

ARTICLE 2 - DEFINITIONS

Section 200 Definition of Terms

- A. The following words are defined in order to facilitate the interpretation of the Ordinance for administrative purposes and in the carrying out of duties by appropriate officers and by the Zoning Hearing Board. Unless otherwise expressly stated, the following words shall, for the purpose of this ordinance, have the meaning herein indicated. Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity. The terms "shall and will," "will" and "must" are always mandatory. The words "should" or "may" are permissive. 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." The word "erected" shall be inclusive of the words "constructed, altered or moved."

ABANDONMENT: The relinquishment of property, or a cessation of the use of the property, by the owner with the intention neither of transferring rights to the property of another owner nor of resuming the use of the property.

ABUT or ABUTTING: Buildings which physically touch. Areas of contiguous lots that share a common lot line, not including lots entirely separated by a street, public alley open to traffic, or a perennial waterway.

ACCESS DRIVE: Private drives which provide vehicular movement between a street and a tract of land containing any use other than a single-family dwelling unit or a farm.

ACCESSORY BUILDING: A building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building.

ACCESSORY CHILD CARE: A subordinate building or a portion of the main building on a lot which serves primarily as a Child Care Center, as defined herein, and is accessory to a house of worship, a place of employment or a public or nonpublic school. A state-licensed and/or registered facility in which care is provided or is intended to be provided for six or more children in accordance with the definition of "Child Care Center" herein.

ACCESSORY EQUIPMENT: Any equipment serving or being used in conjunction with a wireless telecommunications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar equipment.

ACCESSORY SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection system used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof mounted solar arrays or modules, or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

ACCESSORY STRUCTURE: A structure subordinate to and detached from the main building on the same lot, the use of which is customarily incidental to that of the principal structure on the lot. An accessory structure shall exclude any vehicle as defined by the Pennsylvania Motor Vehicle Code.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use or the main building and located on the same lot with such principal use or main building.

ADAPTIVE REUSE: The development of a new use for an older building or for a building originally designed for a special or specific purpose.

ADDITION: Any construction which increases the size of a building, such as a porch, attached garage or carport, or a new room or wing.

ADJOINING LOT OR LAND: A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land. (See Abut)

ADULT BOOK STORE: Establishment which offers for sale, for rent, for lease, for review on the premises or for loan, pictures, photographs, drawings, sculptures, motion-picture film, or similar visual representation of sexual conduct or sexual excitement, or books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts of sexual conduct or sexual excitement, or which offers for sale devices, equipment, stimulants or other materials for use in sexual conduct or sexual excitement.

ADULT CABARET: An establishment, club restaurant, theater or hall which features topless dancers, exotic dancers, strippers, male or female impersonators or similar entertainers exhibiting specified anatomical areas (see definition) or specified sexual activities (see definition) for observation by patrons therein.

ADULT DAYCARE CENTER: A use providing supervised care and assistance primarily to persons who are over age 60 and/or mentally retarded and/or physically handicapped who need such daily assistance because of their limited physical abilities, Alzheimer's disease, mental abilities or mental retardation. This use shall not include persons who need oversight because of behavior that is criminal or violent. This use may involve occasional overnight stays, but shall not primarily be a residential use. The use shall involve typical stays of less than a total of 60 hours per week per person.

ADULT-RELATED USES: See "ADULT BOOKSTORE" and "ADULT CABARET."

AGRICULTURAL OPERATION: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged in by farmers or are consistent with technological development within the agricultural industry.

AGRICULTURE: The use of land which shall include, but not be limited to, the tilling of the soil, the raising of crops, horticulture, apiculture, floriculture, vitaculture and gardening. The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products: livestock, including beef cattle, sheep, swine horses ponies, mules, or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals: bees and apiary products; fur animals; trees and forest products: fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program. (See Horticulture)

AIRPORT: A place where aircraft can land and take off, usually equipped with hangers, facilities for refueling and repair and various accommodations for passengers.

AISLE: The traveled way by which cars enter and depart parking spaces.

ALLEY: A public or private right-of-way other than a side street which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATIONS: Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

AMENDMENT: A change in use in any district or change in zoning district, which includes revisions to the zoning text and/or the official zoning map.

AMUSEMENT ARCADE: An establishment which has as its principal business offering to patrons mechanical or electrical amusement devices or games such as pinball machines, ping pong, darts, shooting galleries or similar devices and games.

AMUSEMENT PARK: An outdoor facility, which may include structures and buildings, where there are various devices for entertainment including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.

ANIMAL HOSPITAL: A building used for the treatment, housing or boarding of small domestic animals such as dogs, cats, rabbits, and birds or fowl by a veterinarian.

ANTENNA: Telecommunications equipment that transmits and receives electromagnetic radio signals used in the provision of all types of wireless telecommunications services. An antenna shall not include private residence-mounted satellite dishes or television antennae or amateur radio equipment including, without limitation, ham or citizen band radio antennae.

ANTENNA STANDARD: A device, partially or wholly exterior to a building, that is used for receiving electronic signals (other than a satellite dish antenna which is treated separately) or for transmitting short-wave or citizens band radio frequencies. This shall include antennae used by an amateur ham radio operator or by a contracting business or utility to communicate with its employees, but shall not include a "Commercial Communications Antenna." This term includes any accessory supporting structures.

ANTENNA SUPPORT STRUCTURES: Any structure, mast, pole, tripod or tower, including any guy wires and braces utilized for the purpose of supporting an antenna or antennas.

APARTMENT: One or more rooms with private bath and kitchen facilities constituting an independent, self-contained dwelling unit.

APARTMENT, CONVERSION: A multi-family dwelling constructed by converting an existing dwelling into apartments for two (2) or more families without substantially altering the exterior of the building.

APPLICANT: A landowner or developer (as herein defined) who has filed an application for development including his personal representatives, heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT: Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit or for the approval of a subdivision plat or plan or for approval of a land development plan.

ARCADE: A continuous passageway parallel to and open to a street, open space, or building, usually covered by a canopy or permanent roofing, and accessible and open to the public.

AREA, BUFFER: A strip of land which is planted and maintained in shrub, bushes, trees, grass or other landscaping material and within which no structure is permitted except a wall or fence.

AREA, BUILDING: The total of area, in square feet, of all floors, excluding basement, of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

AREA, GROSS: The total lot area, including public right-of-way.

AREA, LOT: See "Lot Area."

AREA, NET: The total lot area, less public right-of-way.

ASSISTED LIVING FACILITY: Coordinated and centrally managed housing including self-contained units designed to provide a supportive environment and to accommodate a relatively independent lifestyle. Such a development may contain a limited number of supportive services, such as meals, transportation, housekeeping, linen and organized social activities for residents and their invited guests. Such a use shall primarily serve persons 55 and older, persons with physical handicaps and/or the developmentally disabled. Assisted Living Facilities shall be licensed as Personal Care Centers by the Commonwealth of Pennsylvania.

ATTIC: That part of a building which is wholly or partly within the roof framing.

AUTHORITY: A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 162), as amended, known as the "Municipalities Authorities Act of 1945."

AUTO BODY SHOP: See "Vehicle Body Shop."

AUTO, BOAT AND/OR MOBILE/MANUFACTURED HOME SALES: An area, other than a street, used for the outdoor or indoor display, sale or rental of two or more of the following in operable condition: motor vehicles, recreation vehicles, boat trailers, farm machinery, motorcycles, trucks, utility trailers, construction vehicles, boats, or transportable mobile/manufactured homes in a livable condition. This use may include an auto repair garage as an accessory use provided that all requirements of such use are complied with. This use shall not include a mobile/manufactured home park (unless the requirements for that use are also met) or a junkyard.

AUTOMATIC CAR WASH: A structure containing facilities for washing automobiles using a chain conveyor or other method of moving the cars along, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying. See also Car Wash.

AUTOMOBILE REPAIR GARAGE: An area where repairs, improvements and installation of parts and accessories for motor vehicles and/or boats are conducted that involves work that is more intense in character than work permitted under the definition of "automobile service station." An automobile repair garage shall include, but not be limited to, a use that involves any of the following work: major mechanical or body work, straightening of body parts, painting, welding or rebuilding or transmissions. Any use permitted as part of an "automobile service station" is also permitted as part of an "automobile repair garage."

AUTOMOBILE SERVICE STATION: Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of automobiles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories.

AWNING: A roof-like cover that is temporary or permanent in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and can be periodically retracted onto the face of a building.

BASE FLOOD ELEVATION: The elevation above sea level, based on the vertical datum in the current flood Insurance Rate Maps for (municipality) of the 100-year flood.

BASE STATION: A structure or equipment at a fixed location that enables Federal Communications Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

- i. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- ii. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).
- iii. The term includes any structure other than a tower that, at the time the relevant application is filed with the Borough under this subpart, supports or houses equipment described in sub-paragraphs (i) and (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
- iv. The term does not include any structure that, at the time the relevant application is filed with the Borough under this section, does not support or house equipment described in sub-paragraphs (i) or (ii) of this section.

BASEMENT: Any area of the building having its floor below ground level on all sides.

BED AND BREAKFAST HOME: An owner-occupied residence where not more than five guest rooms are rented to not more than 10 overnight guests on a daily basis for periods not exceeding one week.

BERM: A mound of soil, either natural or man-made, used to obstruct views.

BILLBOARD: See "signs."

BLOCK: An area bounded by streets, railroad rights-of-way, waterways and other definite barriers.

BOARDING HOUSE (INCLUDING "ROOMING HOUSE"): A residential use in which: (a) room(s) that do not meet the definition of a lawful dwelling unit are rented for habitation, or (b) a dwelling unit includes greater than the permitted maximum number of unrelated persons. A boarding house shall not include a use that meets the definition of dormitory, motel, life care center, personal care center, bed and breakfast inn, group home or nursing home. A college fraternity or sorority house used as a residence shall be considered a type of boarding house. A boarding house may either involve or not involve the providing of meals to residents, but shall not include a restaurant open to the public unless the use also meets the requirements for a restaurant. A boarding house shall primarily serve persons residing on-site for 5 or more consecutive days.

BOARDING STABLE: A structure designed for the feeding, housing and exercising of horses not owned by the owner of the premises, and for which the owner of the premises receives compensation.

BUFFER AREA: See AREA, BUFFER.

BUFFER YARD: An open area whose dimensions normally exceed the normal building setback or yard requirements used to protect low-density uses and zoning districts from adjacent higher-density uses and districts.

BUILDABLE AREA: The area of lot remaining after the minimum yard and open space requirements of the zoning ordinance have been met.

BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

BUILDING COVERAGE: The ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total gross lot area.

BUILDING HEIGHT: The vertical distance from the average finished grade, in front of the building where the address is taken, to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. (BOCA National Building Code, slightly modified)

BUILDING INSPECTOR: An individual designated by the appointing authority to enforce the provisions of the building code. Includes code enforcement officer or zoning officer.

BUILDING LINE: A line parallel to the front side or rear lot line set so as to provide the required yard.

BUILDING, NON-CONFORMING: See Non-Conforming Structure or Building.

BUILDING PERMIT: Written permission issued by the proper municipal authority for the construction, repair, alteration or addition to a structure.

BUILDING, PRINCIPAL: A building in which is conducted the primary use of the lot on which it is located, and which is not an accessory building.

BUILDING SETBACK LINE: The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

BULK RECYCLING CENTER: A use involving the bulk commercial collection, separation and/or processing of types of waste materials found in the typical household or office for some productive reuse, but which does not involve the actual processing or recycling of hazardous or toxic substances, and which does not primarily involve the processing of non-recycled solid waste, unless the use also meets the applicable requirements for a solid waste transfer facility. This definition shall not include a "junkyard."

BUS SHELTER: A small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of bus passengers.

BUSINESS SERVICES: Those activities limited to the service and repair of furniture, office equipment, medical supplies and equipment and commercial appliances; the supply and servicing of vending machines; frozen food lockers; the painting and assembly of signs; printing, copy and photocopying services; arts, crafts, drafting and stationary supplies; food catering; interior decorating; taxidermy; upholstering and personal dry cleaning services. Uses which shall not be interpreted to be business service establishments are retail shops and stores; gasoline and motor vehicle stations; vehicular sales, service and repair; mortuaries; warehouses and distribution facilities; and contractor's offices.

CALIPER, TREE: The diameter of a tree trunk measured in inches six inches above ground level for trees up to four inches in diameter and 12 inches above ground level for trees over four inches in diameter.

CAMP OR CAMPGROUND: A state-permitted facility, through the Pennsylvania Department of Health, in which a portion of land is used for the purpose of providing a space for trailers or tents for camping purposes, regardless of whether a fee has been charged for the leasing, renting or occupancy of the space, in accordance with the Pennsylvania Code, Title 28, Chapter 19. The campground may be an organized camp which includes a combination of programs and facilities established for the primary purpose of providing an outdoor group living experience for children, youth and adults with social, recreational, and educational objectives and operated and used for five or more consecutive days during one or more seasons a year.

CAMPER: Any individual who occupies a campsite or otherwise assumes charge of, or is placed in charge of, a campsite.

CANOPY: See Awning.

CAR WASH: A building on a lot designed and used primarily for the washing and polishing of automobiles and which may provide accessory services. See also Automatic Car Wash.

CARPENTRY: The skill or work of making or fixing wooden objects or wooden parts of buildings.

CARPORT: A roofed structure providing space for the parking of motor vehicles and enclosed on not more than three sides, and accessory to a main or accessory building.

CARTWAY: That portion of a street or alley which is improved, designed, or intended for vehicular use.

CELLAR: A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and a half feet.

CEMETERY: A parcel of land used as a burial ground for human or animal remains.

CERTIFICATE OF USE AND OCCUPANCY: The certificate issued by a duly authorized Borough officer which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the building permit.

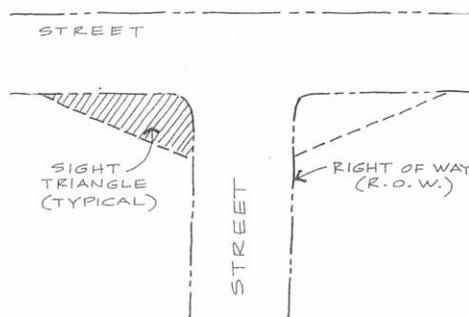
CHANGE OF USE: Any use that substantially differs from the previous use of a building or land.

CHILD CARE CENTER: An establishment providing for the care, supervision, and protection of children.

CHIMNEY: A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

CHURCH: A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

CLEAR-SIGHT TRIANGLE: An area of unobstructed vision at street intersections defined by the center lines of the streets and by a line of sight between points on their center lines at a given distance from the intersection of the center lines. Within this clear-sight triangle nothing is to be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.



CLINIC: An establishment where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, or social workers and where patients are not usually lodged overnight.

CLUB, CLUBHOUSE OR LODGE, PRIVATE: A building, structure, or part thereof, used to house an organization catering exclusively to members and their guests, or premises or buildings for social, recreational and administrative purposes which are not conducted for profit, provided there are not conducted any vending stands, merchandising or commercial activities except as required for the membership or fundraising of such club. Clubs shall include, but not be limited to, service and political organizations, labor unions, as well as social and athletic clubs. This definition does not include "night clubs." The private clubs or lodges, as defined, shall not be an adjunct to, operated by or in connection with a tavern, café or other public place.

COLLEGE OR UNIVERSITY: See "School, College."

COLLOCATION: The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

COMMERCIAL GREENHOUSE: A structure in which plants, vegetables, flowers, and similar materials are grown for sale.

COMMERCIAL VEHICLE: Any motor vehicle licensed by the state as a commercial vehicle.

COMMERCIALLY REASONABLE: Means terms and pricing that are reasonably consistent with similar wireless facility leases and agreements within a 50 mile radius of the municipality.

COMMON AREA: The area in a subdivision or planned residential development, including common open space, owned or leased and maintained by an association or other combination of persons for the benefit of the residents of the residential development and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the use of all dwelling unit owners.

COMMON ELEMENTS: Means and includes:

- (1) The land on which a building is located and portions of the building which are not included in a unit;
- (2) The foundations, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of a building;
- (3) The yards, parking area and driveways;
- (4) Portions of land and building used exclusively for the management, operation or maintenance of the common elements;
- (5) Installations of all central services and utilities;
- (6) All other elements of a building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
- (7) Such other facilities as are designated as "common elements."

COMMUNITY CENTER: A use that exists solely to provide primarily indoor leisure and educational activities and programs and meeting space to members of the surrounding community and/or certain age groups, and which does not involve substantial use of machinery or noise producing equipment. The use also may include the preparation and/or provision of meals to low-income elderly persons, as accessory to leisure activities. This shall not include residential uses or a "treatment center."

COMMUNITY SEWAGE SYSTEM: Any system, whether publicly or privately owned, for the collection of sewage or industrial wastes of a liquid nature from two or more lots and the treatment and/or disposal of the sewage or industrial waste on one or more of the lots or at any other site, and which shall comply with all applicable regulations of the Pennsylvania Department of Environmental Protection.

COMMUNITY WATER SUPPLY SYSTEM: A public or private utility system designated to transmit potable water from a common source to multiple users. Such systems shall be in compliance with the regulations of the Pennsylvania Department of Environmental Protection, the Public Utilities Commission (PUC) or the Township, whichever is more stringent.

COMPOSTING: The mixing of decomposing refuse matter for the purpose of creating fertilizer material.

COMPREHENSIVE PLAN: The official public document prepared in accordance with the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted, consisting of maps, charts and textual material, that constitutes decisions about the physical and social development of a Borough, City, or Township, as amended from time to time.

CONDITIONAL USE: A use permitted (and approved by the Borough Council) in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of the use as specified in the zoning ordinance.

CONDOMINIUM: A set of individual dwelling units or other areas of buildings each owned by an individual person(s) in fee simple, with such owners assigned a shared interest in the remainder of the real estate which is designated for common ownership, and which is created under the Pennsylvania Uniform Condominium Act of 1980 or Uniform Planned Community Act of 1996, as amended.

CONDOMINIUM ASSOCIATION: The community association that owns, administers and maintains the common property and common elements of a condominium.

CONFERENCE FACILITY: A large building or group of buildings that is designed to hold a convention, retreat or meeting, where individuals and groups gather to promote and share common interests. May include hotel, restaurant and recreation facilities.

CONSTRUCTION: The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

CONTIGUOUS: Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous. To physically touch or border upon, or to share a common property line, but not overlap.

CONTINUING CARE RETIREMENT COMMUNITY: An age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and an entrance fee.

CONTRACTOR'S OFFICE: An establishment of any general contractor or builder in which one or more persons are employed in the management, direction or conducting of business and whose staff/employees serve clients who seek advice and consultation regarding business. Equipment and materials may not be stored nor may a contractor perform shop or assembly work at this establishment.

CONTRACTOR'S YARD: A tract of land where a dealer stores new and/or used material, machinery, equipment and other supplies for use by builders, developers, erectors, excavators and other artisans. Such material, machinery, equipment and other supplies may be made available for wholesale or retail purposes or rental programs.

CONVENIENCE STORE: A use that primarily sells routine household goods, groceries, prepared ready-to-eat foods and similar miscellaneous items to the general public, but that is not primarily a restaurant.

CUL-DE-SAC: A street intersecting another street at one end terminating at the other in a vehicular turn around.

CURB: A stone, concrete, or other improved boundary usually marking the edge of the roadway or paved area.

CURB CUT: The opening along the curb line at which point vehicles may enter or leave the roadway.

DANGEROUS ANIMAL: Any animal of the order carnivora that has a propensity to attack, to cause injury to or to otherwise endanger the safety of human beings without provocation, or that has been so declared after three (3) reports to the Pennsylvania Department of Agriculture, Dog Law Enforcement Office.

DATA COLLECTION UNIT (DCU): These are utilized primarily by electric utility providers. DCU communicate with smart meters to obtain meter readings, restore outages and improve operational control

DAY CARE, CHILD: A use involving the supervised care of children under age 16 outside of the children's own home(s) primarily for periods of less than 18 hours per child during the average day. This use may also include educational programs that are supplementary to State-required education, including a "nursery school" or "Head Start" programs.

DECIDUOUS: Plants that drop their leaves before becoming dormant in winter.

DEED RESTRICTION: A restriction on the use of the land set forth in the deed or instrument of conveyance. Such restriction usually runs with the land and is binding upon subsequent owners of the property. The governing body is not responsible for enforcing a deed restriction, unless the restriction resulted from a condition or stipulation of the subdivision or land development approval process.

DENSITY: The number of families, individuals, dwelling units, or housing structures per gross acre of land.

DEP: Pennsylvania Department of Environmental Protection.

DEVELOPER: Any landowner, agent of such landowner or tenant with permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

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 manufactured homes; streets and other paving; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

DEVELOPMENT PLAN: The provisions for a planned development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open-space and public facilities.

DISTRIBUTED ANTENNA SYSTEMS (DAS): Network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

DISTRIBUTION CENTER: An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by boat, rail, air, or motor vehicle.

DORMITORY: A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, convent, monastery, or other similar institutional use.

DRIVE WAY: A private access for vehicles to park in a parking space, garage, dwelling or other structure.

DRIVE-IN ESTABLISHMENT: Any commercial business, including an eating establishment, offering refreshments, entertainment or services to patrons, who purchase and/or consume such refreshments, entertainment or services on the premises and/or outside of the building, including patrons who may be served in their automobiles.

DUPLEX: See Dwelling, Single Family, Semi-Detached.

DUST-FREE SURFACE: A dust-free surface is an impervious surface including, but not limited to, aggregate, such as dirt, stone, rock, shale or gravel, which is adequately treated with a dust-free solution or adequately maintained (in the case of grass and pavers) such that regular use of said surface results in minimal dust disturbance or particulate matter being placed in the air above or around said surface. Treatment of a dust-free surface, such as rock, dirt, gravel, or other bituminous matter, is required through proper application of approved and permitted liquids. A surface should not be considered dust-free simply by adding water or by treating the surface with any hazardous chemical, oil or other residue which could in any way impact the health, safety and welfare of any individual. Dust-free surfaces require a maintenance plan to be approved by the Borough.

DWELLING UNIT: One or more rooms used for living and sleeping purposes and having a kitchen(s) with fixed cooking facilities, toilet and bathroom facilities and arranged for occupancy by not more than one family.

DWELLING, MANUFACTURED HOUSING: Any structure designed primarily for residential occupancy, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation of assembly and installation on the building site in such a manner that all concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

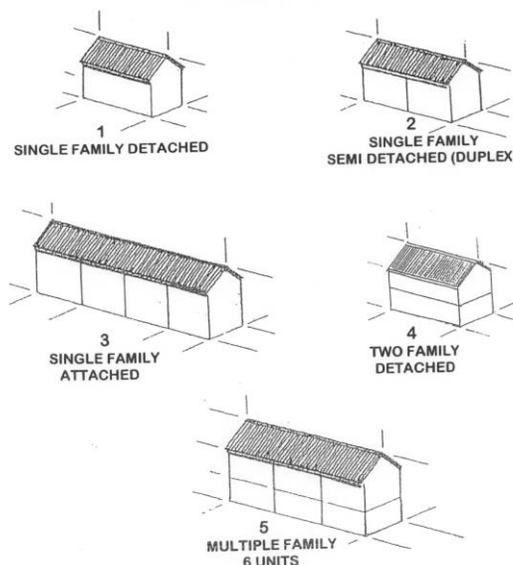
DWELLING, MULTI-FAMILY: A building designed, occupied or used by three or more families living independently of each other, wherein each dwelling unit shall contain private bath and kitchen facilities.

DWELLING, SINGLE FAMILY ATTACHED: A building used by one family and having two (2) party walls in common with other buildings (such as row house or town house), except that end units have only one party wall.

DWELLING, SINGLE FAMILY, DETACHED: A building used by one (1) family, having only one (1) dwelling unit and having two (2) side yards.

DWELLING, SINGLE FAMILY, SEMI-DETACHED: A building used by one (1) family, having one (1) side yard, and one (1) party wall in common with another building. (Duplex)

DWELLING, TWO FAMILY, DETACHED: A building used by two (2) families, with one dwelling unit arranged over the other and having two (2) side yards.



EASEMENT: A grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

EASEMENT, DRAINAGE: An easement required for the installation of storm water sewers or drainage ditches, and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.

EASEMENT, UTILITY: A right-of-way granted for limited use of land for public or quasi-public purpose.

ECHO HOUSING (Elder Cottage Housing Opportunities): Also known as “granny flat” or elder cottage housing. It permits a family member, related by blood, marriage or adoption, to live independently but close to relatives on the same lot. The housing consists of one bedroom, a bathroom, living room and kitchen and is connected to the utility system of the main dwelling unit.

ELECTRIC SUBSTATION: An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the needs of the general public.

ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES: Public utilities transmission distribution facilities including substations.

ELIGIBLE FACILITIES REQUEST: Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.

EMERGENCY: A condition that, (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

EMERGENCY MEDICAL TREATMENT FACILITY: Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing emergency health service to people on an outpatient basis.

EMPLOYEES: The highest number of workers (including both part-time and full-time) both compensated and volunteer and both employees and contractors present on a lot at any one time, other than clearly temporary and occasional persons working on physical improvements to the site.

ENCROACHMENT: Any obstruction or illegal or unauthorized intrusion in a delineated setback, buffer yard, easement, floodway, right-of-way, or on adjacent land.

ENGINEER, MUNICIPAL: A registered professional engineer in Pennsylvania designated by the municipality to perform the duties of engineer as herein specified.

ENLARGEMENT: An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements.

EQUIPMENT COMPOUND: An area surrounding or adjacent to a wireless support structure within which base stations, power supplies or accessory equipment are located.

EROSION: The removal of surface materials by the action of natural elements.

EXCAVATION: Any act by which earth, sand, gravel, rock or any other similar materials is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

EXISTING USE: An activity or use of land occurring on a lot or parcel as of the effective date of this Ordinance.

EXOTIC WILDLIFE: Includes, but is not limited to, all bears, coyote, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves, poisonous insects, alligators, crocodiles, Caymans, constricting snakes, poisonous snakes, venomous reptiles, Piranha, northern snakehead fish, gorillas, orangutans, chimpanzees, monkeys, or other primates, or any other animal that would not be considered a domesticated pet or livestock; and/or any animal not indigenous to Pennsylvania.

FACILITY OWNER: The entity or entities having a legal or equitable interest in the Wind Energy Facility, including the respective successors and assigns.

FAMILY: One or more persons related by blood, marriage, legal guardianship, licensed or court-appointed foster care or legal adoption, including any domestic servants or gratuitous guests thereof, who maintain one common household and reside in one dwelling unit; or no more than four persons who are not related to each other by blood, marriage, legal guardianship, licensed or court-appointed foster care, or legal adoption. A roomer, boarder or lodger is not considered a family member; any number of persons possessing a handicap within the meaning of the Fair Housing Act (42 USC Section 3602(h), or successor legislation) who reside in one dwelling unit and live and cook together as a single housekeeping unit.

FAMILY CARE FACILITY: A dwelling inhabited by a group of people who are not handicapped, without regard for age, with or without specialized needs, who are unrelated or related by legal marriage, birth or adoption, and who are not afforded protection by the Fair Housing Act. This group of people typically requires extended periods of or twenty-four-hour adult supervision and guidance by persons who may be, but are typically not, legal custodians. This definition does not include persons occupying a hotel, dormitory, lodge or boarding home.

FENCE: Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry, singly or in combination, erected for the purpose of screening or dividing one property from another to assure privacy, or to protect the property so screened or divided, or to define and mark the property line. For the purpose of this ordinance a freestanding masonry wall when so located is considered to be a fence; also for the purpose of this ordinance when the term "lot line" is used in relation to fences it shall be synonymous with "rear yard lot lines," "side yard lot lines," "front yard lot lines."

FENCE, BREAK-AWAY: Fencing designed to collapse automatically under the pressure of floodwaters, without causing damage to the fence. After floodwaters have receded, the break-away fence may be re-erected.

FENCE, OPEN: A fence having openings and/or voids comprising 45% or more of the fence façade area. Typical open fence styles include post and rail, chain link, spaced picket, and ornamental rigid metal.

FILL: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting there from. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade.

FINANCIAL INSTITUTION: An establishment primarily involved with monetary, not material, transactions and that has routine interactions with the public.

FINISHED GRADE: The elevation of the land surface of a site after completion of all site preparation work.

FLICKER: A repeating cycle of changing light intensity.

FLOOD: A temporary inundation of normally dry land.

FLOOD BOUNDARY, FIVE-HUNDRED-YEAR: The outer boundary of an area of land that is likely to be flooded once every 500 years (i.e., that has 1/5 of 1% chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil

Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this boundary.

FLOOD BOUNDARY, ONE-HUNDRED-YEAR: The outer boundary of an area of land that is likely to be flooded once every 100 years (i.e., that has a 1% chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define its boundary.

FLOOD HAZARD BOUNDARY MAP: An official floodplain map issued by the Federal Insurance Administration.

FLOOD, FIVE-HUNDRED-YEAR: A flood which is likely to be equaled or exceeded once every 500 years (i.e. that has a 1/5 of 1% chance of being equaled or exceeded in any given year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study as necessary to define this flood.

FLOOD, ONE-HUNDRED-YEAR (BASE FLOOD): A flood, which is likely to be equaled or exceeded once every 100 years (i.e. that has a 1% chance of being equaled or exceeded in any given year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study as necessary to define this 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.

FLOODPLAIN DISTRICT: The zoning district that regulates the channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater.

FLOODPROOFING: Any combination of structural and non-structural additions, changes or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. With regard to nonresidential structures, the term "floodproofing" shall also mean that the structure, together with attendant utility and sanitary facilities, be designed so that any space below the regulatory flood elevation is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydromatic loads and effects of buoyancy.

FLOODWAY: The areas identified as floodway in the Flood Insurance Study prepared by the FEMA. The term shall also include floodway areas which have been identified in the other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.

FLOODWAY AREA: The areas identified as floodway in the AE Zone in the Flood Insurance Study prepared by FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information from those floodplain areas where no floodway has been identified in the Flood Insurance Study.

FLOODWAY FRINGE: Those portions of land within the Floodplain District subject to inundations by the one-hundred year flood, beyond the floodway in areas where detailed study and profiles are available.

FLOOR AREA RETAIL, NET: All that space relegated to use by the customer and the retail employee to consummate retail sales; and to include display area used to indicate the variety of goods available for the customer: but not to include office space, storage space and other general administrative areas.

FLOOR AREA, GROSS: The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

FLOOR AREA, HABITABLE: The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, bathroom, closets, nor unheated areas such as enclosed porches, nor rooms without at least one window or skylight opening onto an outside yard or court. At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the habitable floor area.

FLOOR AREA, NET: The total of all floor areas of a building, excluding stair-wells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

FLORIST: One who sells or grows for sale flowers and ornamental plants.

FOOT CANDLE: A measure of illumination produced by 1 candle, at a distance of 1 foot on a 1 square foot area.

FORESTRY (TIMBER HARVESTING): The management of forests and timberlands, when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve land development.

GARAGE SALE: See "Yard Sale."

GARAGE, PRIVATE: An accessory enclosed or covered space for the storage of one or more vehicles, provided that no business, occupation, or service is conducted for profit therein nor space therein.

GARAGE, PUBLIC: Any garage other than a private garage, and which is used for parking or storage of motor vehicles.

GLARE: The effect produced by light with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GOLF COURSE: Any regulation 18-hole, 9-hole or executive (par 3) golf course, including any driving ranges, chip-n-putt, nine-hole, or miniature golf courses.

GRANDFATHERED: A structure, use, or activity regulated by the zoning ordinance which was lawful prior to the adoption, revision, or amendment to the ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district (SEE, NONCOMFORMING).

GREENHOUSE: A building, room, or area, usually chiefly of glass, in which the temperature is maintained within a desired range, used for cultivating tender plants or growing plants out of season.

GREENWAY: A greenway may be any one or combination of the following: (1) a linear open space established along either a natural corridor, such as a riverfront, stream valley or ridgeline, or over land along a railroad right-of-way converted to recreational use, a canal, a scenic road, or other route; (2) a natural or landscaped course for pedestrian or bicycle passage; (3) an open space connector linking parks, natural reserves, cultural features or

historic sites with each other and with populated areas; and (4) strip or linear parks designated as a parkway or greenbelt.

GROSS BUILDING AREA: The total area of a building available for construction or use, as measured from the exterior walls or the building. Gross building area should be used in computing all square footage measurements for buildings as well as dimension requirements.

GROUND CLEARANCE – The minimum distance between the ground and any part of the wind turbine blade, as measured from the lowest point of the arc of the blades.

GROUP HOME: A dwelling inhabited by handicapped persons, as identified and provided for by the Fair Housing Act and this chapter. This definition does not include persons occupying a hotel, dormitory, lodge, halfway house, boardinghouse or institution. A group home involves persons functioning as a common household unit, providing non-routine support services and oversight to persons who need such assistance to avoid being placed within an institution because of physical disability, old age, or mental retardation/developmental disability, or that the applicant proves to the satisfaction of the Zoning Officer meets the definition of “handicap,” as defined by applicable federal law. (NOTE: The Federal Fair Housing Act amendments define “handicap” as follows: “(1) a physical or mental impairment which substantially limits one or more of such person’s major life activities; (2) a record of having such an impairment; or (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance as defined in Section 802 of Title 21.” This definition was subsequently adjusted by Section 512 of the Americans with Disabilities Act to address certain situations related to substance abuse treatment.)

GROUP QUARTERS: Any dwelling or portion thereof which is designed or used for persons unrelated to each other occupying the dwelling unit and having common eating facilities. Group quarters include, but are not limited to, boarding- or lodging houses, fraternity and sorority houses, theme houses and other quarters of an institutional nature. Group quarters owned and operated by a parent religious, educational, charitable or philanthropic institution. Group quarters shall exclude hotels, motels, dormitories, emergency shelters, student housing, nursing facilities and personal care facilities. In zoning districts where group quarters are permitted, other than institutional, group quarters shall be limited to no more than 10 persons.

HALFWAY HOUSE: A non-institutional living arrangement with treatment and support services for persons with substance abuse problems or for inmates and parolees approaching parole release date or release from a corrections institution. The halfway house (community corrections center) operates under the rules and regulations of the Pennsylvania Department of Health or Department of Corrections or similar authorities. The residents are provided full-time supervision and counseling on employment, vocations, finances and community living.

HAZARDOUS MATERIAL: Materials which are classified by the U.S. Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, or (municipality) as having the potential to damage health or impair safety. Hazardous materials include but are not limited to inorganic mineral acids or sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, arsenic and their common salts, lead, coal tar acids, such as phenols and cresols and their salts, petroleum products, and radioactive material. Also included are floatable materials with the potential to cause physical damage, such as logs, storage tanks and large containers, located in flood prone areas.

HAZARDOUS WASTE: Any substance classified by the U.S. Environmental Protection Agency, the Pennsylvania Department of Environmental Protection or the Township as having the potential to damage health or impair safety, including garbage, refuse, sludge from an industrial or other wastewater treatment plant, sludge from a water supply treatment plant or air pollution facility, and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining or agricultural operations, and from community activities, or any combination of the above, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may:

- (1) Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or,
- (2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(NOTE: "Hazardous Waste" shall also include any added components from the Solid Waste Management Act of July 7, 1980, P.L. 380, No. 97, as amended).

HAZARDOUS WASTE FACILITY: Any structure, group of structures, above ground or under ground storage tanks, or any other area or buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than the normal transportation time through the Township.

HEALTH CARE FACILITY: A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, including, but not limited to, a general hospital, special hospital, mental hospital, public health center, diagnostic center, treatment center, rehabilitation center, extended care facility, skilled nursing home, nursing home, intermediate care facility, tuberculosis hospital, chronic disease hospital, maternity hospital, or outpatient clinic.

HEIGHT: The vertical distance of a structure measured from the average elevation of the finished grade surrounding the structure to the highest point of the structure.

HELIPORT: An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

HELISTOP: A heliport but without auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

HISTORIC AREA: A district or zone designated by a local authority or state or federal government within which the buildings, structures, appurtenance, and places are of basic and vital importance because of their association with history; or because of their unique architectural style and scale, including color, proportion, form, and architectural detail; or because of their being a part of or related to a square, park, or area the design or general arrangement of which should be preserved and/or developed according to a fixed plan based on cultural, historical, or architectural motives or purposes.

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 in the National Register;
2. Certified or preliminarily determined by the Secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary 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 Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. by an approved state program as determined by the Secretary of the Interior; or
 - b. directly by the Secretary of the Interior in states without approved programs.

HISTORIC STRUCTURE CONVERSION: The conversion of a historic structure to a use other than the existing use.

HOME OCCUPATION: Any activity carried out for gain by a resident and conducted as a customary, incidental, and accessory use in the resident's dwelling unit.

HORTICULTURE: The cultivation of a garden, orchard, or nursery; the cultivation of flowers, fruits, vegetables, or ornamental plants.

HOSPITAL: A building or part thereof used for medical, psychiatric, obstetrical, or surgical care on a twenty-four-hour basis. The term "hospital" shall include facilities used for medical research and training for health-care professions, general hospitals, mental hospitals, tuberculosis hospitals, children's hospitals, and any such other facilities which provide inpatient care. The term "hospital" shall not include any facility in which is conducted the housing of the criminally insane or provides treatment for persons actively charged with or serving a sentence after being convicted of a felony. A hospital shall be licensed as such by the Commonwealth of Pennsylvania.

HOTEL: A building designed for occupancy primarily as the temporary abiding place of individuals who are lodged with or without meals. A conference/convention center may be part of the hotel.

HOUSEHOLD: Persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

HUB HEIGHT: The distance measured from the surface of the tower foundation to the highest point of the wind turbine hub, to which the blade is attached.

IMPERVIOUS COVERAGE: The total area of all impervious materials.

IMPERVIOUS MATERIAL (SURFACE): Any substance placed on a lot which covers the surface in such a fashion as to prevent natural absorption of surface water by the earth so covered. The following items shall be deemed to consist of impervious material: buildings, sidewalks, driveways, parking lots, swimming pools and compacted ground surfaces.

IMPOUNDMENT: A body of water, such as a pond, confined by a dam, dike, floodgate, or other barrier.

IMPROVEMENTS: Those physical additions, installations and changes required to render land suitable for the use intended, including, but not limited to, grading, paving, curbing, streetlights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, and other public utilities and street shade trees, and improvements to existing water courses.

INCINERATOR: An approved device in which combustible material, other than garbage, is burned to ashes.

INSTITUTIONAL FACILITY: A public or private benevolent establishment devoted to the shelter, maintenance or education and care of minor children, homeless, aged or infirm persons, or members of a religious community. This classification shall not include almshouses, penal or reformatory institutions, nursing homes, hospitals or

institutions for the custody, care or treatment of persons suffering from dementia, mental derangement or drug or alcoholic addition.

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.

JUNK VEHICLE: Includes any vehicle or trailer that meets any of the following conditions:

- (1) Cannot be moved under its own power, in regards to a vehicle designed to move under its own power, other than a vehicle clearly needing only minor repairs,
- (2) Cannot be towed, in regards to a trailer designed to be towed,
- (3) Has been separated from its axles, engine, body or chassis, and/or
- (4) Includes only the axle, engine, body parts and/or chassis, separated from the remainder of the vehicle.

JUNK YARD: Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk.

KENNEL: A state-licensed facility through the Department of Agriculture, containing indoor and outdoor housing facilities for the sheltering of canines in accordance with the Pennsylvania Code, Title 7, Chapter 21, as amended or revised.

KIDDIE POOL: An above-ground pool of 80 square feet or less in area with a height above grade of 24 inches or less, and having no electrical connections or filtering system.

LAND DEVELOPMENT:

- (1) The improvement of one or more contiguous lots, tracts or parcels of land for any purpose involving,
 - (a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure, or;
 - (b) The division or allocation of land 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;
- (2) A subdivision of land.
- (3) The following are exempted from the definition of Land Development:
 - (a) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than 3 residential units, unless such units are intended to be a condominium;
 - (b) The addition of an accessory building, including a farm building, on a lot or lots subordinate to an existing principal building; or
 - (c) The addition or conversion of a building for rides within the confines of an enterprise, which would be considered an amusement park. For the purpose of this subsection, an amusement park is defined as a tract or area used principally as a location for a permanent amusement structures or rides. This exclusion shall not comply to newly acquired acreage by an amusement park until initial land for the expanded area have been approved by the proper authorities.

LAND FILL: A disposal site in which refuse and earth, or other suitable cover material, are deposited and compacted in alternative layers of specified depth in accordance with an approved plan. (See Sanitary Landfill.)

LANDSCAPE PLAN: A component of a development plan, if required, on which is shown proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features, grade changes, buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by Mount Holly Springs Borough.

LAUNDRY AND DRY CLEANING ESTABLISHMENT: A business premises equipped with large-scale clothes-washing and dry cleaning equipment.

LEASE: A contractual agreement for the use of lands, structures, buildings, or parts thereof for a fixed time and consideration.

LIGHTING:

- (1) **Diffused:** That form of lighting wherein the light passes from the source through a translucent cover or shade.
- (2) **Direct or Flood:** That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.
- (3) **Indirect:** That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated.

LIVESTOCK: Any wild or domestic animal of the bovine, swine or sheep family.

LIVESTOCK (AND POULTRY), RAISING OF: The raising and keeping of livestock, horses, poultry or insects beyond what is allowed under the "Keeping of Pets" and the definition of "kennel." Raising of livestock shall not include a slaughterhouse nor a stockyard used for the housing of animals awaiting slaughter.

LOADING SPACE: An off-street space on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts in or has access to a street.

LONG TERM CARE NURSING FACILITY: A facility defined and licensed by the Commonwealth of Pennsylvania Department of Health in accordance with Title 28 of the Pennsylvania Code, Chapter 201. The facility provides skilled or intermediate nursing care services 24 hours a day and seven days a week to individuals who do not require more intensive hospital-based care.

LOT: A designated parcel, tract, plat 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:** The area contained within the property lines of a lot as shown on a subdivision plan, excluding space within any street right-of-way, but including the area of any easement.
- (2) **Lot, corner:** A lot at the junction of and abutting on two or more intersecting streets or private roads.
- (3) **Lot, flag:** A lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway.
- (4) **Lot interior:** A lot other than a corner lot.
- (5) **Lot, minimum width:** The horizontal distance between the side lines of a lot measured at the front lot line.
- (6) **Lot, nonconforming:** See "Nonconforming Lot."

- (7) Lot, Reverse Frontage (Double Frontage, Through): A through lot that is not accessible from one of the parallel or non-intersecting streets upon which it fronts. In the case of a lot fronting on streets of different classifications, access to the lot shall be from the lower classified roadway.

LOT, DEPTH: The horizontal distance measured between the street right-of-way and the closest rear property line on a corner and reverse frontage lot, the depth shall be measured from the street right-of-way line of the street address to the directly opposite property line.

LOT FRONTAGE: The length of the front lot line measured at the street right-of-way.

LOT, IMPERVIOUS COVERAGE: A lot which has a surface of any material that prevents the absorption of stormwater into the ground. The total of impervious area includes the building area, inclusive of rooftop, lot, sidewalks and access drive divided by lot total net area.

LOT LINE, FRONT: The lot line separating a lot from a street right-of-way. In the case of corner lot abutting a street right-of-way on more than one side there shall be two front lot lines, one side line and 1 rear line.

LOT LINE, REAR: The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. A corner lot shall have 2 front lot lines and 2 side lot lines

LOT LINE, SIDE: Any lot line other than a front or rear lot line. A corner lot shall have 2 front lot lines and 2 side lot lines.

MANUFACTURED HOME: Factory-built, single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec. 5401) commonly known as the HUD (U.S. Department of Housing and Urban Development) code.

MANUFACTURED HOUSING DWELLING: See "Dwelling, Manufactured Housing."

MANUFACTURING: The processing and/or converting of raw unfinished or finished materials, or products, or any, or either of them, into an article or substance of different character, or for use for a different purpose; industries furnishing labor in the case of manufacturing or the refinishing of manufactured articles.

MARQUEE: Any hood, canopy, awning or permanent construction that projects from a wall of a building, usually above an entrance.

MASSAGE THERAPY: An establishment whose business emphasis is the administration of nonsexually-oriented massage to patrons by employees.

MEDICAL LABORATORY: A place equipped for experimental study in a medical science or for testing and analysis.

MESSAGE SEQUENCING: A series of related text and /or images that involve two or more message displays. Message Sequencing does not include scrolling.

MINING: The extraction of minerals including: solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. The term also includes quarrying; well operation milling, such as crushing, screening, washing and floatation; and other preparation customarily done at the mine site or as part of a mining activity.

MOBILE HOME: A transportable, single-family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME PARK: A parcel or contiguous parcels of land which has been so designed and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MODIFICATION OR MODIFY: The improvement, upgrade or expansion of existing wireless telecommunications facilities or base stations on an existing wireless support structure or the improvement, upgrade or expansion of the wireless telecommunication facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

MONOPOLE: A tower which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications antennae and connect appurtenances.

MORTUARY OR UNDERTAKING FACILITY: A place in which human remains are prepared and stored prior to burial.

MOTEL: A building or group of buildings whether detached or in connected units, used as individual sleeping or dwelling units, designed with separate entrances, and designed for temporary occupancy by primarily transient automobile travelers and providing for accessory off-street parking facilities.

MOTOR FREIGHT TERMINAL: A terminal that is primarily centered around the storage and distribution of motor freight.

MULTI-FAMILY DWELLING: See "Dwelling, Multi-Family."

MUNICIPAL OWNED USES: Any establishment, use, facility, and/or structure owned and/or operated by Mount Holly Springs Borough, or its authorized municipal authorities or agents. This definition specifically includes fire, police, and EMS/ambulance services.

NATURAL AREA: An area in which human activities are very limited and where the natural environment is protected from human changes.

NATURAL FEATURE: A component of a landscape existing or maintained as part of the natural environment and having ecologic value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, growth of wild like, human recreation, reduction of climatic stress or energy costs. Such features include those which, if disturbed, may cause hazards or stress or energy costs.

NEW USE: Any new activity or use of land in a lot or parcel that was not occurring as of the effective date of this ordinance.

NO IMPACT HOME-BASED BUSINESS: 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 following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including but not limited to parking, signs or lights.

5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
6. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business may not involve any illegal activity.

NONCONFORMING: A structure, use, or activity regulated by the zoning ordinance which was lawful prior to the adoption, revision, or amendment to the ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district. See also Grandfathered.

NONCONFORMING BUILDING: See Non-Conforming Structure or Building.

NONCONFORMING LOT: The area or dimension of which was lawful prior to the adoption or amendment of a 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.

NONCONFORMING SIGN: Any sign lawfully existing on the effective date of an ordinance, or an amendment thereto, that renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

NONCONFORMING STRUCTURE OR BUILDING: A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NONCONFORMING USE: A use or activity that was lawful prior to the adoption, revision or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NON-PARTICIPATING LANDOWNERS: Any landowner except those on whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

NON-TOWER WIRELESS COMMUNICATIONS FACILITIES (Non-Tower WCF): Wireless communications facilities other than Tower-Based Wireless Communications Facilities.

NUISANCE: A condition or situation that results in an interference with the enjoyment and use of a property.

NURSERY, HORTICULTURE: Any lot or parcel of land used to cultivate, propagate, grow and/or sell trees, shrubs, vines, and other plants including the buildings, structures, and equipment customarily incidental and accessory to the primary use.

NURSING OR CONVALESCENT HOME: A facility licensed by the State for the housing and intermediate or fully skilled nursing care of three or more persons.

OCCUPIED BUILDING: A residence, school, hospital, church, public library, commercial building or other building used for public gathering that is in use when the permit application is submitted.

OFFICE: A use that involves administrative, clerical, financial, governmental or professional operations and operations of a similar character. This use shall not include retail or industrial uses, but may include business offices, medical offices, laboratories, photographic studios and/or television or radio broadcasting studios.

OFF-STREET PARKING: A temporary storage (surface or structure) for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedication right-of-way, and is located upon the same lot as a principal use or, in the case of joint parking, within close proximity.

OPERATOR: The entity responsible for the day-to-day operation and maintenance of the wind energy facility.

OUTDOOR LIGHTING: An illumination source outside any building, including but not limited to an incandescent bulb, mercury, sodium or neon-filled bulb, and the hardware containing the illumination source and supporting it. Lighting fixtures underneath a roof of an open-sided building, including but not limited to storage sheds, canopies and gas station marquees over gas pumps, are deemed to be "outdoor lighting."

OUTDOOR STORAGE: The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four hours.

OVERLAY ZONE: A zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone.

OWNER: See Landowner.

PARCEL: A lot, plot or tract of land designated by any legally recorded or approved means as a single unit. The term includes, but is not limited to, tax parcels, lots or deeded areas.

PARK: A tract of land, designated and used by the public for active and passive recreation.

PARKING GARAGE: A building where passenger vehicles may be stored for short-term, daily or overnight off-street parking.

PARKING LOT: Any lot, municipally or privately owned for off street parking facilities, providing for the transient storage of automobiles or motor-driven vehicles. Such parking services may be provided as a free service or may be provided for a fee.

PARKING SPACE: The space within a building, or on a lot or parking lot, for the parking or storage of one (1) automobile.

PARTICIPATING LANDOWNER: A landowner upon whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

PARTY WALL: A common shared wall between two separate structures, buildings, or dwelling units.

PEDESTRIAN WALKWAY: A specified easement, walkway, path, sidewalk or other reservation which is designed and used exclusively by pedestrians.

PERMITTED BY RIGHT USES: Allowed uses in which zoning matters may be approved by the Zoning Officer, provided the application complies with all requirements of the Zoning Ordinance. A "nonconforming use" shall not be considered to be a permitted by right use, a special exception use or a conditional use.

PERSON: A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof, or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

PERSONAL CARE HOME: A facility defined and licensed by the Commonwealth of Pennsylvania Department of Public Welfare in accordance with Title 55 of the Pennsylvania Code, Chapter 2620. A personal care home is a premises in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term-care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration. A "halfway house" is not a personal care home.

PERSONAL CARE HOME CENTER: See "Assisted Living Facility."

PERSONAL SERVICE ESTABLISHMENT: Service activities shall include and be similar to barbershops, beauty salons, health spas, massage parlors; photographic studios; self-service laundry and dry-cleaning establishments, laundromats; radio and television repair, repair shops for home appliances and tools, bicycles, guns, locks, shoes and watches; tailor and dressmaking shops; and pet grooming with no overnight boarding. Personal service establishments shall not be construed to be adult regulated facilities as defined herein.

PERVIOUS SURFACE: Any material that permits full or partial absorption of stormwater.

PLAN: The map or plat of a subdivision or land development whether preliminary or final. (For the purpose of this ordinance, the terms "plat" and "plan" have the same meaning.)

PLAN, SKETCH: An informal plan indicating salient existing features of a tract and its surroundings and the general layout of proposed subdivision or land development. The sketch plan does not constitute a formal submission of a preliminary or final plan and is voluntarily offered to all applicants for guidance.

PLAT: See Plan

PLAYGROUND: An active recreational area with a variety of facilities, including equipment for younger children as well as court and field games.

POWER GENERATION FACILITY: A facility that generates electric power for the purpose of transmission of such electricity to other users not located the site where the electricity is generated.

PRINCIPAL SOLAR ENERGY SYSTEM: An area of land or other area used for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

PRINCIPAL USE: The primary or predominant use of any lot or parcel of land.

PRINCIPAL WASTE HANDLING FACILITY: A principal use whereby waste is brought to the site for storage, processing, treatment, transfer or disposal.

PRIVATE CLUB: A club operated for members only and not for profit.

PRIVATE RECREATIONAL FACILITY: A privately owned facility for recreational purposes, including but not limited to such uses as parks, nature trails and wildlife sanctuaries and excluding uses which would commonly be considered a nuisance because of noise, pollution, etc., such as racing, touring and promotion of motor vehicles.

PRIVATE STREET ROAD: A non-public right-of-way which provides vehicular access to one or more lots.

PROFESSIONAL OFFICES: Include but are not limited to offices for real estate, stock and bond brokers, accountants, adjusters, appraisers, utility companies, physicians, lawyers, clergymen, teachers, dentists, architects, engineers, insurance agents, opticians, banks, financial institutions, contractors (excluding storage) and similar office-oriented uses.

PUBLIC HEARING: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code.

PUBLIC MEETING: A forum held pursuant to notice under 65. C.S. CH7 (Relating to open meetings).

PUBLIC NOTICE: A notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. The 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 PARKS AND RECREATION AREAS: Locations for leisure-time activities, including but not limited to sports and entertainment that are open to anyone without restriction, except for the rules and standards of conduct and use.

PUBLIC RECREATION FACILITY/PUBLIC GROUNDS: Recreation facilities owned and/or operated by an agency of the municipality or other governmental body, including but not limited to parks, swimming pools, golf courses, etc.

PUBLIC STREET/ROAD: A street ordained or maintained or dedicated and accepted by a Borough, City, Township, County, State or Federal governments and open to public use.

PUBLIC UTILITY BUILDING: Any structure which belongs to a public utility for uses such as electrical, telephone, gas, water and sewer which are regulated by the Pennsylvania Public Utility Commission (PUC) or any other governmental agency.

QUARRY: A lot or land or part thereof used for the purpose of extracting stone, sand, clay, gravel, or top soil for sale, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

RACETRACK: A facility consisting of a paved or dirt roadway(s) used primarily for the sport of automobile, machine or animal racing. A racetrack may include seating, concession areas, suites, and parking facilities, but does not include accessory offices, residences, or retail facilities. This definition shall also include any facility used for driving automobiles under simulated racing or driving conditions (test tracks, "shakedown" tracks, or other similar facilities), but which does not include seating, concession areas, or retail facilities for the general public.

RECREATION: Any activity, whether structured or not, in which individuals voluntarily engage during their leisure, including but not limited to:

- (1) Sports (individual, dual, team, coed recreational, and combative), athletics; both land and water based.
- (2) Arts and crafts, spectating, picnicking, nature study, and board games.
- (3) Dance, drama, music, games, social recreation, special events, hiking/walking, cycling, hobbies, outdoor educational activities, and cultural activities.

RECREATION, ACTIVE: Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

RECREATION AREA, ACTIVE: Any area developed in such a manner as to be conducive to those activities that fall within the range of active recreation. Examples: athletic fields and hard-surfaced courts, pools, large dams, bicycle and walking trails, open turf areas, and apparatus areas.

RECREATION, INDOOR: A type of “recreation” use that (a) does not meet the definition of Outdoor Recreation, and (b) is used principally for active or passive recreation, such as a bowling alley, roller skating, ice skating, commercial batting practice use and similar uses.

RECREATION, OUTDOOR: A type of “leisure time activity” use that is used principally for those activities, such as a golf driving range, miniature golf course, amusement park and similar uses.

RECREATION AREA, PASSIVE: Any area developed in such a manner as to be conducive of those activities that fall within the range of passive recreation. Examples: scenic vistas, natural areas, craft areas, meeting areas, sitting areas, walkways, sunbathing, gardens, streams and impoundments, social events, picnicking, and spectating areas.

RECREATION, PASSIVE: Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, checkers, and similar table games.

RECREATIONAL VEHICLE: A recreational vehicle is a portable structure primarily designed to provide temporary living quarters or for recreation, camping or travel purposes. In addition to the above, any of the following attributes or characteristics also apply: (1) the unit is of such size and weight as not to require a special highway movement permit from the Pennsylvania Department of Transportation when self-propelled or when hauled or pulled by a standard motor vehicle on the highway; (2) the unit is mounted or designed to be mounted or towed on or by vehicles; (3) the unit is designed to be loaded onto or fixed to the bed or chassis of a truck; (4) the unit contains or is designed to contain temporary storage of water or sewage; (5) the unit contains some identification by manufacturer as a travel trailer; (6) the unit’s primary use is for recreational purposes or the hauling of recreational vehicles, such as jet skis, snowmobiles, ATVs and UTVs; and (7) boats of any kind excepting canoes, kayaks and rowboats shall also be considered recreational vehicles.

RECYCLING YARD: A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of wastepaper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

REPAIR SERVICES: Shops for the repair of appliances, watches, guns, bicycles and other household items.

REPLACEMENT: The replacement of existing wireless telecommunications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight and height as the wireless telecommunications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

RESORT: A hotel or motel that serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. A resort shall be self-contained and provide personal services customarily furnished at hotels, including the serving of meals, and a conference/convention center. Buildings and structures in a resort should complement the scenic qualities of the location in which the resort is situated.

RESTAURANT: A public eating place primarily offering sit-down counter or table service and custom-prepared foods for on-premises consumption.

RETAIL BUSINESS: Retail business shall include variety stores, apparel stores, florists, drugstores, grocery stores, eating and drinking establishments, liquor stores, antique shops, music shops, sporting goods stores, book, stationary, magazines, candy and tobacco shops, and other outlets that sell merchandise on a retail basis.

RETIREMENT COMMUNITY: Planned development designed to meet the needs of, and exclusively for, the residence of senior citizens.

RIDING ACADEMY OR BOARDING STABLE: An establishment where horses are kept for riding, or are stabled for compensation, or incidental to the operation of any club, association, ranch, or similar establishment.

RIGHT-OF-WAY (ROW): The surface of and space above and below any real property in the municipality in which the federal government, Commonwealth, municipality or municipal authority has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the federal government, Commonwealth, municipality or municipal authority, and any non-exclusive public or utility easements established, dedicated, platted, improved or devoted for utility purposes. Private rights-of-way and other government-owned lands not listed above shall not be considered a right-of-way. The phrase "in the right(s)-of-way" means in, on, over, along, above and/or under the Right(s)-of-Way.

ROAD: See "Street."

ROADSIDE STAND: A prospective use, intended for limited duration, for the display and retail sale of agricultural products grown and produced by the seller.

ROOMING HOUSE: See "Boarding House."

ROTOR: That portion of the wind turbine, i.e. blades and associated hub and shaft, which is intended to be moved or activated by the wind.

SANITARY FACILITY, LANDFILL OR INCINERATOR: Land, structures and other appurtenances or improvements where municipal or residual waste disposal or processing is permitted or takes place or where hazardous waste is treated, stored or disposed. The term includes land thereby used or affected during the lifetime of operations, including areas where solid waste management actually occurs, support facilities, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated on-site or contiguous collection, transportation and storage facilities, closure and post-closure care and maintenance activities, contiguous borrow areas and other activities in which the natural land surface has been disturbed or used as a result of or incidental to operation of the facility. A waste facility must meet the requirements of Title 25 of the Commonwealth of Pennsylvania Code, Articles VII to Article IX, and any state or federal act or laws, as applicable and amended, such as the Solid Waste Management Act, the Clean Streams Law, and all applicable federal regulation, such as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sections 6901 to 6992 and 40 CFR Parts 260 to 279. A waste disposal or processing plant may include landfills, incinerators, impoundment, transfer facilities, composting facilities or resource recovery facilities, as defined in the Pennsylvania Code.

SANITARY SEWAGE: Any liquid waste containing animal or vegetable matter in suspension or solution or the water-carried waste resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.

SANITARY SEWER: Pipes that carry domestic or commercial sanitary sewage and into which storm, surface, and ground waters are not intentionally admitted.

SATELLITE DISH ANTENNA: A device incorporating a reflective surface, which is solid, open mesh or bar-configured and is in the shape of a shallow dish, cone, horn or cornucopia, and including its pedestal and other attachments. Such device shall be used to transmit and/or receive radio or other electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as "satellite earth stations," "television receivers only" or TCROs, and "satellite microwave antennas."

SAWMILL: A place where logs are cut into lumber.

SCHOOL: Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

SCREEN PLANTING: A vegetative material of sufficient height and density to conceal from the view of property owners on adjoining properties. The structures and uses on the premises on which the screen planting is located.

SCREENING: The provision of a barrier to visibility, air borne particles, glare and noise between adjacent properties uses and/or districts composed entirely of trees, berms, shrubs, sight-tight fences, walls and/or other similar type materials.

SCROLL: A mode of message transition where the message is changed by the apparent vertical or horizontal movement of the letters or graphic elements of the message.

SELF STORAGE: A facility providing for the enclosed storage of household items or recreational equipment, where said items are retained for direct use by their owner, who shall have direct access thereto without intermediate handling by the proprietor of the facility.

SEPTIC SYSTEM: An underground system with a septic tank for the decomposition of wastes.

SETBACK: The distance between the building and any lot line.

SETBACK LINE: See Building Setback Line.

SEWAGE DISPOSAL SYSTEM (ON LOT): Any system designed to eliminate sanitary sewage within the boundaries of the lot the system serves.

SEWAGE DISPOSAL SYSTEM (PUBLIC OR COMMUNITY): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to the central treatment and disposal plant.

SHADOW FLICKER: Alternating changes in light intensity caused by a moving wind rotor blade casting shadows on the ground and stationary objects.

SHOOTING RANGE: A place where firearms and other projectile type weapons (guns, rifles, shotguns, pistols, air guns, archery crossbows, etc.) can be shot for recreation, competition, skill development, training, or any combination thereof. Nothing within this definition shall be construed to include hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania.

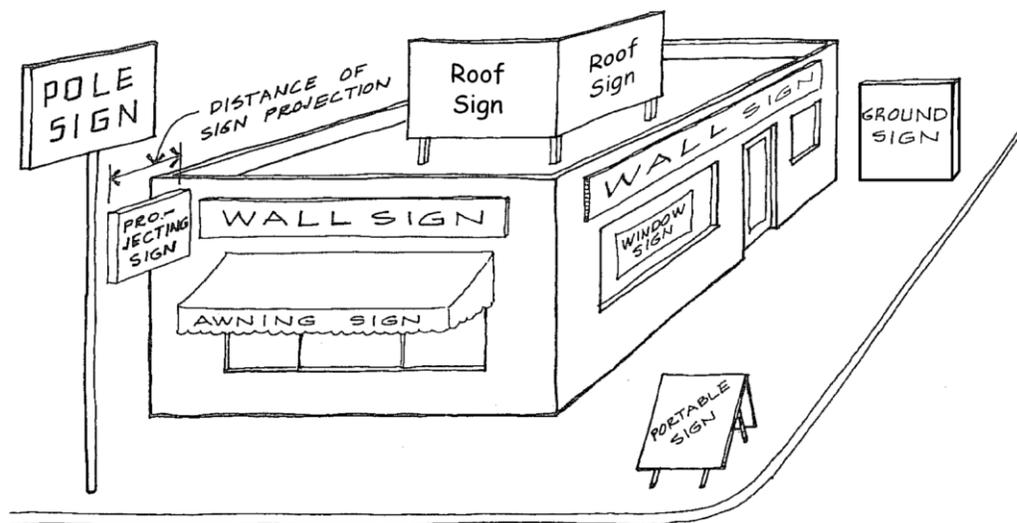
SIDEWALK: A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

SIDEWALK AREA: That portion of the right-of-way that lies between the right-of-way line and curb line, regardless of whether the sidewalk exists.

SIGHT DISTANCE: The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SIGHT TRIANGLE: See Clear Sight Triangle.

SIGN: Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. This excludes national or state flags, window displays, graffiti, athletic scoreboards, or the official announcements or signs of governments.



SIGN TYPES

SIGN, AREA: The area of a sign including all lettering, wording, and accompanying design and symbols, together with the background, whether open or enclosed, on which they are displayed, including any border framing or decorative attachments, but not including any supporting framework or bracing incidental to the display itself. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.

SIGN, AWNING, CANOPY OR MARQUEE: A sign that is mounted, painted or attached to an awning, canopy or marquee that is otherwise permitted by ordinance.

SIGN, BILLBOARD: A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

SIGN, CONSTRUCTION: A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

SIGN, DIRECTIONAL: Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."

SIGN, ELECTRONIC VARIABLE MESSAGE: A sign or portion thereof that displays electronic, images, graphics and/or text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade or repixelization. Electronic Variable message signs include, but are not limited to, computer programmable, microprocessor controlled electronic or digital displays. These signs include the following types:

SIGN, ELECTRONIC ANIMATED: A sign that changes its message or background by motion or pictorial imagery. This may or may not include text and displays action or a special effect to imitate movement. This includes, but is not limited to moving objects, moving patterns, scrolling or bands of light or changing shapes.

SIGN, ELECTRONIC CHANGEABLE IMAGE: A sign or portion thereof that displays static electronic images with or without text. The display is depicted by a small number of elements using light emitting diodes (LED), fiber optics, light bulbs or other illumination devices. The message change is accomplished by immediate or gradual fade to a new image.

SIGN, ELECTRONIC CHANGEABLE TEXT: A sign or portion thereof that displays electronic text information. Each alphanumeric character is depicted by a small number of elements using light emitting diodes (LED), fiber optics, light bulbs or other illumination devices. The message change can be accomplished by scrolling, immediate or gradual fade to a new message.

SIGN, FACE: The area or display surface used for the message.

SIGN, FREESTANDING: A sign which is self-supporting upon the ground or which is primarily supported by poles attached to the ground and not primarily supported by a building.

SIGN, GROUND: Any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

SIGN, HEIGHT: The vertical distance measured from the average surrounding ground level surrounding a sign to the highest point of the sign and its supporting structure. Religious symbols, when not accompanied by lettering, shall not be restricted by the sign heights of this Ordinance when attached to a tower or spire of a House of Worship.

SIGN, IDENTIFICATION: A sign giving the nature, logo, trademark, or other identifying symbol, and address of a building, business development, or establishment in the premises where it is located.

SIGN, OFF-PREMISE: A sign which directs attention to an object, product, service, place, activity, person, institution, organization, or business that is primarily offered or located at a location other than the lot upon which the sign is located.

SIGN, PROJECTING: A sign that is wholly or partly dependent upon a building for support and that projects more than 12 inches from such building.

SIGN, REAL ESTATE: A sign relating to the property upon which it is located, offering such property for sale or lease.

SIGN, ROOF: A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof the eave line of a building with a gambled or gable or hip roof, or the deck line of a building with a mansard roof.

SIGN, TEMPORARY: Any sign, or advertising display constructed of cloth fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.

SIGN, WALL: A sign primarily supported or painted on a wall of a building. A Wall Sign shall also include a sign displayed upon an awning, marquee or canopy.

SIGN, WINDOW: A sign which is attached to a window or transparent door or that can be read through a window or transparent door.

SIMILAR USE: A use that has the same characteristics as the specifically cited uses in terms of the following: trip generation and type of traffic, parking and circulation, utility demands, environmental impacts, physical space needs, and clientele. See CHANGE OF USE

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

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

SINGLE FAMILY SEMI-DETACHED DWELLING: See "DWELLING, SINGLE FAMILY SEMI-DETACHED."

SITE: A parcel of land located in a municipality, established by a plat or otherwise as permitted by law, which is the subject of an application for development. A site may include more than one lot.

SITE (Wireless Communications Facility): For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to an area in proximity to the structure and to other transmission equipment already deployed on the ground.

SITE PLAN: An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development.

SKETCH PLAN: See "Plan, Sketch."

SKILLED OR INTERMEDIATE NURSING CARE: Professionally supervised nursing care and related medical and other health services provided for a period exceeding 24 hours to an individual not in need of hospitalization, but whose needs are above the level of room and board and can only be met in a long-term-care nursing facility or an inpatient basis because of age, illness, disease, injury, convalescence or physical or mental infirmity.

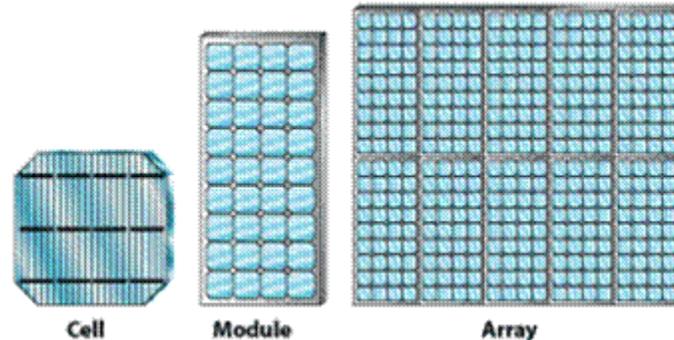
SOLAR EASEMENT: A solar easement means a right, expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

SOLAR ENERGY: Radiant energy (direct, diffuse and/or reflective) received from the sun.

SOLAR PANEL: That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

SOLAR RELATED EQUIPMENT: Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

1. **SOLAR ARRAY:** A grouping of multiple solar modules with purpose of harvesting solar energy.
2. **SOLAR CELL:** The smallest basic solar electric device which generates electricity when exposed to light.
3. **SOLAR MODULE:** A grouping of solar cells with the purpose of harvesting solar energy.



SOLID WASTE TRANSFER FACILITY: Land or structures where solid waste is received and temporarily stores, at a location other than the site where it was generated, and which facilitates the bulk transfer of accumulated solid waste to a facility for further processing or disposal. Such facility may or may not involve the separation of recyclables from solid waste. Such facility shall not include a junkyard, leaf composting, clean fill or septic or sludge application.

SPECIAL EXCEPTION USES: A use permitted in a particular zoning district and approved by the Zoning Hearing Board pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code. A special exception use must be approved by the Zoning Hearing Board.

SPECIAL OCCASION HOME: An owner-occupied residence of historical and/or architectural significance which is available for private rental for occasions such as business meetings, weddings, receptions, banquets, private parties, fund-raising events, conferences and similar functions, although not otherwise open to the general public. The rental use must be as secondary and subordinate to the residential use.

SPECIFIED ANATOMICAL AREAS: (1) Less than completely and opaquely covered human genitals, pubic regions; buttocks; and female breasts below a point immediately above the top of the areola; and (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES: (1) Human genitals in a state of sexual stimulation or arousal; (2) Acts of human masturbation, sexual intercourse or sodomy; and (3) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

STABLE, PRIVATE: An accessory building in which horses are kept for private use and not for hire, remuneration, exhibition, or sale.

STABLE, PUBLIC: A building in which horses are kept for remuneration, hire, exhibition, or sale.

STEALTH TECHNOLOGY: State-of-the-art design techniques used to blend objects into the surrounding environment and to minimize the visual impact as much as possible. These design techniques are applied to

wireless communications towers, antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it less visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

STEEP SLOPE: Land with a 15 feet or greater change in elevation 100 feet or less in horizontal distance or, in other terms, 15% or greater on the average. The following formula is the acceptable method of determining average slope:

$$S = \frac{0.0023 I \times L}{A}$$

S = Average percent slope of site

I = Contour interval in feet

L = Sum of the length of contours in feet

A = Land area in areas of parcel being considered

STORAGE SHED: A structure not intended for residential occupancy which is accessory to the principal use of the property as a place to store personal property.

STREAM: A watercourse having banks and a channel through which waters flow at least periodically.

STREET: Includes street, avenue, boulevard, road, highway, freeway, parkway, land, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET GRADE: The officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade. Includes established grade.

STREET LINE: The dividing line between the street and the lot, also known as right-of-way line.

STREET WIDTH: The distance between street lines measured at right angles to the center line of the street.

STREET, COLLECTOR: A major street or highway which carries traffic from minor streets to arterial streets, including the principal entrance streets of a residential development and the streets for circulation within such a development.

STREET, CUL-DE-SAC: See CUL-DE-SAC.

STREET, DEAD-END: A street with a single common ingress and egress.

STREET, MAJOR ARTERIAL: A street with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials.

STREET, MINOR ARTERIAL: A street with signals at important intersections and stop signs on the side streets and that collects and distributes traffic to and from collector streets.

STREET, PRIVATE: A legally established right-of-way other than a public street not offered for dedication or accepted for municipal ownership and maintenance/

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

STRUCTURE, ACCESSORY: A structure detached from a principle structure, but located on the same lot, which is customarily incidental and subordinate to the principal building, structure or use.

STRUCTURE, NON-CONFORMING: See “Nonconforming Structure.”

STRUCTURE, PRINCIPAL: The main or primary structure on a given lot, tract, or parcel.

STRUCTURE, TEMPORARY: A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

STUDENT HOUSING: A living arrangement for no more than four students located in a dwelling having a floor area of at least 1,500 square feet not including basement, garages and accessory buildings. Students living in student housing shall mean students, typically unrelated, living independently from parents or guardians while attending an education institution.

STUDIO: A building or portion of a building used as a place of work by an artist, photographer, or artisan, or used for radio or television broadcasting.

SUBDIVISION: The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, 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 or 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 CHANGE OR SUBSTANTIALLY CHANGE: A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (1) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater. Changes in height should be measured from the original support rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.
- (2) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
- (3) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
- (4) It entails any excavation or deployment outside the current site.

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

SUBSTANTIAL IMPROVEMENT: Any extension, repair, reconstruction, or other improvement of a property, the cost of which equals or exceeds 50 percent of the fair market value of a property either before the improvement is started or, if the property has been damaged and is being restored, before the damage occurred.

SUPPLY YARDS: A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling or storage of automobiles and similar vehicles.

SWIMMING, BATHING OR OTHER POOL: A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches, designed, used and maintained for swimming and bathing. Farm ponds and/or lakes are not included provided that swimming was not the primary purpose for their construction.

TAVERN: An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. Taverns may also serve food.

TEMPORARY STRUCTURE: See Structure, Temporary.

TEMPORARY USE: A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

THEATER: A building or part of a building devoted to the showing of moving pictures or theatrical productions on a commercial basis.

THEATER, OUTDOOR DRIVE-IN: An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles, or on outdoor seats.

TOTAL HEIGHT: When referring to a wind turbine, the distance measured from the surface of the tower foundation to the highest point of a wind rotor blade when the blade is positioned at 90 degrees to the surface of the ground.

TOWER (Wind Facility): The supporting structure of a wind turbine on which a rotor and accessory equipment are mounted. The basic types of towers include self-supporting (free standing) or guyed.

TOWER (Wireless Communication Facility): Any structure that exceeds ten feet in height and is built for the sole or primary purpose of supporting any Federal Communications Commission-licensed or authorized antennas and their associated facilities, including structure that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

TOWER-BASED WIRELESS COMMUNICATIONS FACILITY (Tower-Based WCF): Wireless communications facilities that include the installation of a new tower to support the transmission equipment.

TRAILER: See "Mobile Home."

TRANSFORMER SUB-STATION: An electric substation containing an assemblage of equipment for the purposes other than generation or utilization, through which electric energy in bulk is passed for the purpose of switching and modifying its characteristics to meet the needs of the general public, provided that in a residential district, an electric substation shall not include rotating power equipment, storage of materials, trucks or repair facilities or housing of repair crews.

TRANSMISSION EQUIPMENT: Equipment that facilitates transmission for any Federal Communications Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as a microwave backhaul.

TRANSPORTATION TERMINAL: Land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal. The terminal may also serve as a passenger station that is central to an area and serves as a junction at any point with another line. A bus terminal would be a central point for passengers, and a truck terminal would be a central point for freight.

TREATMENT CENTER: A use (other than a prison or a hospital) providing housing for 3 or more unrelated persons who need specialized housing, treatment and/or counseling because of:

- (1) Criminal rehabilitation, such as a criminal halfway house;
- (2) Current addition to alcohol or a controlled substance that was used in an illegal manner; and/or
- (3) A type of mental illness or other behavior that causes a person to be a threat to the physical safety of others.

TWO FAMILY DETACHED DWELLING: See "Dwelling, Two Family Detached."

UNDEVELOPED LAND: Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.

USE, ACCESSORY: See "Accessory Use."

USE, NONCONFORMING: See "Nonconforming Use."

USE, PRINCIPAL: See "Principal Use."

UTILITY LINE: A line built and maintained in order to transport materials, utilities or services by underground or above ground means, including gas, electric, oil, cable, water, sewage, telephone, fiber optic cables, stormwater, computer lines and other lines.

VARIANCE, HARDSHIP: A departure from the provisions of a zoning ordinance relating to setbacks, side yards, frontage requirements, and lot size that, if applied to a specific lot, would significantly interfere with the use of the property. The hardship variance can be granted when the strict enforcement of the zoning ordinance as it applies to a specific lot would present practical difficulties in the use of the property. The hardship relates to the physical characteristics of the property, and without the variance, the property becomes unusable.

VEGETATIVE COVER: An area covered with a vegetative material: grass, shrubs, vines and trees.

VEHICLE BODY SHOP: A building on a lot that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers and/or accessories of motor vehicles, provided that all repair and paint work is performed within an enclosed building and all motor vehicle parts, refuse and similar articles are stored within a building or enclosed area. Mechanical repairs, the sale of lubricants, etc., may or may not be included as accessory uses.

VEHICLE, DISMANTLED OR NONOPERABLE: A vehicle which does not display the current Pennsylvania state inspection certificate and is manifestly incapable of being locomotive in its existing condition. This does not include agricultural machinery and equipment.

VEHICLE, REPAIR GARAGE: A building on a lot designed and/or used primarily for mechanical repairs, storage, rental or servicing of automobiles, trucks and similar motor vehicles.

VETERINARIAN: A qualified professional trained in the care and treatment of animals and in particular domestic animals. For the purpose of this Zoning Ordinance the term “veterinarian” includes the office, waiting room, examination room, treatment area and overnight quarters for the usual house pets (dogs, cats, birds, hamsters and the like).

VETERINARY: See “Animal Hospital.”

WAREHOUSE: A building or group of buildings primarily used for the indoor storage, transfer and distribution of products and materials, but not including retail uses or a truck terminal, unless such uses are specifically permitted in that zoning district.

WATER COURSE: A stream of water, river, brook, creek, or channel or ditch for water, whether natural or man-made.

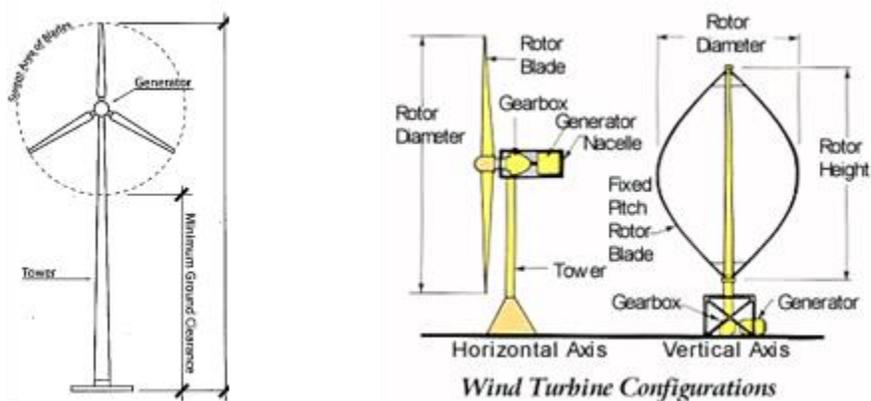
WETLANDS: Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. [Definition used by U.S. Environmental Protection Agency and U.S. Army corps of engineers.]

WILDLIFE REFUGE: See “Natural Area.”

WIND ENERGY FACILITY: An electric generating facility, whose main purpose is to supply electricity, consisting of one or more wind turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmissions lines and other appurtenant structures and facilities.

1. **ACCESSORY WIND ENERGY FACILITY** - A system designed as a secondary use on a lot, wherein the power generated is used primarily for on-site consumption.
2. **PRINCIPAL WIND ENERGY FACILITY** – A system designed as the primary use on a lot, wherein the power generated is used primarily for off-site consumption.

WIND TURBINE – A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower, and pad transformer, if any.



WIRELESS: Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, personal communications service (PCS), microwave, satellite, or radio signals.

WIRELESS COMMUNICATIONS FACILITY (WCF): The set of equipment and network components including antennas, transmitters, receivers, base stations, cabling and accessory equipment, used to provide wireless data and telecommunication services. The term shall not include the wireless support structure.

WIRELESS SUPPORT STRUCTURE: A freestanding structure, such as a guyed or self-supporting monopole or tower, electrical transmission tower, water tower or other structure not classified as a wireless support structure, including but not limited to buildings, light poles, utility poles, traffic signals and other similar structures that could support the placement or installation of wireless telecommunications facilities if approved by the municipality.

YARD LINE: See Building Setback Line.

YARD SALE: The public sale of household and personal items, and/or items common to the use of home ownership.

YARD, BUFFER: See Buffer Yard.

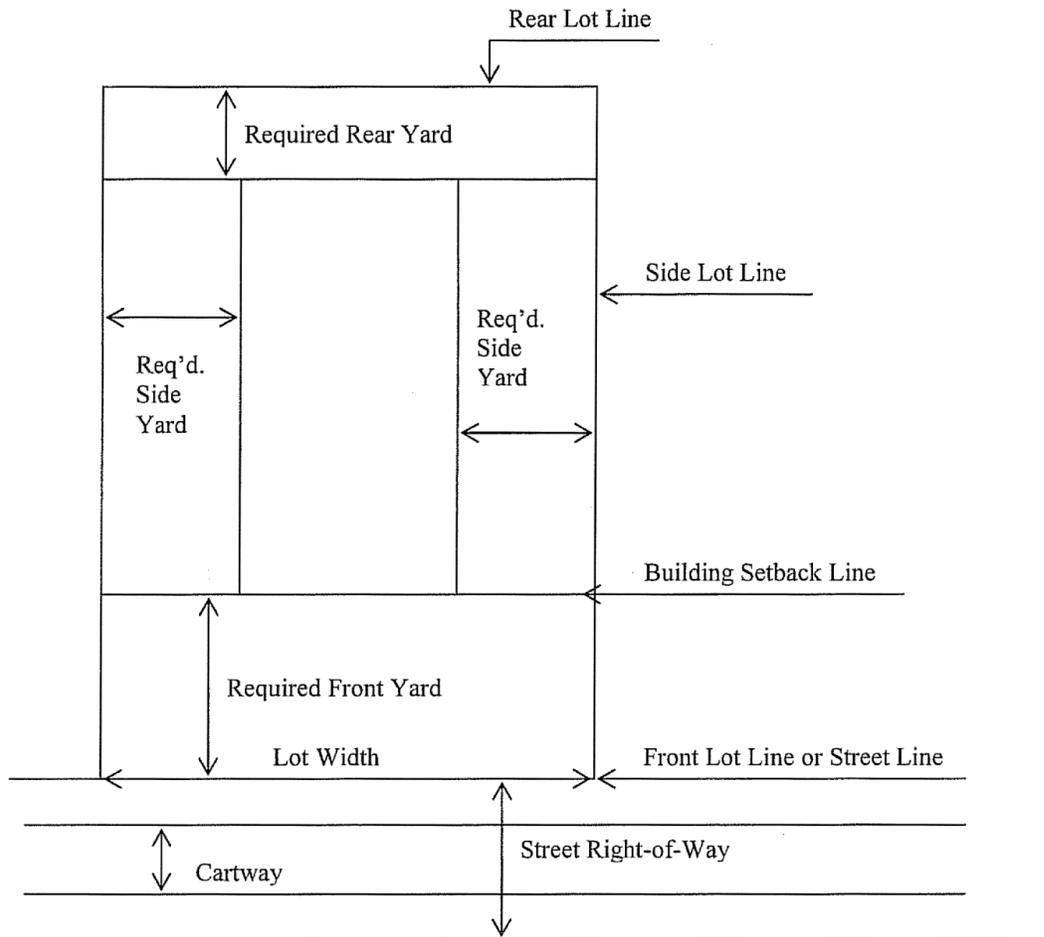
YARD, DEPTH: The shortest distance between a lot line and a required setback line.

YARD, FRONT: A space parallel to the front lot line and extending the full width of the lot between a required front setback line and the front lot line.

YARD, REAR: A space parallel to the rear lot line and extending across the full width of the lot between the required rear setback line and the rear lot line.

YARD, REQUIRED: An open space located on the same lot with a building unoccupied and unobstructed from the ground up, except for permitted accessory buildings or such projections as are expressly permitted. The minimum depth or width of a required yard shall consist of the horizontal distance between the lot line and the required building setback line.

REQUIRED YARD SETBACKS



YARD, SIDE: A space parallel to the side lot line and extending from the front yard to the rear yard between the required side setback line and the side lot line.

ZONING DISTRICT: A section of a municipality designated in the Zoning Ordinance text and delineated on the Zoning Map, in which requirements for the use of land and building and development standards are prescribed.

ZONING MAP: The map setting forth the boundaries of the Zoning Districts of Mount Holly Springs Borough which shall be part of this Ordinance.

ZONING OFFICER: The administrative officer appointed by the Borough Council to administer the Zoning Ordinance and issue zoning permits.

ZONING PERMIT: A document signed by a zoning officer, as required in the Zoning Ordinance, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration,

conversion or installation of a structure or building, that acknowledges that such use, structure or building complies with the provisions of the municipal zoning ordinance or authorized variance therefrom.