

**NORTH FRANKLIN TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA
ORDINANCE: 8-2020**

AN ORDINANCE OF THE TOWNSHIP OF NORTH FRANKLIN, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE, TO PERMIT FACTORY AUTHORIZED EQUIPMENT DEALER(S) IN THE MASTER OVERLAY DISTRICT, SUBJECT TO CERTAIN REGULATIONS WITHIN THE TOWNSHIP AND TO PROVIDE A DEFINITION FOR SAID USE; AND FURTHER AMENDING ARTICLE XIV, SECTION 460-1402 SPECIAL YARD REQUIREMENTS TO PERMIT PRIVACY FENCES IN SIDE YARDS SUBJECT TO CERTAIN REGULATIONS.

WHEREAS, the Municipalities Planning Code, 53 P.S. §10101 et seq. (the "MPC"), authorizes the Township (the "Township") to create ordinances for the regulation, administration and enforcement of Township zoning ordinances, codes, etc.; and,

WHEREAS, pursuant to its authority under the MPC, the Board of Supervisors of the Township (the "Township Supervisors") have adopted a Township Zoning Ordinance regulating various uses; and,

WHEREAS, the Township believes there is a need to amend the Zoning Ordinance to define certain uses and provide specific regulations for said uses; and

NOW THEREFORE, the Board of Supervisors hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1. PURPOSE.

This Ordinance is designed to amend the Township Zoning Ordinance to define Factory Authorized Equipment Dealer, to further amend the Master Plan Overlay Zoning District to allow said use as a permitted use subject to certain regulations and to amend Section 1402.3(d) related to Privacy Fences.

SECTION 2. AMENDMENT TO ARTICLE II; SPECIFICALLY, SECTION 202 SPECIFIC MEANINGS.

Section 202 of the Township Zoning Ordinance is amended by adding the following language to the Specific Meanings section:

FACTORY AUTHORIZED EQUIPMENT DEALER - means any person, partnership, corporation, association, or other form of business enterprise that is primarily engaged in the wholesale and/or retail sale of equipment, including but not limited to commercial grade vehicles, construction equipment, cars, trucks, vans, motorcycles, trailers,

recreational/utility vehicles and similar items.

**SECTION 3. AMENDMENT TO ARTICLE VII; SPECIFICALLY, SECTION 706.02
MASTER PLAN OVERLAY AUTHORIZED USES.**

Section 460-706.02 of the Township Zoning Ordinance is amended by adding the following language to the Authorized Uses section:

A. C-1;

1. Permitted Uses.

FACTORY AUTHORIZED EQUIPMENT DEALERS, subject to
§1317

B. C-2 AND C-3:

1. Permitted Uses.

FACTORY AUTHORIZED EQUIPMENT DEALERS, subject to
§1317

**SECTION 4. AMENDMENT TO ARTICLE XIV; SPECIFICALLY, SECTION 1402
SPECIAL YARD REQUIREMENTS.**

Section 460-1402.3(d) of the Township Zoning Ordinance is amended by replacing the current subsection (d) language and also adding subsection (g) as set forth below:

3. Fences.

(d) Privacy fences which contain openings equal to less than fifty percent (50%), but no less than ten percent (10%) of the surface area of the fence shall be permitted in the rear or side yard, privacy fences shall not exceed six (6) feet in height.

(g) A permit application with site plan and all other required documents shall be submitted and approval received prior to any fence being erected in the Township.

SECTION 5. REPEALER.

Any Township Ordinances or provisions of the Township Code, which are inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 6. SEVERABILITY.

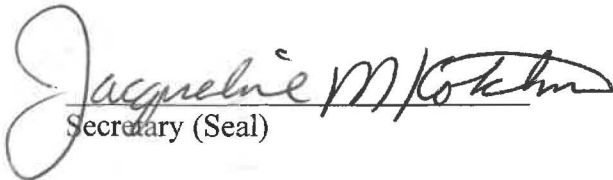
If any sentence, clause, section or other part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this

Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ENACTED AND ORDAINED this 10 day of November, 2020.

ATTEST:

BOARD OF SUPERVISORS
NORTH FRANKLIN TOWNSHIP


Secretary (Seal)


Chairman


Supervisor


Supervisor