

**ZONING ORDINANCE
TOWNSHIP OF SUMMIT
ORDINANCE NO. 1992-05**

An ordinance dividing the Township into various zoning districts and regulating the construction, alteration and use of structures and land within each district. Be it hereby ordained by the Township Board of Supervisors of Summit, Erie County, Pennsylvania, that:

**ARTICLE 1
GENERAL PROVISIONS**

- 101 TITLE:** This Ordinance shall be known and may be cited as the "Summit Township Zoning Ordinance".
- 102 EFFECTIVE DATE:** This ordinance shall take effect on the date of passage.
- 103 PURPOSE AND AUTHORITY:** This ordinance is adopted by virtue of the authority granted to the Township under Article VI of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended 1988, Act 170.

The Supervisors, upon majority vote, and recommendations from the Summit Township Planning Commission, may, from time to time, establish such definitions, policies, procedures, rules, regulations and interpretations of this Ordinance as they determine to be in the best interest of the Township, which definitions, policies, procedures, rules, regulations and interpretations should be binding on all parties subject to this ordinance. (amended 03/01/93).

The provisions of this zoning ordinance are designed:

- (1) To promote, protect and facilitate any or all of the following: the public health, safety, morals and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, airports, and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.

- (2) To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.
- (3) To preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
- (4) To provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family, two-family dwellings, a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that no zoning ordinance shall be deemed invalid for the failure to provide for any other specific dwelling type.
- (5) To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

104 COMMUNITY DEVELOPMENT OBJECTIVES: The Zoning regulations and districts set forth in this ordinance are made in accordance with and are designed to clearly achieve the objectives of the Summit Township Comprehensive Plan, adopted by resolution March 5, 2001, incorporated in the Comprehensive Plan of Erie County, as most recently updated. The specific objectives upon which the Comprehensive Plan and the Ordinance have been based include the following:

- (1) To support and encourage order and beauty in the development of Township's environment for the convenience and pleasure of present citizens and future residents through sound land development utilities and facilities.
- (2) To encourage future land development to complement a logical, harmonious, and efficient pattern of future Township growth.
- (3) To encourage future residential use to occur in harmonious arrangement within compact neighborhood units.
- (4) To preserve strategic properties suitable for industrial development for the establishment of suitable diversified industry throughout the Township.

- (5) To guide commercial development in such a way so as to minimize adverse influences of adjacent road or land values; to maintain and protect existing commercial facilities to locate in functionally designed centers with safe and adequate highway access.
- (6) To protect property values to insure suitable, attractive and efficient community environment.
- (7) To encourage development of integrated, cohesive urban development.
- (8) To encourage developers to incorporate adequate public facilities and open spaces in neighborhood design.

105 COMPLIANCE: No structure shall be located, erected, constructed, reconstructed, moved, altered externally, converted, or enlarged, nor shall any structure or land be used or be designed to be used except in full compliance with all the provisions of this Ordinance, and after the lawful issuance of all permits and certifications required by this Ordinance, except that the Township of Summit will be exempt from the provisions of this ordinance in the exercise of its municipal functions.

106 INTERPRETATION OF REGULATIONS: Whenever the provisions of this ordinance vary from or conflict with any other lawfully adopted rules, regulations or ordinances, the more restrictive requirements shall govern.

107 SEVERABILITY: Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole nor the validity of any other section or provision of the ordinance than the one so declared.

108 REPEAL: Any resolutions or ordinances, or any parts of any resolutions or ordinances conflicting with the provisions of this ordinance are hereby repealed to the extent of such conflict. This ordinance, as designed, completely revises and repeals the existing Zoning Ordinance of Summit Township known as Ordinance #84, as amended through May 5, 1992.

109 MUNICIPAL LIABILITY: The granting of a Zoning Permit or Summit Township Occupancy/Use Permit for the erection and/or use of a structure or lot shall not constitute a representation, guarantee or warranty of any kind or nature, by the municipality, or an official or employee thereof, of the safety of any structure, use or other proposed plan from any cause whatsoever and shall create no liability upon or cause of action against such municipality, public official or employee for any damage that may result pursuant thereto.

110 CONTINUATION: The provisions of this ordinance, so far as they are the same as those of ordinances and regulations in force, immediately prior to the enactment of this ordinance, are intended as a continuation of such ordinances and regulations and not as new enactments.