

ARTICLE 11

DEFINITIONS

11.100 Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word 'building' shall include the word 'structure'; the word 'used' shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used; the word 'shall' is mandatory and not optional; the word 'abut' shall include the words 'directly across from'.

11.101 Accessory Use or Structure

A use or structure 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.

11.102 Agent of Owner

Any person who can show written proof that he has authority to act for the property owner.

11.103 Alley

A public thoroughfare which affords only a secondary means of access to abutting property.

11.104 Alteration (Of Building or Structure)

Any change in the structural members of a building, such as walls, columns, beams or girders.

11.105 Automobile or Trailer Sales Area

An open area, other than a street, used for the display, sale or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done.

11.106 Automobile Service Station or Filling Station

A building or place of business where gasoline, oil and greases, batteries, tires and automobile accessories are supplied and dispensed directly to the motor vehicles trade at retail, and where the following services may be rendered.

a. Minor Repair

1. Sale and servicing of spark plugs and batteries.
2. Tire repair and servicing, no recapping.
3. Replacement of mufflers and tailpipes, water hose, fan belts, brake and transmission fluids, light bulbs, floor mats, seat covers (where this shall not be the principal use), windshield wipers, grease retainers and wheel bearings.
4. Radiator cleaning and flushing.
5. Washing and polishing, not including mechanical and/or automatic car wash establishments.
6. Installation of fuel pumps and fuel lines.
7. Minor servicing and replacement of carburetors.
8. Adjustment and installation of brakes.
9. Tuning engines, except for grinding valves, cleaning carbon or removing the head of engines and/or crankcases.
10. Greasing and Lubrication.
11. Emergency Wiring Repairs.
12. Any similar minor service or repair not listed below under "major repair".

b. Major Repair

In addition to those repairs and services listed above as "minor repair", any general repair, rebuilding or reconditioning not listed above; collision service including body, frame or fender straightening or repair; painting or paint shops; mechanical car wash establishments; but not including any operations which require the heating or burning of rubber.

11.107 Automobile Wrecking

The dismantling or disassembling of used motor vehicles or trailers; or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

11.108 Basement

Any area of the building having its floor subgrade (below ground level) on all sides.

11.109 Board

The Zoning Hearing Board of the Borough of Jermyn.

11.110 Borough Council

The Borough Council of the Borough of Jermyn.

11.111 Building

Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground up, each part is deemed a separate building, except as regards minimum side yard requirements.

11.112 Building Group

Any building, such as a store group, which is divided into separate parts by one or more unpierced walls extending from the ground up.

11.113 Building Height

The vertical distance measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest point of the roof, but not including chimneys, spires, towers, elevator penthouses, tanks, and similar projections.

11.114 Building, Principal

A building in which is conducted the principal use of the building site on which it is situated. In any residential district any dwelling shall be deemed to be a principal building on the zone lot on which the same is located.

11.115 Caliper

Diameter of a tree's trunk measured 6 inches above the ground up to and including 4-inch caliper size, and 12 inches above the ground for larger sizes.

11.116 Cluster Development

A residential cluster shall include an area to be developed as a single entity according to a plan containing residential housing units in which the individual lots have a common or public open space as an appurtenance. Such common or public open space shall be assured of continued operation and maintenance either through the dedication of such area to the Municipality and the Municipality's acceptance thereof, or through the creation of a homeowners association, or the developer's acceptance of such responsibility including such legally binding agreements as may be required to achieve such assurances.

11.117 Commercial Vehicle

A commercial vehicle shall be any vehicle other than a private passenger vehicle, including trucks, trailers, and construction equipment.

11.118 Commission

The Borough Planning Commission of the Borough of Jermyn.

11.119 Court

A court is any open, unoccupied area which is bounded by three or more attached building walls.

11.120 Customary Household Pets

Customary household pets shall include animals, fish and birds which are generally considered to be domestic animals, such as hamsters, dogs, cats, and birds including ducks which shall not be for human consumption. Farm fowl such as chickens and turkeys and other farm animals not specifically designated shall not be considered as customary household pets.

11.121 Day Care Facilities

- a. Child Day Care Center. A Day Care Center is a State licensed facility in which care is provided for 7 or more children, at any one time, where the child care areas are not being used as a family residence.
- b. Family Day Care Home. Any premises other than the child's own home, operated for profit or not for profit, in which child day care is provided at any one time to four, five, or six children, who are not relatives of the caregiver; provided that such facility is registered by the Pennsylvania Department of Public Welfare.
- c. Group Day Care Home. A State licensed facility in which care is provided for more than 6 but less than 12 children, at any one time, if care is provided in a facility where the child care areas are being used as a family residence.

11.122 Development Section

Within any large-scale development, the developer may select a portion of the entire approved large-scale development area to be developed in stages or phases; any such area shall be considered as a "development section".

11.123 District

A district or a zone shall be any portion of the territory of the Municipality within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

11.124 Dwelling

Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, except a mobile home and as otherwise provided herein.

a. Dwelling, Single-Family

A detached building, designated for or occupied exclusively by one family and containing not more than one dwelling unit.

b. Dwelling, Two-Family

A detached or semi-detached building where not more than two individual family or dwelling units are entirely separated by vertical walls or horizontal floors, unpierced except for access to the outside or to a common cellar.

c. Dwelling, Town House

A town house shall include a group of not more than eight (8) single-family attached dwellings separated from each other by common walls, where each unit contains a separate and private entrance to the outside.

d. Dwelling, Garden Apartments

A group of rental units, generally under single ownership (but a condominium is not precluded) where there shall not be more than eight (8) dwelling units contained within each structure; such structures containing garden apartment units are generally less than four (4) stories in height although in the Municipality they shall not exceed a height of 2.5 stories or thirty-five feet.

e. Dwelling Group

A group of two (2) or more residential buildings on a single zone lot.

f. Dwelling, Multi-Family

A structure containing three (3) or more dwelling units including but not limited to garden apartments, condominiums and town houses.

11.125 Dwelling Structure

Any structure which shall contain one (1) or more dwelling units, not including a hotel, hospital, nursing home, dormitory, fraternity or sorority house, rooming house or boarding house.

11.126 Dwelling Unit

One (1) or more rooms, including a kitchen or kitchenette, and sanitary facilities in a dwelling structure, designed as a unit for occupancy by not more than one (1) family for living and sleeping purposes.

11.127 Earth-Extraction

An earth-extraction is a business activity which includes the excavation and removal of natural resources from the earth. Earth-extraction industries include rock-crushing and similar uses.

11.128 Essential Services

The erection, construction alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic light signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, including buildings, but not including sanitary landfills or other means of solid waste disposal.

11.129 Family

Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding or rooming house or hotel.

Notwithstanding the definition in the preceding paragraph, a family shall also be deemed to include not more than 7 unrelated persons occupying a dwelling units and living as a single, nonprofit housekeeping unit, if said occupants are handicapped persons as defined herein. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first paragraph of this definition.

A family does not include a group living in a boarding house or hotel, or fraternities, sororities, and clubs, or other forms of congregate living arrangements, except as otherwise provided herein.

11.130 Farm Animals

Farm animals shall be those animals normally associated with agricultural enterprises, such as cattle, horses, and poultry; they are normally raised for human consumption, production of dairy products, pelts and other commercial purposes.

11.131 Flea Market

An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

11.132 Floor Area

For the purposes of applying the requirements for off-street parking and loading, "floor area", in the case of offices, merchandising, or service type of uses, shall mean the gross floor area used or intended to be used by tenants, or for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sales or merchandise. It shall not include areas used principally for non-public purposes such as storage, incidental repair, processing or packaging of merchandise, for shop windows, for offices incident to the management or maintenance of stores or buildings, for toilet or rest rooms, for utilities or for dressing rooms, fitting or alteration rooms.

11.133 Garage, Private Parking

A detached accessory building or a portion of a principal building used only for the storage of automobiles by the families resident upon the premises.

11.134 Garage, Public Parking

A structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repair or refinishing of automobiles not including a structure or part thereof used only for storage or display of automobiles for other than transients.

11.135 Governing Body

The Borough Council of the Borough of Jermyrn.

11.136 Group Home for the Handicapped

A dwelling unit shared by not less than four (4) nor more than seven (7) handicapped persons, including resident staff, who live together as a single housekeeping unit and in long-term, family-like environment in which staff persons residing on the premises provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. The term "group home for the handicapped" shall not include alcoholism or drug treatment center, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration.

11.137 Halfway House

A licensed house for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial refinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

11.138 Handicapped Person

As used herein, regarding "group home for the handicapped", the term "handicapped" shall mean having: 1) a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently; 2) a record of having such an impairment; or 3) being regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addition to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

11.139 Home Occupation

A home occupation is a commercial or other nonresidential use of a dwelling which is customarily conducted entirely within a dwelling unit or accessory building, which is conducted by the inhabitants residing therein; provided that such use is clearly incidental and secondary to the use of the dwelling for dwelling purposes. The inability of the proposed use to meet the space limitations or other requirements herein established shall conclusively establish that such proposed use was not intended to be a home occupation, as defined herein.

11.140 Hotel

A building designed for occupancy as the temporary residence of individuals who are lodged with or without meals and in which no provision is made for cooking in individual rooms or suites.

11.141 Impervious Coverage

The coverage of land by buildings and other impervious materials such as asphalt, which prevent the percolation of water into the ground.

11.142 Junk Yard

An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and discarded materials, including, but not limited to, waste paper, rags, metal, building materials, house furnishing, machinery, vehicles, or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of two or more wrecked or disabled vehicles, or the major part thereof, without current inspection stickers shall be deemed to be a "junk yard"; provided, however, that such use shall not be deemed to be a "junk yard" if they are stored in an enclosed building.

11.143 Large-Scale Development

- a. Residential. A large scale residential development shall be planned for a site of not less than ten (10) acres.
- b. Commercial. A large scale commercial development shall be planned for a site of not less than five (5) acres.
- c. Manufacturing. A large scale manufacturing development shall be planned for a site of not less than five (5) acres.

11.144 Limited Access Highway

A highway designed in such a manner so as to provide no direct access to properties abutting its right-of-way and including all highways designated as limited access highways as adopted by the Planning Commission.

11.145 Lot or Zone Lot

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

a. Lot, Corner

A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the "corner".

b. Lot, Depth

The mean horizontal distance between the front and the rear lot lines.

c. Lot Lines

The property lines bounding the lot.

1. Lot Line, Front. The ultimate right-of-way line of the street or road.
2. Lot Line, Rear. The lot line opposite and most distant from the front lot line.
3. Lot Line, Side. Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line.
4. Lot Line, Street or Alley. A lot line separating the lot from a street or alley.

11.152 Net Developed Area

Total acreage excluding any area within a public right-of-way.

11.153 Net Land Area

The net land area of any development parcel shall include only the area contained within the property line and the ultimate right-of-way line. The area within the right-of-way (public right-of-way or other thoroughfare) shall not be computed as part of the "net land area".

11.154 Nonconforming Lot

A lot the area or dimension of which was lawful prior to the adoption or amendment of this zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

11.155 Nonconforming Structure

A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions set forth herein or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reasons of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

11.156 Nonconforming Use

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

11.157 Nursing Home

Any premises with sleeping rooms where persons are lodged and furnished with meals and nursing care.

11.158 Open Space

- a. Open Space, Common. A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the residential development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space includes both developed (active) and undeveloped (passive) open space.

- b. Open Space, Developed (Active). Land that is set aside for use as active recreational areas, such as playfields, playgrounds, skating rinks, swimming pools, tennis courts, and areas for water management (storm, waste, potable supply).
- c. Open Space, Undeveloped (Passive). Land used for passive recreation, agriculture, resource protection, amenity, or buffers and protected from future development by the provisions of this Ordinance to ensure that it remains as open space.

11.159 Parking Area, Private

An open area for the same uses as a private garage, and regulated as a private garage.

11.160 Parking Area, Public

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

11.161 Planning Commission

The Planning Commission of the Borough of Jermyrn.

11.162 Portable Swimming Pool

A pool which is not connected to a pool filter and which is capable of being relocated and stored during non-swimming seasons.

11.163 Professional Office

The office of a member of a recognized profession. When conducted in a residential district, a professional office shall be incidental to the residential occupancy, shall be conducted by a member of the residential family entirely within a residential building, and shall include only the offices of doctors, or physicians, dentists, optometrists, ministers, architects, landscape architects, professional engineers, lawyers, artists, authors and such other similar professional occupations which may be so designated by the Zoning Hearing Board upon finding by the Board that such occupation is truly professional in character by virtue of the need for similar training and experience as a condition for the practice thereof and that the practice of such occupation shall in no way adversely affect the safe and comfortable enjoyment of property rights in any zone to a greater extent than for the professional activities listed herein. The issuance of a State or Local license for regulation of any gainful occupation need not be deemed indicative of professional standing.

11.164 Public and Semi-Public Uses

Uses which provide government services as well as private organizations which provide service to the public on a not-for-profit basis.

11.171 Setback Line

A line established by the subdivision regulations and/or zoning ordinance generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located above ground, except as may be provided in said codes.

11.172 Shopping Center

A group of retail stores planned and designed to function as a unit, and having off-street parking as an integral component of the unit.

11.173 Sign

A "sign" is a name, identification, description, display, or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure, or piece of land, vehicle, equipment or other portable gear, and which directs attention to an object, product, place, activity, person, institution, organization or business. However, a "sign" shall not include any display of official court, or public office notices, nor any official traffic control device, nor shall it include the flag, emblem or insignia of a nation, state, county, municipality, school or a religious group. A "sign" shall not include a sign located completely within an enclosed building except for illuminated or animated signs within show windows. Each display surface of a sign shall be considered to be a "sign".

11.174 Sign, Business

A "business sign" is a sign which directs attention to a business or profession conducted or to a commodity, service, or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.

11.175 Sign, Flashing

A "flashing sign" is any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this Ordinance any revolving, illuminated sign or traveling message panel shall be considered a "flashing sign".

11.176 Sign, Gross Surface Area

The "gross surface area" of a sign shall be the entire area within a single continuous perimeter enclosing the extreme limits of such and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural or framing elements, lying outside the limits of such sign and not forming an integral part of the display. The gross surface area of free standing signs shall include the area of one (1) side of such sign even if display information is included on both sides of the sign.

11.177 Sign, Outdoor Advertising

An outdoor sign or billboard which directs attention to a business, profession, commodity or entertainment conducted, sold, or offered elsewhere than upon the same lot. Under the provisions of this ordinance, outdoor advertising can be erected on the premises in any of the nonresidential districts.

11.178 Sign, Outdoor Advertising - Double Sign

A double outdoor advertising sign shall be a sign constructed with separate framing elements which are structurally connected at their sides. No half of such a double sign shall, however, exceed two-thirds of the maximum permitted gross surface area of an individual sign; and the combined gross surface area shall not exceed the maximum permitted for a single sign.

11.179 Special Exceptions

A "special exception" is a use which because of its unique characteristics requires individual consideration in each case by the Zoning Hearing Board as specified in Articles 8 and 9, before it may be permitted in the district enumerated in Article 3. In accordance with the provisions of this ordinance, the Zoning Hearing Board may require certain conditions and safeguards before such a use is permitted.

11.180 Specimen Tree

Any existing tree with a caliper that is 75 percent or more of the record tree of the same species in the Commonwealth of Pennsylvania.

11.181 Staging Area

A staging area is an area designated for vehicles containing solid waste materials which are to be deposited at a sanitary landfill site. Such uses are prohibited from locating in the Borough of Jermyn.

11.182 Story

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

a. Story, Half

A partial story under gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story shall not be used for residential purposes, other than for a janitor or caretaker or his family.

b. Story, First

The lowest story or the ground story of any building the floor of which is not more than twelve (12) inches below the average contact ground level at the exterior walls of the building.

11.183 Street

A public or private thoroughfare not less than thirty (30) feet in width if in existence prior to the passage of this ordinance nor less than fifty (50) feet in width if established subsequent to the passage of this ordinance which affords the principal means of access to abutting property, including avenue, place, way, drive, land boulevard, highway, road and any other thoroughfares except an alley.

a. Side Street

Any street, the length of which shall be not more than 50 percent of the length of the largest street line of the Municipality's blocks of which it is part.

b. Residential Street

A street between two intersecting streets upon which an R-District abuts, or where 50 percent or more of the abutting street frontage is in predominantly residential use.

c. Other Street Classifications

- (1) Arterials are those serving large volumes of comparatively high-speed and long-distance traffic, and include facilities classified as main and secondary highways by the Pennsylvania Department of Transportation, and include streets classified as Arterial Thoroughfares or Primary Streets in the Traffic Plan set forth in the Municipality's Comprehensive Plan.
- (2) Collector Streets are those which, in addition to giving access to abutting properties, intercept facilities and provide routes, to community facilities and to major traffic streets, and include streets classified as Secondary Streets in the Traffic Plan set forth in the Municipality's Comprehensive Plan.
- (3) Half or Partial Street: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for satisfactory improvement and use of the street.
- (4) Local Access Streets, Including Minor Streets, are those used primarily to provide access to abutting property.
- (5) Marginal Access Streets are minor streets, parallel and adjacent to major traffic streets, providing access to abutting properties and control of intersections with the major traffic streets.

- (6) Major Streets are all streets other than local access streets or marginal access streets.

11.184 Structure

Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, swimming pools, carports, walls, fences and billboards. Accessory outdoor recreation equipment on Residential Zone Lots shall not be classified as a structure.

11.185 Structural Change

Any change in the structural members of a building, such as walls, beams columns or girders.

- 11.186 Telecommunications Antenna, Commercial. A device attached to a building, structure, or Telecommunications Tower principally intended for receipt or transmission of signals for such uses as commercial or public VHF or UHF television, FM radio, two-way radio, commercial carriers, cellular telephone, fixed point microwave, lower power television or AM radio, including accessory equipment related to telecommunications. Not included are antennas for private, non-commercial and amateur purposes, including but not limited to ham radios and citizens band radios.

- 11.187 Telecommunications Facilities, Commercial. Facilities used for transmitting or retransmitting electronic signals, including, but not limited to, the transmission of commercial radio or television signals or cellular telephone communications. TV satellite dish antenna are not included under this category of use.

- 11.188 Telecommunications Facilities, Residential. Antennas for private, noncommercial and amateur purposes, including T.V. satellite dish antennae as regulated in Section 5.824.

- 11.189 Telecommunications Facility Building, Commercial. The building in which electromagnetic receiving and relay equipment for a Telecommunications tower is housed.

- 11.190 Telecommunications Tower, Commercial. A free standing structure, including any guy wires, principally intended to support facilities for receipt or transmission of signals for uses such as commercial or public VHF or UHF television, FM radio, two-way radio, commercial carriers, cellular telephone, fixed point microwave, low power television, or AM radio, including accessory equipment related to telecommunications. Not included are towers and supportive structures for private, non-commercial and amateur purposes including but not limited to ham radios and citizens band radios.

11.191 Temporary Uses

Temporary uses shall include those activities which will be undertaken for a period of time specified in the application for a permit for such a use. Said period of time shall be one (1) year or less. If additional time is required a new application shall be submitted. No application for temporary uses shall be for a period of more than one (1) year.

11.192 Tract

Land held in single ownership which consists of lands to be subdivided or suitable for a land development. The tract shall consist of not less than the minimum area required for subdivision or development as set forth herein.

11.193 Transient Housing Facilities

Transient housing facilities shall include halfway houses, emergency shelters or missions, and other types of housing facilities which are to be occupied on a temporary basis, such as a fixed period of time. Such housing shall be distinguished from housing occupied by a family in that family occupancy equates to an indefinite occupancy period.

11.194 Travel Trailer

A vehicle, less than 30 feet in length and used for temporary living or sleeping purposes, and standing on wheels.

11.195 Ultimate Right-of-way

The full width of the road designated by the Governing Body to be the minimum required width of any public right-of-way.

11.196 Yard

An open space, as may be required by this Ordinance, of uniform width or depth on the same lot with a building or a group of buildings, which open space lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as herein permitted.

a. Yard, Front

An open space extending the full width of the lot between the front of the building and the ultimate right-of-way line unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

b. Yard, Rear

An open space extending the full width of the lot, between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

c. Yard, Side

An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this Ordinance.

11.197 Variance

The Zoning Hearing Board may authorize departure to a minor degree from the terms of this Ordinance in direct regard to hardship peculiar to an individual lot in accordance with the procedures set forth in the Ordinance.

11.198 Zoning Hearing Board

The Zoning Hearing Board of the Borough of Jermyn.

11.199 Zoning Officer

The administrative officer, appointed by the Governing Body who shall administer and enforce the provisions of this Ordinance.

11.200 Zoning Map

The Zoning Map or Maps of the Borough of Jermyn, Pennsylvania dated _____, 199_, together with all amendments subsequently adopted.

BOROUGH OF JERMYN

ORDINANCE NO. 3.00

AN ORDINANCE AMENDING ORDINANCE NO. 10-98, ZONING ORDINANCE

**JERMYN BOROUGH
ZONING AMENDMENTS**

- Sec. 4.850 Delete paragraph 1.
- Sec. 4.845 Add:
Any new construction must have a temporary silt fence which must be maintained until landscaping is permanent.
- Sec. 4.840 Add:
and wall (after fence)
- Sec. 4.862 Revise Aesthetic Design Standards
a. Construction Materials
No structure shall contain less than 50% external masonry, glass, dryvit, or similar type of construction materials, except that the facades of manufacturing and warehousing buildings and structures shall not be of woodface composition.
- Sec. 5.430 Revise paragraph to:
Manufactured housing, other than recreation vehicles, must be placed on a permanent foundation. In addition, all electrical services must be attached to the house.
- Sec. 5.711 Revise second paragraph to:
Off-street parking can be located in the front yard of a residential lot as long as it is located on a driveway.
- Sec. 5.741 Revise paragraph to:
Surfacing. Any loading area or off-street parking, excluding residential off-street parking, shall be surfaced with an asphaltic or cement binder pavement or similar durable and dustless surface. All loading areas and off-street parking, including residential off-street parking, shall be so graded and drained as to dispose of all surface water accumulated within the area so it does not flow onto adjoining properties, and shall be so arranged and marked as to provide for the orderly and safe loading, parking and storage of self-propelled vehicles.

Sec. 9.600 Revise: a. Residential Uses, Principal Structures and Accessory Structures
New construction or alteration of an existing
Structure with a change in the footprint:

<u>Amount of Construction</u>	<u>Cost of Permit</u>
0 to 299 sq. ft.	\$ 25.00
300-499	50.00
500-799	75.00
800-1099	100.00
1100-1399	150.00
1400-1699	200.00
1700-1999	250.00
2000 or more	10.00 per additional 250 sq. feet

Sec. 9.600 b. Residential Uses, Accessory Structures
Add: Fences \$25.00
Delete 1. New Construction

Sec. 9.600 c. Add: Sign \$50.00

Sec. 11.147 Delete: or without.

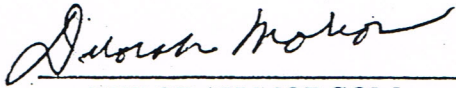
Schedule II R-2 Zone Revise: 60 ft. to 50 ft for single family and two-family.

Schedule II Revise Multi-family yard requirements to:
Front 20
Rear 25
Side (each) 10

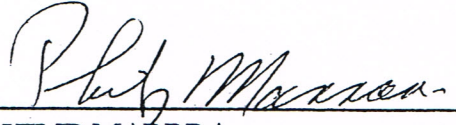
Schedule II Revise commercial height of building from 25 ft. to 30 ft.

ENACTED AND ORDAINED THIS 11 DAY OF MAY 2000.

JERMYN BOROUGH COUNCIL

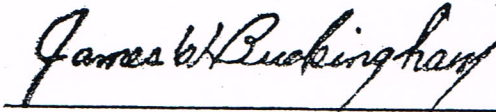


DEBORAH MORCOM
MANAGER



PHILIP MARRRA
PRESIDENT

EXAMINED AND APPROVED THIS 11 DAY OF MAY 2000.



BY; JAMES W. BUCKINGHAM
MAYOR