

**NEW BEAVER BOROUGH, LAWRENCE COUNTY, PENNSYLVANIA
ORDINANCE NO. 1 of 2022**

AN ORDINANCE OF NEW BEAVER BOROUGH, LAWRENCE COUNTY, PENNSYLVANIA, FOR THE PURPOSE OF MAKING VARIOUS CHANGES, CLARIFICATIONS, AND AMENDMENTS TO ORDINANCE NO. 2 OF 2011 ("NEW BEAVER BOROUGH ZONING ORDINANCE") AND THE ORDINANCES AND AMENDMENTS TO ORDINANCE NO. 2 OF 2011 BY PROVIDING FOR PURPOSES AND FINDINGS RELATED TO THE ADOPTION OF SAID AMENDMENTS.

WHEREAS, the New Beaver Borough Council finds that the various changes, clarifications, and amendments are deemed necessary in order to encourage beneficial growth in the Borough while keeping the density of development consistent with existing Borough facilities and the Borough's ability to develop new facilities.

WHEREAS, in the judgment of New Beaver Borough Council, such changes, clarifications, and amendments to the New Beaver Borough Zoning Ordinance is consistent with the overall best interest of the Borough.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of New Beaver Borough, Lawrence County, Commonwealth of Pennsylvania, and by this Ordinance it is hereby ordained and enacted as follows:

1. Section 204, Lot and Yard Requirement Chart:

2. Change the front setback requirement for Agricultural and Residential Single-Family uses to 10 feet from the highway right of way or Lot, Line, Front "as defined" on page 47 and page 51 of Ordinance 2-2011.

3. Change the rear setback requirement for Agricultural and Residential Single-Family uses to 10 feet from the rear lot line.

2. Section 204, Lot and Yard Requirement Chart:

Amending lot area requirements for single-family and two-family dwellings in residential districts as follows:

1. In a residential district when public sanitary sewer and public water are not available, the lot area required is as shown in Chart 204.
 - a. Single-Family 1.5 Acres
 - b. Two-Family Dwelling Units 2 Acres
2. In a residential district when public sanitary sewer and public water are available and used, the lot area required for Single-Family and Two-Family Dwellings shall be .25 acre.

3. In a residential district when public sanitary sewer is available and used, but public water is not available, lot area required for Single-Family and Two-Family Dwellings shall be .50 acre.
4. In a residential district when public water is available and used, but public sanitary sewer is not used, lot area requirements are as follows:
 - a. Single-Family 1 Acre
 - b. Two-Family Dwelling Units 2 Acres
5. Omit ***In Residential where public sanitary sewers and water are available for use, lot area required for single-family and two-family shall be ½ acre and lot width 120 feet.
6. Omit all lot coverage requirements in Section 204 Lot and Yard Requirement Chart.

3. Section 303.5, Accessory Structures/Uses:

Add the following:

(b) If an accessory structure or use is less than one hundred sixty (160') square feet in size and is to be made a part of the lot, the owner (or agent) must contact the Borough Office to obtain an Affidavit which must be submitted to the Borough detailing the project.

(c) Amend 303.5 to read:

Accessory structures or uses up to one hundred sixty (160') square feet in size shall not be located less than ten (10') feet from the side lot line.

4. Property Line.

1. Where the term “property line” is used in the zoning ordinance and its amendments, it is to be defined and taken as equivalent to the definitions of “lot line, rear and side”.

5. Delete Section 313 regarding signs in its entirety and replace with the following:

313 Signs:

a) Authority: Signs may be erected and maintained only when in compliance with the provisions of this section and any and all other ordinances and regulations of the Borough which may be applicable.

b) Exclusions: The following shall not be subject to the provisions of this Section unless otherwise specifically cited herein:

- a. Signs of a duly constituted local, state, or federal government body, including traffic or similar safety and regulatory devices, legal notice, or railway warning signals.
- b. Small signs with a surface area not exceeding four (4) square feet, displayed for the direction or convenience of the public which identify landmarks, parking areas, convenience facilities, and similar features.

- c. One (1) temporary non-lighted sign on a construction site, not exceeding an area of fifty (50) square feet, denoting engineer, architect, contractor, and funding agencies and related information regarding the development.
- c) Permitted Signs - Residential: In the Residential District, the following requirements shall apply:
 - a. One (1) permanent identification sign for each dwelling unit, which may cite the name of the occupant, address, and other distinguishing features of the structure or property. Such signs shall not exceed four (4) square feet.
 - b. One (1) temporary non-lighted real estate sign pertaining to the sale, lease, hire, or rental of property on which the sign is displayed, not to exceed six (6) square feet.
 - c. One (1) announcement sign designating home occupations, group residential facility, or day care service, provided all such signs shall be limited to four (4) square feet in area.
 - d. One (1) permanent announcement sign erected by churches, schools, cemeteries, hospitals, clinics, multi-family dwelling developments with five (5) or more units, municipal facilities or similar permitted uses, which may include any appropriate message, provided that the area of such sign shall not exceed fifty (50) square feet in area.
 - e. Temporary signs advertising a garage sale, street fair, or other temporary activity, or a temporary sign directing persons to the location of such activity. Signs must be removed within twenty-four (24) hours of termination of the activity and shall not exceed ten (10) square feet in area.
 - f. Signs relating to funeral homes, greenhouses, convenience commercial establishments, private and commercial recreation, agricultural supply and garden centers, commercial stables, kennels, veterinary clinics, tourist homes and mobile home parks shall be limited to two (2) signs per each such use. Individual signs shall not exceed fifty (50) square feet in area, except that, when two signs are erected on a site, the combined area of both signs shall not exceed fifty (50) square feet.
 - g. Signs shall be located a minimum distance of ten (10) feet from the street right-of-way.
- d) Permitted Signs- Agriculture, Commercial, and Industrial Districts: In the A and C Districts and the I District, the following requirements shall apply to individual lots:
 - a. Building (or Wall) signs shall be limited to one-and-one-half (1 ½) square feet per foot of lineal wall length, with a maximum area of two-hundred (200) square feet of sign area.
 - b. Individual free-standing signs or projecting signs extending outward from a building shall not exceed fifty (50) square feet in area.
 - c. Temporary signs advertising the sale, rental, or development of property, buildings, or portions thereof, not to exceed thirty-two (32) square feet.
 - d. Portable or mobile signs and other similar advertising displays may be used for special sales, announcements, and related purposes, subject to the following provisions:
 - i. Display area of such signs shall not exceed fifty (50) square feet.
 - ii. No portion of the sign or its supporting structure shall occupy a public right-of-way.
 - iii. All lighting and illumination restrictions which apply to displays, signs, and structures under this Ordinance shall apply.

- iv. Permits for the placement of such signs shall be issued for a maximum of thirty (30) consecutive days. No reissue of a permit shall be permitted until sixty (60) days from the expiration date of a preceding permit.
 - e. Electronic Signs: This section regulates the use of electronic signs within the Borough to minimize the impact of such signs that may distract drivers and be detrimental to the neighboring properties. Such signs may be used according to the following provisions:
 - i. The sign shall not be illuminated in any manner which causes undue distraction, confusion, or hazard to vehicular traffic.
 - ii. Electronic signs shall not exceed fifty (50) square feet in size.
 - f. No sign shall exceed the height of a related building or thirty (30) feet, whichever is greater.
 - g. No sign shall face an adjoining residential use.
 - h. In the I District, billboards shall be permitted. The sign face shall not exceed three hundred (300) feet.
 - i. Signs relating to the sale of farm products in the Agricultural District shall be limited to a total of two such signs that do not exceed a cumulative total of fifty (50) square feet in area.
 - j. Signs relating to motels, hotels, auto service and repair and RV parks shall be limited to two (2) signs per each such use. Individual signs shall not exceed fifty (50) square feet in area, except that, when two signs are erected on a site, the combined area of both signs shall not exceed fifty (50) square feet.
- e) General Standards: The following standards shall apply to signs in all zoning districts of the Borough:
- a. No sign shall be located or constructed to obstruct or interfere with any traffic control signal, sign, device, or intersection sight triangle.
 - b. Signs shall not be attached to utility poles except for authorized public purposes.
 - c. A sign shall be removed within thirty (30) days when the circumstances that led to its erection no longer apply or if safety violations occur. Circumstances that dictate sign removal shall include, but not be limited to, the following:
 - i. The creation of a safety hazard.
 - ii. Dilapidation.
 - iii. Vacancy or termination of the subject business for more than ninety (90) days.
 - iv. The completion of an event, business transaction, or other activity for which the sign was originally installed.
 - v. Any illegality under the provisions of this Ordinance or regulation of a duly constituted governmental authority.
 - d. Signs shall be subject to the following regulations:
 - i. Lighting and illumination of signs shall not cause distraction, confusion, or hazard to traffic movements within the Borough.
 - ii. Signs or devices with flashing, moving, or similar lighting or animation are prohibited in all zoning districts.
 - iii. Freestanding and projecting signs of all types may have two (2) faces. Each face may contain the area as permitted by this Ordinance.
 - e. Permits:

- i. A separate zoning permit shall be required for the erection of signs under this Ordinance, unless specifically exempted.
- ii. Each application for a permit shall be accompanied by a drawing to scale showing the proposed sign, the size, general characteristics, method of illumination, the exact location of the sign in relation to the lot and structure involved and other data as may be required by the Zoning Officer.
- iii. A fee shall accompany each application for a permit. Such fees shall be established by resolution of the Borough Council.

6. Severability. The provisions of this Ordinance are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Borough Council that such determination shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Borough Council that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

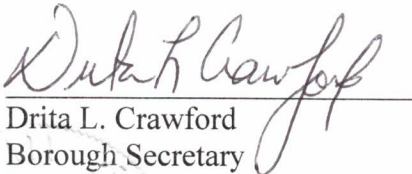
7. Repealer. Any and all prior Ordinances or portions of prior Ordinances that are in conflict with this Ordinance are hereby repealed to the extent of such conflict. The remaining prior Ordinances and portions of prior Ordinances including Ordinance No. 2 of 2011, not modified herein, shall remain the same.

8. Effective Date. This Ordinance shall take effect thirty (30) days after the date of adoption by the New Beaver Borough Council, Lawrence County, Pennsylvania.

DULY presented and adopted at a meeting of the Borough Council of New Beaver Borough, Lawrence County, Commonwealth of Pennsylvania, this 14 day of February, 2022.

ATTEST:

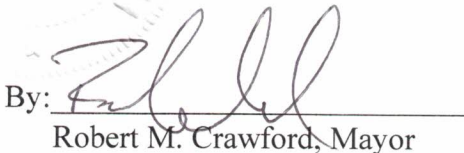
NEW BEAVER BOROUGH


 Drita L. Crawford
 Borough Secretary

By: 
 David Hairhoger
 President of Council

EXAMINED AND APPROVED by me this 14 day of February, 2022.

NEW BEAVER BOROUGH


 By: Robert M. Crawford, Mayor