planned, developed and is operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility and infrastructure needs, aesthetics and compatibility.

INSTITUTIONAL RESIDENCE: Establishments primarily engaged in the provision of residential social and personal care for children, the elderly, and other special categories of persons with some limits on their ability for self-care, but where medical care is not a major element. These uses include, but are not limited to, group foster homes; residential alcohol and drug rehabilitation centers with incidental health care; children's boarding homes; halfway homes for persons with social or personal problems, except halfway homes for delinquents, offenders, and other adjudicated individuals, and not including training schools for delinquents or other adjudicated individuals; homes for destitute individuals; homes for the deaf or blind; homes for emotionally disturbed or mentally or physically handicapped persons, with health care incidental; and group homes for nine (9) or more residents, excluding staff. Residents of these facilities would be treated by staff in an institutional setting rather than living independently. Institutional housing where there is commercial rental or condominium ownership is also included in this category, with the exception of personal care homes as defined herein. Such facilities may also require licensing by the PA Department of Public Health or other state agencies. (See also Section 411.)

INTERSTATE HIGHWAY SYSTEM: That portion of the national system of interstate highways located within the Commonwealth as officially designated by the State and/or U.S. Departments of Transportation.

JUNK: Any discarded article or material not ordinarily disposed of as rubbish, garbage, or refuse and including, but not limited to, scrap metal, scrapped, abandoned or junked automobiles, machinery, equipment, paper, rags, glass containers and other salvageable materials. For purposes of this Ordinance, the term 'Junk" shall not include hazardous wastes or materials, industrial residual wastes, or municipal wastes as defined in the PA Solid Waste Management Act.

JUNKED OR ABANDONED MOTOR VEHICLE: Any motor vehicle which does not bear a current and valid inspection sticker and license or which is in inoperable condition and is stored outside of an enclosed building or is not covered by an opaque tarp for a period of time exceeding 60 days. For the purposes of this Ordinance, the placement or storage of two or more junked or abandoned motor vehicles on a lot shall be deemed to make the lot a junk yard, unless such storage is associated with an approved commercial enterprise. (See also Section 509.)

JUNK YARD: Any outdoor establishment, place of business, or use of land which is maintained, used or operated for storing, keeping, buying or selling junk or junked or abandoned motor vehicles. For the purposes of this Ordinance, such facility may also be referred to as an auto salvage operation. (See also Section 421.)

KENNEL: For the purposes of this Ordinance, a kennel shall be defined as an establishment that keeps, harbors, boards, sells, gives away or in any way transfers an animal or shelters 6 or more dogs, six months or older in age, for a period of three (3) or more months in any calendar year. (See also Section 426.)

LAND CULTIVATION ACTIVITIES: For the purposes of this Ordinance, land cultivation activities shall be defined as agricultural operations involving the tilling or cultivation of soil for crop or tree farming.

LAND DEVELOPMENT: Any of the following activities: (1) the improvement of one lot, or two or more contiguous lots, tracts or parcels of land for any purpose involving: (I) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups, or other features; or (2) a subdivision of land.

LANDOWNER: The legal or beneficial owner(s) of land, including the holder of an option or contract to purchase (whether or not such option is subject to any condition), a lessee, if he is authorized under the lease to exercise the right of the land owner or other person having a proprietary interest in the land.

LANDSCAPING: Grass and other plantings such as trees, shrubs and/or bushes or the act of planting such grass, trees, shrubs and/or bushes.

LEVELING AREA: A safe stopping area at the intersection of streets or the intersection of a driveway and a street which is designed in accordance with the standards of this Ordinance.

LIGHT INDUSTRIAL OR MANUFACTURING: An industrial or manufacturing operation that produces a negligible amount of noise, smoke, odor, dust, vibration or glare as a result of the operation. (See also Section 419.)

LIVESTOCK: For the purposes of this Ordinance, livestock shall be defined to include, but not limited to, cows, pigs, horses, sheep, llamas, and other similar farm animals.

LOADING BERTH: An off-street space accessible from a street located in a building or on a lot, for the temporary use of vehicles while loading or unloading merchandise or materials.

LODGING FACILITY: A building or structure arranged or used for sheltering, sleeping, and/or feeding of overnight guests for limited periods of time, including, inns and other similar types of residential lodging facilities. Dining facilities associated with such uses may also be open or available to the general public if authorized by the proper Township officials. (See also BED AND BREAKFAST ESTABLISHMENTS.)

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

* 1. Lot Area: See "AREA".
  2. Lot Depth: The mean horizontal distance from the street line of a lot to its opposite rear lot line measured in the general direction of the side lot lines.
  3. Lot Width: The distance measured between the side lot lines at the required building setback line; in a case where there is only one side lot line, between such lot line and the opposite lot line.
  4. Lot, Comer; A lot with two adjacent sides abutting on streets. A lot abutting on a curved street shall be considered a comer lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than 135 degrees.
  5. Lot Double Frontage: A lot which extends from one street to another, with frontage on both streets.
  6. Lot, Reverse Frontage: A lot extending between and having frontage on an arterial or collector street and a local street, with vehicular access solely from the latter.

LOT LINES: The property lines bounding the lot.

* 1. Lot Line, Front: The line separating the lot from a street right-of-way.
  2. Lot Line, Rear: The lot line opposite and most distant from the front lot line.
  3. Lot Line, Side: Any lot line other than front or rear lot line.

LOT OF RECORD: A lot which individually or as a part of a subdivision has been recorded in the office of the Recorder of Deeds of Lycoming County, PA.

LOWEST FLOOR: The lowest floor of the lowest fully enclosed area of a building or structure (including basement or cellar). An unfinished or flood-resistant partially enclosed area, used solely for parking of vehicles, building access or incidental storage in an area other than a basement or cellar area is not consider d a building's lowest floor, provided that such space is not designed and built so that the structure is in violation of the applicable non­elevation design requirements of this Ordinance.

HOME BASED BUSINESS, NOT IMPACT: A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the requirements of Section 512.

LUMBER YARD: A business establishment primarily engaged in the sale of lumber and related products to contractors or the general public.

MACHINERY REPAIR AND SERVICE SHOP: A workshop, manufacturing facility, or other industrial operation where machines are built, repaired or assembled. For the purposes of this Ordinance, such facilities shall include, but not limited to, tool and die making, engine rebuilding, and similar types of activities.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

MANUFACTURING: The act of producing, preparing or assembling finished products or goods from raw materials or component parts through the repetitious use of an established or set process.

MANUFACTURING OPERATIONS: See INDUSTRIAL OPERATIONS.

MARKET VALUE: The fair market price of a structure or property as determined by an appraiser or insurance adjuster; the price at which both buyer and seller are willing to do business.

MEDICAL CLINIC: See CLINIC, MEDICAL OR DENTAL.

MINERALS: For the purposes of this Ordinance, minerals shall be defined to include, but shall not be limited to, anthracite and bituminous coal, lignite, limestone and dolomite, sand, gravel, rock, stone, earth, slag, ore, vermiculite, clay and other mineral resources.

MINOR REPAIR: The replacement of existing work with equivalent materials for the purpose of routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall any minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring or mechanical or other work affecting public health or general safety.

MOBILE HOME: A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and is constructed so that it may be used without a permanent foundation. For floodplain management purposes, the term shall also include park trailers, travel trailers, recreational vehicles and other similar types of manufactured homes which are placed on a site for a period of time exceeding 180 consecutive days. (See also Section 404.).

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

MOBILE HOME PAD OR STAND: That part of an individual mobile home lot which has been reserved for the placement of a mobile home and appurtenant structures and connections.

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes. For floodplain management purposes, the term shall also include facilities for the placement of two (2) or more park trailers, travel trailers, recreational vehicles, and other similar types of manufactured housing for a period of time exceeding 180 consecutive days. (See also Section 408.)

MODULAR HOUSING: Housing units designed and manufactured in two (2) or more standard sections, which are trucked or shipped to a site and then joined into one (I) integral unit. For the purposes of this Ordinance, such housing must be placed upon a permanent foundation and may not be separated for further towing.

MOTEL: A series of attached or semi-attached dwelling structures which are designed to provide sleeping accommodations for automobile transients or overnight guests.

MOTORIZED VEHICLE SERVICE STATION AND REPAIR SHOP: See AUTOMOTIVE REPAIR SHOP and AUTOMOTIVE SERVICE STATION.

MOTOR VEHICLE: For the purposes of this Ordinance, a motor vehicle shall be defined to include automobiles, motorcycles, trucks, vans, motorized farm equipment or machinery, all-terrain vehicles, snowmobiles or similar vehicles.

MULTI-FAMILY DWELLING STRUCTURE: See DWELLING, MULTI-FAMILY.

MULTI-FAMILY HOUSING DEVELOPMENT: See DWELLING, MULTI-FAMILY.

MUNICIPALITY: Piatt Township, Lycoming County, PA.

NEW CONSTRUCTION: The construction, reconstruction, renovation, repair, extension, expansion, alteration, location or relocation of a building (including mobile and manufactured homes), structure, and/or improvements (including streets, utilities, etc.); which commenced on or after the effective start date of this Ordinance and includes any subsequent improvements to such structures. Any construction started after April 1, 1980 and before the effective start date of this ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

NONCONFORMING LOT: A lot which does not conform to the minimum width, depth, or other dimensional requirements specified for the district in which it is located (Article 3), including those lots which existed prior to the enactment of this Ordinance. (See Section 901 for applicable provisions.)

NONCONFORMING STRUCTURE: A structure or part of a structure not designed or built to comply with the use or extent of use provisions of this Ordinance, including those structures which lawfully existed prior to the enactment of this Ordinance or amendment. Such nonconforming structures include, but shall not be limited to, nonconforming signs. (See Section 900 for applicable provisions.)

NONCONFORMING USE: A use of a building or land which does not comply with the applicable use regulations (Article 3) of this Ordinance or amendment, including those uses which lawfully existed prior to the enactment of this Ordinance or amendment. (See Section 900 for applicable provisions.)

NUISANCE: An interference with the enjoyment and use of one's property; an annoyance.

NURSERY: Land or greenhouses used to raise flowers, shrubs, and plants for sale.

NURSING HOME: A state-licensed institutional establishment which provides full-time convalescent or chronic nursing and/or medical care. Such facilities shall not provide surgical, obstetrical or other services generally provided by a hospital. (See also Section 412.)

OBSTRUCTION: Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure or other matter in, along, across or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of water, either in itself or by catching or collecting debris carried down-stream to the damage of life or property.

OFF-STREET LOADING SPACE: See LOADING BERTH.

OFF-STREET PARKING SPACE: See PARKING SPACE.

ON-LOT STORAGE: See STORAGE, ON-LOT.

OPEN SPACE: Space not occupied by a structure, open to the sky, and on the same lot with the building or structure.

* 1. Open Space, Public: Any land area set aside, dedicated, designated or reserved for public enjoyment.
  2. Open Space, Common: Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use and enjoyment of the residents of the development and which may include complementary structures and improvements as are necessary and appropriate.

PADOT: The PA Department of Transportation.

PARKING AREA: An open area, other than a street or other public way, used for the parking of automobiles which is available to the public whether for a fee, free, or as an accommodation for clients or customers.

PARKING SPACE: An off-street area on a Jot available for the parking of one (1) motor vehicle and having direct, useable access to a street or road. For the purposes of this Ordinance, parking space shall include uncovered lot space located off of any right-of-way and/or enclosed garage space. (See also Article 8.)

PARK OR PLAYGROUND: A public, semi-public or private park or park-type facility which provides outdoor recreational enjoyment and activity, either for free or on a fee basis. Such facilities may include tennis or basketball courts, baseball or other athletic fields, swimming, hiking and picnic areas, and playgrounds and may also include buildings and accessory structures. Activities may be organized to include day camps, leagues or other groups or may be strictly independent. (See Section 429.) See also RECREATION FACILITY.

PARTY WALL: A wall on an interior lot line or a wall adapted for joint service between two (2) buildings; i.e. common wall.

PERMANENT FOUNDATION: See FOUNDATION.

PERMITTED USE: A use allowed in a zoning district, subject to the applicable district regulations, and approved by the Zoning Officer.

PERSON: An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

PERSONAL CARE HOME: A State-licensed institutional facility providing supervised care services, including meals and less than full-time skilled or inter-mediate nursing care, for individuals, usually the elderly. (See also Section 412.)

PERSONAL SERVICE BUSINESS: For the purposes of this Ordinance, personal service businesses shall include but need not be limited to barber shops, beauty parlors, self-service laundry and dry cleaning establishments, tailor and dress-making shops, or other establishments of a related nature.

PERSONAL STORAGE/WAREHOUSE FACILITY: See WAREHOUSE FACILITY.

PLANNING COMMISSION: The Planning Commission of Piatt Township, Lycoming County, PA; appointed by the Township Supervisors to serve in an advisory capacity.

POST-FIRM STRUCTURE: A structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the community’s initial Flood Insurance Rate Map (FIRM) dated 04/01/1980, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.

PRE-CUT/PACKAGED HOUSING: Building materials designed and manufactured as a complete package intended to be assembled on site into a residential dwelling unit(s). For the purposes of this Ordinance, such housing must be placed on a permanent foundation.

PRE-FIRM STRUCTURE: A structure for which construction or substantial improvement occurred on or before December 31, 1974 or before the community’s initial Flood Insurance Rate Map (FIRM) dated 04/01/1980, whichever is later, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.

PRIMARY HIGHWAY SYSTEM: That portion of connected main highways located within the Commonwealth as officially designated by the State or U.S. Departments of Transportation.

PRIVACY FENCE: For the purposes of this Ordinance, a privacy fence shall be defined as a solid fence, not open or transparent, which may be finished on one or both sides. (See also Section 504 D.)

PROFESSIONAL OFFICE: The office of a member of a recognized profession. A professional office shall be considered a home occupation when conducted from a residence, by a member of the resident family and when the office is secondary to the residential use of the building.

PUBLIC ENTERTAINMENT FACILITY: See ENTERTAINMENT FACILITY, PUBLIC.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the Township Supervisors, Township Planning Commission, or Township Zoning Hearing Board, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

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

PUBLIC NOTICE: Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

PUBLIC UTILITY: A closely regulated private enterprise with an exclusive franchise for providing a public service. See also UTILITY DISTRIBUTION SERVICES, ESSENTIAL.

PUBLIC UTILITY STORAGE YARDS OR BUILDINGS: For the purposes of this Ordinance, public utility storage yards or buildings shall be defined as facilities or space set aside for the storage of materials, equipment or vehicles associated with the provision of essential utility services to the public, whether or not such storage is enclosed in a building or structure. Such facilities shall not include nuclear power plants or the storage of nuclear waste, nor waste land filled for use in co-generation plants.

RECREATIONAL DEVELOPMENT, COMMERCIAL OR INSTITUTIONAL: A commercial or institutional recreational facility, primarily outdoors, including a golf course, golf driving range, a miniature golf course, ski area, church or service-club affiliated camp, a shooting preserve or sporting clays range, and similar recreational development. ·

RECREATIONAL VEHICLE: A portable or mobile vehicle used for temporary living or sleeping accommodation, without a permanent foundation. For the purposes of this Ordinance, recreational vehicles shall include park trailers or travel trailers less than 38 feet in length; fifth wheel trailers less than 42 feet in length; truck campers; motor homes; or other self-contained units used for recreational, camping or travel purposes.

Park Trailer - A recreational vehicle that meets the following criteria:

* + - 1. is built on a single chassis mounted on wheels;
      2. is primarily designed as temporary living quarters for seasonal or destination camping which may be connected to utilities necessary for operation of installed fixtures and appliances;
      3. has a gross trailer area not exceeding 400 square feet when set-up; and
      4. has a gross trailer area not less than 240 square feet and is certified by the manufacturer as complying with ANSI Al19.5.

Travel Trailer -A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and is of such size or weight as not to require special highway movement permits when towed by a motorized vehicle and has a gross trailer area less than 320 square feet.

Truck Camper-A portable or mobile vehicle constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a root, floor

and sides, designed to be used on the bed of a pick-up truck. Such unit may also be unloaded from the bed of the pick-up truck and used independently of the truck.

Motor Home - A vehicular unit designed to provide temporary living quarters for recreational, camping, or travel use which is built on or is permanently attached to a self-propelled motor vehicle chassis or a chassis cab or van that is an integral part of the completed vehicle.

RECREATIONAL VEHICLE PARK: Any site upon which two (2) or more recreational vehicles are, or intended to be located. (See also CAMPGROUND).

RECREATIQN FACILITY: An outdoor public, semi-public, or private facility intended to provide recreational enjoyment to or for its users, i.e. swimming pool, tennis or basketball courts, baseball or other athletic fields, or similar facilities. (See Section 428.) See also PARK OR PLAYGROUND.

RECREATION OR VACATION HOME: A permanent building or structure intended for occupancy only occasionally during the year, including buildings intended as camps, cottages, hunting lodges, cabins, vacation homes and similar facilities. For purposes of this Ordinance, a recreational vehicle may not be considered as a permanent recreation or vacation home. (See Section 409.)

REGULATORY FLOOD: The flood that has been selected to serve as the basis upon which the Floodplain Management provisions of this Ordinance have been based; the Base Flood (also called the "100 year flood" or one-percent (1%) annual chance flood).

REGULATORY FLOOD ELEVATION: The base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet. The freeboard safety factor also applies to utilities and ductwork.

RESOURCE EXTRACTION OPERATION: Quarrying or other commercial extraction of rock, sand, gravel, earth, clay, shale or other natural material deposits, including facilities for the batching or mixing of extracted materials, not including the extraction of oil or gas reserves. (See also Section 422.)

RESTAURANT: An establishment where food is prepared and served for either on or off­ premises consumption.

RETAIL ESTABLISHMENT: A place of business engaged in selling goods and merchandise to the general public for personal or household use and rendering services incidental to the sale of such goods. (See also Section 415.)

RIDING ACADEMY: Any establishment where horses are kept for riding, jumping or showing for compensation or incidental to the operation of any club, association or similar group.

ROADSIDE STAND: A temporary or permanent booth, stand or shelter located along a roadway (outside of the road right-of-way) from which farm, nursery or greenhouse products are offered for sale to the general public. (See also Section 425.)

ROOMING HOME: See BOARDING HOME.

SATELLITE DISH: For the purposes of this Ordinance, a satellite dish antenna shall be defined as an accessory structure capable of receiving radio or television signals from a transmitter or transmitter relay located in planetary orbit.

SAWMILL: A building or business establishment equipped with machinery for sawing logs or cutting lumber into boards.

SCHOOL: Any establishment or facility or part thereof which is designed, constructed or used for public or private education or instruction· in any branch of knowledge. For the purposes of this Ordinance, such facilities shall not include halfway homes .or training facilities for delinquents, offenders, or other adjudicated individuals, nor other detention or retention facilities providing residential or “1ive-in" services. (See also INSTITUTIONAL RESIDENCE.)

SCREEN PLANTING: The provision of a barrier to visibility, glare and noise between adjacent properties made of plant or vegetative materials, such as trees or shrubs which will be of such species that will grow to sufficient height to produce the desired visual screen. Such plantings shall however adhere to the requirements of Section 506 and may be broken at points of vehicular or pedestrian access or utility easements.

SEASONAL BUILDING/ZONING PERMIT: A Building/Zoning Permit issued seasonally and/or annually by the Zoning Officer which authorizes the placement of: 1) a temporary roadside stand; 2) a recreational vehicle or camping unit on an individual lot; or 3) a campground in any designated floodplain district in Piatt Township. (See also Section 1202 K.)

SEWAGE FACILITY: A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of the Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other wastes.

SEWAGE SYSTEM, COMMUNITY: A sewage facility, whether publicly or privately owned, for the collection of sewage from two (2) or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one (1) or more lots or at another site. These systems shall include municipal treatment facilities as well as package treatment plants installed by private developers.

SEWAGE SYSTEM, INDIVIDUAL: A sewage facility, whether publicly or privately owned, located on a single lot and serving one (1) equivalent dwelling unit and collecting, treating, and disposing of sewage in whole or in part into the soil or into waters of the Commonwealth or by means of conveyance or retaining tank wastes to another site for final disposal.

SIGN: Any device, structure or object for visual communication that is used for the purpose of bringing the subject thereof to the attention of others, but not including any flag, badge, or insignia of any public, semi-public, civic, charitable, fraternal or religious group. Article 7 for definitions of various types of signs.)

SIGN AREA: The entire face of a single side of a sign, including all advertising surface and any framing, trim, molding or border area, but excluding the supporting structure or bracing. (For the purposes of this Ordinance, a double-faced sign shall be considered a single sign.)

SIGN HEIGHT: The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

SINGLE FAMILY ATTACHED DWELLING STRUCTURE: See DWELLING, SINGLE FAMILY ATTACHED.

SINGLE FAMILY DETACHED DWELLING: See DWELLING, SINGLE FAMILY DETACHED.

SLAUGHTER HOUSE: A building or structure where animals are butchered. Such a facility may be associated with an animal husbandry operation or may be an independent, principal use in an Agricultural District.

SPECIAL EXCEPTION: A use permitted in a certain zoning district as provided for in Article 3, which must be approved by the Zoning Hearing Board as set forth in Section

1001D of this Ordinance. Special exceptions may not be granted for uses other than those expressly listed in Article 3.

SPECIAL PERMIT: A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks/ subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

SPECIAL FLOOD HAZARD AREA (SFHA): Means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1 A30, AE, A99, or, AH.

SPECIFIED ANATOMICAL AREAS: For the purposes of this Ordinance, such areas shall include less than completely and opaquely covered human genitals; pubic region; buttock; female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

STABLE: A building, whether public or private, in which one (1) or more horses are boarded, whether or not for compensation, hire or sale.

START OF CONSTRUCTION: Includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STORAGE: A place or space for storing goods, articles of personal property, materials, etc.

* 1. Storage, On-Lot: For the purposes of this Ordinance, on-lot storage shall be defined as storage, as an accessory use, of vehicles, equipment, merchandise, or other man­ made materials or items (excluding products used in the performance of agricultural activities, such as silage bags and similar items), on a lot occupied by the owner of

the material or personal property, whether or not the item(s) is stored in a completely or partially enclosed building or stored outside of a building. (See also Section 507.)

* 1. Storage, Off-Lot: Storage, as an accessory use, of vehicles, equipment, or other personal property on a lot other than that occupied by the owner of the item(s), whether or not the item(s) is stored in a completely or partially enclosed building or stored outside of a building.

STORAGE TRAILER ACCESSORY: For the purposes of this Ordinance, an accessory storage trailer shall be defined as 1) that part of a tractor trailer truck which is pulled by the tractor, but which has been detached from the tractor, placed on a lot with a principal use, and is being used for storage, as an accessory use; or 2) a mobile home, travel trailer, or similar type of manufactured housing unit, not being utilized for residential purposes, which has been placed on a lot with a principal use and is being used exclusively for storage, as an accessory use. (See also Section 508.)

STREAM: A watercourse.

STREET: Any thoroughfare, whether public or private, located in whole or in part within Piatt Township, which provides access to abutting properties. The word "road" may be used interchangeably with the word "street".

STREET LINE: The dividing line between the street right-of-way and the lot; the limit of a right-of-way. ·

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including buildings, sheds, communications towers, swimming pools or spas, and signs, but excluding poles, fences, playground equipment, mailboxes, lawn ornaments and other similar objects. For floodplain management purposes, the term shall also include gas or liquid storage tanks that are principally above ground, as well as mobile or manufactured homes. Also for Flood Plain Management purposes, a structure is considered walled and roofed where the structure includes at least two outside rigid walls and a fully secured roof. Examples of structures that are not considered a structure for Flood Plain Management purposes include, but are not limited to, a gazebo, pavilion, picnic shelter, or carport that is open on all sides (roofed but not walled).

* 1. Structure, Accessory: A structure, as defined in 44 C.F.R. §59.1, that is on the same parcel of property as a principle structure and the use of which is incidental to the use of the principle structure; an accessory structure specifically excludes structures used for human habitation.
  2. Structure, Principal: The main or primary structure on a given lot.

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

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. The term also includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not however include either 1) any project for improvement of a structure to comply with existing violation of state or local health, sanitary, or safety code specifications which have been identified by the local enforcement official and which are the minimum necessary to assure safe living conditions, or 2) any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

SUPERVISORS OR TOWNSHIP SUPERVISORS: The Board of Supervisors of Piatt Township, Lycoming County, PA; the elected governing body.

SWIMMING POOL: A body of water in an artificial container, whether located in or above ground, having a depth at any point of more than three (3) feet or a surface area of more than 250 square feet, used or intended to be used for swimming by children and/or adults, whether publicly or privately owned and maintained. (See also Section 430.)

TAVERN: An establishment used primarily for the serving of alcohol or liquor by the drink to the general public, and where food or packaged liquors may be served or sold only as accessory to the principal use.

TEMPORARY BUILDING/ZONING PERMIT: A Building/Zoning Permit issued by the Zoning Officer for a non-permanent structure or use where such structure or use is deemed to be beneficial to the public health or general welfare, necessary to promote the proper development of the Township, or for temporary accessory uses. (See also Section 1202 J.)

TEMPORARY STRUCTURE: A non-permanent structure or building which is located on a lot in the Township for a specified duration. Some temporary structures may only be permitted for very short periods of time, while others may be authorized for as much as six (6) months in any given year. (See also Sections 433 and 434.)

TEMPORARY USE: A short-term use or special activity which occurs in the Township, including but not limited to carnivals, circuses, open-air cultural, religious or sporting events. Although such a use may be held periodically, in order to retain its temporary status, it may not be an on-going operation or use.

TIMBER HARVESTING OPERATIONS: The cutting or removal of trees for commercial purposes by a commercial logging firm or by an individual on a tract of ground ten (10) acres or more in size OR any harvesting activity involving vehicles exceeding 26,000 pounds gross, vehicle weight. For the purposes of this Ordinance, the harvesting of timber for personal use on a tract of ground less than ten (10) acres in size, not involving a vehicle(s) weighing more than 26,000 pounds gross vehicle weight, shall not be considered a timber harvesting operation, nor shall such activity be governed by the regulations set forth this Ordinance for such operations. (See also Section 423.)

TRANSPORTATION TERMINAL: For the purposes of this Ordinance, a transportation terminal shall be defined as a building or group of buildings used for loading, unloading, storage, and/or transfer of truck-transported goods to other trucks or other forms of transportation. Such terminals may include facilities for truck or vehicle maintenance and fueling, and/or accessory restaurant operations.

UNIFORM CONSTRUCTION CODE (UCC): The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

USE: The specific purpose or activity for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. ·

* 1. Use, Accessory: A use subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building. (See also Article 3.) If no principal use exists on a lot with a lawful accessory use, then such accessory use shall be considered a principal use.
  2. Use, Principal: The primary purpose for which a lot is occupied or utilized. (See Article 3)

UTILITY DISTRIBUTION SERVICES, ESSENTIAL: Utility distribution services provided by public utility companies, governmental agencies, or public service corporations which are necessary for the preservation of public health, safety and general welfare. Such services shall include, but need not be limited to, the placement, construction, alteration, use and maintenance of underground or overhead electrical, telephone, television, natural gas, water or sewage disposal systems, and may include the use of poles, wires, lines, mains, drains, sewers, pipes, conduits, cables, hydrants, traffic signals or other similar equipment. (See also Section 429.)

VARIANCE: A modification of the provisions of this Ordinance which the Zoning Hearing Board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property on which the variance is sought. (See Section 1001 C. for additional details and criteria to be utilized when a variance is requested.)

VETERINARY CLINIC: See CLINIC, VETERINARY.

VETERINARY HOSPITAL: An establishment where animals are given medical or surgical treatment by a veterinarian and may be boarded for short-term care incidental to their treatment.

VIOLATION: Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided

WAREHOUSE FACILITY: A building used primarily for the storage of goods and materials, including facilities handling freight for a specific commercial or industrial operation and those facilities available to the general public containing separate storage spaces of varying sizes leased or rented on an individual, self-service basis.

WATERCOURSE: A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATERCOURSE BANKFULL FLOW: The water level stage that just begins to spill out of the channel into the floodplain.

WATERCOURSE TOP OF BANK: The point where Bankfull Flow occurs.

WATER FACILITY: Any water works, water supply or water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

* 1. Water System, Non-Public: All water systems which are not public water systems.
  2. Water System, Off-Lot: An approved system in which potable water is supplied to a dwelling or other building from a central water source which is not located on the lot with the dwelling or building.
  3. Water System, On-Lot: A well or other approved system designed to provide potable water to a dwelling or other building located on the same lot as the source.
  4. Water System, Public: A water system as defined by the PA Department of Environmental Protection which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

WATER WITHDRAWAL FACILITY: A facility immediately adjacent to a water body or stream that typically contains a submerged suction line, pumps, water main, multiple hydrants, truck loading and staging area, and water storage tanks, and which stores water on a temporary basis that is intended to be transported by vehicle to another location.

WIND ENERGY FACILITY: An electric generating complex of wind towers, whose main purpose is to supply electricity to the power grid, consisting of one (1) or more wind towers as the primary use and other accessory structures and buildings, including sub-stations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

WIND TOWER, OR TOWER: The total structure for converting wind sources into electricity through a system using a wind generator that includes the nacelle, rotor, blades, tower, foundation, and pad transformer with transmission lines sending the electricity to a power sub-station.

YARD: An open space which lies on the same lot with a building or structure, unoccupied and unobstructed from the ground upward.

* 1. Yard, Front: An open space extending the full width of the lot between the principal building or structure and the street right-of-way line or front lot line, unoccupied and unobstructed from the ground upward.
  2. Yard, Rear: An open space extending the full width of the lot between the principal building and the rear lot line, unoccupied and unobstructed from the ground upward.
  3. Yard, Side: An open space extending from the front yard to the rear yard between the principal building and the side lot line, unoccupied and unobstructed from the ground upward.
  4. Yard, Required: The minimum area or open space required by this Ordinance to be provided· between any front, side or rear lot line and a principal or accessory building(s) on the lot. (See Article 3, District Regulations.)

ZONING HEARING BOARD: The Zoning Hearing Board of Piatt Township, Lycoming County, PA; appointed by the Township Supervisors.

ZONING MAP: The official Zoning Map of Piatt Township, Lycoming County, PA, together with all notations, references and amendments which may subsequently be adopted. Said map is made a part of this Ordinance in Section 202.

ZONING OFFICER: The administrative officer duly appointed by the Township, Supervisors and charged with the duty of enforcing the provisions of this Ordinance, the Piatt Township Zoning Ordinance.

ZONING PERMIT: See BUILDING/ZONING PERMIT