

**WYSOX TOWNSHIP
ORDINANCE NO. 2009-01**

**AN ORDINANCE OF WYSOX TOWNSHIP, BRADFORD COUNTY,
COMMONWEALTH OF PENNSYLVANIA, AMENDING THE PRIOR ZONING
ORDINANCE, TO ALLOW REQUESTS FOR USES THAT ARE NOT
SPECIFICALLY COVERED BY THE EXISTING ZONING ORDINANCE AS
WRITTEN TO APPLY FOR CONSIDERATION OF PERMITS AS SPECIAL
EXCEPTIONS.**

**BE IT ORDAINED AND ENACTED BY WYSOX TOWNSHIP,
BRADFORD COUNTY AS FOLLOWS:**

The Wysox Township Zoning Ordinance shall be amended by deleting the existing section 1201.43 which reads as follows:

~~44. — USES NOT PROVIDED FOR~~

- ~~a. — Uses of the same general character as the uses permitted by right or special exception in the District shall be allowed if determined by the Zoning Hearing Board that the impact of the use on the environment and adjacent streets and properties is equal to or less than any use specifically listed in the District.~~
- ~~b. — Such use shall comply with all applicable area and bulk regulations and other applicable standards for comparable uses specifically listed in the District.~~

And adding section 1205 to ARTICLE XII GENERAL PROVISIONS of the Wysox Township Zoning Ordinance. Section 1205 of the Wysox Township Zoning Ordinance shall read as follows:

Section 1205. REQUESTS FOR USES THAT ARE NOT SPECIFICALLY COVERED ELSEWHERE IN THIS ZONING ORDINANCE

A use not otherwise specifically listed as a permitted use, variance, special exception or conditional use under any currently enacted section of the Wysox Township Zoning Ordinance may apply for a permit as a special exception use if the proposed use satisfies all the following requirements:

1. The proposed use must be consistent in its character with the

permitted uses in the established zoning district in which the proposed use is to be located;

2. The Zoning Hearing board must be convinced that such use is not a substantial threat to the health, safety or welfare of persons, the environment or the interests Township of Wysox;

3. The applicant must agree to be bound by and comply with all reasonable conditions established by the board in granting the special exception use;

4. The application seeking a special exception under this section must be submitted to the Wysox Township Planning Commission for comment at least thirty days prior to the hearing before the Zoning Hearing Board; and

5. The applicant must prove to the satisfaction of the Zoning Hearing Board that the applicant has already complied, or will comply before commencing construction and/or operations, with all Federal, State and Local laws, regulations, rules and ordinances which apply to the activity for which the special exception is being sought.

The Zoning Hearing Board may thereafter direct the Zoning Officer to issue a permit if, in its judgment, the foregoing requirements have all been satisfied.

TOWNSHIP OF WYSOX SUPERVISORS

DATE: 2-3-9



**William Shoemaker,
CHAIR SUPERVISOR**

DATE: 2-3-09



Gary Foster, SUPERVISOR

DATE: 2-3-09



James Roof, SUPERVISOR

ATTEST:



James Ward, Secretary