

ORDINANCE NO. 535

AN ORDINANCE AMENDING ORDINANCE NO. 190 TITLED "AN ORDINANCE OF PENN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, TO REQUIRE PERMITS FOR THE BUILDING OR ALTERATIONS OF ANY BUILDING OR STRUCTURE, TO REGULATE APPLICATIONS FOR AND THE ISSUANCE OF PERMITS AND THE PAYMENT OF FEES THEREFORE, TO REGULATE WORK DONE UNDER PERMITS, TO IMPOSE SPECIAL REGULATIONS AFFECTING CONSTRUCTION IN FLOOD-PRONE AREAS, TO REQUIRE REPORTS OF COMPLETION OF WORK, TO REGULATE THE REVOCATION OF PERMITS, TO AUTHORIZE THE ABATEMENT OF VIOLATIONS AND TO PROVIDE PENALTIES FOR VIOLATIONS."

BE IT ENACTED AND ORDAINED by the Board of Commissioners of Penn Township, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Amendments

62-2 Definitions

Which currently reads:

Unless otherwise expressly stated, for the purpose of this chapter the following words shall have the meanings herein indicated:

ALTERATION - Any change, rearrangement, enlargement, moving, relocation, removal, or demolition of any structure or of the structural parts thereof.

BUILD - The construction, erection, location, placement, altering, raising, fabricating, making, enlarging, paving or restoration of any structure or part thereof, but not including the mere painting or finishing of surfaces when not accompanied by any other activity herein referred to.

**BUILDING** - An enclosed structure having a roof supported by columns, walls, arches or other devices and adapted to occupancy or use for public, institutional, residence, commercial, manufacturing or storage purposes.

**GRADE, STREET** - The elevation of the center line of the street as officially established by Penn Township.

**LINE, STREET** - The dividing line between the street and the lot.

**PERSON** - Includes an individual, partnership, association, firm, trust, club, company or corporation.

**SIGN** - Any device for visual communication used for the purpose of bringing a subject to the attention of the public.

**STREET** - A thoroughfare within the right-of-way which affords the principal means of access to abutting properties and is used or intended to be used by vehicular traffic or pedestrians, whether public or private.

**STRUCTURE** - A combination of material used to form a construction, excavation or erection with a movable or fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground.

Shall be amended to read:

The definitions as set forth in Ordinance No's 407 and 494, the Penn Township Subdivision/Land Development and Zoning Ordinance, as amended or replaced are hereby incorporated into this ordinance. In addition, the following definition(s) shall apply:

**BUILD** - The construction, erection, location, placement, altering, raising, fabricating, making, enlarging, paving or restoration of any structure or part thereof, but not including the mere painting, or finishing of surfaces when not accompanied by any other activity herein referred to.

62-4 Application for permit

Which currently reads:

D. Within ten (10) days after receipt of an application for a building permit, the Zoning Officer must grant or refuse the permit. If the permit is not granted, he must state in writing the grounds for his refusal. The applicant may appeal the decision to the Penn

Township Board of Commissioners or Zoning Hearing Board, where applicable.

Shall be amended to read:

D. Within ten (10) business days after receipt of an application for a building permit, the Zoning Officer must grant or refuse the permit. If the permit is not granted, he must state in writing the grounds for his refusal. The applicant may appeal the decision to the Penn Township Board of Commissioners or Zoning Hearing Board, where applicable.

#### 62-6 Limitations on permit (B)

Which currently reads:

B. No permit shall be issued for the building or alteration of any building or structure unless such buildings or alterations conforms to required building setback lines as specified in the Penn Township Subdivision and Land Development Ordinance No. 180 and the Penn Township Zoning Ordinance No. 160.

Shall be amended to read:

B. No permit shall be issued for the building or alteration of any building or structure unless such buildings or alterations conforms to required building setback lines as specified in the Penn Township Subdivision and Land Development Ordinance No. 407 and the Penn Township Zoning Ordinance No. 494, as amended or replaced.

#### 62-6 Limitations on permit (F)

Which currently reads:

F. Usable building area per dwelling unit shall be three hundred sixty (360) square feet. One (1) room in each dwelling shall have one hundred twenty (120) square feet floor area and all other rooms, except the bathrooms shall have seventy (70) square feet floor area. Average ceiling height of a habitable room on the first floor, above grade level shall be seven and one-half (7 1/2) feet, except that rooms in any existing residential structure may be altered or extended maintaining their present ceiling heights. Percentage of window space to floor area for each habitable room, except bathrooms, shall be at least ten percent (10%) in glazed openings and five percent (5%) in ventilation openings to permit both light and ventilation. Roofs shall be capable of supporting thirty (30) pounds per square foot live load. Foundations shall extend thirty-six (36) inches below the finished grade level.

Shall be deleted in its entirety.

62-10 Specific requirements for construction in flood-prone areas (A) (2) (3)

Which currently reads:

- (2) All first floor levels, including basements, in residential structures shall be constructed at an elevation of at least one (1) foot above the established flood elevation.
- (3) Nonresidential structures, or parts thereof, may be constructed below the established flood elevation, provided that these structures are designed to preclude and/or withstand inundation to an elevation of at least one (1) foot above the established flood elevation.

Shall be amended to read:

- (2) All first floor levels, including basements, in residential structures shall be constructed at an elevation of at least 18" above the established flood elevation.
- (3) Nonresidential structures, or parts thereof, may be constructed below the established flood elevation, provided that these structures are designed to preclude and/or withstand inundation to an elevation of at least 18" above the established flood elevation.

## SECTION 2. Severability

The provisions of this Ordinance are severable. If any provision of this ordinance or its application to any person or circumstance is held invalid, said invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application of this ordinance.

## SECTION 3. Repealer

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

## SECTION 4. Amendment to Code

The Articles hereby adopted shall be deemed to be incorporated into the Penn Township Code so that reference to the Code shall be understood and intended to include such changes.

ENACTED AND ORDAINED this 15th day of June 1998.

Board of Commissioners of Penn Township

By: Frederick W. Stine  
Frederick W. Stine, President

Attest:

Sharon A. Lance  
Sharon A. Lance, Secretary