

ARTICLE 2

DEFINITIONS

201 INTERPRETATION: for the purpose of this ordinance words used in the present tense shall include the future. The singular number shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter. The word "building" includes "structure" and shall be construed as if followed by the words "or any part thereof". The phrase "used for" includes "arranged for". The word "person" includes an individual, corporation, partnership, unincorporated association, or any other legal entity. The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character. Except as specifically defined within this ordinance all words shall have their normal meaning and usage.

202 SPECIFIC TERMS: The following words and phrases shall have the meaning given in this section.

ACCESS ROAD TO MULTIPLE BUSINESS: A single private access roadway providing primary access to multiple businesses located on a single property. These roadways have a 40 ft paved cartway and will have a cul-de-sac if over 300 ft in length.

ACCESSORY BUILDING: A subordinate building, incidental to and located on the same lot as principal building, and used for an accessory use.

ACCESSORY USE: A use customarily incidental and subordinate to and located on the same lot occupied by the principal use to which it relates.

ADULT BOOKSTORE: An establishment having a substantial or significant portion of its stock and trade in, or an establishment which as one of its principal business purposes, offers for sale adult-oriented merchandise and which may in conjunction therewith, has facilities for the presentation of adult entertainment for observation by patrons. (Added 11/03/08)

ADULT DRIVE-IN MOVIE THEATER: An outdoor movie theater attended primarily by patrons in their automobiles, used for presenting material, in any form or media (i.e. live shows, film, television, etc.) distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. (Added 11/03/08)

ADULT ENTERTAINMENT:

- (1) An exhibition of any adult-oriented motion pictures, meaning those distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
- (2) A live performance, display, or dance of any type which has as a significant or substantial portion of the performance any actual or simulated performance of specified sexual activities or exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomiming, modeling or any other personal services offered customers. (Added 11/03/08)

ADULT MINI-MOTION PICTURE THEATER: An enclosed building with a capacity of less than 50 persons which has a principal business purpose of exhibiting, presenting or selling material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons. (Added 11/03/08)

ADULT MOTION PICTURE THEATER: An enclosed building with a capacity of more than 50 persons which has a principal business purpose of exhibiting, presenting or selling material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons. (Added 11/03/08)

ADULT-ORIENTED ESTABLISHMENT: The term includes, without limitation, the following establishments when operated for profit, whether direct or indirect:

- (1) Adult Bookstores.
- (2) Adult Motion Picture Theaters.
- (3) Adult Mini-Motion Picture Theaters.
- (4) Adult Retail Use Establishments.
- (5) Any premises to which the public, patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, studios, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures or where an entertainer provides adult entertainment to a member of the public, a patron or a member.
- (6) An Adult Entertainment Studio or any premises that are physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, modeling studio or any other term of like import. (Added 11/03/08)

The term "**Booths, Cubicles, Rooms, Studios, Compartments or Stalls**" for the purpose of defining adult-oriented establishments does not mean enclosures which are private offices used by the owner, manager or persons employed on the premises for attending to the tasks of their employment, and which are not held out to the public for the purpose of viewing motion pictures or other entertainment for a fee, and which are not open to any persons other than employees. (Added 11/03/08)

ADULT-ORIENTED MERCHANDISE: Includes any foods, products commodities, or other wares, including but not limited to adult-oriented devices which are designed or marketed primarily for the stimulation or specified anatomical areas or sadomasochistic activity, videos, CD ROMS, DVDS, computer disks or other storage devices, magazines, books, pamphlets, posters, cards, periodicals or non-clothing novelties which depict, describe or simulate specified anatomical areas or specified sexual activities. This definition shall not apply to birth control devices. (Added 11/03/08)

ADULT RETAIL USE ESTABLISHMENT: An enclosed building, or any portion thereof which, for money or any other form of consideration, devotes a significant or substantial portion of stock in trade, to the sale, exchange, rental, loan, trade, transfer, or viewing of adult-oriented merchandise. (Added 11/03/08)

AGRICULTURE: Any agricultural use, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal husbandry.

ALLEY: Deleted in its entirety.

ALTERNATIVE TOWER STRUCTURE: Man-made trees, clock towers, tall steeples, light poles, and similar alternative design mounting structures that camouflage or conceal the presence of antennas on towers. (added 12/3/97)

ANTENNA: Any structure or device used to collect or radiate electromagnetic waves, including both directional antennae (such as panels) and omnidirectional antennae (such as whips) but not including satellite earth stations and any devices used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennae and directional or panel antennae, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennae or amateur radio equipment including without limitation ham or citizen band radio antennae. (Added 10/05/98)

ANTENNA EQUIPMENT BUILDING: An unmanned building or cabinet containing communications equipment required for the operation of Communications Antennae and covering an area of ground not greater than 250square feet. (Added 10/05/98)

ANTENNA HEIGHT: The vertical distance measured from the base of the antennae support structure at grade to the highest point of the structure. If the support structure is on a slope grade, then the average between the highest and lowest grades shall be used in calculating the antenna height. (Added 10/05/98)

ANTENNA SUPPORT STRUCTURE: Any pole, telescoping mast, tower, tripod, or any other structure which supports a device used in the transmitting or receiving of radio frequency energy. (Added 12/03/97) (Amended 10/05/98)

AREA: Square footage within lot boundary lines excluding street or road right-of-ways.

ARTERIAL HIGHWAY: A public street having a minimum 80 ft wide right-of-way providing for through traffic movement across the Township, and direct access to abutting properties; subject to necessary control of entrances, exits and limited access. Arterial Highways have a minimum 48 ft wide cartway with 10 ft wide stabilized shoulders.

AUTOMOBILE SALES: A registered new or used vehicle dealer engaged in the business of buying, selling or exchanging passenger cars, motorcycles, trucks, truck trailers or buses.

AUTOMOBILE SALVAGE: The dismantling or disassembling of two or more vehicles or trailers, or the storage, sale or dumping of two or more dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

AUTOMOBILE SERVICE AND REPAIR: Premises where motor vehicles are serviced and repaired, including engine overhaul and body work.

BASEMENT: A story or portion of a story partly below the average grade of the surrounding ground with at least one-half of its height (measured from the floor to ceiling) below the average grade level of the surrounding ground.

BED & BREAKFAST: A private residence which contains ten (10) or fewer bedrooms used for providing overnight accommodations to the public and in which breakfast is the only meal served and is included in the charge for the room. The remainder of the dwelling in which a Bed & Breakfast is located is used solely as a private residence for the dwelling's owner/operator occupant, leaving the principal use of the dwelling as residential. (Added 4/12/02)

BOARD: The Zoning Hearing Board established by this Ordinance.

BOTTLE CLUB: A place of assembly owned, maintained or leased, for pecuniary gain, in which no intoxicating liquors are sold but where patrons are permitted to bring intoxicating liquors upon the premises for their own use and consumption.

BUILDING: A roofed structure, whether or not enclosed by walls, to be used for the shelter, enclosure or protection of persons, goods, materials or animals.

BUILDING LINE: An imaginary line fixed by the setback requirements measured from the nearest road right-of-way, side lot line or rear lot line. No building may take place in front of said line(s).

BUSINESS SERVICE: Any business activity which renders service to other commercial or industrial enterprises.

CARTWAY: That portion of an improved road which is paved or improved for travel; or the entire grade surface of an unimproved road.

CLINIC: Any establishment where human patients are examined and treated by doctors or dentists but not hospitalized overnight.

CLUB: An establishment operated for social, athletic, recreational or educational purposes open only to members and not general public.

CLUSTER: A development design technique that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.

COLLECTOR STREET: A public street having an 80 ft wide right-of-way providing for traffic movement between Local Streets and Arterial Highways are also providing direct access to abutting properties. Collector Streets have a minimum 36 ft wide paved cartway with 4 ft wide stabilized shoulders. Collector Streets may also have an additional optional two lanes which may be constructed in phases.

COMMERCIAL/INDUSTRIAL STREET: A public street having a 60 ft wide right-of-way providing for direct access to abutting lots for local traffic movements and providing access to Collector Streets or Arterial Highways. Commercial/Industrial Streets have a minimum 28 ft wide paved cartway, including shoulders and are constructed in accordance with Township Specifications.

COMMERCIAL MOBILE SERVICES: Includes cellular telephone services, SMR services and PCS services, cellular telephone radio service and paging.

COMMON CARRIER: Any person engaged as a common carrier for hire, in interstate or foreign communications by wire or radio, or in interstate or foreign radio transmission of energy, but a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier. (Added 10/05/98)

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

COMMUNICATION BUILDING: Any structure or building used for or containing equipment primarily used for transmission, reception or switching of radio, television, wireless telephone, pager commercial mobile radio service, weather radar, or any other wireless communication signals for other personal wireless services. Communications Building shall not include antenna, antenna equipment building as defined in this ordinance. (added 08/02/99)

COVERAGE: That percentage of the lot area covered by principal and accessory use structure.

DAY/NIGHT CARE FACILITY: Care in lieu of parental care or guardian care given for **part of the twenty-four (24) hour day** to children or adults, away from their principal residences or homes, but does not include care furnished in places of worship during religious services and does not include care provided simultaneously for less than three (3) persons. This Ordinance identifies the following three (3) levels of care (Added 4/12/02):

FAMILY DAY/NIGHT CARE HOME: Any home in which day/night care is provided simultaneously for three (3), four (4) or five (5) persons who are not relatives of caregiver, where the care area also is used as a family residence.

GROUP DAY/NIGHT CARE HOME: Any home in which day/night care is provided simultaneously for six (6) to twelve (12) persons who are not relatives of the caregiver, where the care area also is used as a family residence. (Any home in which day/night care is provided simultaneously for six (6) to twelve (12) persons who are not relatives of the caregiver, where the care is not used as a family residence shall be considered a Day/Night Care Center.)

DAY/NIGHT CARE CENTER: Any facility in which day/night care is provided simultaneously for seven (7) or more persons who are not relatives of the operator, where the day/night care area is not used as a family residence.

DENSELY PLANTED: minimum criteria (Added 4/12/02):

1. Amount: 8 trees per 50 lineal feet of buffer
2. Species: 20% evergreen & 80% hardwood consisting of 4 varieties.
3. Size at time of planting: 2-inches in diameter & 10-feet in height

DIRECTIONAL SIGN: A sign to assist and identify traffic flow (ingress and egress).

DROP OFF CENTER: An area either within or without the confines of a municipal waste landfill, resource recovery facility or transfer station as those terms are defined in the Municipal Waste Planning Recycling and Waste Reduction Act (Act of July 28, 1988 No. 101), established for the collection and sale of recyclable materials and where such recyclable materials are placed and temporarily stored pending recycling.

DWELLING (Only one dwelling shall be permitted on each lot of record):

- A. **SINGLE FAMILY:** In R-1 District, a detached building designed for exclusive use by one family and having a minimum of 1,200 square feet of heated living area on a permanent foundation.
- B. **SINGLE FAMILY:** In R-2 and R-3 districts, a detached building designed for exclusive use by one family and having a minimum of 720 square feet of heated living area on a permanent foundation.
- C. **MULTISTORY:** In R-1 District, a detached building designed for exclusive use by one family, containing or designed to contain, two or more stories with common access facilities, and having a minimum of 620 square feet of heated living area on the primary story level.
- D. **MULTISTORY:** In R-2 and R-3 districts, a detached building designed for exclusive use by one family, containing or designed to contain, two or more stories with common access facilities and having a minimum of 520 square feet of heated living area on the primary story level.

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: Building designed for use by two families living independently of each other, including a duplex (one living area above the other) or double house (one living beside the other). Each dwelling unit must contain 720 square feet of heated living area; 520 square feet of floor minimum on the primary story level, if multistory double house design.

DWELLING - MULTIPLE: A building or portion thereof, containing or designed to contain three or more separate units, with or without common access facilities. Each dwelling unit shall contain a minimum of 650 square feet of heated living space. However, a maximum of 15% of total living units may contain a one bedroom unit with a minimum of 500 square feet of heated living space in each unit.

ENVIRONMENTALLY SENSITIVE AREA: An area with one or more of the following environmental characteristics:

1. steep slopes over twenty-five (25%) percent;
2. flood plain (floodway and flood fringe);
3. soils classified as highly erodible, subject to erosion, or highly acidic as identified with the Soil Survey of Erie County, Pennsylvania;
4. wetlands.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance by a public utility company, municipality, or any other governmental agency, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wiring, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, and/or traffic signals, necessary for the furnishing of adequate service by such public utility company or municipality or other agency for the public health or safety or general welfare, but not including structures.

FACILITIES: Dwellings & public patronage establishments must be equipped with modern inside toilet & bath facilities including hot & cold running water, modern heating, lighting, unless authorized as a special exception.

FAMILY: The term family may be construed to mean;

- A. A single person occupying a dwelling unit and maintaining a household, or
- B. Two or more persons related by blood or marriage, occupying a dwelling unit, living together and maintaining a common household. This group may include not more than two boarders or roomers
- C. Not more than five unrelated persons occupying a dwelling unit, living together and maintaining a common household.
- D. The term family may not be construed to encompass any business use (profit or nonprofit), including a family or group care facility or personal boarding home, as defined in this ordinance.

FAMILY OR GROUP HOMES: A facility which provides **resident service** in a private residence to five (5) or fewer individuals who are not related to the resident household. These individuals are handicapped, developmentally disabled, mentally ill, mentally retarded, or otherwise in need of adult supervision and provided service in accordance with their individual needs. This category includes foster or boarding houses for children, group homes, and halfway houses. (Added 4/12/02)

FENCES: Man made or natural. Solid or open. See district limitations.

FLOOR AREA, (HABITABLE): The enclosed area of a building designed and intended for all season use of human inhabitants.

FUEL ISLAND: An island upon which fuel dispensers are mounted for the fueling of motor vehicles which may or may not have a canopy.

GARAGE, VEHICLE SERVICE AND REPAIR: Premises where motor vehicles are serviced and repaired, including engine overhaul and body work.

GASOLINE SERVICE STATIONS: An area of land together with any structures thereon, used for the retail sale of motor fuel and lubricants and incidental services, such as lubrication and hand washing of motor vehicles and the sale, installation or minor repairs of tires, batteries or other automobile accessories.

GOVERNING BODY: The Summit Township Board of Supervisors.

GROUP CARE FACILITY: A facility which is licensed and inspected by an agency of the Commonwealth of Pennsylvania which provides **residential services** to at least six (6) residents who are handicapped, developmentally disabled, mentally ill or mentally retarded, including residents who are serving the sentence of a court of law, but not requiring or receiving skilled or intermediate nursing care of psychiatric or correctional treatment normally provided in an institutional setting, including rehabilitation homes. (Added 4/12/02)

HARD SURFACE: The surface material layer must consist of either (a)asphalt [cold or hot] or (b)cement or solid brick, with either (a) or (b) having a minimum depth of two (2) inches or, (c)triple seal coat; and an under-layer of a gravel material approved by the Township with a minimum depth of six (6) inches. (added 2/03/03)

HEALTH AUTHORITIES: Any federal, state, county or local agency having authority over health factors such as sewers, water and other related matters.

HEIGHT OF AN ANTENNA TOWER: The vertical distance measured from the ground level to the highest point on a Communications Tower, including antennae mounted on the tower. (Added 10/05/98)

HIGH-RISE SIGN: Any sign with a height in excess of 60 feet measured from the ground level to the top of the physical sign structure.

HOME OCCUPATION: Any occupation or profession which is customarily carried on in a dwelling unit; and is carried on by a member of the family residing in the dwelling unit with not more than two employees outside the family and is clearly incidental and secondary to the use of the dwelling unit for residential purposes. See also Section 400.07 of this ordinance.

JUNK: Any discarded material or article including, but not be limited to, scrap metal; scrapped, abandoned or junked motor vehicles; machinery; equipment and/or paper, glass, refuse, or garbage kept in a proper container for the purpose of prompt disposal.

LANDFILLS: See Summit Township Ordinance No. 4-70A. Passed 4/6/70.

LIGHT INDUSTRY: See Manufacturing, Light.

LIMITED ACCESS HIGHWAY: A public roadway having variable width right-of-way which provides expeditious movement of large volumes of traffic between areas and across the Township, and not intended to provide access to abutting properties.

LOADING SPACE: A space on a lot usable for the standing, loading or unloading of trucks.

LOCAL STREET: A public street having a 50 ft wide right-of-way and providing for direct access to abutting lots for local traffic movements and providing access to Collector Streets. Requiring standing (plain) concrete curbs in residential subdivisions (regardless of zoning district), having a 28-ft. paved cartway, face of curb to face of curb, and constructed in accordance with Township Specifications.

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 point of intersection of and abutting on two (2) intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of two street lines.

LOT LINE: A line dividing a lot from another lot or from an abutting street or other right-of-way.

MANUFACTURING, LIGHT: The assembly, fabrication, manufacture, production, processing, storage and/or wholesale distribution of goods or products where no process involved will produce noise, vibration, air pollution, fire hazard, or emissions that are noxious or dangerous to any properties within 400 feet.

MARGINAL ACCESS STREET: A public roadway having a 33 ft width right-of-way and its primary use is as a service access to the sides and backs of properties. A Marginal Access Street may also serve as a Marginal Access Way. This street has a 28 ft paved cartway and cul-de-sacs are provided on dead-ends. A Marginal Access Street must be at least 250 ft long and must be constructed in accordance with Township Specifications.

MARGINAL ACCESS WAY: A privately owned minor right-of-way used for vehicular service access to the front, sides, or rear of properties and/or abutting properties on a main thoroughfare, or a development accessing its parking lot with abutting developments for a common service drive. A Marginal Access Way has a 24 ft paved cartway and is constructed in accordance with Township Specifications.

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

MOBILE HOME LOT: A parcel of land in a Mobile Home Park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

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

MONOPOLE: An antenna support structure consisting of a single pole or spire constructed without guy wires or ground anchor.
(Added 10/05/98)

MOTEL: A building or group of buildings containing individual room or apartment accommodations, with each unit provided a parking space, and offered principally for rental and use by motor vehicle travelers. The term "motel" includes, but is not limited to, auto courts, motor courts, motor inns, motor lodges, or roadside hotels.

NET ACREAGE: Net acreage is that land area remaining upon the exclusion of any portions of the tract located within existing and proposed rights-of-way, environmentally sensitive areas (wetlands, flood plains or slopes in excess of twenty-five (25%) percent, those areas designated for non-residential uses, including, but not limited to, limited neighborhood commercial areas, and common open space.

NONCONFORMING LOT: A lot the area of dimension of which was lawful prior to the adoption or amendment of this ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

NONCONFORMING STRUCTURE: A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this ordinance or an amendment hereafter enacted, where such structures lawfully existed prior to the enactment of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE: A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

NON-PRIMARY WAGERING FACILITY: A wagering establishment which is permitted, authorized and licensed by the Pennsylvania State Harness Racing Commission under power granted to it by the Race Horse Industry Reform Act under 4 P.S. Section 325-402.

OFF STREET PARKING: A parking lot or area located completely off of the travel portion of the road.

OPEN SPACE 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 permitted under a conventional subdivision or increase in the overall density of development (excepting that provided through bonus provisions) and the remaining land area is devoted to open space, recreation, preservation or environmentally sensitive areas or agricultural purposes.

PARKING LOT OR GARAGE, COMMERCIAL: A lot or structure the principal use of which is the parking or storage of motor vehicles for specified time periods, or on a rental basis, and not for commercial or public utility vehicles or the dead storage of motor vehicles.

PARKING SPACE: An open space with a dustless all-weather surface, or a space in a private garage or other structure used for the storage of one automobile and accessible from a public way, which shall be a rectangle a minimum of 18 feet long and 9 feet wide regardless of the angle of parking. All measurements shall be at right angles.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE: The Pennsylvania Municipalities Planning Code (Act 247 of July 31, 1948, reenacted and amended December 21, 1988 by Act of 1988 P.L. 1329, No. 170).

PERMANENT FOUNDATIONS: A full perimeter masonry or poured concrete foundation, resting upon a suitable concrete footer, said footer to be at least three (3) feet below finished grade. The foundation wall shall have a minimum width of six (6) inches, with the footer projecting at least three (3) inches on each side. A permanent foundation shall also include a pole type construction so long as the pole shall be an integral part of the building extending from ground to ceiling of the first story. In addition, such pole shall be four (4) feet in the ground resting on a one (1) foot concrete base. The pole shall consist of treated lumber to prevent rotting.

PERSONAL CARE BOARDING HOMES: A Group Care Facility where one or more business services are provided in-house in addition to housing. A personal care boarding home may provide clinic, nursing, food, laundry or personal services. This category includes nursing, convalescent or retirement homes. (Added 4/12/02)

PERSONAL SERVICES: Any enterprise which primarily offers services to the general public, such as shoe repair, valet services, watch repairing, barber shops, beauty shops, and related services.

PERSONAL WIRELESS SERVICE FACILITIES: Facilities for the provision of personal wireless services. (Added 12/03/97) (Amended 10/05/98)

PERSONAL WIRELESS SERVICES SITE: A tract or parcel of land that contains a personal wireless service antenna as the principal use, its support structure, accessory building(s), parking, and may include other uses and equipment associated with and ancillary to telecommunication signal transmission or processing. (Added 10/05/98)

PERSONAL WIRELESS SERVICES: Include commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. (Added 10/05/98)

PLANNING COMMISSION: The Summit Township Planning Commission.

PRINCIPAL BUILDING: The building or portion thereof housing the main or primary use of the land.

PROFESSIONAL OFFICE: The office or studio of a resident physician, surgeon, dentist, lawyer, architect, artist, engineer, certified public accountant, real estate broker or salesman, insurance broker or agent, musician, teacher, or similar profession.

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

PUBLIC MEETING: Any prearranged gathering of an agency which is attended or participated in by a quorum of the members of an agency held for the purpose of deliberating agency business or taking official action.

PUBLIC NOTICE: A notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the dwelling purposes in a recreational vehicle park and constructed to be transported or towed by a motor vehicle on the public highways without a special permit.

PUBLIC SERVICE: Concerns provisions to grant special permits for the Township, Township agencies such as Sewer Authority, Water Authority, and commissions.

PUBLIC UTILITY: Any utility that is regulated by the Pennsylvania Public Utility Commission, or any Township Authority that provides utilities, such as water, sewer, etc. (added 12/3/97)

RECREATIONAL VEHICLE: A movable structure or any appurtenance thereto not exceeding 300 square feet in combined floor area, to be used for temporary dwelling purposes in a recreational vehicle park and constructed to be transported or towed by a motor vehicle on the public highways without a special permit.

ROAD: The entire right-of-way of a public or private street or highway.

ROOMING HOUSE: A dwelling having more than four (4) sleeping rooms for rent to persons not related to its other occupants. The term "rooming house" includes the term "boarding house".

SCREEN PLANTING: An evergreen hedge at least six (6) feet high, planted in such a way that it will block a line of sight. The screening may consist of either one, or multiple rows of bushes or trees. At initial planting may be a minimum of three (3) feet high.

SCREENING: A fence, screen planting, or wall at least six (6) feet high, provided in such a way that it will block a line of sight. At initial planting may be a minimum of three (3) feet high.

SIGN: Any structure or device designed to attract attention by words or graphic display. The term "sign" shall not apply to a religious symbol bearing no lettering when applied to a place of worship, or to public traffic or directional signs.

SIGN, BUSINESS: A sign which directs attention to a business, profession or industry conducted on the premises or to products sold, manufactured or assembled upon the same premises where displayed.

SIGN, PORTABLE: Any sign that is not permanently affixed to real property or any structure erected thereon and is capable of being moved from one location to another. This term shall apply to mobile signs with wheels even in cases where the wheels are removed, unless such sign is permanently affixed to real property or structure after removal of the wheels. This term shall not include Temporary Signs as defined elsewhere in this ordinance. (adopted 3/6/95)

SIGN, TEMPORARY: Any sign that is intended to advertise or provide information about an item, subject or topic that is temporary in nature, such as real estate sale signs, political signs and construction signs. The examples identified herein are not intended to be, nor shall they be construed to be, exhaustive of the types or examples of temporary signs covered by this ordinance. The term "temporary" shall include Portable Signs as defined elsewhere in this ordinance. (adopted 3/6/95)

SOLID WASTE DISPOSAL FACILITY: Any land or building used for the purpose of disposal of solid wastes of an industrial, commercial or domestic nature, provided that said waste does not exhibit hazardous or toxic characteristics as defined by the Resource Conservation and Recovery Act. Amended 09/06/81.

SPECIAL EXCEPTION: A use permitted with special permission granted by the Zoning Hearing Board, to occupy and use land and/or building for specific purposes in accordance with this ordinance when such use is not permitted by right.

SPECIALIZED ANIMAL RAISING AND CARE: Any commercial facility engaged in the raising and care of animals, except farms.

SPECIALTY SHOPS: Small scale retail operations that specialize in one type or line of merchandise. Such stores may include, but are not limited to: antique shop, gift shop, bakery, candy store, art & framing shop, music store, clothing/apparel store, food establishments (pizza shop, ice cream shop, food/grocery markets), stationary stores, hair salon, florist, and similar establishments. Such stores provide goods directly to the consumer where such goods are available for immediate purchase and removal from the premises by the purchaser. (Added 4/12/02)

SPECIFIED ANATOMICAL AREAS: As defined in 68 PA.C.S.A. 5502, as may be amended.

SPECIFIED SEXUAL ACTIVITIES: As defined in 68 PA.C.S.A. 5502, as may be amended.

STEEP SLOPE: Average land areas exceeding twenty-five (25%) percent in slope measured and presented as follows:

1. The development, grading, and stripping of vegetation shall be limited to a percentage of land within steep slope categories established by this Section. The applicant proposing the subdivision and/or land development shall prepare a topographic site plan with contour intervals of ten feet (or of greater detail) and depicting the slope of all areas within the site according to the categories of 0-7.9%, 8-14%, 15-24.9% and greater than 25%. Such plan shall be sealed by a professional engineer, professional land surveyor, or a landscape architect.
2. The maximum area of land which may be developed, graded and stripped of vegetation shall be as follows:
 - A. No greater than 40% of area with slopes ranging from 8% to 14.9% shall be developed, graded, or stripped of vegetation.
 - B. No greater than 30% of areas with slopes ranging from 15% to 24.9% shall be developed, graded or stripped of vegetation.
 - C. No greater than 15% of areas with slopes greater than 25% shall be developed, graded, or stripped of vegetation.

STORY: That portion of a building located between the surface of any floor and the next floor above; if there is not more than one floor the space between any floor and the ceiling next above it shall be considered a story.

STREET: A public or private right-of-way, excluding driveways, intended for use as a means of vehicular and pedestrian circulation which provides a means of access to abutting property. The word "street" includes boulevard, thoroughfare, avenue, court, drive, expressway, highway, lane, alley, and road or similar terms.

STREET LINE: A line defining the right-of-way boundaries of a street.

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

TOWNHOUSE: A multi-family dwelling consisting of three or more dwelling units that are attached side by side by an unpierced party wall.

TOWNSHIP CONSULTANT: An expert hired by the Township through appropriate resolution to review applications, annual reports and other necessary tasks in relation to Township Ordinance. (Added 10/05/98)

TRAILER: A vehicle designed to be towed by a motor vehicle used primarily for transportation of property (full or semi).

TRAVEL TRAILER: A mobile vehicle, with wheels, designed for overnight occupancy or camping purposes, capable of being towed by a passenger automobile and having an overall length of forty (40) feet or less, and an overall width of less than eight (8) feet. (See also, Recreational Vehicles)

TRUCK: A motor vehicle designed primarily to transport property.

TRUCK TRACTOR: A motor vehicle designed primarily to pull other vehicles, which is not constructed to carry a load except part of a towed vehicle.

TRUCK TERMINAL: A facility operated by a common carrier where freight enroute to other destinations is transferred, warehoused, or temporarily stored for no more than thirty (30) days, with secondary allowances for service, repair, and storage of vehicles involved in the normal operation.

VARIANCE: A departure from the strict letter of the ordinance as it applies to specific properties as authorized by the Zoning Hearing Board.

YARD: That portion of a lot which is unoccupied and open to the sky and extends from the lot line to the yard line.

YARD LINE: An imaginary line within a lot defining the minimum distance between any building or structure or portion thereof, and an adjacent lot line. Such line shall be measured at right angles from and parallel to the corresponding lot line.

YARD, FRONT: The area between an adjacent road right-of-way and the building, structure or portion thereof, and extending for the full width of the lot.

YARD, REAR: The area between the rear lot line and the building, structure or portion thereof, and extending for the full width of the lot.

YARD, SIDE: The area between the side lot line and the building, structure or portion thereof, extending for the full depth of the lot.

YARD, SUPPLY: The area used for storage of materials for the principle use.

ZONING OFFICER: The Zoning Officer of the Township of Summit or the Zoning Officer's authorized representative.

ZONING PERMIT: A permit issued indicating that a proposed use, building or structure is in accordance with the provisions of the Zoning Ordinance or with an Order of Zoning Hearing Board authorizing an applicant to proceed with said use, building or structure.