

PENNSBURY TOWNSHIP, CHESTER COUNTY

ORDINANCE NO.2014-3-19-1

AN ORDINANCE OF PENNSBURY TOWNSHIP ADOPTED PURSUANT TO THE AUTHORITY OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AMENDING THE PENNSBURY TOWNSHIP ZONING ORDINANCE OF 2012

THE BOARD OF SUPERVISORS OF PENNSBURY TOWNSHIP HEREBY ENACTS AND ORDAINS AS FOLLOWS:

Section 1. The Pennsbury Township Zoning Ordinance of 2012 is amended as follows:

- a) Section 162-1503.E.2.c is amended by adding the following new sentence at the end thereof:

In order to prevent soil erosion and preserve stream quality, removed vegetation shall be replaced in the same growing season by native plant materials listed in Appendix G of the Pennsbury Township Subdivision and Land Development Ordinance of 1982, or native plant materials listed in any amended or successor ordinance regulating subdivision and land development, according to a landscape plan approved by the Township Landscape Architect.

- b) Section 162-2409.C is amended by deleting “162-1608” and inserting “162-1607”.

- c) Section 162-1605.B.6 is amended by deleting the word “of” and inserting the word “or” on the first line.

- d) Section 162-202 is amended by deleting the definition of “Building” and inserting the following new definition of “Building”:

BUILDING – A combination of materials to form a permanent structure having a roof supported by walls, posts or other components. Included shall be all manufactured homes and trailers to be used for human habitation.

- e) Section 162-202 is amended by deleting the definition of “Structure” and inserting the following new definition of “Structure”:

STRUCTURE – Anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured homes, in-ground swimming pools, above-ground swimming pools and other similar items. This term includes any man-made object having an ascertainable stationary location on or in land or water whether or not affixed to land.

- f) The definition of “Swimming Pool” in Section 162-202 is amended by adding the word “in” between the words “feet” and “depth” on the third line.

- g) Section 162-2002.A.2.d is amended by deleting the existing text and inserting the following:
 - d. On lots having a lot area of more than one acre, the maximum ground floor area for the sum of all accessory buildings shall be no larger than forty percent (40%) of the principal building’s floor area or six hundred (600) square feet, whichever is less.

On lots having a lot area of one acre or less, the maximum ground floor area for the sum of all accessory buildings shall be five hundred (500) square feet.

- h) Section 162-2002.C.11.b. is amended by deleting the existing text and inserting the following:
 - b. Setbacks. All setbacks shall be measured from the closest point of a water surface.

- i) Section 162-2002.C.11 is amended by inserting a new subsection c. as follows:
 - c. Size and area limitations:
 - 1) Water surface area of in-ground pools, including spas and hot tubs, shall not exceed 900 square feet.
 - 2) Water surface area of above-ground pools, including spas and hot tubs, shall not exceed 300 square feet.
 - 3) A swimming pool and related apparatuses shall not be located within ten (10) feet of any existing or proposed on-site sewage absorption area

- j) Subsections c through e of Section 162-2002.C.11 shall be re-designated subsections d through f.

Section 2. . In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall remain in full force and effect.

Section 3. This Ordinance shall be effective five days from enactment.

ENACTED AND ORDAINED this 19th day of March, 2014.

BOARD OF SUPERVISORS
PENNSBURY TOWNSHIP

ATTEST:

Charles Scottoline, Chairman

Kathleen Howley, Secretary

Wendell Fenton, Vice Chairman

Aaron McIntyre, Member

