

§ 300-26

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ARTICLE VI
Permitted Principal Uses and Conditional Uses by Zoning District

§ 300-26. Authorized uses.

The following table, Table 601, provides a list of permitted principal uses and conditional uses by zoning district. Each use is further subject to compliance with the express standards and criteria for each use contained in Articles V, VII, and IX of this chapter.¹

1. Editor's Note: The Table of Authorized Uses by District is included as an attachment to this chapter.

§ 300-17. Rural Residential (R-1) District.

- A. Purpose. To preserve existing agricultural areas and land use characteristics of low density development now present in many areas of the Township.
- B. Permitted principal uses. See Article VI.
- C. Conditional uses. See Article VI and Article IX.
- D. Permitted accessory uses. The following accessory uses shall be permitted:
 - (1) Storage of camping vehicles, trailers, boats, and similar equipment, owned and used solely by residents of the premises.
 - (2) On-site sales and roadside stands accessory to a farm.
 - (3) Garden house or noncommercial greenhouse.
 - (4) Private, noncommercial swimming pool and recreational court area.
 - (5) Private garage, carport, shed, and domestic storage building.
 - (6) Children's playhouse.
 - (7) Keeping of domestic pets.
 - (8) Satellite dish and other antennas.
 - (9) Signs as authorized in Article VII.
 - (10) Fence.
 - (11) Movable shed and nonmovable shed. [Added 9-21-2005 by Ord. No. 106]
- E. Area requirements.
 - (1) A minimum of two acres in the absence of municipal or community sewerage systems and municipal or community water service.
 - (2) A minimum of one acre where municipal or community sewerage systems and municipal or community water service are provided.
 - (3) Lot width at the building line shall be a minimum of 150 feet.
 - (4) Lot coverage shall not exceed 10% (includes accessory structures).
 - (5) Minimum yard requirements:
 - (a) Front yard: 50 feet.
 - (b) Side yard: 25 feet.
 - (c) Rear yard: 30 feet.
 - (6) No more than 20 dwelling units are permitted on a cul-de-sac in the district.

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- F. Parking requirements. All lots shall be provided with off-street parking spaces in accordance with § 300-15.
- G. No development in any zoning district which is situated adjacent to the CN District shall occur within 150 feet of the CN District boundary.¹
- H. Maximum structure height. [Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]
 - (1) Townhouse/duplex: 35 feet.
 - (2) Multifamily apartment: four stories.

1. Editor's Note: Original Sec. 502.H, regarding forestry operations, which immediately followed this subsection, was repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Chapter 180

NUISANCES

§ 180-1. Definitions.

The following words, terms and phrases, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

BOARD OF SUPERVISORS — The Board of Supervisors of Lancaster Township, Butler County, Pennsylvania.

EFFLUENT — Liquid waste or discharge originating from, but not limited to, sinks, bathtubs, washstands, lavatories, water closets, swimming pools, privies, cesspools, or septic systems.

GARBAGE or HOUSEHOLD WASTE — The waste resulting from the handling, preparation, cooking or consumption of food, or from the handling, storage or sale of produce. Garbage or household wastes shall not include leaves, grass clippings, or mulch heaps maintained for gardening purposes.

NOXIOUS PLANTS — Includes, but are not limited to, ragweed, poison ivy/oak/sumac, must or nodding thistle, Canada thistle, bull or spear thistle, jimsonweed, mile-a-minute, kudzu vine, shattercane, Johnson grass, purple loosestrife, and multiflora rose.

NUISANCE — An activity or condition which arises from the unreasonable, unwarrantable, or unlawful use of public or private property which endangers life or health, gives offense to senses, violates laws of decency, or obstructs the reasonable and comfortable possession, use or enjoyment of public or private property.

PERSON — Any individual, corporation, firm, association, partnership, public utility, trust, estate, public or private institution, group, commonwealth or local agency, political subdivision, and any legal successor, representative, or agency of the foregoing.

REFUSE OR RUBBISH — Includes:

- A. Combustible trash, including, but not limited to, paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, leaves, wood furniture, bedding, tires, plastic, fiberglass, or rubber;
- B. Noncombustible trash, including, but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste, vehicle parts, paint, or batteries; and
- C. Street rubbish, including, but not limited to, street sweeping; dirt, or catch-basin dirt. Refuse or rubbish shall not include earth, wastes from building operations, leaves, grass clippings, cornstalks, stubble or other vegetable material generated in the course of harvesting agricultural crops.

RELEASING — Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

TOWNSHIP — The Township of Lancaster, Butler County, Pennsylvania, a township of the second class.

§ 180-2. Prohibited nuisances.

The following activities are hereby classified as nuisances and, as such, it shall be unlawful for any person to:

- A. Dangerous buildings and structures. Own, keep, maintain or permit any dangerous building or structure, including, but not limited to, buildings that are abandoned or unoccupied or buildings or structures in a state of dilapidation or disrepair.
- B. Dumping. Dump, throw, spread or deposit and permit to remain any garbage, household waste, dust, ash, refuse, rubbish or other material subject to decay or decomposition, including, but not limited to, animal carcasses, fish, shellfish, paper, glass, tires, cans, or offal, into the environment or on any public highway, road, street, lane, or alley.
- C. Dust and ashes. Store or accumulate dust or ashes, including, but not limited to, the dust or ashes from cooking or heating fires or the incineration of garbage, household wastes, refuse, rubbish or other materials, except in tightly covered containers.
- D. Garbage and household waste. Store or accumulate garbage, household waste, or other materials subject to decay, except in tightly covered containers.
- E. Grass and weeds. Permit or allow grass or weeds to grow to a height of 18 inches or more.
- F. Noxious plants. Permit or allow noxious plants to grow.
- G. Refuse and rubbish. Store or accumulate refuse or rubbish, except in tightly covered containers.
- H. Septic systems. Permit or maintain open vaults, drains, failed cesspools or failed septic systems.
- I. Waterways. Alter or interfere with the natural flow of a stream, creek or other waterway, by means of constructing a dam, altering the embankment or channel of the waterway, or otherwise.
- J. Animals and pets, roaming. Permit or cause to permit animals or pets, including, but not limited to, dogs, cats, cattle, horses, mules, sheep, goats, geese, ducks or swine, to roam or be at large upon adjoining property or any public highway, road, street, lane, or alley. "At large" means that the animal or pet is unconfined, free, roaming or on the loose. An animal or pet shall not be considered at large if it is on a leash or under the positive physical control of the owner or an agent of the owner.¹
- K. Animals and pets, noise. Keep, permit or cause to permit animals or pets, including, but not limited to, dogs, cats, cattle, horses, mules, sheep, goats, geese, ducks or swine, which annoy, disturb, injure or endanger the comfort, health, safety or peace of others and which can be heard a distance of 150 feet beyond the owner's property line between the hours of 11:00 p.m. and 7:00 a.m.

1. Editor's Note: See Ch. 96, Animals.

- L. Burning. Burn tires, tar products or garbage.
- M. Door-to-door distribution. Engage in door-to-door distribution of merchandise samples, handbills, or product advertisements, unless previously authorized by the Board of Supervisors. Door-to-door distribution includes, but is not limited to, hand delivery, throwing upon doorsteps, into doorways, vestibules, yards, enclosures, or placing upon doorknobs, mailboxes or fences.
- N. Lights. Spot, flood or otherwise shine lights, including, but not limited to, incandescent, strobe, sodium or mercury vapor, so as to:
 - (1) Impede the safe movement of traffic upon any public highway, road, street, lane, or alley;
 - (2) Annoy, disturb or otherwise prevent another person from enjoying the privacy of their own property;
 - (3) Illuminate any sign or property with flashing, rotating, sequential, strobe, or otherwise moving lights;
 - (4) Resemble a traffic signal, railroad signal, or any other form of traffic control device visible to the motoring public upon any public highway, road, street, lane, or alley.
- O. Liquids. Release any foul or offensive liquids or effluent into the environment or into or upon any public highway, road, street, lane, or alley.
- P. Noise. Amplify, play, make or cause noise by any manner, including, but not limited to, voices, home stereos, vehicular sound systems, portable boom boxes, musical instruments, horns, bells, chimes, or explosions, which annoys, disturbs, injures or endangers the comfort, health, safety or peace of others and which can be heard a distance of 150 feet from its source between the hours of 11:00 p.m. and 7:00 a.m.
- Q. Odors. Permit or cause the emission of any offensive or foul odor, scent, effluvium, emanation or fume, except as is considered normal and customary in farming activities.
- R. Road hazards. Place, throw, or deposit on any public highway, road, street, lane, or alley any dangerous object, chemical, material or substance, including, but not limited to, tacks, nails, metal, glass, flammable liquids, hazardous chemicals, materials or substances, or other similar items, which may cause injury to persons or damage to property.
- S. Road obstructions. Deposit and permit to remain any material, including, but not limited to, mud, dirt, coal, wood, brick, stone, gravel, clay, sand, or rubbish, upon any public highway, road, street, lane, or alley or in the rights-of-way of such cartways.
- T. Signs. Post, paste or fasten any printed, painted or written signs, show bill, placard, circular, advertisement or material upon any tree, telegraph, telephone or electric-light pole, unless previously authorized by the Board of Supervisors.

- U. Wells and cisterns. Permit or allow any well or cistern to be, or remain, uncovered.
- V. Yard trimmings. Push, shovel, or otherwise deposit tree and/or bush trimmings, leaves, or lawn/yard clippings upon any public highway, road, street, lane, or alley, or upon public rights-of-way of such cartways, including, but not limited to, drainage ditches, culverts or pipes within such rights-of-way, and allowing such materials to remain thereon.

§ 180-3. Remedies.

- A. In addition to or in lieu of other remedies, enforcement proceedings may be initiated by serving a citation by hand delivery to the occupant of the property on which the violation is occurring or by registered or certified mail upon the owner of record and/or occupant of the property on which the violation is occurring. The citation shall contain, at a minimum, the following information:
 - (1) The name of the owner of record, occupant or any other person against whom the Township intends to take enforcement action.
 - (2) The address of the property on which the violation is occurring.
 - (3) The specific violation(s), citing in each instance the applicable provision(s) of this chapter.
 - (4) Date before which corrective measures must be completed, according to the following schedules:
 - (a) The citation shall require that corrective measures for violations of § 180-2A through I, above, be completed within 10 days of the date of service of the citation.
 - (b) The citation shall require that corrective measures for violations of § 180-2J through V, above, be completed immediately upon service of the citation.
 - (5) The maximum fine which may be imposed for failure to comply with the citation within the time specified, according to the following schedules:
 - (a) For violations of § 180-2A through I, above:
 - [1] For the first violation of a subsection: written warning.
 - [2] For the second violation of a subsection: \$250 fine.
 - [3] For the third violation of a subsection: \$500 fine.
 - [4] For the fourth violation of a subsection: \$750 fine.
 - [5] For the fifth and each subsequent violation of a subsection: \$1,000 fine.
 - (b) For violations of § 180-2J through V, above:
 - [1] For the first and second violation of a subsection: written warning.

- [2] For the third violation of a subsection: \$100 fine.
 - [3] For the fourth violation of a subsection: \$200 fine.
 - [4] For the fifth violation of a subsection: \$300 fine.
 - [5] For the sixth violation of a subsection: \$400 fine.
 - [6] For the seventh and each subsequent violation of a subsection: \$500 fine.
- B. In addition to or in lieu of other remedies, the Board of Supervisors may direct that corrective measures be commenced and/or completed by the Township and the cost thereof be certified to the Township Secretary. The Township Secretary shall invoice the owner of the property for the full cost of the corrective measures within 15 days of completion of the corrective measures. If the owner fails or refuses to pay the full cost within 30 days of receipt of the invoice, the Township Secretary shall turn the matter over to the Township Solicitor. Thereafter, the Solicitor shall file a municipal claim against the property on which the violation occurred in the amount of the full cost of the corrective measures, plus legal costs and reasonable attorneys' fees.
- C. In addition to or in lieu of other remedies, the Township may take such other lawful action as is necessary to prevent or remedy any violation, or bring action to enjoin any violation of this chapter.

§ 180-4. Violations and penalties.

- A. Any person who violates § 180-2A through I of this chapter or any amendment thereto shall, upon conviction thereof in a summary offense proceeding before a Magisterial District Judge, pay a fine of not less than \$250 and not more than \$1,000 per violation, as set forth in § 180-3A(5)(a), above, including additional daily penalties for continuing violations, plus all court costs and reasonable attorney fees incurred by the Township in the enforcement proceedings. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each subsection of this chapter which is found to have been violated. All fines and penalties collected shall be paid over to the Township Treasurer.
- B. Any person who violates § 180-2J through V of this chapter or any amendment thereto shall, upon conviction thereof in a summary offense proceeding before a Magisterial District Judge, pay a fine of not less than \$100 and not more than \$500 per violation, as set forth in § 180-3A(5)(b), above, including additional daily penalties for continuing violations, plus all court costs and reasonable attorney fees incurred by the Township in the enforcement proceedings. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each subsection of this chapter which is found to have been violated. All fines and penalties collected shall be paid over to the Township Treasurer.

§ 180-5. Severability.

If a final decision of a court of competent jurisdiction holds any section, subsection, sentence, clause, phrase, or part of this chapter to be illegal or unconstitutional, such

determination shall not affect or impair any of the remaining sections, subsections, sentences, clauses, phrases, or parts of this chapter which shall remain in full force and effect. It is hereby declared as the intent of the Township that the sections, subsections, sentences, clauses, phrases, or parts of this chapter shall be severable and that this chapter would have been adopted if any such illegal or unconstitutional section, subsection, sentence, clause, phrase, or parts had not been included.

§ 180-6. Scope.

This chapter is intended to supplement existing ordinances in regulating activities or conditions hereby classified as nuisances. As such, this chapter does not repeal or amend any prior enacted ordinance nor does this chapter limit the enforcement of any prior enacted ordinance. Moreover, this chapter does not apply to Agricultural Security Areas as established by Ordinance No. 65, as amended.²

2. Editor's Note: See Ch. 75, Agricultural Security Area.

ZONING

300 Attachment 1

Township of Lancaster

TABLE 601: Table of Authorized Uses by District
 [Amended 9-21-2015 by Ord. No. 106; at time of adoption of Code
 (see Ch. 1, General Provisions, Art. I)]

KEY:

P = Permitted Principal Use

C = Conditional Use

Uses	CN	R-1	R-2	V	MU	I	A&D Overlay
Adult entertainment establishment						C	
Agricultural operation, concentrated						C	
Agricultural operation, normal	P	P	C	C	C	P	
Airport, private		C	C			C	
Airport, public						C	
Amusement establishment					C		
Amusement park						C	
Apartment		C	C	C			C
Apartment, conversion		C	C	C	C		C
Arena/amphitheater					C		
Assembly hall				C	C	C	
Bed-and-breakfast		C	C	C	P		
Billboard						C	
Boardinghouse		C	C	P	P		
Bowling alley				C	C	C	
Bulk fuel storage						C	
Campground		C					
Cemetery		C		C			
Consumer services (barber, beauty, dry cleaner, tailor, etc.)				P	P		P
Contracting establishment/yard					C	P	
Convenience store, with fuel				C	P	P	C
Convenience store, without fuel				C	P	P	P
Convention and/or exposition center					C	C	
Crematorium						C	
Day care/nursery school		C	C	C	C	C	C
Drive-through restaurant				C	C	P	C
Duplex		P	P	P	P		
Eating establishment without liquor license				P	P		P
Eating establishment with liquor license				C	C		C
Educational institution		C	C		C	C	

LANCASTER CODE

Uses	CN	R-1	R-2	V	MU	I	A&D Overlay
Emergency service		C	C	P	P	P	P
Financial institution				P	P		P
Funeral home and mortuary				C	C	P	C
Garden apartment (stacked flat)							
Garden center		C		C	P	P	
Golf course	C	C			C		
Grocery store				C	C	P	C
Group dwellings			C	C	C		
Group residential facility					C		
Heavy equipment sales, rental, and service					C	C	
Heliport					C	C	
Home-based business (no-impact)	P	P	P	P	P	P	P
Home-based business (low-impact)	P	P	P	P	P	P	
Hospital					C	P	
Kennel		C			C	P	
Landfill					P	C	
Lumber yard						P	
Machine and repair shop					C	P	
Manufactured housing unit	C	P	P	P	P		
Manufacturing, heavy and other heavy industry						P	
Manufacturing, light, and assembly					C	P	
Medical treatment facility				C	C	C	C
Mobile home	C	P	P		P		
Mobile home park			C		C		
Mobile home sales					P	P	
Motel/hotel					P		
Multifamily dwelling			P	P	P		
Municipal facility (non-Lancaster Township)	C	C	C	C	C	P	
Municipal uses	P	P	P	P	P	P	P
Museum/art center				P	C		C
Music studio				P	C	P	C
Nursing home		C			C		
Oil/gas well	C	C	C	C	C	P	C
Parking lot, off-street, private				C	C	C	C
Parking lot, off-street, public				C	C	C	C
Patio home			P	P	P		
Personal care facility					C		
Photographic studio, business or personal				P	P		
PRD			C		C		
Post office				P	P		P

ZONING

Uses	CN	R-1	R-2	V	MU	I	A&D Overlay
Power generation plant					C	C	
Printing facility				C	C	P	
Private membership club (VFW, Masonic temple, etc.)				C	C	C	C
Professional office				C	P	P	C
Public garage				C	P	C	C
Public infrastructure services	C	C	C	C	C	P	C
Public library				P	P		P
Real estate or travel agency				P	C		P
Recreation, commercial entertainment facility						C	
Recreation, noncommercial entertainment facility	C	C					
Recreational vehicle park					C	P	
Religious establishment		C	C	C	P		
Research and development facility						P	
Retail store				C	C	P	C
Salvage yard						C	
Single-family dwelling	C	P	P	P	P		
Slaughterhouse/meat processing					C	P	
Solid waste disposal site/incinerator						C	
Stable, private	C	C			C		
Stable, public		C			C		
Storage facility					C	P	
Strip mining	C	C	C	C	C	C	C
Tavern/pub/nightclub				C	C	C	C
Telecommunications tower					C	C	
Timber harvesting	P	P	P	P	P	P	P
Transportation service				C	C	C	
Truck terminal					C	C	
Vehicle repair shop					P	P	
Vehicle sales/rental					C	P	
Vehicle service station					C	P	
Vehicle washing facility					C	P	
Veterinary facility		C			C	P	
Waste transfer facility						C	
Wholesaler						P	
Windmill, private	C	C	C				