
**THE
EAST NORRITON TOWNSHIP
ZONING ORDINANCE
OF 1963**

Ordinance No. 40



**EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY
PENNSYLVANIA**

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ORDINANCE NO. 40

Regulating and restricting the height, number of stories and size of buildings and other structures, including signs, their erection, construction, reconstruction, alteration, extension, repair, maintenance, and all facilities and services in and about such buildings and structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence and other purposes, establishing and maintaining building lines, and for these purposes dividing the area of the Township into certain zoning districts, establishing the boundaries of such districts, and designating and regulating residential, commercial and industrial uses within such districts and boundaries, regulating non-conforming buildings, structures, lots and uses, requiring off-street parking and loading spaces, providing for the amendment, supplement, change, modification and repeal of the regulations and restrictions and boundaries of zoning districts, providing for a board of adjustment and setting forth its powers and duties, and providing for the administration and enforcement of this Ordinance, and penalties for the violation thereof.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania:

ARTICLE I

Short Title, Effective Date and Purpose

SECTION 100. *Short Title, Effective Date.* This Ordinance shall be known and may be cited as the "East Norriton Township Zoning Ordinance of 1963." The effective date of this Ordinance is May 18, 1963.

SECTION 101. *Purpose.* This Ordinance is enacted for the purpose of promoting the health, safety, morals, and the general welfare of the Township, is in accordance with a comprehensive plan, and is designed to lessen congestion in the streets, roads and highways, and to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, and to encourage the most appropriate use of land throughout the Township.

ARTICLE II

Definitions

SECTION 200. Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

Agriculture. The cultivating of the soil, and the raising and harvesting of the products of the soil, including, but not by way of limitations, nursery, horticulture and forestry.

Building. Any structure having enclosing walls and roof, permanently located on the land.

Building, Principal. A building in which is conducted the principal use of the lot on which it is situated.

Building, Accessory. A building subordinate to the principal building on the lot and used for purposes customarily incidental to those of the principal building.

Building, Coverage. The ratio of the total ground floor area of all buildings on a lot to the total area of the lot on which they are located.

Building Line. The line which establishes the minimum depth of front yard for the particular District as measured from the street line.

Dwelling. A building designed for and occupied exclusively for residential purposes, excluding hotel, rooming house, tourist home, institutional home, residential club, motor court, and the like.

Dwelling, Single Family. A building designed for and occupied exclusively as a dwelling for one family.

Dwelling, Two Family. A building designed for and occupied exclusively as a dwelling for two families.

Dwelling, Multiple. A building not a single family dwelling nor a two-family dwelling, designed for and occupied exclusively for dwelling purposes by three or more families living independently of one another, not a row house, but customarily called an Apartment House.

Family. Any number of individuals living together as a single non-profit housekeeping unit and doing their cooking on the premises, excluding, however, occupants of a club, fraternity house, lodge, residential club or rooming house.

Garage, Private. An accessory building or a part of a

principal building used for the storage of motor vehicles owned and used by the owner or tenant of the premises, and for storage of not more than two (2) motor vehicles owned and used by persons other than the owner or tenant of the premises. Not more than one (1) commercial vehicle or truck may be stored in a private garage.

Garage, Public. A building, other than a private or storage garage, one or more stories in height, used solely for the commercial storage, service or repair of motor vehicles.

Garage, Storage. A building, not a private or public garage, one story in height, used solely for the storage of motor vehicles (other than trucks), but not for the service or repair thereof nor for the sale of fuel, accessories or supplies.

Gasoline Filling Station. Any area of land, including structures thereon, or any building or part thereof, that is used for the sale of gasoline or other motor vehicle fuel or accessories, and which may or may not include facilities for lubricating, washing, or otherwise servicing motor vehicles but which shall not include painting or body and fender repairs.

Height of Building. A building's vertical measurement from the main level of the ground surrounding the building to a point midway between the highest and lowest points of the roof, provided that chimneys, spires, towers, elevator pent-houses, tanks and similar projections shall not be included in calculating the height.

Home Occupation. Any lawful occupation customarily conducted in a dwelling as an incidental use. The conducting of a clinic, hospital, barber shop, beauty parlor, tea room, tourist home, animal hospital, or any similar use, shall not be deemed to be a home occupation.

Hotel. A building used for the purpose of furnishing for compensation more or less temporary lodgings to the public with or without meals, and having lodging accommodations for ten (10) or more persons.

Loading Space. A space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles, while loading or unloading merchandise or materials.

Lot. A parcel of land which is occupied or is to be occupied by one principal building or other structure or use, together with any accessory buildings or structures, or uses, customarily incidental to such principal building or other

- A—Residential District
- B—Residential District
- HR—High-Rise Residential District
- LR—Low Rise Residential District
- BP—Business and Professional District
- C—Commercial District
- I—Industrial

SECTION 301. *Zoning Map.* The boundaries of said districts shall be shown upon the map attached to and made a part of this Ordinance, which shall be designated the Zoning map. The said map and all notations, references and other things shown thereon shall be made a part of this Ordinance, as if the matters and things shown by said map were all fully described herein.

SECTION 302. *Boundaries of Districts.* Where uncertainty exists with respect to the boundaries of the various districts as shown on the zoning map, the following rules shall apply:

1. The district boundaries are roads unless otherwise shown.
2. Where the district boundaries are not shown to be roads, the boundaries shall be construed to be property lines, or dimensions from streets or roads.

SECTION 303. *Federal and State Owned Property.* Whenever Federal or State owned property or property owned by any Federal or State Agency or political subdivision thereof, is included in one or more zoning districts, it shall be subject to the provisions of this Ordinance only insofar as permitted by the Constitution and Laws of the United States of America and of the Commonwealth of Pennsylvania.

ARTICLE IV

General Provisions

SECTION 400. For the purpose of this Ordinance, the following regulations shall govern each of every district:

SECTION 401. *Lots on a Plan.* Any lot or lots laid out on a plan, whether recorded or unrecorded, in single and separate ownership prior to the enactment of this Ordinance may be used for a permitted use in the district in which it is located, provided, however, that the minimum and maximum regulations of the district are met as closely as possible but in no case shall a permit be granted when the proposed building or use would be out of harmony with the surrounding development and land use.

SECTION 402. *Reduction of Lot Area.* No lot shall be so reduced that the area of the lot, or the dimensions of the required open spaces shall be less than herein prescribed.

SECTION 403. *Modification of Front Yard Requirements.* Where an unimproved lot is situate on the same street frontage with two (2) improved lots or one (1) unimproved and one (1) improved lot, the front yard requirements for that district shall be modified so that the front yard shall be an average of the existing and of the required front yard.

SECTION 404. *Obstructions to vision prohibited.* No wall, fence, or other structure shall be erected, altered or maintained on any lot abutting a street and no hedge, tree or shrub or other growth shall be planted or maintained on such lot which obstructs the view of drivers of vehicles so as to endanger the safe movement of such vehicles or other drivers or persons upon the highways.

SECTION 405. *Minimum Lot Sizes and Width.* The following regulations shall apply:

1. The lot sizes and widths shall conform to the lot size and widths, as herein after set forth specifically under each Zoning District.

SECTION 406. *Accessory Uses.* Accessory uses authorized in this Ordinance shall include, but not by way of limitation, the following.

A. *Uses Accessory to Agriculture:* Greenhouses, road side stand for sale of products produced on the premises, barn keeping, breeding and management of livestock and poultry but only in such quantities and to such extent as are customarily incidental to the principal use; preparation of products produced on the premises for use and the disposal thereof by marketing or otherwise.

B. *Uses Accessory to Dwelling:*

1. Private garage, private parking space, private stables, barn, shelter for pets.
2. Private greenhouses.
3. Living quarters for household employees, caretakers or watchmen.
4. Professional office or studio of a doctor, dentist, healer, teacher, artist, architect, landscape architect, musician, lawyer, engineer, magistrate or practitioner of a similar character, or rooms for home occupation, provided that office, studio or rooms are located in a dwelling

in which the practitioner resides, or in a building accessory thereto, and provided further that no goods are publicly displayed on the premises.

- 5. The renting of rooms within the dwelling in which the lessor resides, or in a building accessory thereto to not more than two (2) non-transient persons, with or without the provision of table board for such persons.

C. Uses authorized in this Ordinance as accessory to a dwelling shall not be deemed to include a business, hospital, clinic, animal hospital, barber shop, beauty parlor, other personal service shop, tea room, hotel, or any similar use.

SECTION 407. *Height Limit.* The height limits of buildings and structures shall conform to those as is herein set forth specifically under each Zoning District.

SECTION 408. *Access to Public Street.* Each and every lot shall abut a public street for at least fifty (50) feet at the right of way line.

A public street shall mean an improved state highway, an improved county highway or a street improved in accordance with East Norriton Township current standards and regulations and accepted by said Township as one of its roads.

SECTION 409. *Commercial District Approved for Residential Construction.* Any Commercial District approved for Residential construction will automatically become A Residential District and subject to all provisions of A Residential.

ARTICLE V

General Provisions Governing Residential Districts

SECTION 500. The following regulations shall govern all residential districts.

SECTION 501. Permitted uses in A and B Residential Districts:

- 1. Single-family detached dwelling.
- 2. Agriculture.
- 3. Any of the following purposes when authorized as a special exception:
 - (a) Educational, religious or philanthropic use, excluding correctional or penal institution.
 - (b) Hospital, sanitorium, convalescent home.
 - (c) Golf course and golf house, excluding driving range and miniature golf course.

- (d) Public utility facility.
- (e) Cemetery, provided that the parcel devoted to this use shall contain not less than five (5) acres.
- (f) Green house, non-commercial recreational use, municipal, county, state, federal use.
- (g) Radio and television broadcasting, including studios, offices, and experimental and transmitting facilities and towers.

4. Accessory use on the same lot with and customarily incidental to any permitted use.

5. Permitted uses subject to approval of Board of Appeals:

- (a) Passenger station for public transportation, any public utility use directly related to and necessary for services within the Township.
- (b) Club, fraternal institution, provided that the principal activity shall not be one which is customarily carried on as a business and provided that all services shall be for members and their guests.

6. No closed fence will be allowed which exceeds six (6) feet and such fence shall not extend beyond the building line of adjacent properties. An open fence may enclose the property but not to exceed a height of forty-two (42) inches. The use of barbed wire is prohibited in A and B Residential Districts.

ARTICLE VI

A—Residential District

SECTION 600. In an A Residential District, the following regulations shall apply:

SECTION 601. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 501.

SECTION 602. *Minimum Area, Width, Yard and Maximum Height and Building Coverage Regulations:*

Lot Area—Not Served by Sanitary Sewer	30,000 sq. ft.
Lot Area—Now Served by Sanitary Sewer	20,000 sq. ft.
Minimum Width at Building Line	
Not Served by Sanitary Sewer	150 ft.
Now Served by Sanitary Sewer	100 ft.
Front Yard	50 ft.

Side Yard—each	20 ft.
Rear Yard	60 ft.
Height—Principal Building	35 ft.
Accessory Uses	20 ft.
Building Coverage	15 percent of total lot area.

ARTICLE VII

B—Residential District

SECTION 700. In a B Residential District, the following regulations shall apply:

SECTION 701. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 501.

SECTION 702. *Minimum Area, Width, Yard and Maximum Height and Building Coverage Regulations.*

Lot Area—Not Served by Sanitary Sewer	15,000 sq. ft.
Lot Area—Now Served by Sanitary Sewer	10,000 sq. ft.
Minimum Width at Building Line	75 ft.
Front Yard	30 ft.
Side Yard—each	15 ft.
Rear Yard	25 ft.
Height—Principal Building	35 ft.
Accessory Uses	20 ft.
Building Coverage	20 percent of total lot area.

ARTICLE VIII

HR—High-Rise Residential District

SECTION 800. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 601, Article VI, A Residential District, and for any of the following purposes and no other:

SECTION 801. High-rise apartment buildings or apartment hotels shall be permitted subject to compliance with the following standards or regulations:

1. Definition—A high-rise apartment building or apartment hotel is a building consisting of residential units with five stories or more, not including the basement.
2. Area Restrictions—Apartment buildings or apartment hotels shall not occupy in excess of 15% of the lot area, including accessory buildings. The lot area shall be a minimum of 10 acres.

3. Use Regulations—Stores and professional offices shall only be permitted within the confines of the main building, but not above the first floor.
4. Height Regulations—The height limit of apartment buildings or apartment hotels shall not exceed 150 feet above the mean ground level. The basement shall not be considered as a portion of the height.
5. Safety Construction—Building construction plans shall meet with the standards as provided and designated in the BOCA Basic Building Code as published by the Building Officials Conference of America, Inc. and its latest accumulative supplement.
6. Buffer Area—Where a lot to be occupied by a high-rise apartment building or apartment hotel is contiguous to a residential zone, there shall be a building set back from such zone of 150 feet. Front yard one hundred fifty feet from each existing street. Side yard buffer zone 100 feet adjacent to any other zoning classification. Rear buffer zone 100 feet. These buffer zones are exclusive of the parking area. The buffers shall be maintained as a green area entirely covered by grass, shrubs and trees. Any two or more high-rise apartments erected on the same tract of ground shall be at least 100 feet apart.
7. Sewage—No apartment building or apartment hotel shall be permitted if such buildings are not accessible to and served by adequate sanitary sewers.
8. Drainage—Adequate run-off and storm sewer drainage shall be provided as required by the Township.
9. Driveways—Adequate private driveways and curbs, if deemed necessary, shall be provided to insure the safety and welfare of members of the public with unobstructed access at all times for fire equipment and ambulances, as required and approved by the Township. The driveways shall be surfaced and maintained by the owner in accordance with Township specifications.
10. Parking—Adequate parking area shall be provided before occupancy and surfaced in accordance with township regulations. There shall be at least two parking spaces for each dwelling unit.
11. Private garage may be constructed as an accessory building to be used for the storage of tenants' vehicles only. No repairs or other services permitted.

12. Traffic lights—The applicant for a permit shall bear the expense of traffic signals when required by either the Township, State or County Highway Department, to insure the safety of the public.
13. Swimming Pools—Swimming pools and other recreational areas (outside) shall be permitted only by special exception granted by the Zoning Board of Adjustment.
14. Fire hydrants and adequate fire protection as required by the Township, shall be installed at the cost of the builder.
15. Four complete sets of final engineering and architectural plans must be submitted to the Supervisors for approval.
16. All other provisions of this Ordinance, not inconsistent herewith, shall be applicable.

ARTICLE IX

LR—Low-Rise Residential District

SECTION 900. *Area Regulations*

1. A lot area of not less than two (2) acres shall be required for each building erected.
2. Each low-rise building erected shall be limited to a minimum of 8 and no more than 18 units.
3. Each living unit is to be designed for and occupied exclusively for dwelling purposes and to be occupied by one family only.
4. Each living unit in the building shall contain a minimum of 600 square feet.
5. There shall be a front yard buffer zone on each street on which a lot abuts, said buffer zone shall not be less than 50 feet in depth from ultimate right of way.
6. There shall be side buffer zones, neither of which shall be less than 50 feet in width.
7. There shall be a rear yard buffer zone which shall not be less in depth than 85 feet, of which 25 ft. must be green buffer area.
8. Two or more apartment houses on the same tract shall be at least 100 feet from any other apartment building.
9. Each living unit must contain at least 1 kitchen, 1 living room, 1 bedroom and 1 bathroom.
10. Each living unit shall be limited to a maximum of two (2) bedrooms.

SECTION 901. *Development and Height Regulations*

1. No low-rise apartment house shall exceed 2 stories, exclusive of basements.
2. Low-rise apartment houses are to contain basements to provide for storage and utilities.
3. The usage of the basements storage and utilities shall be restricted to the tenants of the apartments.
4. Garden low-rise apartments shall be constructed of 100% masonry, said masonry to be brick, brick veneer or stone on all sides of walls from basement to roof level.
5. There shall be permitted one basement living unit (not to be counted in the units on ground level) occupied only by a custodian or management personnel and his family. No other basement rooms shall be occupied for living and/or sleeping purposes.
6. Improved off-street parking area shall be provided on the basis of two parking spaces for each living unit.
7. No parking or service area shall be located within 25 feet of any apartment house.
8. Inner courts shall not be permitted.
9. Recreation areas, swimming pools and facilities can be constructed only by a special exception granted by the Zoning Board of Adjustment.
10. Adequate run-off and storm sewer drainage shall be provided as required by the township at the cost of the builder.
11. Any and all garages erected on low-rise apartment tracts of ground shall be for the use of the tenants only and shall conform to the same construction and appearances as required for low-rise apartments.
12. All apartment buildings must be accessible to and served by adequate sanitary sewers.
13. Applicants to bear the expense where fire hydrants and traffic lights are required by either the Township, State or County.
14. Four complete sets of nal engineering and architectural plans must be submitted to the Supervisors for approval.

ARTICLE X

BP—Business and Professional Districts

SECTION 1000. In BP District the following regulations shall apply:

SECTION 1001. A building may be erected, altered or

used and a lot or premises may be used for any of the following uses, and none other:

A. Offices for administration, executive, professional, sales and other similar use, normal attributes of which do not involve the actual storage, exchange or delivery of merchant on the premises.

B. Laboratory for the scientific, agricultural or industrial research and development but obnoxious odors and unnecessary noises are prohibited.

C. Bank or other financial institution.

SECTION 1002. Area, width and height and building coverage as permitted in Section 602.

ARTICLE XI

C—Commercial District

SECTION 1100. In a C Commercial District the following shall apply:

SECTION 1101. A building may be erected, altered or used and a lot or premises may be used for any uses permitted in Section 601, Article VI, A Residential District, and for any of the following purposes and no other:

1. Retail sale of dry goods, variety and general merchandise, clothing, food, flowers, beverages, drugs, household supplies or furnishings, sale or repair of jewelry, watches and clocks, optical goods, or musical, professional or scientific instruments.
2. Barber shops, hair dressers, cleaning and pressing, pick up station, and such other shops for personal service.
3. Restaurant, tea room, cafe, taproom, confectionery or similar establishment serving food or beverage.
4. Business or professional office, studio, bank and financing institution, telephone exchange or other public utility office, passenger station for public transportation.
5. Club, fraternal organization, lodge.
6. Greenhouse, nursery sales yard.
7. Indoor theater, bowling alley, billiard room or similar indoor amusement.
8. Newspaper publishing or job printing.

9. New automobile sales and service agency, including used car lot and repair shop adjacent to and in connection therewith.
10. Wholesaling, storage, and sale of lumber, plumbing and other building materials and supplies.
11. Educational, religious or philanthropic use.
12. Accessory use on the same lot with, and customarily incidental to any of the above permitted uses, including dwellings provided that such accessory use shall be located at or above the second story level.
13. The following uses when authorized as a special exception subject to the provisions of Sections 1100 and 1102 of this Ordinance:
 - (a) Any use of the same general character as any of the above permitted uses.
 - (b) Gasoline filling stations, storage, or public garage, automobile repair shop.
 - (c) Outdoor theater.
 - (d) Undertaking establishment.
 - (e) Animal hospital, kennel.
 - (f) Hand or automatic self-service laundry, provided there is adequate provisions made for water disposal.
 - (g) Motel or motor court, hospital or sanitorium which shall be satisfactory as regards sewage disposal.

SECTION 1102. *Minimum Area, Width, Yard, and Maximum Height and Building Coverage Regulations:*

Lot Area	15,000 sq. ft.
Minimum Width at building line	100 ft.
Front yard	50 ft.
Side yard—each	20 ft.

When bordering a residential zone the distance shall be an additional 60 ft. which shall be a green buffer zone.

Rear yard	60 ft.
Height—Principal Building	35 ft.
Accessory Uses	20 ft.
Building Coverage 65% percent of total lot area.	

ARTICLE XII

I—Industrial District

SECTION 1200. In an I Industrial District, the following regulations shall apply:

SECTION 1201. The specific uses permitted in this district shall be the erection, construction, alteration or use of buildings or premises for the following uses and no other, to be conducted wholly within a completely enclosed building or in a court enclosed on all sides by buildings, except for on-site parking and loading incidental thereto and then approved by the Zoning Board of Adjustment, public utility facilities not normally enclosed within a building.

1. The manufacture, compounding, processing, packaging or treating of such products as candy, drugs, pharmaceuticals, and food products; provided, however, that the following uses shall not be permitted; manufacture of sauerkraut, vinegar or yeast; refining or rendering of fats, bones or oils; roasting of coffee, spices or soybeans; milling of flour; drying, smoking, pickling, preserving or curing meats or fish.
2. The manufacture, compounding, assembly or treatment of articles of merchandise from the following previously prepared materials: bones, cellophane, canvas, cloth, cork, rope, cord and twine, plastics, and natural and synthetic rubber, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plaster, metals, precious or semi-precious stones, shell, tobacco, wood (excluding planing mill), yarns.
3. The manufacture of ceramic products, using only previously pulverized materials.
4. Printing, publishing, lithographing, binding, and kindred arts.
5. Central heating plant.
6. Offices and office record storage.
7. Electric transforming sub-stations, rail freight stations, or other necessary public service and public transportation uses.
8. Parking garage, for pleasure or commercial vehicles.
9. Manufacture of musical instruments, toys, novelties, and metal stampings.
10. Storage buildings and warehouses.
11. Manufacture and assembly of electrical or electronic devices, home, commercial and industrial appliances and instruments; including the manufacture of accessory parts or assemblies.
12. Laboratories, experimental, manufacturing and research.

13. Manufacture of textiles or textile products, including spinning and weaving but not including wool pulling, or scouring, or jute or burlap processing or reconditioning, or hosiery and knitting mills.
14. Manufacture of paper or cardboard boxes, containers and novelties from previously prepared paper or cardboard.
15. Cinema, radio and television production.
16. The above uses are permitted only when meeting the following conditions:
No kiln is fired except by oil, gas or electricity, and no individual kiln capacity exceeds two hundred (200) cubic feet.
No blast or reverberatory furnaces or foundries are used.
No punch or stamping presses are used until the type, size or use is first approved, authorized and permitted as a special exception by the Board of Adjustment.
No drop hammers are used.

SECTION 1202. The following area and height regulations shall apply:

1. *Front Yards.* The required minimum depth of a front yard shall be fifty (50) feet.
2. *Side Yards.* There shall be two side yards, one on each side of the building erected, each of which shall be not less than twenty-five (25) feet in width, subject to exception 4 hereinafter set forth.
3. *Rear Yards.* The required minimum depth of a rear yard shall be twenty-five (25) feet, subject to exception 4 hereinafter set forth.
4. *Exceptions for Side and Rear Yards.* In no case shall any building or structure be erected closer than two hundred (200) feet to any residential district, nor any parking area to be closer than one hundred (100) feet to any residential district, which one hundred (100) foot area shall be maintained as a green area entirely covered by grass, shrubs or trees.
5. *On Site Parking and Loading.* Two (2) square feet of net parking and loading space shall be required for every five (5) square feet of floor space not used for parking or loading purposes. Parking and loading space shall not occupy any part of a required yard, subject to 4 above.

6. The height limit, measured at the line of all required yards, shall be thirty (30) feet, but any portion of a building erected above such height limit shall be erected within a recession plane beginning at the height limit as fixed herein and receding at the rate of one (1) foot of recession for each one (1) foot of additional height.
7. The following appurtenances of buildings may be erected above the recession plane, provided such structure shall not reduce the width or depth of a court or yard to less than the minimum required:
 - Chimneys and stocks; penthouses (not more than one story); tanks and tank towers; flagpoles, aials, and beacons.
8. The total bulk or buildings in cubic feet shall not exceed a volume equal to the maximum ground area, in square feet, permitted to be built upon, multiplied by twenty (20).

ARTICLE XIII

Off Street Parking and Loading

SECTION 1300. *Required Off Street Parking Facilities.*

Any building or other structure erected, altered or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with adequate passageways, or driveways or other means of circulation and access to and from a street or way.

1. Dwelling: One (1) all-weather parking space per family on the same lot therewith.
2. For any of the following uses the required parking spaces shall be all-weather and shall be located on the same lot therewith or on land adjacent thereto:
 - (a) Church, school, public auditorium, assembly or meeting room, or other similar place of public or private assembly: one (1) parking space for every five (5) seats provided for public assembly.
 - (b) Stadium or other similar place of assembly: space for every five (5) seats.
 - (c) Hospital, convalescent home or sanitorium: one (1) parking space for every four (4) beds.
 - (d) Community center, library, museum, or other similar place: one (1) parking space for every

- eight hundred (800) square feet of floor area in public use.
 - (e) Institutional Home: one (1) parking space for every ten (10) occupants.
 - (f) Residential Club: one (1) parking space for every two (2) occupants, plus ten (10) parking spaces for every one thousand (1,000) square feet of floor area in public use.
3. For any of the following uses, required parking spaces shall be all-weather and shall be paved, and such parking spaces shall be located on the same lot therewith except as provided in Section 1201 of this Ordinance:
 - (a) Retail store or shop: one (1) parking space for every one hundred (100) square feet of store sales floor space.
 - (b) Department store or super market: one (1) parking space for every fifty (50) square feet of store sales floor space.
 - (c) Indoor theatre: one (1) parking space for every five (5) seats.
 - (d) Hotel, tourist home, automobile court: one (1) parking space for each rental unit.
 - (e) Office building or wholesale establishment: one (1) parking space for every two hundred (200) square feet of ground floor area, plus one (1) parking space for every four hundred (400) square feet of floor area above ground floor.
 - (f) Restaurant, cafe, or tea room: one (1) parking space for every fifty (50) square feet of floor space devoted to patron use.
 - (g) Laboratory or any industrial establishment: One (1) parking space for every three (3) employees.
 - (h) Other commercial buildings: one (1) parking space for every one thousand (1,000) square feet of floor area, or fraction thereof, except when otherwise authorized as a special exception consistent with the requirements set forth herein for comparable establishments.
 - (i) Open areas used for commercial purposes: one (1) parking space for every fifteen hundred (1,500) square feet of area, or fraction thereof.

SECTION 1301. The parking spaces required in Section 1200 herein may be located elsewhere than on the same lot

when authorized as a special exception, subject to the following conditions:

1. That the owners of two (2) or more establishments shall submit, with their application for special exception, a site plan showing joint use and location of a common off street parking area:
2. That some portion of the common off street parking area lies within two hundred (200) feet of an entrance, regularly used by patrons, into the buildings served thereby; and
3. That the Board of Adjustment may, in its discretion, reduce the required aggregate amount of required parking space upon determination that greater efficiency is effected by joint use of a common parking area, but in no case shall the ratio of total off street parking area to total sales floor area be reduced less than twenty-five (25) per cent.

SECTION 1302. *Reduction of Facilities.* Off street parking facilities existing at the effective date of this Ordinance shall not subsequently be reduced to an amount less than required hereunder for a similar new building or new use. Off street parking facilities provided to comply with the provisions of this Ordinance shall not subsequently be reduced below the requirements of this Ordinance.

SECTION 1303. *Required Off Street Loading and Unloading Facilities.* In addition to required off street parking spaces, the foregoing uses shall be provided with adequate off-street loading space.

ARTICLE XIV

Signs

SECTION 1400. Any sign erected or maintained after the effective date of the Ordinance shall conform to the following regulations:

SECTION 1401. *Signs permitted in Residential Districts.* In all Residential Districts the following signs shall be permitted and no other:

1. Signs for professional use which shall not exceed one hundred twenty-five (125) square inches in area, and provided that not more than one (1) such sign shall be erected for each permitted use or dwelling.
2. Bulletin boards for churches and other institutions which shall not exceed fifteen (15) square feet in area,

- and provided that not more than one (1) such sign shall be erected on any one street frontage of any property in single or separate ownership.
3. Signs advertising the sale or rental of real estate on which they are located which shall not exceed fifteen (15) square feet in area.
4. Official street and traffic signs and any sign required by law.
5. Trespassing signs and signs indicating private ownership of roadways or other property, on the same premises therewith, provided that the total sign area for every one hundred fifty (150) feet of any one street frontage of any property in single and separate ownership shall not exceed four (4) square feet.

SECTION 1402. *Signs Permitted in Commercial District.* In Commercial Districts the following signs shall be permitted and no other:

1. Any sign permitted in a Residential District.
2. Signs advertising a business conducted on the premises which shall not exceed thirty-five (35) square feet in area, or a maximum of one hundred (100) square feet when attached to building.
3. Signs advertising articles or merchandise manufactured or for sale on the premises which shall not exceed thirty-two (32) square feet in area.
4. No more than one (1) sign shall be erected on any building excepting if any property fronts on more than one (1) street, one (1) sign may be erected facing each street frontage, and, provided further, one (1) additional sign may be erected on any property facing a parking lot situate on said property.
5. Signs shall not be erected which will overhang a sidewalk or any public right of way more than twenty-four (24) inches from a building or structure.

SECTION 1403. *Signs Permitted in I Industrial District.* In I Industrial Districts the following signs shall be permitted, and no other:

1. Any sign permitted in any other district, provided that the use to which it refers is permitted in I Industrial District.
2. For any industrial use, a sign to display the name of the owner or occupant of the premises and the activity conducted thereon on the same lot therewith, provided

that such sign shall not exceed twelve (12) feet in height above ground level and twenty-four (24) feet in length.

SECTION 1404. General Sign Regulations for All Districts. In all districts the following sign regulations shall apply:

1. No sign shall be placed in such a position as to endanger traffic on a street by obscuring a clear view by confusion with official street signs or signals.
2. No sign, other than official street signs, shall be erected or maintained within the street right of way or nearer to a street line than a distance equal to twice the height of the sign, unless attached to a building.
3. No sign shall project more than twenty-four (24) inches over a public walkway, and the lower edge of such projecting sign shall not be less than ten (10) feet above the finished grade.
4. Every sign permitted in this Ordinance shall be constructed of durable materials and shall be maintained in good condition and repair at all times.

SECTION 1405. No flashing signs are permitted anywhere in the Township.

SECTION 1406. Billboards are prohibited.

SECTION 1407. Business and Professional District—individual signs not exceeding fifteen (15) square feet, group signs not exceeding thirty-five (35) square feet.

SECTION 1408. High-rise Residential—as allowed in Section 1401, excepting on High-rise property sign advertising rentals and other services connected with apartment may be thirty-five (35) square feet and no larger.

SECTION 1409. Low-rise Commercial—if used as Commercial District, dimensions and uses as outlined in Section 1402 would apply, if as apartments only, signs for advertising rentals and other services connected with the apartment building or buildings, and other services applied to it a sign no larger than thirty-five (35) square feet may be erected, but no sign will be allowed to be attached to apartment building.

ARTICLE XV

Non-Conforming Use

SECTION 1500. *Land.* Any land, the existing lawful use of which at the time of passage of this Ordinance, does not conform with the regulations of the district in which it is located,

shall have such use considered as non-conforming use, which may continue on such land but shall be subject to the regulations covering non-conforming uses.

SECTION 1501. *Buildings.* Any lawful building or the lawful use of any building existing at the time of the passage of this Ordinance that does not conform to use, height, location, size or bulk, with the regulations of the district in which it is located, shall be considered a non-conforming building or use, and may continue such use in its present location, but shall be subject to the regulations covering non-conforming uses.

SECTION 1502. *Change of Use.* A non-conforming building or use shall be considered as such unless and until it complies with the regulations of the district in which it is located. Such use shall not be changed to a use designated for a district having less restrictive regulations.

SECTION 1503. *Discontinued Use.* A non-conforming use, when discontinued, may be resumed any time within one year from such discontinuance, but not after, as the same class of use, but cannot be resumed as a non-conforming use of a lower class.

SECTION 1504. *Extension.* Any lawful non-conforming use of a portion of a building may be extended throughout the building, and any lawful non-conforming building or any building of which a lawful non-conforming use is made may be extended upon the lot occupied by such building and held in single and separate ownership on the effective date of this Ordinance, provided that the area of such building shall not be increased by more than a total of twenty-five (25) per cent of the area of such building existing on the date it first became lawful non-conforming building or a building of which a lawful non-conforming use is made, and provided further that any structure alteration, extension or addition shall conform with all the height, area, width, yard and coverage requirements for the district in which it is located.

SECTION 1505. *The Change or Resumption of Non-Conforming Use.* The Board of Adjustment shall have discretion to determine what resumption or change of non-conforming use is of the same class of use and permissible.

SECTION 1506. *Destroyed by Fire, or Condemned.* A building containing a non-conforming use and a building non-conforming as to area and height, destroyed by fire or legally condemned may be reconstructed and used for the same non-

conforming use; provided, building reconstruction is commenced within one (1) year, carried on to completion without interruption, and provided that the building, when rebuilt, does not exceed in height and area the building so destroyed or condemned, subject also to other regulations of non-conforming uses herein contained.

SECTION 1507. *Temporary or Non-Conforming Use.* A temporary non-conforming use, which will benefit the public health or welfare or promote proper development of a district in conformity with the intent of this Ordinance, may be permitted for a period of not more than one (1) month on the approval of the Board of Adjustment, but any such use to be permitted for a longer period shall require a public hearing thereon, after which a Board of Adjustment Certificate may be issued for a period not exceeding one (1) year in any case.

SECTION 1508. *Non-Conforming Signs.* Any signs, signboard, billboard or advertising device existing at the time of the passing of this Ordinance that does not conform in use, location, height, or size, with the regulations of the District in which it is located, shall be considered a non-conforming use and may continue in such use in its present location for a period of one (1) year from the date of the passage of this Ordinance but not after. The continuation of such non-conforming use after the expiration of one (1) year shall be a violation of this Ordinance.

ARTICLE XVI Administration

SECTION 1600. *Zoning Officer.* The provisions of this Ordinance shall be enforced by an agent, to be appointed by the Board of Township Supervisors, who shall be known as the Zoning Officer. The Zoning Officer shall be elected at the first meeting of the Supervisors following the adoption of this Ordinance to serve until the first day of January next following; and shall thereafter be elected annually to serve for a term of one year and/or until his successor is elected. The Zoning Officer may succeed himself. He shall receive such fees or compensation as the Township Supervisors may, by resolution, provide. It shall be the duty of the Zoning Officer to keep a record of all plans and applications for permits and of all permits, issued with notation of all special conditions attached thereto, all of which records shall be open for public inspection. The Zoning Officer shall have authority to issue zoning permits only for construction and uses which are in accordance with the

general requirements of this Ordinance. Zoning permits for construction and uses which are a special exception to such general requirements shall be issued by the Zoning Officer only upon order of the Board of Adjustment.

The Zoning Officer shall issue no permit for the construction or use of any land or building unless it also conforms to the requirements of all other ordinances of East Norriton Township and with the laws of the Commonwealth.

SECTION 1601. *Permits.* No building shall be constructed or altered in the Township, or the use of any building changed, until a zoning permit has been secured from the Zoning Officer; except that no zoning permit shall be required for the erection of farm buildings to be placed more than one hundred fifty (150) feet from any road line. Completion of the work authorized by any permit, the applicant for the permit shall notify the Zoning Officer of such completion. No permit shall be considered as complete or as permanently effective until the Zoning Officer has noted on the permit that the work has been inspected and approved as being in conformity with the provisions of this Ordinance.

SECTION 1602. *Application for Permit.* All applications for zoning permits shall be made in writing by the owner or the tenants or authorized agent, and shall be filed with the Zoning Officer. The application (1) shall include a statement as to the proposed use of the building; (2) shall be accompanied by plot plans submitted according to scale and done by a registered engineer or registered surveyor showing the location of buildings in relation to property and road lines; (3) shall include a statement that the side lines of all roads shown on the plan have been located and staked on the premises by a surveyor or other person competent to give such location; and (4) shall give the name and address of the person who has so located and staked the road lines.

SECTION 1603. *Fees.* The applicant for a permit shall, at the time of making the application, pay to the Zoning Officer for the use of the Township, a fee in accordance with a Fee Schedule adopted by resolution of the Board of Supervisors upon the enactment of this Ordinance, or as such Schedule may be amended by resolution of the Board of Supervisors.

ARTICLE XVII Board of Adjustment

SECTION 1700. The Board of Supervisors shall appoint a Board of Adjustment consisting of three members. The Board

of Supervisors shall designate one (1) such member to serve until the first day of January following the effective date of this Ordinance, one (1) until the first day of the second January thereafter, and one (1) until the first day of the third January thereafter; Shall appoint three (3) successors on the expiration of their respective terms to serve three (3) years, and shall fill any vacancy for the unexpired term of any member whose term becomes vacant. The members of the Board of Adjustment shall be removable for cause by the Board of Supervisors upon written charges and after a public hearing. The word "Board" when used in this Article, shall mean the Board of Adjustment.

SECTION 1701. The Board shall have the following powers:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of said Act or of this Ordinance adopted pursuant thereto.
2. To hear and decide special exceptions to the terms of this Ordinance, in such cases as are herein expressly provided for, in harmony with the general purposes and intent of this Ordinance with power to impose appropriate conditions and safeguards. In granting special exceptions as authorized in this Ordinance, the Board of Adjustment shall consider, inter alia:
 - (a) The suitability of the property for the use desired.
 - (b) The effect of the proposed use upon the safety and health of the immediate neighborhood, and the general public therein.
 - (c) The effect of the proposed use upon the character of the immediate neighborhood so as to conserve the value of existing buildings and encourage the most appropriate use of the land.
3. To authorize, upon appeal, in special cases, such variance from the terms of this Ordinance, the Board shall feel will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and justice done.

SECTION 1702. *Orders.* In exercising the above mentioned powers, the Board may reverse or affirm, wholly or in

part or may modify the order, requirement, decision, or determination, appealed from and may make such order, requirement, decision or determination as ought to be made, and, to that end, shall have all the powers of the officer from whom the appeal is taken.

SECTION 1703. *Rules of Procedure.* The Board shall adopt Rules of Procedure in accordance with the several provisions of this Ordinance as to manner of filing appeals or applications for special exceptions or for variance from the terms of this Ordinance.

SECTION 1704. *Meetings.* Meetings of the Board shall be held at the call of the chairman and at such times as the Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

SECTION 1705. *Notice of Hearings.* Upon the filing with the Board of an application for a special exception or for variance from the terms of this Ordinance, the Board shall fix a reasonable time and place for a public hearing thereon and shall give ten (10) days notice as follows:

1. By publishing a notice thereof once in a newspaper of general circulation published or circulated in the Township.
2. By mailing or serving due notice thereof to the parties in interest.
3. By mailing or service notice thereof to the Township.
4. When the Board shall so order, by mailing or serving notice thereof to the owner or owners, if their residence is known, or to the occupier or occupiers of every lot on the same street within five hundred (500) feet of the lot or building in question and of every lot not on the same street within one hundred fifty (150) feet of the said lot or building; provided that failure to give notice required by this paragraph shall not invalidate any action taken by the Board.
5. The notices herein required shall state the location of the building or lot and the general nature of the question involved.

ARTICLE XVIII

Violations, Fines, Remedies and Charges

SECTION 1800. *Violations.* Failure to secure a zoning permit or Board of Adjustment Certificate, when required, previous to the erection, construction, extension or addition to a building or failure to secure a use registration permit shall be a violation of this Ordinance.

SECTION 1801. *Notice of Violation.* When written notice of a violation of any of the provisions of this Ordinance has been served by the Zoning Inspector, when appointed, on the owner, agent or occupant, contractor or building, such violation shall be discontinued immediately.

SECTION 1802. *Fines.* For any and every violation of the provisions of this Ordinance the owner, general agent or contractor of a building or premises where such violation has been permitted or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, building contractor or any other person who knowingly commits, takes part or assists in any such violation, or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine not exceeding fifty (\$50.00) dollars for each and every offense or imprisonment in Montgomery County Prison for a period not exceeding five (5) days, and whenever such person shall have been notified by the Zoning Inspector or by service of warrant in a prosecution, or any other way, that he is committing such violation of this Ordinance, each day that he shall continue shall constitute a separate offense punishable by a like fine or imprisonment.

SECTION 1803. *Remedies.* In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used or any hedge, tree, shrub, or other growth is maintained, in violation of this Ordinance or of any regulations made pursuant hereto, in addition to other remedies provided by law, any appropriate action or proceeding, whether by legal process or otherwise, may be instituted or taken to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, con-

duct, business or use in or about such premises.

SECTION 1804. *Charges.*

1. A charge of five (\$5.00) dollars for each Board of Adjustment Certificate issued under authority of this Ordinance shall be made payable in advance.
2. A charge of one (\$1.00) dollar shall be made for each duplicate copy of application or Board of Adjustment Certificate.
3. A charge of one (\$1.00) dollar shall be made for each certified statement of district classification of any property and/or compliance of any property with the provisions of this Ordinance.
4. A charge of thirty (\$30.00) dollars shall be made for each appeal or application for special exception to the Board of Adjustment and shall be paid at the time of filing such appeal.

This Ordinance shall become effective five (5) days after its publication as required by law.

ARTICLE XIX
Amendments

SECTION 1900. The Board of Supervisors of said Township may from time to time amend, supplement, change, modify, or repeal this Ordinance, including the Zoning map, by proceeding in the following manner. The Board of Supervisors by resolution adopted at a regular or special meeting, shall fix the time and place of a public hearing on the proposed amendment and cause fifteen (15) days notice thereof to be given as follows:

1. By publishing a notice thereof twice in one (1) newspaper of general circulation in the Township.
2. The notice shall state the general nature of the proposed amendment and that full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing.
3. Whenever a proposed amendment affects a particular property, then there shall be posted upon said property or premises at such place or places as the Zoning Officer may direct, notice of said proposed amendment.

SECTION 1901. Whenever the owners of fifty (50) per centum or more of the frontage in any district shall present to the Board of Supervisors a petition duly signed and acknowledged, requesting an amendment, supplement, change, modifi-

cation or repeal of the regulations prescribed for or of the zoning map, including such district, it shall be the duty of the Board of Township Supervisors to hold a public hearing thereon and cause notice thereof to be given in the manner prescribed in Section 1600.

All ordinances or parts of ordinances which are inconsistent herewith including East Norriton Township Zoning Ordinance of 1955 with its amendments and supplements are hereby repealed.

Approved by the Board of Supervisors of East Norriton Township and enacted and ordained into an Ordinance this 13th day of May A.D., 1963.

THEODORE R. STREEPER
President
Board of Supervisors,
East Norriton Township.

ATTEST:

CALVERT V. HURDLE,
Secretary

ERNEST E. HEIM, *Solicitor*
504 Swede Street
Norristown, Pennsylvania