

Ordinance

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Marguerite S. Eady

Ordinance Recorded May 8, 1951

#1

ZONING ORDINANCE OF WEST PIKELAND TOWNSHIP

AN ORDINANCE ZONING THE TOWNSHIP OF WEST PIKELAND IN THE COUNTY OF CHESTER, STATE OF PENNSYLVANIA, REGULATED AND RESTRICTING THE CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES AND SERVICES IN OR ABOUT BUILDINGS, AND STRUCTURES AND THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES FOR THE PURPOSE OF PROMOTING HEALTH, SAFETY, MORALS AND THE GENERAL WELFARE OF SAID TOWNSHIP.

I hereby certify this to be a true copy of the Zoning Ordinance of West Pikeland Township adopted by the Board of Supervisors.

J. M. Acker Pres Board
George J. Windolph

Lester E. Shriver

George J. Windolph
Secretary Board of
Supervisor of West
Pikeland Township.

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DEFINITIONS:

Section 1: - The following words and phrases shall be construed throughout this Ordinance to have the meaning stated in this section unless a different meaning is expressly indicated in the text:

- (a) Words used in the singular shall include the plural and words used in the plural shall include the singular. The word building shall be synonymous with the word structure for the purpose of this Ordinance.
- (b) House: a building erected and designed for human occupation as living quarters, constructed of stone, cement block, wood or other usual and normal building materials and erected upon a stone or concrete foundation sunk at least two feet or more below the ground surface, which foundation shall underlie the entire length of all outer walls of said building.
- (c) Single house: a house designed and erected for the purpose of exclusive occupation as a private residence. This shall not include row houses, semi-detached houses or apartment houses.
- (d) Semi-detached Houses: a building or buildings designed and erected or altered for occupation by one or more than one family as two separate homes, side by side, with no open space completely separating said homes.
- (e) Row Houses: a series of homes existing side by side with no open space completely separating said homes one from the other.
- (f) Apartment House: a building designed, erected, altered or occupied as homes for two or more families.
- (g) Official Road Side Lines: shall be for the purpose of this Ordinance, an imaginary line marking the utmost boundary of the right of way of any street or road upon which a lot or building abuts.
- (h) Lot Area: the surface space of a lot; provided for the purpose of computing the lot area, the utmost boundary of any lot toward a street or road shall not be considered to extend farther toward that street or road than the official roadside line of the said street or road upon which the lot abuts.
- (i) Building Area: the sum total of the surface space over which a building, erected or to be erected, stands or shall stand, the area so occupied by any building to be computed as the surface space covered by that building, excluding one story porches less than 12 feet in width, bay windows not projecting more than four (4) feet, chimneys, eaves, cornices and gutters not projecting more than twenty (20) inches. Where any of the above specified projections shall exceed the above stated distances, allowance shall be made for the permitted exempt distance in computing the building area.
- (j) Front Yard: the surface space, uncovered by any building between the official road side line of the street or road upon which a lot abuts and the foremost point of any building upon the lot, said space extending through the entire width of the lot. One Story front porches or entrances not exceeding twelve (12) feet in width shall not be considered the foremost point of a building and, where a front porch or entrance shall exceed such distance, allowance shall be made for the permitted exempt distances in determining the foremost point of a building.
- (k) Side Yard: the surface space, uncovered by any building, between the side line of a lot and the foremost point of any building upon the lot toward said side line extending from the front yard to the rearmost point at the principal building upon the lot. In determining the foremost point of any building toward the side line, all projections from said building, including porches, eaves, gutter, chimneys, and bay windows shall be considered as the foremost point of the building.
- (l) Rear Yard: the surface space between the rear line of a lot and the rearmost point of the principal building upon the lot toward the rear line of the lot, extending through the entire width of the lot, covered or uncovered by buildings. Any projections from the said principal building toward the rear line of the lot shall be considered the rearmost point of said building, including all eaves, cornices, gutters, bay windows and porches.

(m) Private Garages: a building designed and erected, or used, for the purpose of housing automobiles or trucks, wherein no more space than for the housing of one car or truck is rented for hire to other than the owner or lessee of the lot upon which the building is erected or used and wherein no repairs are made to cars or trucks except to those owned or used by the owner or lessee of said lot.

(n) Public Garages: a building designed and erected, or used for the purpose of housing automobiles or trucks, wherein more than space for one car or truck is rented to other than the owner or lessee of the lot upon which the building stands or wherein cars or trucks are repaired in return for money or other consideration other than cars owned or used by the owner or lessee of said lot.

(o) Height: the height of a building, for the purpose of this Ordinance shall be the distance between the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof of such building; Provided, chimneys, spires, towers, tanks and projections of like character shall not be included in determining the highest point of the roof of such building.

(p) Telephone Central Office: a building erected and used for the purpose of facilitating transmission and exchange of telephone messages between subscribers, and other business of the Telephone Company; but in a residential district not to include public business facilities, storage of materials, trucks or repair facilities or housing of repair crews.

DISTRICTS:

Sect. 20: West Pikeland Township, for the purpose of zoning, shall be divided into three types of districts, designated as A, B and C Districts.

Sect. 21: The boundaries of all districts shall be clearly marked upon the map designated as the ZONING MAP OF WEST PIKELAND TOWNSHIP attached hereto, incorporated herein and made a part hereof together with all designs and markings inscribed thereon.

Sect. 22: All districts shall be marked upon the zoning map with letter or shading representing the zoning requirements, allowances and restrictions to be in force in that district as prescribed for districts of such character in the following provisions of this Ordinance.

Sect. 23: Where a district boundary cuts through a piece of ground held in a single and separate ownership at the effective date of this Ordinance, the regulations prescribed for the less restricted district in which the said piece of ground is partly situated may be extended, as a special exception, into the more restricted district such distance as the Board of Adjustment may deem equitable and proper under the circumstances of the particular case.

Sect. 24: The zoning regulations of this Ordinance do not apply to any public utilities, public works or State, County, Municipal or Quasi-Municipal undertaking exempt by law from such zoning regulations but only insofar as such may be by law exempt.

A DISTRICT REQUIREMENTS:

Sect. 40: In all districts designated upon the zoning map as A Districts, the following regulations shall apply, Sects. 40 to 59.

Sect. 41: No building shall be erected, altered or used, nor shall any lot be used or occupied hereafter, for any but the following purposes:

(a) a single house.

(b) a building accessory to a single house, such to include private garages, professional offices or studios of doctors, lawyers, artists, musicians, dentists, teachers, architects and other similar professional practitioners.

(c) Rooms within a single house, or such semi-detached house as may be in existence at the effective date of this Ordinance, may be used for such normal home occupations as dressmaking, millinery and similar handicrafts or such rooms may be rented; Provided, such use is not so great within one house as to substantially alter the character of the building from that of a home to one principally used as a business establishment, school or apartment house.

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(d) Agricultural use, barns, chicken houses, corn cribs and other similar farm outbuildings.

(e) a single house for farm employees; Provided, such house is set back at least Seventy-five (75) feet from the official road side line.

(f) the sale of farm products and the erection of a roadside stand for such purposes; Provided, such stand is set back at least twenty-five (25) feet from the official road side line of any public road. This shall not include the sale of gas, novelties or other merchandise apart from normal agricultural products, except such products of home handicraft as permitted in Sect. 41-c.

(g) Municipal, Quasi-Municipal building, parks.

(h) Private Garages.

(i) Non-profit clubs, fraternities, lodges and buildings erected and designed for Divine Worship.

(j) Telephone central office.

(k) Cutting, sawing, selling or otherwise disposing of timber.

Sect. 42: The building area upon any lot shall not exceed fifteen per cent of the lot area.

Sect. 43: There shall be a front yard of at least Fifty (50) feet, two side yards of an aggregate width of at least eighty (80) feet, neither side being less than thirty-five (35) feet, a rear yard of at least fifty (50) feet; Provided, where a building exceeds fifty (50) feet in height, the depth of the rear yard and the aggregate width of the side yards shall be increased five (5) feet for every ten (10) feet in additional height or fraction thereof, and the minimum side yard shall be increased three (3) feet in width for every ten (10) feet or fraction thereof in height over fifty (50) feet.

Sect. 44: Additional buildings of the type permitted in Section 41-b may be erected in the rear yards in A Districts; Provided, no more than fifteen (15) per cent of the surface area of the rear yard is occupied by said buildings and that the total area of all the buildings upon the lot does not exceed the maximum building area prescribed in Sect. 42.

Sect. 45: No lot in an A District shall be less than Two Hundred (200) feet in frontage.

Sect. 46: In case of a corner lot or building, there shall be two front yards, one toward each street upon which the lot abuts; Provided, where a lot exists at the effective date of this Ordinance less than two hundred (200) feet in width from the point of intersection of the official road side lines to the next adjoining property, the rear side or front yard requirements may be reduced as a special exception by the Board of Adjustment in such a manner as the Board may deem equitable and proper under the circumstances of the particular case.

Sect. 47: In the case of a corner lot where the angle of intersection of the official road side lines is less than eighty (80) degrees, the Board of Adjustment may alter the above yard distances to prevent undue hardship.

Sect. 48: No buildings shall be erected hereafter within one hundred and twenty-five (125) feet of any stream or creek except: a spring house for cooling milk or other articles or for the storage or pumping of water, boat houses or bath houses; Provided, single houses or buildings accessory thereto may be erected within such distance of a stream or creek if adequate sewage disposal system is installed and approved by the Penna. Department of Health.

Sect. 49: No tree, bush, shrub or hedge shall hereafter be planted within fifteen (15) feet of the intersection of any road side lines.

B DISTRICT REQUIREMENTS:

Sect. 60: In all districts designated upon zoning map as B Districts the following regulations shall apply, Sect. 60 to 79.

Sect. 61: A building may be erected, altered or used, or a lot may be occupied or used, for any of the purposes permitted in A Districts as set forth in Sect. 41 of this Ordinance but for no other purpose.

Sect. 62: The building area upon any lot shall not exceed twenty-five (25) per cent of the lot area.

Sect. 63: There shall be a front yard of at least fifty (50) feet; a rear yard of at least thirty-five (35) feet; two side yards of an aggregate width of at least thirty (30) feet, neither side yard being less than twelve (12) feet; Provided, where any building exceeds forty (40) feet in height, the depth of the rear yard and the aggregate width of the side yards shall be increased five (5) feet for every ten (10) feet or fraction thereof in additional height and the minimum single side yard width increased three (3) feet for every additional ten (10) feet in height or fraction thereof over (40) feet.

Sect. 64: Additional buildings of the type permitted in Sect. 41-b may be erected in the rear yard; Provided, that no more than thirty (30) per cent of the surface area of the rear yard is occupied by said buildings and that the total area of all the buildings upon the lot does not exceed the maximum building area prescribed in Sect. 62.

Sect. 65: No lot in a B District shall be less than one hundred (100) feet in frontage.

Sect. 66: In the case of a corner lot or building, there shall be two front yards, one towards each street upon which the lot abuts; Provided, where a lot exists at the effective date of this Ordinance less than one hundred (100) feet in width from the point of intersection of the official road side lines to the next adjoining property, the rear, side or front yard requirements may be reduced as a special exception by the Board of Adjustment in such manner as the Board deems equitable and proper under the circumstances of the particular case.

Sect. 67: In the case of a corner where the angle of intersection of the official road side lines is less than eighty (80) degrees, the Board of Adjustment may alter the above yard requirements to prevent undue hardship.

Sect. 68: No building shall be erected hereafter within one hundred twenty-five (125) feet of any stream or creek except: a spring house for cooling milk or other articles or for the storage or pumping of water, boat houses or bath houses; Provided, single houses or buildings accessory thereto may be erected if disposal system is installed and approved by the Penna. Department of Health.

Sect. 69: No tree, shrub, or hedge shall hereafter be planted or set within fifteen (15) feet of the intersection of any road side lines.

C DISTRICT REGULATIONS:

Sect. 80: In all districts designated upon the zoning map of West Pikeland Township as C Districts the following regulations shall apply Sect. 80-99.

Sect. 81: A building may be erected, altered or used, or a lot may be occupied or used for the following purposes and for no other purposes.

(a) For any purpose or purposes permitted in A or B Districts as set forth in Sections 41-b and 61 of the Ordinance.

(b) Semi-detached or apartment houses, but not to include row houses.

(c) Business establishments for the purpose of the sale or purchase of merchandise, investments, insurance, real estate or services to include offices, stores, banks and other financial institutions; telephone and telegraph offices; railway passenger and freight stations and storage space accessory thereto; public garages and gas stations; undertaking and embalming establishments; fruit, grocery and other food stores; laundry, dry cleaning and dyeing; printing and newspapers; restaurants, barber shops, hair dressing parlors; agricultural machinery and farm supplies, to include food and supplies for livestock; automobile agency and repair shops; tailor, dressmaking and shoe repair shops; shops of carpenters, cabinet and furniture makers, upholsterers, decorators, paperhangers, plumbers, electricians, tinsmiths and painters; creameries and plants for making and distributing butter, cheese, ice cream and other dairy products; gas, steam and hot water fitting shops; electric supply shops; bakeries and

candy shops; movie houses and theatres; other uses of the same general character as those enumerated above; Provided, nothing herein is intended to permit and shall not be construed to permit any building to be erected, altered or used, or any lot to be occupied or used, for the manufacture or production of articles of merchandise except as specifically permitted above or incidental thereto, unless such is authorized as a special exception by the Board of Adjustment.

Sect. 82: No building shall be erected, altered or used, nor shall any lot be occupied or used for an automobile graveyard, trailer-camp, junk, garbage or rubbish deposit or cemetery, nor for any trade, industry or business that is noxious or offensive by reason of odor, dust, smoke, gas, vibrations or noise.

Sect. 83: All buildings are erected hereafter in C Districts to be used or occupied for the conduct of business shall be set back at least twenty (20) feet from the official road side line of any public road and shall have a rear yard of at least twenty-five (25) feet, of which no more than thirty (30) per cent shall be used in building area for such buildings as are incidental to the business or purpose of the principal building upon the lot, though the entire rear yard or any part thereof may be used for parking purposes.

Sect. 84: There shall be no more than one store or business establishment in C Districts to every thirty (30) feet of road frontage.

Sect. 85: Single houses, apartment houses or buildings erected or used as semi-detached houses in C Districts shall have front yards of at least twenty-five (25) feet and a side yard upon each side of the building of at least twelve (12) feet, of which no more than thirty (30) per cent shall be used in building area for buildings accessory to such houses or apartments.

Sect. 86: A lot upon which a building is erected or used as a semi-detached house shall have a frontage of at least eighty (80) feet; a lot upon which a single house is erected or occupied shall have a frontage of at least sixty (60) feet; a lot upon which an apartment house is erected or used shall have a frontage of at least one hundred (100) feet.

Sect. 87: Business establishments and stores may be erected in rows, consisting of two or more establishments or stores built contiguous to one another and such rows of stores may have living quarters above them and shall not be construed as row houses for the purpose of this Ordinance; Provided, no row of such stores with or without living quarters above, or apartment house shall be erected or used unless, prior to erection, or use, a sewage disposal system has been installed and approved by the Board of Adjustment as sanitary and healthful with regard to the occupants of the buildings so to be erected or used and to the community at large.

Sect. 88: No tree, shrub or hedge shall hereafter be planted or set within fifteen (15) feet of the intersection of any road side lines.

SIGNS AND BILLBOARDS:

Sect. 100: In A or B Districts no sign or billboard shall hereafter be erected except as hereinafter specifically permitted as follows:

(a) Official highway route numbers or names of streets; signs indicating the distance to and the direction of a particular city, borough or township; such signs as may be placed along a public road under the authority of the Commonwealth, County or Township officials for the safety or regulation of traffic upon said road; Provided, all such signs shall be within the official side lines of the road along which they are erected.

(b) Signs indicating the home or office of a professional practitioner or to indicate the owner or occupant of a particular home or estate; Provided, no such sign is larger than six (6) square feet in area.

(c) Signs prohibiting gunning, fishing, hunting or trespassing upon a particular property or to indicate the private nature of a road, driveway or property; Provided, no such sign exceeds two (2) square feet in area.

(d) Signs to indicate the dangerous condition of a driveway or premise or to warn of the presence of a vicious animal, thereon.

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(e) Signs to indicate that the property upon which they are erected is for sale or rent, or that such property has been sold or rented, including thereon the person or agent authorized to so rent or sell such property; Provided, no such sign is larger than six (6) square feet in area and no more than two (2) such signs shall be placed on any one side of a property to be sold or rented or which has been sold or rented.

(f) Signs indicating the name of a particular farm or estate; Provided such sign does not exceed six (6) square feet in area.

(g) Signs of painters, builders, architects, mechanics and other artisans erected upon premises upon which such artisan is then working, other than premises owned or leased by the artisan so erecting or causing to be erected such sign; Provided, such sign shall be no larger than twelve (12) square feet in area and is removed immediately upon completion of the work performed by said artisan upon the particular premise upon which the sign is erected.

(h) Signs indicating the location of a roadside stand and advertising the products sold therein; Provided, no such sign shall exceed six (6) square feet in area and no more than four (4) such signs shall be placed upon the road upon which the stand is placed.

(i) Signs in or about a roadside stand advertising the products sold therein; Provided, no such sign shall exceed three (3) square feet in area and no more than four (4) such signs shall be placed about a particular roadside stand, though as many tags not exceeding thirty-six (36) square inches in area may be placed on products to be sold as may be desirable.

(j) Legal notices required by law in civil or criminal proceedings to be placed on premises or other points.

(k) Signs indicating the name or location of any building erected and designed for Divine Worship.

Sect. 101: All signs permitted in Sect. 100 for A and B Districts are likewise permitted in C Districts, subject to the same qualifications. In addition thereto, signs may also be erected in C Districts advertising the type of store or name of proprietor, type or price of goods sold or services; other signs incidental or customary in the conduct of the particular business; Provided, no sign or billboard shall be erected or inscribed upon any property advertising any product not actually sold or manufactured therein.

Sect. 102: Other signs of like character to those specified in Sect. 100 for A or B Districts or C Districts and the prescribed limitations on such signs may be enlarged by special exception granted by the Board of Adjustment.

NON-CONFORMING USE:

Sect. 120: Any building or premise actually in use for purposes not in conformity with the provisions of this Ordinance at the effective date hereof may continue to be so used for that particular purpose. However, where such non-conforming use shall be changed to another use or to a conforming use or cease to be so used for a period of six (6) months or more such building or premise shall hereafter be subjected to the limitation against that use within the term of this Ordinance unless a special exception to continue such use is obtained from the Board of Adjustment.

Sect. 121: No building that is not in compliance with the yard and distance requirements embodied in this Ordinance at the effective date hereof shall be required to be altered or moved to so comply; if any such building is hereafter razed or destroyed by fire or other casualty such building may be reconstructed in the same place as previously located; Provided, reconstruction is commenced within one year of said destruction.

Sect. 122: No lot area shall be reduced, nor shall any property be so sold or divided so as to make the open spaces about the buildings thereon or frontage smaller than the distance required by this Ordinance.

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BOARD OF ADJUSTMENT:

Sect. 140: The Board of Township Supervisors shall appoint a Board of Adjustment, consisting of three resident citizens of West Pikeland Township, for such terms as prescribed by Act of Assembly of July 1, 1937, Sect. 7P.L. 2624.

Sect. 141: All meetings and hearings of the Board of Adjustment shall be presided over by the Chairman of the Board who shall be initially the member appointed to fill the term ending upon the first day of the third January following the adoption of this ordinance and thereafter the member longest in service upon the Board, to serve until such person is no longer a member of the Board, or, in the absence of the Chairman, by the Vice-Chairman, who shall be initially the member appointed to fill the term ending upon the first day of the second January following the adoption of this Ordinance and thereafter the second longest in service upon the Board, to serve until such person is no longer a member of the Board or has become Chairman thereof; Provided, where two or more members of the Board have been in continuous service upon the Board an equal length of time, that member whose term has the longest time to run at the time the particular office is to be filled shall have priority for that office.

Sect. 142: The Board of Adjustment shall have the following powers:

(a) To hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by an administrative officer in the enforcement of the Act of July 1, 1937, No. 504, P.L. 2624 or of this Ordinance or any amendment hereto.

(b) To hear and decide special exceptions to the terms of this Ordinance upon which the Board is required to pass under the terms of this Ordinance.

(c) To authorize, upon appeal, in specified cases, such variance from the terms of this Ordinance or any amendment hereto as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship and so that the spirit of the Ordinance shall be observed and substantial justice done.

Sect. 143: Wherever an appeal, petition for special exception or petition for varying the terms of this Ordinance shall be filed with the Board of Adjustment in accordance with the rules to be prescribed by such Board, the Board shall set a time and place for hearing the matter and shall give notice thereof in the following manner:

(a) The Board shall advertise the time and place of the hearing at least once a week for two weeks prior to the time for said hearing in a newspaper of general circulation in the Township.

(b) The Board shall give notification by mail of the time and place of the hearing to the parties bringing the matter before them, if the names and addresses of such person or persons are known to the Board or inscribed upon the petition filed with the Board.

(c) The Board shall give notification by mail to all property owners of the time and place of the hearing who have filed their names and addresses with the Board for such purposes; such notice shall also contain the names of the petitioning parties, the general nature of the matter to be heard and the location of the property involved in the petition. However, whenever a hearing is once begun and is continued until a later date and the time and place of the further hearing is announced orally at the first or prior hearing, no other notice of the further hearing shall be necessary.

Sect. 144: The Board of Adjustment shall formulate in writing rules of procedure to govern the time within which appeals must be taken and the manner in which appeals, petitions, for special exemption and petitions for varying the terms of the Ordinance for a particular case shall be brought and heard before the Board and a copy of said rules shall be available at all times for reference by any interested party at the home of the Chairman of the Board.

Sect. 145: 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 and shall 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.

Sect. 146: The quorum necessary for the transaction of business by the Board shall be two members.

AMENDMENTS:

Sect. 160: The Board of Supervisors may amend, supplement, change, modify or repeal the regulations herein prescribed, restrictions, boundaries and other provisions of this Ordinance in the following manner:

(a) The Board of Supervisors shall hold a public hearing upon any proposed amendment or change in the Ordinance.

(b) Such public hearing shall have been advertised at least fifteen (15) days prior to the holding thereof in a newspaper of general circulation in the Township, such advertisement stating the time and place of hearing and the general nature of the amendment or alteration proposed and written notice shall be mailed to all property owners who have filed their names and addresses with the supervisors for that purpose.

(c) An opportunity shall be presented at such hearing for all interested parties and citizens to be heard.

(d) The Board shall then pass or reject the proposed amendment within a reasonable time after such hearing. Where a protest against such a change is filed in writing and signed by the owners of at least twenty (20) per cent or more, either of the area of the lots included in the change or of those immediately adjacent in the rear thereof extending one hundred (100) feet therefrom or of those directly opposite thereto and extending one hundred (100) feet from the street frontage of said opposite lots, the unanimous vote of the Board of Supervisors shall be necessary to effect the proposed amendment.

ENFORCEMENT AND REMEDIES:

Sect. 180: There shall be an enforcement officer or officers appointed by the Board of Township Supervisors, who shall not be a member or members of the Board of Adjustment, to serve for the term of three years. Said enforcement officers shall be residents of West Pikeland Township.

Sect. 181: Any person, prior to building, constructing, altering or reconstructing any building or prior to using any land for any purpose may request a permit from the Zoning Officer, said request being in writing and setting forth the nature and details of the proposed acts or use. When such a request is made for a building or use permit, it shall be the duty of the enforcement officer or officers to issue such permit if the building or use proposed is in strict compliance with the terms of this Ordinance. It shall be the duty of the enforcement officer to refuse such permit, if a permit is requested, whenever the use or building proposed is not in strict compliance with the terms of this Ordinance. All permits or refusals to grant permits shall be in writing, signed by the enforcement officer and copy given to the party so requesting the permit and a copy filed in the office of the Board of Adjustment as a public record. If a person is refused a permit the reason for the refusal shall be stated in writing upon the written refusal. Nothing herein shall require any property owner to obtain any building permit prior to repairing, remodeling, reconstruction or construction of any building in the Township. Any building, construction, alteration or reconstruction or use of land undertaken without a permit that is not in compliance with this Ordinance shall be a violation of this Ordinance subjecting the person responsible therefor to the penalties and enforcement provisions herein contained.

Sect. 182: Whenever a building or use permit is refused or an order is given by an enforcement officer or a Supervisor to cease an alleged violation of this Ordinance, the party so refused the permit or to whom the order is given may appeal such action to the Board of Adjustment or whenever a permit is granted, any interested or affected resident or property owner of the Township or Supervisor may appeal

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Secretary

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the granting of such permit to the Board of Adjustment, who may, if the case warrants, hold the use or building proposed in violation of the Ordinance and rescind the permit: Provided; such appeals are instituted within fifteen (15) days of the date the order to cease or permit is issued and in the manner prescribed by the Board of Adjustment in the rules it shall formulate.

Sect. 183: Whenever any permit is issued by the enforcement officer a copy of such permit shall be mailed immediately to all owners whose property abuts the premises for which the permit is granted.

Sect. 184: It shall be the right and duty of the enforcement officer to report all violations of this Ordinance to the party so violating it and issue an order to that party to cease such violation and to notify the Supervisors of the appropriate action for the enforcement and remedying of such violation.

Sect. 185: It shall be the right of any Supervisor of the Township to notify a person whom he believes to be violating the terms of this Ordinance of the violation and to issue an order to cease such alleged violation and it shall be the duty of the enforcement officer to issue an order to a person allegedly violating the Ordinance when petitioned to do so in writing by five (5) residents or property owners of the Township.

Sect. 186: Any resident or property owner of West Pikeland Township may petition directly to the Board of Adjustment for a special exemption to the terms of this Ordinance whenever he believes his position is such as to be included in the provisions for special exceptions under the terms of this Ordinance.

Sect. 187: In the event that any building is erected, altered, repaired, converted or maintained, or any building or land used in violation of this Ordinance or other regulations authorized herein, the proper authorities of West Pikeland Township in addition to other remedies, may institute any appropriate action or proceeding to prevent such unlawful erection, alteration, repair, conversion, maintenance or use to restrain, correct or abate such violations, to prevent occupancy of said building or land, or to prevent any illegal act, conduct or business or use in or about said premises.

Sect. 188: For any and every violation of the provisions of this Ordinance the owner, general agent or contractor of a building or premise wherein such violation has been committed or shall exist, and the owner, agent, contractor, architect, builder, lessee, or tenant of any part of a building or premise in which part the violation has been committed or shall exist, and the general agent, contractor, architect, builder and every other person who knowingly takes part in or assists in any such violation or who maintains any building or premise in which such violation shall exist, shall be liable on conviction to a fine or penalty not exceeding \$25.00 for every offense and whenever such person shall be notified by a Supervisor or enforcement officer, or by service of summons in prosecution therefor or in any other way that he is violating this Ordinance, each day such violation is continued after such notification shall constitute a separate offense punishable by a like fine or penalty to be collected as like fines and penalties may now by law be collected, payable to the general road funds of the Township.

Sect. 189: Should any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid or unenforceable, such decision shall affect only the specific section or provision before the Court and declared invalid and shall not affect the validity of the Ordinance as a whole or any other part thereof,

Sect. 190: This Ordinance shall become effective immediately upon its adoption by the Board of Township Supervisors of the Township of West Pikeland, Chester County, Pennsylvania and the recording of a copy thereof in the office of the Recorder of Deeds of Chester County, Pennsylvania