

ARTICLE 6

SUPPLEMENTAL REGULATIONS

601 NON-CONFORMING USES, STRUCTURES AND LOTS

601.1 INTENT AND STANDARDS

Within the districts established by this ordinance or amendments that may later be adopted there may exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance or future amendment.

It is the intent of this ordinance to permit these non-conforming uses to continue until they are removed. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. Non-conformities may not be enlarged, extended or expanded unless to a conforming use, except as determined by the Zoning Hearing Board.

A non-conforming use of a structure, a non-conforming use of land, or non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by:

1. the addition of other uses, if such additions are of a nature which would be prohibited generally in the district
2. attachment of additional signs to a building
3. the placement of additional signs or display devices on the land outside the building.

Nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been continuously carried on. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be continuously carried on until the completion of the building involved.

601.2 EXISTING LOTS OF RECORD

Any existing lot of record at the effective date of the Summit Township Zoning Ordinance of 1957, known as Ordinance II, enacted February 4, 1957, and acquired by the owner prior to the date of this ordinance and held in continuous ownership by

the same owner and held in different ownership from the adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its area and width are less than the minimum requirements of this ordinance. It is the intent of this section to grant relief from the area and width requirements of the ordinance only to those owners who have held title continuously since February 4, 1957. This section does not apply to any owner who might have acquired title after the passage of Ordinance II, adopted 2/4/57.

601.3 NON-CONFORMING USES OF LAND

Where lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued, subject to the following provisions:

1. No such non-conforming use shall be expanded, occupy a greater area of land than was occupied at the effective date of this Ordinance, except as specified by Section 601.1 of this Ordinance.
2. No such non-conforming use shall be moved to any other portion of the lot occupied by such use at the effective date of this Ordinance.
3. If any such non-conforming use of land ceases, for any reason, for a period of more than twelve (12) months, any subsequent use of such land shall conform to the regulations for the district in which such land is located.

601.4 NON-CONFORMING STRUCTURES

Where a lawful structure exists that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. A structure may be enlarged or altered in a reasonable amount as approved by the Zoning Hearing Board.
2. Should such structure be destroyed by any means, it may be rebuilt provided the use and intensity of use is no more objectionable or no greater than existed prior to destruction. Application for permit to rebuild a non-conforming structure shall be filed within twelve months of the date of destruction otherwise it shall not be reconstructed except in conformity with the provisions of this Ordinance unless a variance is granted by the Zoning Hearing Board.

3. Should such structure be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after moved.
4. An owner of structure, which is non-conforming due to a front yard setback requirement imposed after its erection, may, upon application to the zoning officer, be eligible for a Zoning Permit to expand such non-conforming structure to either side or rear provided that:
 - A. such expansion does not violate existing side and rear yard requirements, and
 - B. the road abutting the front yard is not designated for widening within four years of application.Otherwise, a variance from the Zoning Hearing Board is required.

601.5 NON-CONFORMING USES OF STRUCTURES

If a lawful use of a structure or of a structure and premises in combination exists that would not be allowed in the district, the lawful use may be continued subject to the following provisions:

1. An existing structure devoted to a use not permitted in the district in which it is located may be enlarged, extended, constructed, reconstructed, or structurally altered upon granting of a variance by the Zoning Hearing Board.
2. Any non-conforming use may be extended throughout any part of a building, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Zoning Hearing Board, upon application thereto, shall find that the proposed use is equally or more appropriate to the district than the existing non-conforming use. In permitting such change, the Zoning Hearing Board may require additional conditions and safeguards.
4. Once a non-conforming use is superseded by a permitted use, the non-conforming use shall not be resumed.
5. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve consecutive months, they shall not thereafter be used except in conformance with the regulations of the district in which it is located.
6. When non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

601.6 REPAIRS AND MAINTENANCE

On any building, devoted in whole or in part to any non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing without the requirement of a Building Permit or Zoning Permit.

Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

601.7 USES GRANTED UNDER SPECIAL EXCEPTION PROVISIONS

Any use for which a special exception is granted shall be deemed a conforming use.

602 APPLICATION OF YARD REGULATIONS

602.1 Lots which abut on more than one street shall provide the required front yards along every street.

602.2 All structures whether attached to the principal structure or not, and whether open or closed, including porches, carports, balconies, or platforms above normal grade level, shall not project into any minimum front, side, or rear yard.

602.3 Visibility at Intersection: on a corner lot in any district, no structure, fence wall, hedge, or other planting shall be erected or allowed to grow, be placed or maintained at a height of more than two and one-half feet above the berm or curb line within a triangle formed by the street side property lines at points fifty (50) feet from their point of intersection.

602.4 Fence: a man-made side yard privacy fence six (6) feet or less in height, will be allowed in any district provided such fence maintains a twenty-five (25) foot setback from the front street or road right-of-way line. A privacy fence may be of a higher height on all lot dimensions to the rear of the main building structure. Any fence must comply with Section 602.3 Visibility at Intersections (clear line of sight). Retaining walls and fences required for screening under this Ordinance are not subject to the six (6) foot height limitations.

603 TEMPORARY STRUCTURES

Temporary structures used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a six-month period. Residing in basement or foundation structures before completion of the total structure shall not be permitted. In the event of a catastrophic loss of a residence, a temporary structure permit may be issued for a mobile dwelling, if it can be connected to sewer and water.

604 HEIGHT REGULATIONS

The Zoning Officer shall permit exceptions to the height regulations in each district under certain conditions.

604.1 The following structures are exempt from height regulations: licensed personal amateur radio towers, personal television reception, church spires, belfries, monuments, tanks, water and fire towers, stage towers, scenery lofts, cooling elevator bulkheads, smokestacks, conveyors and flagpoles; provided they do not constitute a hazard to an established airport. (amended 12/3/97)

605 PERFORMANCE STANDARD

No use of land or structure in any district shall involve any element, or cause any condition, that may be dangerous, injurious, or noxious to any other property or person in the Township. Furthermore, every use of land or structure in any district must observe the following performance requirements.

605.1 Fire Protection: Fire protection and fire fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.

605.2 Electrical Disturbances: No activity shall cause electrical disturbances adverse to radio, television or other communication equipment in the neighboring area.

605.3 Noise: Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public safety purposes.

605.4 Smoke: The maximum amount of smoke emissions permitted shall be determined by the use of the Standard Ringleman Chart issued by the United States Bureau of Mines. No smoke darker than No. 2 will be allowed.

- 605.5 Vibrations:** Vibrations detectable without instruments on neighboring property in any district except for the industrial district shall be prohibited. Vibrations detectable without instruments on neighboring property in the industrial district shall be permitted providing such vibrations do not endanger or in any way damage persons or properties on neighboring properties.
- 605.6 Odors:** In any district, except the industrial district, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
- 605.7 Air Pollution:** No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property.
- 605.8 Glare:** Lighting devices which produce objectionable, direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.
- 605.9 Erosion:** No erosion by wind or water shall be permitted which carries objectionable substances onto neighboring properties.
- 605.10 Water Pollution:** The discharge of all waste water shall be acceptable to the Summit Township Sewer Authority, or its successor, and comply with any and all applicable regulations of the State of Pennsylvania or the United States. Surface water discharges shall be acceptable under the provisions of Pennsylvania Act 537, and other State and Township regulations as the same may be amended from time to time.

606 OFF-STREET LOADING AND PARKING

Off-street loading and parking spaces shall be provided in accordance with the specifications in this section in all districts whenever any new use is established or an existing use is enlarged.

- 606.1 Off-Street Loading:** Every building which requires the receipt or distribution by vehicles of material or merchandise shall provide off-street loading berths in accordance with the table that follows:

OFF-STREET LOADING SPACE REQUIREMENTS

Uses	Square Feet of Floor Area	Required Off-Street Loading Berths
Schools	15,000 or more	1
Undertakers and Funeral Parlors	10,000 or more For each additional 5,000 or major fraction thereof	1 1 additional
Hotels and Offices	10,000 or more	1
Commercial, Wholesale, Manufacturing and Storage	10,000 - 25,000 25,000 - 40,000 40,000 - 60,000 60,000 - 100,000 For each additional 50,000 or major fraction thereof	1 2 3 4 1 additional

Each loading space shall not be less than twelve (12) feet in width, fifty five (55) feet in length, and fourteen (14) feet in height.

606.2 Off-Street Parking

- A. **Size and Access:** Each off-street parking space shall have an area of not less than 162 square feet - nine (9) feet in width and eighteen (18) feet in length - exclusive of access drives or aisles, and be in usable condition. Except in the case of a dwelling, no parking area shall contain less than three spaces. There shall be adequate ingress and egress to all parking spaces. Where lot does not abut on a public or private alley or easement of access, there shall be provided an access drive to the parking or storage areas or loading spaces. Such access drive shall not be less than ten (10) feet wide. Access to off-street parking areas shall be limited to several well-defined locations, and in no case shall there be unrestricted access along the length of a street or alley.
- B. **Number of Parking Spaces Required:** The number of off-street parking spaces required is set forth below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.
- C. Add spaces to required parking spaces equal to 1/2 the number of employees on the maximum shift.

OFF-STREET PARKING SPACE REQUIREMENTS

<u>Uses</u>	<u>Required Parking Spaces</u>
Automobile Laundry	5 for each wash lane
Automobile Sales & Service	1/each 400 sq. ft of floor area
Garages Banks, Offices	1/each 200 sq. ft of floor area
Churches and Schools	1/each 3.5 seats in an auditorium, or 1 for each 17 class-room seats, whichever is greater
Bowling Alleys	7.5 for each alley
Community Buildings and Social Halls	1 for each 100 sq. ft of floor area
Beauty Parlor and Barber Shops	1.5 for each chair
Driving Ranges and Miniature Golf	1 for each tee
Dwellings (single through multiple types)	2.5 for each family or dwelling unit including space in garage
Food Supermarkets	1 for each 100 sq. ft of floor area
Funeral Homes, Mortuaries	5 for each parlor
Furniture or Appliance Store	1 for each 200 sq. ft of floor area
Hospitals, Nursing or Convalescing Homes	1 for each 2 beds
Hotels and Motels	1 for each living or sleeping unit
Manufacturing Plants,	1 for each 500 sq. ft of floor area
Research or Testing Labs, Bottling Plants, Studios	
Medical or Dental Offices	5 for each doctor or dentist
Restaurants, Taverns and Night Clubs	1 for each 1.5 seats, for employees and patrons
Retail Stores and Shops	1 for each 200 sq. ft of floor area
Rooming Houses and Dormitories	1 for each 2 bedrooms
Service Stations	3 for each service bay
Sports Arenas, Auditoriums	1 for each 3.5 seats
Theaters, Assembly Halls	
Trailer or Monument Sales	1 for each 2,500 sq ft of lot area

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<u>Uses</u>	<u>Required Parking Spaces</u>
Wholesale Establishments	1 for each 2 employees on maximum shift. The total parking area shall not be less than 25% of the building floor area.
Warehouses	1 for each 2 employees on maximum shift. The total parking area shall not be less than 10% of the building floor area.
Other Uses	1 for each 100 sq. ft of floor area

606.3 Location of Parking Areas: Required parking spaces shall be located on the same lot with the principal use. The Zoning Hearing Board may permit parking spaces to be located not more than 400 feet distant from the lot of the principal use if located in the same zoning district as the principal use, and the Board find that it is impractical to provide parking on the same lot with principal use.

606.4 Minimum Distances and Setbacks: No off-street loading or parking area for more than five vehicles shall be closer than twenty (20) feet to any adjoining property containing a dwelling, school, hospital, or similar institution.

606.5 Surfacing: All parking and loading areas and access drives shall have a hard surface, graded and drained to dispose of all surface water, and designed to provide for orderly and safe loading and parking.

606.6 Lighting: Any lighting used to illuminate off-street parking or loading areas shall be arranged so as to reflect the light away from adjoining premises of any residential district.

607 REFUSE CONTAINER: Any refuse container serving other than a single family dwelling shall be enclosed in a minimum of a three (3) sided enclosure shielding container and contents from view to the front, side and rear of property. Temporary placement of a container for construction or remodeling is exempt from this provision.

608 PERMANENT FOUNDATION: Every dwelling shall be placed on a permanent foundation consisting of 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 the 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. Mobile home parks and travel trailer parks are exempt from these provisions.

609 DWELLINGS TO BE ON PERMANENT FOUNDATIONS: All single family dwellings, multistory dwellings, two family dwellings or multiple dwellings (as those terms are defined in this Zoning Ordinance), or mobile homes constructed on private lots in accordance with Section 610 of this Zoning Ordinance, or any additions of heated living space, including enclosing a porch, patio or deck, shall be constructed upon a permanent foundation as defined in this Zoning Ordinance.

610 MOBILE HOMES: Mobile homes may be constructed upon private lots provided that the proprietor complies with the following:

610.1 Each mobile home shall contain a minimum of 720 square feet of heated living area.

610.2 Must have a full perimeter masonry or poured concrete foundation and be in full compliance with Section 608 Permanent Foundation.

610.3 One cross beam per 15' of length of mobile home, the cross beam shall be a 12' x 6" steel "I" beam or equal, shall span a 12" width at grade level, resting upon concrete block construction. In lieu of such cross beams, poured concrete piers or columns which shall be poured 36" below grade line may be used as the main support for the mobile home. The mobile home shall rest on either cross beams or poured concrete piers or columns. This requirement is in addition to the permanent foundation requirement set forth in Section 608 of this Zoning Ordinance.

- 610.4** Tie-down anchor devices are required, designed to assure retention for combined stresses due to wind load together with dead, live and snow loads; the allowable working stress for a structural material employed may be increased 33 1/3 percent. The overturning movement due to one load on a mobile home shall not exceed seventy-five (75) percent of that mobile home unit.
- 610.5** Mobile homes shall be constructed to the above requirements or be removed from the Township.
- 610.6** Occupancy prior to approval shall constitute a violation of the Zoning Ordinance.

611 ACCESS ROADWAY TO MULTIPLE PROPERTIES OR BUSINESSES

A hard (asphalt) surfaced roadway with a minimum of forty (40) foot undivided width must be provided for access to and or from commercial entertainment, dining, or lodging establishments, including any plaza type operations or to any non-private sites using a single access roadway to multiple properties, or sites.

If the roadway is greater than 300 feet in length there shall be a cul-de-sac with a minimum radius to the outside edge of pavement of 45 ft at the distant end. It shall be unlawful to park along or obstruct any part of the complete easement including roadway. The easement shall be posted with signs reading "NO PARKING, TOW AWAY ZONE". It shall be the responsibility of the deeded owner (or owners) of the easement to enforce parking regulations and vehicles towed if necessary.

If multiple private businesses other than those noted above are located along an easement road, the roadway need not necessarily be hard surfaced but must comply with the other provisions of the Ordinance.

612 SIGNS

No signs shall be permitted except as herein provided.

612.1 GENERAL REQUIREMENTS

All signs shall comply with the following.

- A. They shall not be illuminated in any manner which will cause undue distraction, confusion, or hazard to vehicular traffic.
- B. They shall not project over public right-of-way.
- C. No sign, temporary or permanent, shall be erected or maintained on any lot which will in any way obstruct a view of any street intersection or otherwise create a traffic hazard.

- D. Any permanent sign structure in excess of forty-eight (48) square feet must be placed behind the building set back line in any District, and the excess sign square footage greater than 48 sq. ft is tabulated as part of total signage on premises (see Sec 612.4B).
- E. Any permanent sign structure in front of the building set back line shall have a minimum of a ten (10) feet clear span, measured from the highest point of the cartway of the State highway or local street nearest the sign structure to the bottom of the sign, other than the supporting post, for visibility (clear line of sight under sign structure). (Amended 10/05/98)
- F. In the event that any use of a structure or lot is discontinued, all signage listing the name and/or business activity conducted on the premises shall be removed or covered within thirty (30) days from the date of discontinuance.
- G. The total area of a sign face shall not exceed the total permitted area in the respective district in which it is placed. The square footage on sign requirements is defined to be the length (highest point) times the width (widest point). The length is determined by measuring top to bottom at the highest point and width is determined by measuring side to side at the widest point.
- H. The total height of the sign from the ground level shall not be greater than the maximum height permitted in the respective district that it is placed, as shown in Table 312.01 Maximum height allowed in each district.
- I. Driveway directional signs may be permitted by the Zoning Officer (section 703.3). All other direction signs will be submitted on a complete site plan for Township approval. Directional signs are permitted to have a maximum height of 3.5 feet and a maximum size of 3 square feet.

612.2 ENTRANCE SIGN - MULTIPLE LISTING

- A. One sign structure will be permitted at the entrance to a plaza type operation or a private no outlet road serving multiple properties.
- B. Top sign may list the name of the plaza or development.

- C. The multiple stack type signs will have a maximum of 25 square feet and contain only the names and/or logo of the business located in the plaza or development. No other type of advertising will be allowed on the sign structure.
- D. The sign structure shall be of a one or two post construction with a minimum of 10 foot clear span, other than the support posts, from the bottom of the lower listing to the ground for visibility.

612.3 RESIDENTIAL DISTRICT

No sign shall be permitted except as herein provided.

- A. One sign not exceeding three (3) square feet in area will be permitted which announces the name and the professional activity of the occupant of the premises on which said sign is located.
- B. One bulletin board not exceeding eight (8) square feet in area will be permitted in conjunction with any church, school, or similar public structure.

612.4 BUSINESS DISTRICTS

No sign shall be permitted except as herein provided.

- A. One free-standing business sign in connection with any legal commercial use or structure will be permitted on the premises of the business provided said sign contains no information beyond the name, symbol, and nature of the business activity conducted on the premises.
- B. Total signage (excluding high rise signs and excluding 48 square feet for one free standing business sign) allowed on premises shall not have an aggregate area greater than one and one-half (1 1/2) square feet for each linear foot of the principal building fronting the front set back lot line.

612.5 INDUSTRIAL DISTRICTS

No sign shall be permitted except as herein provided:

- A. One free-standing business sign in connection with any legal commercial use or structure will be permitted on the premises of the business provided said sign contains no information beyond the name, symbol, and nature of the business activity conducted on the premises.

- B. Total signage allowed on premises shall not have an aggregate area greater than one and one half (1 1/2) square foot for each linear foot of the principal building fronting the front set back lot line.
- C. Signs advertising a business commodity, service, or entertainment conducted, sold, or offered elsewhere than on the premises shall have an area of not more than fifty (50) square feet or any single dimension exceeding ten (10) feet. Such signs must maintain a distance of 300 feet from any other sign on the same side of the road, and be in full compliance with Section 612.7 of this ordinance.

612.6 AGRICULTURE DISTRICT

No sign shall be permitted except as herein provided.

- A. They shall not exceed 300 square feet in area nor 25 feet in length, nor 12 feet in height. Total height of sign from ground level shall not exceed eighteen (18) feet.
- B. They shall be located not closer than 250 feet to a road intersection.
- C. They shall not be located so as to interfere with highway horizontal sight distances nor shall they be located at curves.
- D. They shall not be permitted closer than 1,000 feet from another sign on the same side of the road and not closer than 500 linear road feet from another sign on the opposite side of the road.
- E. They shall not be permitted closer than 100 feet of any residential use, school, church, park, playground or cemetery.

612.7 SIGNS ON PRIMARY ROADS

Signs along roads designated as Interstate Highways and Federal Aid Primary Highways shall comply with State Act 160, "Outdoor Advertising Control Act of 1971" and all rules and regulations thereunder. These include interstates 79 and 90, and U.S. Route 19, in Summit Township.

612.8 TEMPORARY DIRECTIONAL SIGNS

- A. In the event of major road construction requiring the closing of a road in excess of fourteen (14) days, denying normal access to businesses located on such road, temporary directional signs may be erected along a detour showing the location of such businesses. Upon the opening of the road the temporary directional signs must be removed within seven (7) days, at the cost of individual businesses.

612.9 PORTABLE SIGNS/TEMPORARY SIGNS

- A. Portable signs shall be permitted for a period of forty-five (45) days during a six (6) month period. At the expiration of forty-five (45) days, portable signs must be removed from the property, until the expiration of the six (6) month period. The portable sign may then be used again for a period of forty-five (45) days during the next six (6) month period. No portable sign shall remain on any property for more than ninety (90) days during a full year.
- B. All users of portable signs shall register such signs with the Township on a form, and in the manner, prescribed by the Board of Supervisors for such registration. All users of portable signs shall pay a registration fee for such signs in an amount set by resolution of the Board of Supervisors. The registration process and fee payment provided for herein shall apply to each forty-five (45) day period a sign is used.
- C. Temporary signs shall be permitted only on the property to which the information or advertisement on the temporary sign applies.
- D. Temporary signs shall not exceed thirty-two (32) square feet in area in all districts except residential districts which will be limited to sixteen (16) square feet in area.
- E. The regulations set forth in this subsection shall apply in all zoning districts.
- F. All persons who construct, install or use any portable signs or temporary signs shall comply with all other applicable provisions of this Ordinance, including this Section 612. In the event of conflicting provisions between this subsection and any other provision of this Ordinance, the more restrictive provisions shall apply.

612.10 DIRECTIONAL SIGN-MULTIPLE LISTING (Amended 10/05/98)

- A. One sign structure identifying the intersecting secondary highway or street and business, industrial and/or multi-family residential developments located on that secondary highway or street and/or on any side street having no entrance other than from the secondary street will be permitted at the entrance to a secondary highway or street serving multiple properties at its intersection with the primary highway or street, subject to the regulations in this section.
- B. As used in this Section:
 - 1. A "primary" State highway or local street shall be that having the greater traffic volume, as determined by the Township Engineer;
 - 2. A "secondary" State highway or local street shall be that having the lesser traffic volume, as determined by the Township Engineer.
- C. Multiple listing directional signs authorized by this Section are intended to inform operators of vehicles on the primary highway or street of the identity of the intersecting secondary highway or street and of multiple business, industrial or multi-family residential developments located on that secondary highway or street, so as to assist the safe flow of traffic onto that secondary highway or street, and the authority and regulations established in this Section shall be interpreted so as to effectuate this intention.
- D. The top of the sign structure shall identify the name of the intersecting secondary highway or street in letters not less than eight inches (8") in size.
- E. All panels on such sign shall be of equal size, shall identify an eligible development in lettering not less than six inches (6") in size and shall not exceed ten (10) square feet of area per panel.
- F. No advertising other than the name or logo of an eligible development shall be allowed on any panel or any other portion of the sign.
- G. The sign structure shall be of a one- or two-post construction with a minimum clear span of ten (10) feet, measured from the highest point of the cartway at the intersection of the highway(s) and/or street to the bottom of the sign, other than the supporting post, for visibility.

- H. The maximum height of the sign structure shall not exceed the maximum height for the use district as established in this Ordinance.
- I. The maximum width of the sign structure and any portion of it shall be eight (8) feet.
- J. The sign structure shall face traffic on the primary highway or street.
 - 1. The Board of Supervisors is authorized to allow location of a sign lengthwise in a secondary Township street's medial strip, if the width of the medial strip is not less than sixteen (16) feet, proper sight distance clearance is assured and the Board otherwise deems such location appropriate.
 - 2. If a sign is authorized within a medial strip, the sign owner shall be solely responsible for maintenance and landscaping of the medial strip in which the sign is located.
 - 3. Any authorization of the location of such sign in a medial strip shall be subject to the requirement that the owner(s) of such sign shall be responsible for removal and relocation of the sign at the owner(s)'s sole cost and expense and without any claim against the Township in the event the Township should in the future remove the median or reduce its width so as to render continued location of the sign inappropriate in the discretion of the Board of Supervisors.
- K. Minimum setback requirements for such sign structure shall be as follows:
 - 1. No sign structure shall be located within the Pennsylvania Department of Transportation right of way of a State highway, absent the express prior written consent of the Department and the approval of the Township Engineer.
 - 2. No sign structure shall be located less than twelve (12) feet from the outside edge of the drive lane of a Township street.
 - 3. The Board of Supervisors, upon recommendation of the Township Engineer, may increase one or both setbacks in a given case if deemed necessary to assure proper sight distance clearance at the intersection.

4. The Township's allowance of a sign within the right of way of a public street shall be subject to the express condition that, in the event the street or cartway in the future is widened or the Board of Supervisors should otherwise require, the sign owner shall at the owner's sole cost and expense shall relocate the sign to a location acceptable to the Township.
- L. Business, industrial and multi-family residential developments within Summit Township located on the secondary highway or street, or on a highway or street whose sole entrance is from the secondary highway or street, shall be eligible for inclusion on the directional sign for the particular secondary highway or street, subject to the following requirements:
1. No development shall be entitled to inclusion on more than one (1) multiple listing directional sign for the intersection of the highway or street with a primary highway or street; and
 2. A development located on a highway or street whose sole entrance is from the secondary highway or street served by a multiple listing directional sign shall be entitled, in addition to any panel on a multiple listing sign at the intersection with the primary highway or street, to a directional sign at the intersection of that secondary highway or street and the highway or street on which the development is located; provided, however, that
 - (a) such second directional sign shall not exceed three (3) square feet in area; and
 - (b) the height of a second sign shall not exceed three and one-half (3½) feet; and
 - (c) such second sign shall contain only the name or logo of the development.
- M. As conditions upon authorization of a multiple listing directional sign under this Section:
1. The sign owner shall maintain at all times general liability insurance on the sign structure, protecting the Township and third persons against personal injury, death and/or property damage and claims or causes of action therefor caused or resulting from such sign; and

2. The sign owner shall enter into a written agreement with the Township governing construction, use and maintenance of such sign, on a form adopted by the Board of Supervisors; and
3. The sign owner shall be responsible for compliance with the intentions and regulations of this Section and such agreement.

613 AGRICULTURE

Agricultural uses shall comply with the following:

- 613.1** Intensively used facilities for animal raising and care including but not limited to such facilities as feed lots, and pens shall not be constructed within 150 feet of a neighboring property.
- 613.2** Roadside stands for sale of agricultural products shall be permitted providing:
- A. They are erected at least fifty (50) feet back from the center of any road, excepting state and federal highways.
 - B. Adequate parking spaces are provided off the road right-of-way.
 - C. They shall be used exclusively for home products, the sale of agriculture and home products.

614 FILLING, GRADING, DREDGING, EXCAVATION AND EARTH MOVING

- 614.1** It shall be unlawful for any landowner to conduct any filling, grading, dredging, excavation or earth moving activities without a permit.
- 614.2** No permit shall be required for the following classes of excavation, grading, dredging, filling or earth moving:
- A. Under provisions of a duly authorized Building Permit or Zoning Permit.
 - B. Any excavation and filling clearly incidental to the improvement of the property and consisting of less than 1 1/2 acres in size. This section shall be construed to prohibit piecemealing or tacking on additional parcels of land.
 - C. Necessary grading, removal or excavation for the purpose of constructing streets and other improvements in accordance with approved subdivision plans for which a permit has already been issued.
 - D. Farming, nurseries, gardening or similar agricultural or horticultural use where and as permitted by the Zoning Ordinance.

614.3 An application for such an operation permit must be submitted to the Zoning Officer and shall set forth the following information:

- A. Name of landowner.
- B. Location, description and size of area to be filled, excavated, graded, dredged or moved.
- C. Type of resources or materials to be used as fill or to be removed.
- D. Estimated quantity of material to be graded, filled, excavated, dredged or moved.
- E. Location and present status of any previously permitted excavation or fill operations on the property.
- F. Estimated number of loads per day and estimated weight of load and time of day of proposed filling.
- G. Name of the individual, firm or company in charge of the operation.
- H. Details of soil replacement and of re-vegetation or other methods of soil erosion control.
- I. Details of plans to control any changes in surface water flow and drainage.

614.4 The permit shall be denied if any one or more of the following conditions are deemed to exist.

- A. The resources or materials to be used as fill include any materials other than soil, rocks, stone, clay, sand, gravel and cement blocks. Trees, brush, stumps or other vegetation material generated on the site are also permitted fill.
- B. The activity will create a hazard, or threat to the public safety, health and welfare.
- C. The activity may damage Township roads.
- D. The activity will interfere with surface water flow and/or drainage or cause erosion.

The Township supervisors may impose such conditions or requirements upon the issuance of a permit as they deem necessary or proper to assure faithful compliance with this Ordinance.

614.5 If the permit is denied because the activity may damage Township roads, interfere with surface water flow and drainage or cause erosion, the landowner may be permitted to file with the Township a cash bond or bond with corporate surety in an amount approved by the Township supervisors to assure that the landowner, his servants, agents and employees will save harmless the Township from any expense incurred through any damage to Township roads or to insure completion of all work pursuant to conditions of approval. If a corporate bond is offered, it shall be executed by a company authorized to do business in Pennsylvania as a corporate surety.

614.6 The fee to apply for a permit shall be in accordance with the fee schedule in effect, said fee schedule to be adopted by the supervisors by resolution.

615 STEEP SLOPE LAND AND/OR FLOOD PLAINS

Land where development and the public health, safety and general welfare are threatened by special development problems, consisting of excessive slope or periodic flooding, shall conform to the following additional regulations.

615.1 Steep Slope: Land having a slope in excess of twenty-four (24) percent slope shall be deemed steep slope land. For the purpose of determining compliance with the area requirements of this Ordinance, the area of steep slope land shall be computed at one-tenth (1/10) of the value of the land, that is, each ten (10) square feet of steep slope shall be counted as one (1) square foot in computing such compliance.

615.2 Flood Plains: Buildings or emplacement of residential dwellings within the flood plain areas of Summit Township shall be prohibited unless the basement floor, or equivalent, is constructed at least one (1) foot above flood level and secured on a flood proof footing able to withstand a 100 year frequency flood.

Flood plain areas will be determined by a qualified engineering survey for that purpose, or in lieu thereof from soils maps of Erie County Soil Survey conducted by the U.S. Dept. of Ag., as delineated in the General Development Plan of Summit Township, dated July 1966, called Exhibit No. 16, "Open Space Plan", page 36.

Ordinance No. 8-81, adopted August 3, 1981, is on file in the Township office, together with maps showing areas of the Township where the measure applies. It is known as the Summit Township Flood Plain Management Ordinance.

616 STORAGE TRAILERS

Any semi-trailer used as permanent storage shall have the tires and wheels removed and be supported in a level position by a minimum of three (3) pile type piers each side, total six (6), from ground level to frame. The landing gear is not to be used to support the trailer. Any sign, lettering, or advertising logos are to be removed. A skirting of a stockade type fence or equivalent shall be placed around complete perimeter from ground level to bottom of trailer concealing the under carriage from view. At initial placement, trailer and fence skirting shall be painted one single color. Any trailer not displaying a current inspection sticker will be considered a permanent storage trailer unless offered for resale on a PA registered dealers sales lot. Any mobile home not being utilized as a dwelling must conform to these requirements, except pile type piers must be placed the full length of frame with maximum distance between piers to be fifteen (15) feet. Any trailer that does not conform to the above requirements must be removed from the Township.

617 VEHICLE STORAGE

Any motor vehicle not displaying a current PA inspection sticker, or which is accident or fire damaged, may not be stored on a non-commercial lot unless the vehicle is completely screened from view from the front, side and rear of the property by a stockade type fence or vegetation screening (10-19-92). This enclosure must conform to set back lines and shall be included under maximum lot coverage. The maximum height of the enclosure is to be six feet (6'0") with a maximum area enclosed not to exceed 1,000 square feet and will require a Zoning Permit. Vehicle must be titled in the resident's name and be only for personal use. No parts salvage for commercial use will be allowed.

618 FIRE PROTECTION STANDARDS

Direct and unobstructed access to the perimeter of all commercial buildings shall be provided for emergency vehicles as follows:

- A. For buildings under 50,000 square feet - 50% of the perimeter; buildings over 50,000 square feet but less than 100,000 square feet - 75%; and buildings larger than 100,000 square feet - 100%.

- B. Any street or driveway shall be considered as access point if located not more than fifty (50) feet from the building served.
- C. All means of access must be designed to sustain the weight of emergency vehicles and shall be not less than eighteen (18) feet in width.
- D. No structure shall be more than 500 feet from a fire hydrant if municipal water supply is available.
- E. Any new construction of, or addition to, all entertainment, dining, lodging and assembly halls shall be equipped with sprinkler systems if municipal water supply is available. Also, if municipal water supply is not available, a dry sprinkler system may be required as deemed necessary by the Board of Supervisors.

619 FACILITIES

All new dwellings and public patronage establishments must be fully equipped with modern inside toilet and bath facilities including piping for hot and cold running water, and modern heating and lighting unless authorized as a special exception.

620 FUEL ISLAND

Must meet all structure setbacks and may only be an accessory structure to a principle building.