

ARTICLE II

DEFINITIONS

Section 201. GENERAL

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 any individual or group of individuals, a corporation, partnership, or any other similar entity.

The word "lot" includes the words "plot" or "parcel".

The term "shall" is always mandatory.

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."

Unless specifically defined below words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its most reasonable application.

For the purposes of this Ordinance, any word or term not defined, shall be given their standard, plain and ordinary meaning as used in connection with intended use by the property owner.

Section 202. DEFINITIONS:

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 to another owner nor of resuming the use of the property.

ACCELERATED EROSION - The removal of the surface of the land through the combined action of man's activity and the natural processes of a rate greater than would occur because of the natural process alone.

ACCESS DRIVE. A paved surface, other than a street, which provides vehicular access from a street or private road to a lot.

ACCESSORY BUILDING (STRUCTURE). A building (structure) subordinate to and detached from the principal building on the same lot and used for purposes customarily incidental to the principal building.

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

ACT. Shall mean the Pennsylvania Municipalities Planning Code, Act 247, as amended.

ADULT DAY CARE CENTER. A facility providing counseling and rehabilitative services to functionally impaired adults, licensed by the Pennsylvania Department of Public Welfare.

AGRICULTURE. The cultivation of the soil and the raising and harvesting of the products of the soil including, but not limited to, nurseries, horticulture, forestry and the breeding and raising of customary domestic animals, excluding kennels as defined herein.

AGRICULTURAL ACTIVITIES - The work of producing crops and raising livestock including tillage, plowing, discing, harrowing, pasturing and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

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 by farmers or are consistent with technological development within the agricultural industry.

AIRCRAFT. Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into or flight through the air.

AIRPORT Any area of land or water which is used, or intended to be used, for the landing or takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. Public and private airports are defined separately in this section.

AIRPORT ELEVATION (725'). The highest point of an airport's usable landing area measured in feet above sea level.

AIRPORT HAZARD. Any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined by "Airport Hazard" in 74 Pa. Cons. Stat. § 5102.

AIRPORT HAZARD AREA. Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Ordinance and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

ALLEY. A public thoroughfare other than a minor street which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATIONS. As applied to a building or structure, any change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

ALTERATION EFFECTING STORM WATER RUNOFF - As applied land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

ALTERATIONS, STRUCTURAL. Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

AMENDMENT. A change in use in any district which includes revisions to the zoning text and/or the official zoning map; and the authority for any amendment lies solely with the Board of Supervisors.

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. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves, which is external to or attached to the exterior of any building.

ANTENNA SATELLITE DISH. A device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or 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, TVRO's and satellite microwave antennas.

APARTMENT. A dwelling unit within a multiple dwelling. This classification includes apartments in Apartment Houses, Bachelor Apartments, Studio Apartments and Kitchenette Apartments. Accessory Apartments and Conversion Apartments, as defined herein, shall not be included in the classification.

APARTMENT, ACCESSORY. An independent dwelling unit incorporated within an existing single-family detached dwelling without any substantial external modification.

APARTMENT, CONVERSION. An existing dwelling unit that is or was converted to a dwelling for more than one (1) family, without substantially altering the exterior of the building.

APARTMENT, GARDEN. A two (2) story multi-family dwelling, containing one (1) story dwelling units.

APARTMENT HOUSE. See definition DWELLING, MULTI-FAMILY.

APPLICANT. A landowner or developer, as hereinafter defined, who has filed an application for approval to engage in any Regulated Activities as defined by this Ordinance including his heirs, successors and assigns.

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

APPOINTING AUTHORITY The board of supervisors of Wysox Townships or such other body as may be required by law.

APPROACH SURFACE. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone height limitation slope set forth in Section 1602 of this Ordinance. In plan, the perimeter of the approach surface coincides with the perimeter of the approach surface zone.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL SURFACE ZONES. These zones are set forth in Section 1602 of this Ordinance.

AREA, BUILDING. See BUILDING AREA.

AREA GROSS LAND. The gross land area of any development parcel including only the area contained within the property line and the ultimate right-of-way line. The area within the right-of-way is computed as *part* of the "gross land area".

AREA LOT. The area contained within the property lines of a lot or as shown on a subdivision plan excluding space within any street, but including the area of any easement.

AREA NET. The net land area of any development parcel including only the area contained within the property line and the ultimate right-of-way line. The area within the right-of-way (public or private) is not computed as *part* of the "net land area".

AUTHORITY. A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

BAFFLE. A freestanding randomly located structure, fence-like in nature and construction materials, except that it is not normally attached to any building, does not particularly follow lot lines, nor enclose a particular area, but rather screens one (1) segment of one (1) property from another for the primary purpose of assuring privacy. A baffle or screen of this nature may also be utilized for the support of various types of living plant materials such as vines, climbing roses or espaliered trees and shrubs.

BASEMENT. That portion of a building that is partially or wholly below ground level. This portion is not a completed structure and serves as a substructure or foundation for a building. A basement, including, but not limited to basements used as a game or recreation room, shall not be considered in determining the maximum number of stories if more than one-half of its clear height is below the average level of the adjoining ground and the basement is not used for business or dwelling purposes. A basement shall be counted as a story for the purpose of height measurement, if more than one-half of its clear height is above the average level of the adjoining ground or the basement is used for business or dwelling purposes, other than a game or recreation room.

BED AND BREAKFAST ESTABLISHMENT. A home occupation providing, for compensation, sleeping accommodations and breakfast for transient guests (See Home Occupation).

BLOCK. An area of land bounded by streets.

BOARDING HOUSE. A building arranged or used for the lodging, with or without meals, by either transient or permanent residents, for compensation. This definition includes rooming houses, lodging houses, and bed and breakfast establishments operated as a principal use.

BRADFORD COUNTY CONSERVATION DISTRICT - The conservation district serving Bradford County.

THE BRADFORD COUNTY CONSERVATION DISTRICT DESIGNEE – The agent of the Bradford County Conservation District and/or agent of the governing body involved with the administration, review or enforcement of any provisions of this Ordinance by contract or memorandum of understanding.

BRADFORD COUNTY PLANNING COMMISSION - The planning commission serving Bradford County or the county planning Commission.

BUFFER YARD. See YARD, BUFFER.

BUILDING. Any combination of materials to form a structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for habitation, housing or enclosure created to shelter any persons, animals, or chattels, covered porches, decks and patios whether enclosed or unenclosed, sun parlors, bay windows, and chimneys, but does not include steps.

BUILDING AREA. The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

BUILDING, DETACHED. A building surrounded by open space on the same lot.

BUILDING HEIGHT. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

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

BUILDING, PRINCIPAL. A building or, where the context so indicates, a group of buildings in or on which is conducted the principal use of the lot on which such building is located.

BUILDING SETBACK LINE. Subject to specific exceptions set forth in sections 806 and 1007, the line within a property defining the required minimum distance permitted between any enclosed structure and the adjacent right-of-way shall be measured as follows:

APPARENT

RIGHT-OF-WAY

WIDTH	LOCATION	DISTANCE SET BACK	LINE SHALL BE:
100	Route 6	80 feet	from centerline
60	State Secondary	60 feet	from centerline
50	Township	55 feet	from centerline

CAMPING GROUND. A parcel of land used by campers for seasonal, recreational, or other similar temporary living purposes, in buildings of a movable, temporary, or seasonal nature, such as cabins, tents, or shelters.

CARPORT. A covered space, open on at least three (3) sides, for the storage of one (1) or more vehicles and accessory to a principal or accessory building.

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

CELLAR. For the purposes of this ordinance the term “cellar” shall be considered synonymous to, and interchangeable with, the term “basement”.

CEMETERY. Land used or intended to be used for the burial of the deceased, including, but not limited to, columbarium, crematoria, mausoleums, and mortuaries when operated in conjunction with the cemetery and within its boundaries.

CHANNEL EROSION – The widening, deepening, and headward cutting of small channels and waterways, due to erosion caused by moderate to large floods.

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

CLEAR, SIGHT TRIANGLE. An area of unobstructed vision at a street intersection(s) defined by lines of sight between points at a given distance from the intersecting street right-of-way lines.

CLUB AND/OR LODGE. A building and/or structure utilized as a private club offering food and/or drink privileges.

CLUSTER. A development technique that concentrates building in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

CLUSTER SUB_ /LAND DEVELOPMENT. A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots/units permitted under a conventional subdivision/land development and the resultant land area is devoted to open space.

COMMON OPEN SPACE. See OPEN SPACE, COMMON.

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

CONDITIONAL USE A use permitted in a particular zoning district pursuant to the provisions set forth in this zoning ordinance

CONDOMINIUM. Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONICAL SURFACE. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

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

CONVENIENCE STORE. Any retail establishment offering for sale prepackaged food products, household items, energy products and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

COUNTY Bradford County.

COUNTY COMPREHENSIVE PLAN A land use and growth management plan prepared by the Bradford County Planning Commission and adopted by the Bradford County Commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plans and land use regulation.

COURT. An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two (2) or more sides by the walls of such building.

COURT, INNER. A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable, and that the court does not extend to a street, alley, yard or other outer court.

COURT, OUTER. A court enclosed on not more than three (3) sides by exterior walls and lot lines on which walls are allowable, with one (1) side or end open to a street, driveway, alley or yard.

COVERAGE. That portion or percentage of the lot area covered by all impervious materials.

DAY CARE CENTER. A facility, not in a private residence, enrolling four (4) or more children no more than six (6) years of age and where tuition, fees, or other forms of compensation for the instruction and care of the children is charged. Such facility shall employ licensed personnel and shall be licensed by the Commonwealth of Pennsylvania.

DECISION. Final adjudication of any board or other body granted jurisdiction under this land use ordinance, including but not necessarily limited to the Wysox Township Board of Supervisors and the Wysox Township zoning hearing board, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions made by any township board or other body under this ordinance shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies.

DECK. A flat floored roofless area adjoining a dwelling unit.

DENSITY. A term used to express the allowable number of dwelling units per acre of land. Net Density is the number of dwelling units per net acre. Gross Density is the number of dwelling units per gross acre.

DEPARTMENT (this definition is to be used only in the Airport Hazard Zoning section of the ordinance).. Pennsylvania Department of Transportation.

DESIGN STORM - The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24-hour), and used in computing storm water management control systems.

DETENTION BASIN - A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin can be designed to drain completely after a storm event, or it can be designed to contain a permanent pool of water.

DETERMINATION. Final action by an officer, body or agency charged with the administration of this land use ordinance or applications thereunder , including but not necessarily limited to the Wysox Township Zoning Enforcement Officer, the township and County Planning Commissions. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DEVELOPER. Any person or persons, partnership, association, corporation or other entity, or any responsible person therein or agent thereof, landowner, agent of such landowner, or tenant with the permission of such landowner, that undertakes the activities covered by this ordinance.

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; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment of materials; and the subdivisions of land.

DEVELOPMENT PLAN. The provisions for development, including a planned residential development, 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. The phrase "provisions of the development plan" when used in this Ordinance, shall mean the written and graphic materials referred to in this definition.

DEVELOPMENT OF REGIONAL SIGNIFICANCE AND IMPACT. Any land development that, because of its character, magnitude or location, will have substantial effect upon the health, safety or welfare of citizens in more than one municipality.

DEVELOPMENT SITE - The specific tract of land for which a Regulated Activity is proposed.

DISPLAY AREA OUTDOOR. An outdoor area of a tract utilized for purposes of displaying articles for sale as part of a retail establishment, such as the display of nursery stock, vehicular sales, and farm equipment sales. Display areas shall not include outdoor storage as defined herein.

DIVERSION - A ditch, berm or terrace built to protect down slope areas by diverting runoff from its natural course.

DRAINAGE EASEMENT - A right granted by a land owner to a grantee, allowing the use of private land for storm water management purposes.

DRAINAGE PERMIT - A permit issued by the Township governing body after the drainage plan has been approved. Said permit is issued prior to with the final Township approval.

DRAINAGE PLAN - The combined storm water management site plan and narrative, the erosion and sediment pollution control plan and narrative, (and the non-point source pollution control plan and narrative).

DRIVE-IN USE. An establishment which by design, physical facilities, service or by packaging procedures, encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

DUMP. A lot or land or part thereof used primarily for disposal by abandonment, dumping, burial, or other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or part thereof, or waste material of any kind.

DWELLING. A house, apartment building or other structure designed for living quarters for one (1) or more families, including industrialized housing and manufactured homes which are supported either by a foundation or are otherwise permanently attached to the land. The word "dwelling" shall not include hotels, motels or other structures used for transient residence or transient occupancy nor shall it include house trailers unless they are specifically included. but not including hotels, boarding/rooming houses or.

DWELLING, EARTH SHELTERED. Any completed building or structure that was designed to be built partially or wholly underground. A completed building or structure which was not intended to

serve as a substructure or foundation for a building.

DWELLING GROUP. A group of two (2) or more single-family, two-family, or multi-family dwellings occupying a lot in one (1) ownership.

DWELLING, INDUSTRIALIZED HOUSING. Any structure designed primarily for residential occupancy, except a manufactured home, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation, or 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, MOBILE (Manufactured) HOME. A transportable, single-family detached dwelling unit, designed and built to be towed on its own chassis, intended for permanent occupancy, contained in one unit, or in two (2) or more units designed to be joined into one (1) 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. The unit may contain parts that collapse, fold, telescope or otherwise permit continued mobility; however, these characteristics shall not categorize it as a sectional or modular home. For Federal Emergency Management Agency (FEMA) flood plain management purposes, this definition includes park trailers, travel trailers, and other similar vehicles located on site for greater than 180 consecutive days.

DWELLING, MULTI-FAMILY. A building used by three (3) or more families living independently of each other and doing their own cooking, including apartment houses.

DWELLING, SINGLE FAMILY, DETACHED. A detached building designed for or occupied exclusively as a residence for only one family, having only one (1) dwelling unit and two (2) side yards. Two portable units designed and built to be towed on their own separate chassis and permanently combined onsite to form a single immobile dwelling unit shall be regarded as a singlefamily detached dwelling.

DWELLING, SINGLE-FAMILY. Attached (TOWNHOUSE). A dwelling used for one (1) family and having two (2) party walls in common with other buildings (such as a row-house or townhouse).

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

DWELLING, TWO FAMILY, DETACHED (DUPLEX). A building used by two (2) families, with one (1) dwelling unit arranged over the other, and having two (2) side yards.

DWELLING UNIT. A single unit providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING, ZERO LOT LINE. A single-family detached dwelling with the building positioned on a lot in such a manner that one (1) or more of the building's sides rest directly on a lot line.

EASEMENT. A grant of one (1) or more property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

EARTH DISTURBANCE - Any activity including, but not limited to, construction, mining, farming, timber harvesting and grubbing which alters, disturbs, and exposes the existing land surface.

EATING ESTABLISHMENT. Any form of restaurant and/or tavern open to the public, dispensing food and drink.

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

ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES. Electric public utilities transmission and distribution facilities including substations.

EMERGENCY SERVICE FACILITIES. Any buildings or structures used primarily by administrative staff of emergency service providers, or for operations or storage of equipment by emergency service providers, or for revenue raising functions, community services or social events hosted or sponsored by emergency service providers or benefiting emergency service provider.

EMERGENCY SERVICE PROVIDERS. Emergency service providers include, but are not necessarily limited to, fire departments, police departments, ambulance or other Emergency Medical Service providers or providers of mass casualty treatment and transportation, Emergency or Disaster Management, search and rescue operations, any organization whose primary purpose is to protect the public with regard to natural hazards or man-made hazards, alert and/or warning the general public of natural hazards or man-made hazards

EROSION - The natural process by which the surface of the land is worn away by water, wind or chemical action.

EROSION AND SEDIMENT POLLUTION CONTROL PLAN - A plan which is designed to minimize accelerated erosion and sedimentation.

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

FAA. Federal Aviation Administration of the United States Department of Transportation.

FAMILY. A single individual doing his/her own cooking and living upon the premises as a separate housekeeping unit, or no more than five (5) unrelated individuals doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, legal marriage, or other domestic bond. This definition does not include a collective body of persons occupying a hotel, dormitory, lodge, boarding/rooming house, family care/group care facility, commune, or institution.

FAMILY CARE FACILITY. A facility providing shelter, counseling, and other rehabilitative services in a family-like environment for four (4) to eight (8) residents, plus such minimum supervisory personnel, as may be required to meet standards of the licensing agency. Residents may not be legally related to the facility operators or supervisors and, by reason of mental or physical disability, chemical or alcohol dependency, or family or school adjustment problems, require a minimal level of supervision but do not require medical or nursing care or general supervision. A family care facility must be licensed and/or approved by the Pennsylvania Department of Public Welfare and may include uses such as foster homes, community residential alternative facilities, or home individual programs.

FAMILY DAY CARE HOME. A residence offering baby-sitting services and child care services for four (4) to six (6) children unrelated to the resident household and meeting all applicable licensing/registration requirements of the Pennsylvania Department of Public Welfare.

FARM. A tract of land, ten (10) acres or more in size, which is principally used for agricultural activities, such as the production of cash crops, livestock or poultry farming. Such farms may include a farm dwelling and accessory buildings and structures necessary to the operation of the farm.

FARM-RELATED BUSINESS. A business accessory to and operated on a farm in accordance with provisions as set forth in Section 1202.A.15. herein.

FENCE. Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry, singularly or in combination, erected for the purpose of screening or dividing one (1) property from another to assure privacy, or to protect the property so

screened or divided, or to define and mark the property line, when such structure is erected on or within two (2') feet of any front, side or rear lot 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" and "front yard lot lines and building setback lines."

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

FILTER FABRIC - Textile of relatively small mesh or pore size that is used to (a) allow water to pass through while keeping sediment out (permeable), or (b) prevent both runoff and sediment from passing through (impermeable).

FILTER STRIPS - Long, narrow strips of close-growing vegetation at the perimeter of disturbed or impervious areas which serve to intercept or retard sheet flows of surface runoff and/or collect sediment. Used often to protect other storm water control facilities such as diversions, impoundments, etc.

FLOOD - A general but temporary condition of partial or complete inundation of normally dry land areas from the overflow of streams, rivers, or other waters of this Commonwealth.

FLOOD, BASE (ONE-HUNDRED YEAR FLOOD). A flood that, on the average is likely to occur once every 100 years (Le. that has a one (1%) percent chance of occurring each year, although the flood may occur in any year).

FLOOD FRINGE. That portion of the flood plain outside the floodway.

FLOOD HAZARD AREA - A normally dry land area that has been and is susceptible to being inundated by surface or subsurface flow in addition to stream overflow. For regulatory purposes the Flood Plain Management Act (Act of October 4, 1978, P.L. 851, No. 166) and regulations pursuant to the Act define flood hazard area as area identified by FEMA (as shown on the flood plan map) as being subject to flooding by a 100-year flood.

FLOOD PLAIN. (1) The lands adjoining a river, stream, watercourse or any water source that have been or may be expected to be subject to partial or complete inundation by flood waters in a 100-year frequency flood; or (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any surface.

FLOOD PROOFING. Any combination of structural and non-structural additions, changes, or adjustments to proposed or existing structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY. The channel of the watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year frequency flood. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one-hundred (100) year magnitude without increasing the water surface elevation more than one (1') foot at any point. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed - absent evidence to the contrary - that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

FLOOR. That portion of a building located between the surface of any foundation or any floor level and the ceiling or roof above it..

FLOOR AREA. The sum of the gross horizontal areas of the floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not used as primary living and sleeping quarters, but including the area of roofed porches and roofed terraces (Gross Floor Area). All dimensions shall be measured between exterior faces of walls.

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 (1) 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 RETAIL. All that space relegated to use by the customer and the retail employee to consummate retail sales, including display areas used to indicate the variety of goods available for the customer, but not to include office space, storage space

FLOOR AREA RATIO (FAR). is defined as the gross floor area of all buildings on a lot divided by the gross lot area..

FORESTRY. 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 any land development.

FREEBOARD - A vertical distance between the elevation of the design high water and the top of a dam, levee, tank, basin, or diversion ridge. The space is required as a safety margin in a pond or basin.

GARAGE, PRIVATE. An enclosed or covered space for the storage of one (1) or more vehicles or vessels, provided that no business, occupation or service is conducted for profit therein, nor space herein for more than one (1) vehicle or vessel is leased to a nonresident of the premises.

GARAGE, PUBLIC. Any structure, other than a private garage, which is used for storage, repair, rental, servicing or supplying of gasoline or oil to motor vehicles for compensation.

GARBAGE. All table refuse, animal and vegetable matter, offal from meat, fish and fowl, vegetables and fruits and parts thereof, and all other articles and materials ordinarily used for food, for humans or domestic animals, and which have become unfit for such use or which are discarded for any reason.

GARDEN APARTMENT. See definition APARTMENT, GARDEN.

GARDEN STRUCTURES. Any accessory structure which may be occupied for other than sleeping or general housekeeping purposes, or which serves as a shelter primarily for human beings, except a permitted garage, porch or carport, which is located in any side or rear yard not closer than three (3') feet to any side or rear lot line; included, but not limited to, arbors, aviaries, gazebos, pergolas, trellises, barbecue shelters, bath houses, private greenhouses and freestanding screens or baffles and similar structures as however called. No such structure may be located in any required front yard between the building setback line and the street line. Such structures may be solidly roofed and walled or open to the sky and on the sides, but if solidly roofed or solidly walled on more than two (2) sides, they must be located within the building line of the lot and may not invade any required yard. Unscreened, unroofed, unwalled or unfenced patios, bird baths, ornamental pools and swimming pools are not considered as garden structures. Permitted structures may be attached to or be detached from a dwelling.

GARDENING. The cultivation of herbs, fruits, flowers or vegetables, excluding the keeping of livestock.

GOVERNING BODY. Shall mean the Wysox Township Board of Supervisors, Bradford County, Pennsylvania.

GRADE, ESTABLISHED. The elevation of the center line of the streets, as officially established by the municipal authorities.

GRADE - A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein. (To) **Grade** - to finish the surface of a roadbed, top of embankment or bottom of excavation.

GRADE, FINISHED. The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

GRASSED WATERWAY - A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from cropland.

GREENHOUSE: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment.

GROUND FLOOR. The floor of a building nearest the mean grade of the front of the building.

GROUNDWATER RECHARGE - Replenishment of existing natural underground water supplies.

GROUP CARE FACILITY. A facility providing shelter, counseling, and other rehabilitative services in a family-like environment for more than nine (9) but fewer than fifteen (15) residents, plus such minimum supervisory personnel, as may be required to meet standards of the licensing agency. Residents may not be legally related to the facility operators or supervisors and, by reason of mental or physical disability, chemical or alcohol dependency, or family or school adjustment problems, require a minimal level of supervision but do not require medical or nursing care or general supervision. A group care facility must be licensed and/or approved by the Pennsylvania Department of Public Welfare.

GROUP DAY CARE HOME. A residence offering baby-sitting services and child care services for seven (7) to eleven (11) children unrelated to the resident household and meeting all applicable licensing/registration requirements of the Pennsylvania Department of Public Welfare.

GROWTH AREA. A region within which residential and mixed use and development, including commercial, industrial institutional and public infrastructure services, are permitted or planned for at varying densities or designated densities as may be provided in this ordinance or future amendments to this ordinance.

HALFWAY HOUSE. A residence for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. Such facility must be leased and operated by the Pennsylvania

Department of Corrections for such services.

HAZARDOUS WASTE: Any garbage, refuse, sludge from an industrial or other wastewater treatment plant, sludge from a water supply treatment plant, or air pollution control 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.

The term "Hazardous Waste" shall not include coal refuse as defined in the act of September 24, 1968 (P.L. 1040, No. 318), known as the "Coal Refuse Disposal Control Act." "Hazardous Waste" shall not include treatment sludge from coal mine drainage, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law;" solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. Section 1342), or source, special nuclear, or by-product treatment plants, disposal of which is being carried on pursuant to the act of June 22 material as defined by the Atomic Energy Act of 1954 (42 U.S.C.A Section 2011-2394).

HEARING. an administrative proceeding conducted by a board pursuant to this ordinance.

HEIGHT (this definition is to be used only in the Airport Hazard Zoning section of the ordinance). For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

HEIGHT OF BUILDING. See definition BUILDING, HEIGHT.

HISTORIC STRUCTURE - any structure that is:

i. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

ii. 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;

iii. 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

iv. Individually listed on a local inventory of historic places in communities with

historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior or
2. Directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION. Any use customarily conducted entirely within a dwelling or in a building accessory thereto and carried on by the inhabitants residing therein, and no more than one (1) employee; providing that the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, the exterior appearance of the structure or premises is constructed and maintained as a residential dwelling, and no goods are publicly displayed on the premises other than signs as provided herein.

HOME OCCUPATION, MINOR. A home occupation in which no persons other than members of the family residing on the premises are engaged in the occupation, which has no visible exterior evidence of the conduct of the occupation, which does not create the need for off street parking beyond normal dwelling needs, which does not generate additional traffic, and in which no equipment is used other than that normally used in household, domestic, or general office use.

HORIZONTAL SURFACE. A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal surface zone.

HOSPITAL. An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, and licensed by state law to provide facilities and services in surgery, obstetrics, and general medical practice.

HOTEL. A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms, and recreational facilities.

IDENTIFIED FLOODPLAIN AREA - the floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood. Includes would be areas identified as Floodway (FW), Flood-Fringe (FF) and General Flood Plain (FA).

IMPERVIOUS COVERAGE. See **COVERAGE**.

IMPERVIOUS MATERIAL. Any substance placed on a lot which covers the surface in such fashion as to prevent natural absorption of surface water by the earth so covered. The following items shall be deemed to be impervious material: buildings, roofs, concrete asphalt, sidewalks, paved driveways and parking areas, compacted shale, swimming pools and other nonporous structures or materials or any other material which prevents the penetration of water into the ground. Any areas that are designed to initially be semi-pervious (e.g. gravel, crushed stone, porous pavement, etc.) shall be impervious areas for the purpose of waiver evaluation.

IMPOUNDMENT - A retention or detention basin designed to retain storm water runoff and release it at a controlled rate.

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

INDOOR RECREATIONAL FACILITY. Any establishment which provides recreation, amusement or entertainment for the general public within a completely enclosed structure for a fee or admission charge, including but not limited to: theaters, dance halls, bowling alleys, billiard and pool halls, video and other coin-operated game arcades and spas or health clubs where the principal use includes a gymnasium, exercise room, swimming pool or other sports facility.

INDUSTRY. The manufacturing, compounding, processing, assembly or treatment of materials, articles, or merchandise.

INFILTRATION - The flow of a liquid into a substance through pores or other openings, connoting flow into a soil in contradistinction to the work, percolation, which connotes flow through a porous substance. The infiltration capacity is expressed in terms of inches per inch.

INFILTRATION STRUCTURES - A structure designed to direct runoff into the ground, e.g., French drains, seepage pits, seepage trench.

INLET - A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

INSTITUTION. A building or grounds, all or a portion of which is used by persons who occupy the buildings for a common purpose, including, but not limited to, hospitals, convents, school dormitories, college campuses, nursing homes; the education, administrative and/or recreational facilities of such organizations as the YMCA, YWCA, Boy Scouts, Girl Scouts and Boys Clubs. Not to include penal institutions and similar facilities.

INVERT ELEVATION - The vertical elevation of a pipe or orifice in a pond which defines the water level.

JUNK. Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. Junk includes vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNK YARD. A lot, land, or structure, or part thereof, used primarily for the collecting, storage,

and sale of waste paper, rags, scrap metal, or reclaimable material, or for the collection, dismantling, storage, and salvaging of machinery or two (2) or more unregistered, inoperable motor vehicles or other types of junk. Two (2) or more unregistered and/or inoperable farm vehicles/equipment, utilized solely for on-site replacement parts by the owner of the farm shall not be considered a junkyard.

KENNEL. An establishment required to be licensed by the Commonwealth of Pennsylvania to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or selling animals is conducted as a business.

LAND DEVELOPMENT. Any of the following activities:

A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

1. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

2. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

B. A subdivision of land.

C. Provisions for the exclusion of certain land development only when such land development involves:

1. The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium; or

2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

LAND DISTURBANCE - Any activity involving grading, tilling, digging, or filling of ground or stripping of vegetation or any other activity that causes an alteration to the natural condition of the land.

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

LANDSCAPE SCREEN: A completely planted visual barrier composed of evergreen plants and trees arranged to form both a low level and high level screen.

LANE. Private access to a single lot and/or a vehicular drive necessary to the reasonable function of a lot.

LARGER THAN UTILITY RUNWAY. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

LAUNDERETTE. A business premises equipped with individual clothes washing and/or drying machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use.

LIGHTING:

A. Diffused: That form of lighting wherein the light passes from the source through a translucent cover or shade;

B. 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;

C. 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.

LOADING BERTH/SPACE. An off-street area 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 on a street or other appropriate means of access.

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

LOT, CORNER. A lot at the junction of and abutting on two (2) or more intersecting streets or at the point of abrupt change of a single street, where the interior angle is less than 135 degrees and the radius of the street line is less than 100 feet.

LOT, DEPTH OF. The average horizontal distance between the front and rear lot lines.

LOT DOUBLE FRONTAGE. An interior lot having frontage on two (2) streets.

LOT, INTERIOR. A lot other than a corner lot.

LOT LINES. The lines bounding a lot as defined herein.

LOT, MINIMUM WIDTH. The minimum lot width at the Building Setback Line.

LOT, NONCONFORMING. See NONCONFORMING LOT.

LOT OF RECORD. A lot which has been recorded in the Office of the Recorder of Deeds of Bradford County, Pennsylvania.

LOT, .REVERSE FRONTAGE. A lot extending between, and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

LOT WIDTH. The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

LOWEST FLOOR - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.

MANUFACTURED HOME - a transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site completed and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

MANUFACTURED HOME PARK - a parcel of land under single ownership, which has been planned and improved for the placement of two or more manufactured homes for non-transient use.

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

MEDICAL CENTER. Establishments primarily engaged in furnishing medical, surgical or other services to individuals, including the offices of physicians, dentists and other health care practitioners, medical and dental laboratories, out-patient care facilities, blood banks and oxygen and miscellaneous types of medical supplies and services.

MEMORANDUM OF UNDERSTANDING - An agreement between Wysox Township and the Bradford County Conservation District to provide for cooperation between the Bradford County Conservation District and Wysox Township Supervisors, Bradford County, to include within its ordinances, and to jointly promote conservation of natural resources with Wysox Township on lands both public: and private, for the purposes of preventing soil erosion and sedimentation of streams,

reducing storm water damage, and promoting the health, safety and general welfare of the residents of Wysox Township.

MINERALS. Any aggregate or mass of mineral matter, whether or not coherent, that is extracted by surface mining. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MINING - The process of the extraction of soil or minerals from the earth, or from water or stockpiles, or from pits or banks for use offsite of a subdivision, development site or land development.

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

MIXED USE. Occupancy of a building or land for more than one (1) use.

MOBILE (MANUFACTURED) HOME, DWELLING. See definition DWELLING, MOBILE (MANUFACTURED) HOME.

MOBILE (MANUFACTURED) HOME LOT. A parcel of land in a mobile (manufactured) home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile (manufactured) home.

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

MOTEL. A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, with separate entrances and designed for year-round occupancy, primarily for transient automobile travelers and providing for accessory off-street parking facilities. The term "motel" includes buildings designated as tourist courts, tourist cabins, motor lodges, and similar terms.

MULTIMUNICIPAL PLAN. a plan developed and adopted by any number of contiguous municipalities, including a joint municipal plan as authorized by this ordinance or other state or federal law or regulation.

MULTIMUNICIPAL PLANNING AGENCY. A planning agency comprised of representatives of more than one municipality and constituted as a joint municipal planning commission in accordance with Article XI, or otherwise by resolution of the participating municipalities, to address on behalf of the participating municipalities multimunicipal issues, including, but not limited to, agricultural and open space preservation, natural and historic resources, transportation, housing and economic development.

MUNICIPAL AUTHORITY. A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

MUNICIPAL ENGINEER. A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.

MUNICIPAL WASTE. This term includes garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities, and sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility.

MUNICIPAL WASTE LANDFILL. A facility, permitted by the Pennsylvania Department of Environmental Resources, for the disposing of municipal waste.

MUNICIPALITY - Wysox Township, Bradford County, Pennsylvania.

NEW CONSTRUCTION - structures for which the start of construction commenced on or after October 4, 1994, and includes any subsequent improvements thereto.

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; and

(8) The business may not involve any illegal activity.

NONCONFORMING LOT. A 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 STRUCTURE. Any pre-existing structure, part of a structure not designed to comply with the applicable use or extent of use provisions of this Ordinance or amendment heretofore or hereafter enacted, or object of natural growth manifestly inconsistent with the provisions of this ordinance or an amendment thereto., where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to: nonconforming buildings and nonconforming signs.

NONCONFORMING USE. Any pre-existing use of land or a structure thereon, whether of land or of structure, which does not comply with the applicable use provisions herein or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the application of this Ordinance or amendment to its location by reason of annexation.

NONPOINT SOURCE POLLUTION - Pollution that enters a water body from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

NONPRECISION INSTRUMENT RUNWAY. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

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

NURSING HOME/PERSONAL HEALTH CARE FACILITIES. A building with sleeping rooms where persons are housed or lodged and furnished with meals, nursing care for hire and which is approved for nonprofit/profit corporations licensed by the Pennsylvania Department of Public Welfare for such use.

OBSTRUCTION (this definition is to be used only in the Airport Hazard Zoning section of the ordinance).. Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 4 of this Ordinance.

OBSTRUCTION (this definition is to be used only in the Storm Water Management Section, Floodplain Management Section and sections of the ordinance dealing with Watercourses). Any wall, dam, wharf, embankment, levee, dike, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same down stream to the damage of life and property.

OFFICE BUILDING. A building designed or used primarily for office purposes, no part of which is used for manufacturing.

OFFICE, PROFESSIONAL. A room or rooms used for the carrying on of a profession including, but not limited to, physicians, dentists, architects, engineers, accountants, attorneys, planners, real estate brokers, and insurance agents entitled to practice under the laws of the Commonwealth of Pennsylvania or similar type.

ON-SITE WATER SERVICE. On-site water service is a potable supply of water used for the consumption by a single family user from a private well.

ONE HUNDRED YEAR FLOOD - a flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).

OPEN CHANNEL - A drainage element in which storm water flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainage ways, swales, streams, ditches, canals, and pipes flowing partly full.

OPEN SPACE. The unoccupied space of land or an area of water, or a combination of land and water, open to the sky, within the same lot with the building, not including parking lots, streets, offstreet parking areas, and areas set aside for public facilities..

OPEN SPACE, COMMON. A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

OUTFALL - Point where water flows from a conduit, stream, or drain.

OUTLET - Point of water disposal from a stream, river, lake, tidewater or artificial drain.

OVERFLOW RATE - Detention basin release rate divided by the surface area of the basin. It can be thought of as an average flow rate through the basin.

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 for a fee.

PARKING LOT STORAGE - Involves the use of impervious parking areas as temporary impoundments with controlled release rates during rainstorms.

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

PARTY WALL: A common shared wall between two (2) separate structures, buildings, or dwelling units.

PATIO. A recreational area usually, but not limited to, being roofless, adjoining a dwelling unit.

PAVED AREA. When required herein, that amount of land required for the location of adequate parking spaces, driveways, or other access roads. In the computation of a paved area, the actual building area shall be excluded.

PEAK DISCHARGE - The maximum rate of flow of water at a given point and time resulting from a storm event.

PERMANENT FOUNDATION FOR STRUCTURES WITHIN A FLOOD PLAIN. A permanent foundation must extend into the ground below the frost line and may be a concrete slab, one or more

trenches, or piers. If piers are used, the installer must follow the manufacturer's guidelines for spacing under the structure to be placed on the piers unless the manufacturer's guidelines are in conflict with the requirements of an applicable ordinance, code, regulation or statute in which case the piers must be installed in compliance with requirements set forth in the applicable ordinance, code, regulation or statute.

PERSON. Any individual or group of individuals, company, corporations, partnership, public or private association, joint stock association, firm, trust, a trustee, estate, municipality, governmental unit, public utility, receiver, assignee, or similar representative or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties or any similar entity.

PERSONAL CARE BOARDING HOME. A building in which food, shelter and personal assistance or supervision are provided for a period exceeding forty-eight (48) consecutive hours for more than three (3) adults who are not relatives of the operator and who require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self administration. Residents shall consist primarily of elderly persons, fifty-five (55) years of age or older.

PERSONAL SERVICE ESTABLISHMENT: Establishments primarily engaged in providing services involving the care of a person or his or her apparel.

PLANNING COMMISSION. The Planning Commission of Wysox Township, Bradford County, Pennsylvania.

PLANNED RESIDENTIAL DEVELOPMENT. An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any district created, from time to time, under this zoning ordinance.

PLANNING AGENCY. The Wysox Township planning commission and the Bradford County planning commission.

PLAT. The map or plan of a subdivision or land development, whether preliminary or final.

PORCH. A covered area in excess of four (4') feet by five (5') feet or twenty (20) square feet in area at a front, side or rear door of a structure.

PRECISION INSTRUMENT RUNWAY. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PREMISES. Any lot, parcel, or tract of land and any building constructed thereon.

PRESERVATION OR PROTECTION. When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

PRIMARY SURFACE (this definition is to be used only in the Airport Hazard Zoning section of the ordinance).. A surface longitudinally centered on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specifically prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 1602 of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

PRIVATE. Not publicly owned, operated, or controlled.

PRIVATE AIRPORT. An airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa. Cons. Stat. §5102. As used herein, the term "Airport" includes private airports but excludes public airports and heliports. Public and private airports are defined separately in this section.

PRIVATE DRIVE. See LANE.

PRIVATE ROAD. A legally established right-of-way, other than a public street, which provides the primary vehicular and/or pedestrian access to two (2) or more lots and/or principal uses.

PROFESSIONAL OCCUPATION. The practice of a profession by any professional, including, but not limited to, Attorney, Physician, Surgeon, Osteopath, Chiropractor, Dentist, Optician, Optometrist, Chiropodist, Engineer, Surveyor, Architect, Landscape Architect, Planner or similar type, entitled to practice under the laws of the Commonwealth of Pennsylvania.

PUBLIC. Owned, operated or controlled by a government agency (federal, state, or local), including a corporation and/or board created by law for the performance of certain specialized governmental functions.

PUBLIC AIRPORT. An airport which is either publicly or privately owned and which is open to the public as defined in 74 Pa. Cons. Stat. §5102 or intended to be open to the public. As used herein, the term "Airport" includes public airports but excludes private airports and heliports. Public and

private airports are defined separately in this section.

PUBLIC GROUNDS. Public grounds include the following:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
- C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING. A formal meeting held pursuant to public notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance herein.

PUBLIC INFRASTRUCTURE SERVICES. Services provided which may include sanitary sewers and facilities for the collection and treatment of sewage, water lines and facilities for the pumping and treating of water, parks and open space, streets and sidewalks, public transportation and other services that may be appropriate, but shall exclude fire protection and emergency medical services and any other service required to protect the health and safety of residents.

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

PUBLIC NOTICE. A notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be less than seven days from the date of the hearing.

PUBLIC SEWERAGE SYSTEM. Any sanitary sewer collection and treatment system, whether publicly or privately owned, and approved for use by the Pennsylvania Department of Environmental Resources.

PUBLIC USE. Public and semi-public uses of a welfare and educational nature, including, but not limited to, hospitals, schools, parks, churches, cemeteries, day care centers, historical restorations, fire stations, municipal buildings, essential public utilities which require enclosure within a building, airports, fraternal clubs and homes, no-profit recreational facilities, easements for alleys, streets, and public utility rights-of-way, and radio and television transmission facilities.

PUBLIC UTILITY FACILITIES. Public utility transmission and distributions facilities including substations and the like.

PUBLIC WATER SYSTEM. A potable system of water subject to either the Pennsylvania Public Utility Commission jurisdiction or other appropriate regulating agency.

RAINFALL RUNOFF RATIONAL FORMULA - A rainfall - runoff relation used to estimate peak flow.

RECREATIONAL VEHICLE. A vehicular type unit primarily designed as temporary living quarters or recreational, camping, or travel use, which is (i) built on a single chassis; (ii) not more than 400 square feet, measured at the largest horizontal projections; (iii) designed to be selfpropelled by its own motor power or is mounted or drawn by another vehicle; (iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use; (v) having a body width of no more than eight (8') feet and a body length of no more than fifty (50') feet when factory equipped for the road, and licenses as such by the Commonwealth to include, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motorhomes.

RECYCLABLES. Reusable material including, but not limited to, clear glass, colored glass, aluminum, steel and bimetallic cans, high grade office paper, newsprint, corrugated paper, plastics and other materials designated as recyclable under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act.

RECYCLING CENTER. A facility employing a technology known as a process that separates or classifies municipal waster and creates or recovers reusable materials that can be sold to or reused by a manufacturer as substitute for or a supplement to virgin raw materials. This terms does not include such facilities as transfer stations, municipal waster landfills, composting facilities, resource recovery facilities, or junkyards.

REFUSE. All combustible refuse and incombustible refuse, referred to collectively.

A. Combustible Refuse: All paper, straw, excelsior, packing materials, rags, rubber, shoes and such other refuse as may result from ordinary housekeeping and commercial pursuits and which may be burned by fire.

B. Incombustible Refuse: All discarded articles or materials other than sewage, liquid waste, garbage and combustible refuse.

REGULATORY FLOOD ELEVATION - the one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.

RELEASE RATE - The percentage of the predevelopment peak rate of runoff for a development site to which the post-development peak rate of runoff must be controlled to protect downstream areas.

REPORT. Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RETURN PERIOD - The average interval in years over which an event of a given magnitude can be expected to recur. For example, the twenty-five (25) year return period rainfall or runoff event would be expected to recur on the average once every twenty-five years.

RIGHT-OF-WAY. A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer and other similar uses; generally, the right of one to pass over the property of another.

RIGHT-OF-WAY, STREET. A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

RISER - A vertical pipe extending from the bottom of a pond that is used to control the discharge rate from the pond for a specified design storm.

ROOFTOP DETENTION - Temporary ponding and gradual release of storm water falling directly onto flat roof surfaces by incorporating controlled-flow roof drains into building designs.

RUNOFF - The part of precipitation which flows over the land.

RUNWAY. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

SANITARIUM. A private hospital, whether or not such facility is operated for profit.

SATELLITE DISH. See definition ANTENNA SATELLITE DISH.

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.

SCHOOL, NURSERY. See definition DAY CARE CENTERS.

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

SCS - Soil Conservation Service, U.S. Department of Agriculture.

SEDIMENT- Soils or other surface materials transported by surface water as a product of erosion.

SEDIMENTATION - The process by which solid material, both mineral and organic, is accumulated; transported, or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".

SEDIMENT BASIN - A temporary structure, barrier, dam retention or detention basin designed to retain sediment, designed and constructed in accordance with Pa Title 25, Chapter 102.

SEDIMENT POLLUTION - The placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with the requirements of this Ordinance.

SEDIMENT TRAP - A temporary sediment control device formed by excavation and/or embankments or hay bales to intercept sediment laden runoff and retain the sediment.

SEEPAGE AREAS - Grass-covered areas that infiltrate storm water runoff and allow particulate contaminants to settle.

SHED -.a small outbuilding of simple form, usually one story high, used for the storage of goods, not attached to a residence or any other building, and not used for human habitation.

SHEETFLOW - Runoff which flows over the ground surface as a thin, even layer, not concentrated in a channel.

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.

SIGNS The term 'sign' when used in this ordinance means any sign, structure, device, letter, word, model, poster, identification, description, illustration device or representation, visible from any public place, illuminated or non-illuminated, used for visual communication, which directs attention of the public to a product, service, place, activity, person, institution, business or solicitation or used in the nature of an advertisement, announcement or direction, on any surface, structure or place.

Signs do include lettering, logos, trademarks, or other symbols which are an integral part of the architectural design of a building, which are applied to a building, or which are located elsewhere on the premises, including painted walls or structures (murals); signs affixed to windows or glass doors or otherwise internally mounted such that they are obviously intended to be seen and understood by vehicular or pedestrian traffic outside the building; flags and insignia of civic, charitable, religious, fraternal, patriotic, or similar organizations; insignia of governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar materials; and inflatable objects, a structure intended for whether or not displaying actual advertisement, i.e., temporary signs on wheels. Signs do not include architectural features which may be identified with a particular business; signs within a building which are obviously intended to be seen primarily from within the building; flags of governments or government agencies; and displays of merchandise either behind store windows and outdoors. In the commercial districts, a sign shall not include any internal signs, any sign attached to the building that protrudes less than 12 inches or any sign painted on any side of the building.

SIGNS, SPECIFIC TYPES OF SIGNS:

- a. **Billboard.** A sign displaying changeable advertising copy which pertains to a business, organization, event, person, place, service, or product not principally located, rendered or sold on the premises upon which said sign is located.
- b. **Building Sign.** A sign attached to or painted on a building which has a use in addition to merely supporting the sign; this includes, but is not necessarily limited to wall signs and roof signs.
- c. **Business Sign.** A sign which directs attention to any business, professional, commercial, or industrial activity occurring on the premises on which the sign is located, but not including a home occupation sign. (Also see “Center Sign”.)
- d. **Center Sign.** A business sign which provides identification at the entrance to a center such as a shopping center, office complex, or industrial park.
- e. **Contractor Sign.** A temporary sign which carries the name and information about a contractor who is involved in construction work occurring on the premises on which the sign is located.
- f. **Development Sign.** An identification sign at the entrance to a residential development. (Refer to “Identification Sign” in Table 1 and “Development Sign”).
- g. **Election Sign.** A temporary sign which directs attention to a candidate or candidates for public office, a political party, or a ballot issue.
- h. **Freestanding Sign.** A sign not attached to or painted on a building, or a sign attached to or painted on a building which has no use in addition to supporting the sign.
- i. **Free Speech Sign.** A sign which directs attention to a non-business Political view.
- j. **Garage/Yard Sale Sign.** A temporary sign which directs attention to the sale of personal goods on the premises on which the is located.
- k. **Government Sign.** An off-premise sign placed by a governmental unit, such as a

traffic, direction, information, or Street name sign, or a historical marker.

l. Home Occupation Sign. A sign providing information about a business activity conducted within a dwelling unit on the premises on which the sign is located.

m. Identification Sign. A sign used to identify the name and display information about the individual, organizations, agency, institution, facility, or individual, organization, agency, institution, facility, or development located on the premises on which the sign is located, but not including a business sign. (Also see “Development Sign” and “Public Use Sign”.)

n. Incidental Sign. An informational sign, no more than 2 square feet in size and not including any commercial message or logo, which carries a message such as “enter”, “open”, “telephone”, “rest rooms”, “no parking”, no trespassing”, warning”, a listing of hours when open, and on-site direction, or anything similar.

o. Murals. In all districts, murals shall be prohibited. The definition of a mural is a picture, decoration or graphic design, usually a very large one, applied directly to an exterior wall or exterior surface including the roof. Interior murals contained within the structure shall not be prohibited.

p. Multiple Signs: A group of signs clustered together in a single structure or compositional unit to advertise several occupants of the same building or building complex

q. Non-Profit Organization Sign. An off-premise sign displaying information about a church, service club, or other organization which does not operate for the purpose of making a profit.

r. Off-Premise Sign. A sign that does not apply to the location at which it is displayed.

s. On-Premise Sign. A sign that applies to the location at which it is displayed.

t. Open House Sign. A temporary sign which provides information about a real estate open house, including the words “open house”, the day and time of the open house, and the name of the realtor.

u. Overhead Sign. A sign located such that pedestrian or vehicular traffic might pass beneath any part of it.

v. Permanent Sign. A sign intended to be displayed for an unlimited period of time.

w. Portable Sign. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to signs designed to be transported by means of wheels; signs converted to A or T-Frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the legal right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

x. Public Use Sign. An identification sign used to identify the name and display information about a public use such as a government building, school, park, firehouse, or church.

y. Public Utility Sign. A sign with a message relating to a business organization

performing a public service and subject to special governmental regulations (e.g. and electric Company, sewer Authority, or a telephone Company).

z. Real Estate Sign. A temporary sign which provides information about a real estate activity on the premises on which the sign is located such as a sale, rental, open house, or property available for or in the process of development, but not including an open house sign.

aa. Roof Sign. A sign attached to or painted on a roof.

bb. Special Event Sign. A temporary sign which carries in information about a special event such as an auction, flea market, festival, carnival, meal, or fund raising event, but not including any business sign, such as a "sale" sign at a store.

cc. Seasonal Signs: On premise advertising signs used for only part of a year, such as outdoor swimming, flea markets or miniature golf..

dd. Temporary Sign. A sign intended to be displayed for a limited period of time and in no event shall be displayed more than 180 days in any calendar year.

ee. Wall Sign. A sign attached to or painted on the wall of a building.

ff. Window Display. An exhibit behind a window which is intended to draw attention to a produce, service business, or cause.

SINGLE AND SEPARATE OWNERSHIP. The ownership of a lot by one or more persons which ownership is separate and distinct from that of any adjoining property.

SITE DEVELOPMENT PLAN. A scaled graphical depiction of the proposed development of a lot, parcel or tract of land describing all covenants assigned, as well as, accurately depicting the use, location, and bulk of all buildings and structures, intensity of use or density of development, streets, driveways, rights-of-ways, easements, parking facilities, open space, public facilities and utilities, setbacks, height of buildings and structures, and other such data necessary for municipal officials to determine compliance with this Ordinance and appropriate provisions of other such ordinances, as applicable.

SOIL-COYER COMPLEX METHOD - A method of runoff computation developed by SCS, and found in its publication "Urban Hydrology for Small Watersheds", Technical Release no. 55, SCS, June 1986 or latest edition.

SOIL GROUP, HYDROLOGIC - A classification of soils by the Soil Conservation Service into four runoff potential groups. The groups range from A soils, which are very permeable and product little runoff, to D soils, which are not very permeable and produce much more runoff.

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

SPECIAL EXCEPTION. A use permitted in a particular zoning district pursuant to the subsequent provisions of this zoning ordinance.

SPILLWAY - A depression in the embankment of a pond or basin which is used to pass peak discharge greater than the maximum design storm controlled by the pond.

STORAGE FACILITY. A structure intended for lease for the sole purpose of storing household goods, motor vehicles, or recreational equipment.

STORAGE, OUTDOOR. The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours, excluding display areas as defined herein.

STORM FREQUENCY - The number of times that a given storm "event" occurs or is exceeded on the average in a stated period of years. See "Return Period".

STORM SEWER - A system of pipes or other conduits which carries intercepted surface runoff, street water and other wash waters or drainage, but excludes domestic sewage and industrial wastes.

STORM WATER MANAGEMENT CONTROLS - All structural and non-structural appurtenances utilized to manage or control storm water runoff including, but not limited to: detention facilities, swales, diversion channels, streams, culverts, bridges, infiltration facilities, cisterns, and sediment basins.

STORM WATER MANAGEMENT PLAN - The storm water management and erosion and sediment pollution control plans for managing storm water runoff and narratives adopted by Bradford County as required by the Act of October 4, 1978, P.L. 864, (Act 167), and known as the "Storm Water Management Act".

STORM WATER MANAGEMENT PLAN ADMINISTRATOR - The entity set up specifically to review Act 167 Drainage Plans, inspect storm water management structures, and otherwise enforce all regulations as outlined in the Wysox Creek Watershed Act 167 Storm Water Management Ordinance.

STORMWATER REGULATED ACTIVITIES - Actions or proposed actions which impact upon proper management of storm water runoff, erosion and sediment pollution control and activities in wetlands and which are governed by this Ordinance

STORM WATER MANAGEMENT SITE PLAN - The plan prepared by the Developer or his representative indicating how storm water runoff will be managed at the particular site of interest according to this Ordinance.

STORM WATER RUNOFF - That part of precipitation which flows over the land (surface runoff) excluding that portion which infiltrates or is evapotranspired.

STORY. For the purposes of this ordinance the term “story” shall be considered synonymous to, and interchangeable with, the term “floor”.

STORY, HALF. A story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls, are not over three (3') feet above the finished floor of such story.

STREET. A public or private right-of-way which includes avenue, boulevard, road, alley, lane, highway, freeway, parkway, and viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET CENTERLINE. The center of the surveyed street right-of-way; ‘or where not surveyed, the center of the traveled cart way.

STREET, CUL-DE-SAC. A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STREET GRADE. The officially established grade of the street upon which a lot fronts, or in its absence, the established grade of the 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.

STREET LINE. The street line is the right-of-way line of a public street or the cart way line of a private street.

STREET, MAJOR:

- (1) **Arterial Street:** A major street or highway with fast or heavy traffic of considerable continuity and used primarily as a traffic artery for intercommunications among large areas;
- (2) **Collector Street:** A major street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of a residential development and streets for circulation within such a development.

STREET, MARGINAL ACCESS. A minor street which is parallel and adjacent to a limited access highway or arterial street, which provides access to abutting properties and protection from through traffic. Also known as a service road.

STREET, MINOR. A street used primarily for access to abutting properties.

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

STRUCTURE. Any constructed or erected man-made object,, including a mobile object, and its site and appurtenances, having an ascertainable stationary or permanent location on or in land or water, whether or not affixed to the land or attached to the land or to something having a permanent location on the soil including, but not limited to buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines, sheds, manufactured homes, any walled and roofed man made construction, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home and other similar items.

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.

STRUCTURE, NONCONFORMING. See definition **NONCONFORMING STRUCTURE**.

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.

STUDIO, DANCING OR MUSIC. The use of a premises by a teacher of music or dancing where students are taught these arts for a fee. This term is synonymous with "Dancing School" and "Music School," and other similar expressions.

SUBAREA - The smallest drainage unit of a watershed for which storm water management criteria have been established in the Storm Water Management Plan.

SUBDIVISION - the division or redivision 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 by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBDIVISION ORDINANCE - "The Bradford County Subdivision and Land Development Ordinance", designated as Ordinance now adopted by the Bradford County Commissioners.

SUBSTANTIAL DAMAGE - damage from any cause sustained by & structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or

more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Is defined as any repair, alteration, reconstruction, rehabilitation, addition, and/or use, or other improvement of a structure, including structures which have incurred "substantial damage," regardless of the actual repair work performed, , the cost of which equals or exceeds fifty (50%) percent of the market value of the structure either.

A. before the "start of construction" of the improvement, or

B. if the structure has been damaged and was being restored before the damage occurred.

For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or any alteration to a structure listed on the National Register of Historic Places.

The term "substantial improvement" does not, however include either:

I. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or: ii. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

SUBSTANTIALLY COMPLETED. Where, in the judgment of the zoning officer, at least 90%, based on the cost of the required improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURFACE MINING. The extraction of minerals from the earth, from waste or stockpiles or from pits or from banks by removing the strata or material that overlies or is above or between them or otherwise exposing and retrieving them from the surface, including, but not limited to, strip mining, auger mining, dredging, quarrying, and leaching and all surface activity connected with surface or underground mining, including, but not limited to, exploration, site preparation, entry, tunnel, drift, slope, shaft and borehole drilling and construction and activities related thereto; but it does not include those mining operations carried out beneath the surface by means of shafts, tunnels or other underground mine openings. The term does not include any of the following:

A. The extraction of minerals by a landowner for his own noncommercial use from land owned or leased by him.

B. The extraction of sand, gravel, stone, earth or fill from borrow pits for highway construction purposes of the Pennsylvania Department of Transportation or the extraction of minerals pursuant to construction contracts with the Department if the work is performed under a

bond, contract and specifications that substantially provide for and require reclamation of the area affected in the manner provided by the "Non-coal Surface Mining Conservation and Reclamation Act", # 1984219, as amended.

C. The handling, processing or storage of slag on the premises of a manufacturer as a part of the manufacturing process.

D. Those dredging operations that are carried out in the rivers and streams of the Commonwealth and Lake Erie.

E. The extraction, handling, processing or storing of minerals from any building construction excavation of the site of the construction where the minerals removed are incidental to the building construction excavation, regardless of the commercial value of the minerals.

SWALE - A low lying stretch of land which gathers or carries surface water runoff.

SWIMMING POOL. A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen (18") inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty (30") inches, designed, used and maintained for swimming and bathing.

TERRACE - An embankment or combination of an embankment and channel across a slope to control erosion by diverting or storing runoff instead of permitting it to flow uninterrupted down the slope.

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

TIME OF CONCENTRATION - The time for surface runoff to travel from the hydraulically most distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

TOWNSHIP COMPREHENSIVE PLAN A land use and growth management plan prepared by the Wysox Township Planning Commission and adopted by the Wysox Township Board of Supervisors which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plans and land use regulation

TRAILER. Any licensed or unlicenunlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

TRANSITIONAL SURFACES. (this definition is to be used only in the Airport Hazard Zoning section of the ordinance). These surfaces extend outward at 90degree angles to the runway

centerline and the runway centerline extended at a slope of seven (7') feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.

TREE (this definition is to be used only in the Airport Hazard Zoning section of the ordinance)..
Any object of natural growth.

TRUCK TERMINAL. An area and building where cargo is stored and where trucks load and unload cargo on a regular basis.

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. The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

USE PERMIT. A certificate issued and enforced by the Zoning Officer upon completion of the construction of a new building or upon a change or conversion of the structure or use of a building, which certifies that all requirements and regulations as provided herein, as well as all other applicable requirements, have been satisfied.

USE, NONCONFORMING. See definition NONCONFORMING USE.

USE, PRINCIPAL. The primary or predominant use of any lot.

USE, TEMPORARY. A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

UTILITY RUNWAY. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VARIANCE. Relief granted pursuant to the provisions of Article XVIII. In granting a variance in designated Flood Plain Districts, additional criteria set forth in the Wysox Township Flood Plain Management Ordinance shall also apply.

VEGETATIVE COVER. Shall consist of trees, shrubs, flowers, grass, ground or bank cover or suitable pervious decorative substitute.

VEHICLE. Every device in or by which any person or property is or may be transported or drawn upon a highway.

VEHICULAR BODY SHOP. Any structure or any building or part thereof, that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers and/or accessories of automobiles and other vehicles of conveyance.

VEHICULAR SALES ESTABLISHMENT. The use of any building, land area or the premise for the display, sale and leasing of new or used automobiles, trucks or vans, trailers, or recreational vehicles, including boats and motorcycles, and including any warranty repair work and other repair service conducted as an accessory use.

VEHICULAR GARAGE. A building on a lot designed and/or used primarily for mechanical and/or body repairs, storage, rental, servicing, or supplying of gasoline or oil to automobiles, trucks, or similar motor vehicles.

VEHICULAR SERVICE ESTABLISHMENT. A building or lot or part thereof supplying and selling gasoline or other equivalent fuel for motor vehicles at retail cost, directly from pumps and storage tanks and which may include accessory facilities for rendering services, such as lubrication, washing, and minor repairs.

VEHICLE WASHING (CAR WASH). A building on a lot, designed and used primarily for the washing and polishing of vehicles and which may provide accessory services set forth herein for Vehicular Service Stations.

VEHICLE WRECKING. The dismantling or wrecking of used automobiles, trailers, or similar vehicles, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

VISUAL RUNWAY. A runway intended solely for the operation of aircraft using visual approach procedures.

WATERCOURSE - A stream of water, river, brook, creek, or a Channel, or ditch for water, whether natural or manmade. See "Channels".

WATER SURVEY. An inventory of the source, quantity, yield and use of groundwater or surfacewater resources.

WATERS OF THE COMMONWEALTH - Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or

channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

WETLANDS - Wetlands are those areas inundated or saturated by surface or ground water at a frequency and duration sufficient "to support - and under normal circumstances do support - a prevalence of vegetation typically adapted for life in saturated soil conditions.

WYSOX TOWNSHIP PLANNING COMMISSION - The planning commission of Wysox Township.

YARD. An unoccupied space, outside the building setback lines, other than a court, open to the sky, on the same lot with a building or structure.

YARD, BUFFER. A strip of required yard space adjacent to the boundary of a property or district, not less than the width designated in this Ordinance, and on which is placed (planted) year-round shrubbery, hedges, evergreens, or other suitable plantings of sufficient height and density to constitute an effective screen and give maximum protection and immediate screening to an abutting property or district and may include a wall, as provided for in this Ordinance.

YARD, EXTERIOR. An open, unoccupied space between the buildings of a dwelling group or its accessory building and the property boundary or street line.

YARD, FRONT. An open unoccupied space on the same lot with a main building or structure, extending the full width of the lot and situated between the street line and the building front setback line projected to the side lines of the lot. The depth of the front yard shall be measured between the front building setback line and the street line. In the case of a lot bounded on multiple sides by public streets, public roads or public highways, the yards extending along all streets, roads or highways are subject to the set back provisions for front yards.

YARD, INTERIOR. An open, unoccupied space between the buildings of a dwelling group or its accessory buildings, not a front, side, or rear yard.

YARD, REAR. An open unoccupied space on the same lot with a main building or structure, extending the full width of the lot and situated between the rear line of the lot and the rear building setback line projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot and the rear building setback line.

YARD, SIDE. An open unoccupied space on the same lot with the main building or structure situated between the side building setback line and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

ZONING. The designation of specified districts within a community reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING MAP. The map setting forth the boundaries of the Zoning Districts of the Township which shall be a part of this Ordinance.

ZONING PERMIT. Written permission issued by the proper municipal authority for the construction, repair, alteration or addition to a structure, stating that the purpose for which a building and/ or structure or land is to be used, is in conformity with the uses permitted and all other requirements under this Ordinance for the district in which it is or will be located or granted by variance, conditional use or special exception..

ZONING OFFICER. The duly constituted municipal official designated to administer and enforce this Ordinance in accordance with its literal terms.