

146

Borough of...

ZONING ORDINANCE

BOROUGH OF PATTERSON HEIGHTS

**BEAVER COUNTY
PENNSYLVANIA**

Prepared By

**Michael Baker, Jr., Inc.
Consulting Engineers
Rochester, Pennsylvania**

ZONING ORDINANCE

Borough of Patterson Heights
Beaver County
Pennsylvania

Adopted
September 11, 1961

Prepared By
MICHAEL BAKER, JR., INC.
Consulting Engineers
Rochester, Pennsylvania

OFFICIALS

BOROUGH OF PATTERSON HEIGHTS

W. Oscar Schroeder, Mayor

BOROUGH COUNCIL

Newell Hamilton, President

Eugene W. Ramsey

Montgomery T. Popovich

Edwin R. Weeber

George Zipf

Willis E. Monroe

Byron B. Luce

E. E. Autenreith, Solicitor

Joseph D. Williams, Secretary

PLANNING AND ZONING COMMISSION

Robert F. Amalia, Chairman

E. E. Autenreith, Jr., Secretary

Charles M. Andrews

Karl A. Arnold

Philip W. Moegerle

TABLE OF CONTENTS

SECTION I TITLES 1

101 Short Titles 1

SECTION II PURPOSE 1

201 Purpose 1

SECTION III DEFINITIONS 2

301 Interpretation 2

302 Meaning of Words 2

SECTION IV ZONING DISTRICTS 4

401 Establishment of Districts 4

402 Maps and Boundaries 5

SECTION V APPLICATION OF REGULATIONS 5

501 Use of Property 5

502 Restrictions 5

SECTION VI PERMISSIVE USES - RESIDENTIAL 6

601 "R" Residential 6

602 Permitted Uses 6

603 Requirements 7

604 Parking 7

605 Signs 8

606 Exceptions 9

SECTION VII PERMISSIVE USES - PARK 11

701 "p" Park 11

702 Permitted Uses 11

703 Requirements 11

704 Parking 11

SECTION VIII PERMISSIVE USES - INDUSTRIAL 11

801 "I" Industrial 11

SECTION IX SUPPLEMENTARY REGULATIONS 12

901 Essential Services 12

902 Dwellings on Small Lots 12

903 Trailer Camps 12

904 House Trailers 12

905 Storage 13

906 Fences and Hedges 13

SECTION X NONCONFORMING USES 13

1001 When Permitted 13

1002 Unsafe Structure 13

1003 Alterations 13

1004 Restoration 14

1005 Extension 14

1006 Changes 14

1007 Prior Approved Construction 14

1008 Abandonment 14

1009 Unlawful Use 15

1010 District Changes 15

SECTION XI ADMINISTRATION AND ENFORCEMENT 15

1101 Administrative 15

1102 Zoning Permit 16

SECTION XII BOARD OF ZONING ADJUSTMENT 17

1201 Creation, Appointment and Organization 17

1202 Powers and Duties 17

1203 Procedure 18

SECTION XIII AMENDMENTS 20

1301 Permitted Changes 20

1302 Application or Petition 20

1303 Amendment by Council 20

SECTION XIV VALIDITY 21

SECTION XV INTERPRETATION, PURPOSE, CONFLICT 21

SECTION XVI REMEDIES 21

SECTION XVII PENALTIES 22

SECTION XVIII EFFECTIVE DATE 22

BOROUGH OF PATTERSON HEIGHTS

Beaver County, Pennsylvania

1961

ORDINANCE NO. 146

Passed: September 11, 1961

AN ORDINANCE regulating and restricting the height, number of stories and size of buildings and other structures, their construction, alteration, extension, repair, maintenance and all facilities and services in or about such buildings and structures, and percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, and may also establish and maintain building lines and set back building lines upon any or all public roads and highways.

**SECTION I
SHORT TITLES**

101 This Ordinance shall be known and may be cited as "The 1961 Zoning Ordinance of the Borough of Patterson Heights" and the district map shall be known and may be cited as the "Official Zoning Ordinance Map."

**SECTION II
PURPOSE**

201 For the purpose of lessening congestion in the roads and highways; to secure safety from fire, panic and other danger; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue congestion of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

SECTION III
DEFINITIONS

301 INTERPRETATION

For the purpose of this Ordinance certain terms and words used herein shall be interpreted or defined as follows:

Words used in the present tense shall include the future.

Words used in the singular shall include the plural.

The word person includes a corporation as well as an individual.

The term shall is always mandatory.

The word used or occupied as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied.

The word building includes the word structure.

302 MEANING OF WORDS

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

1. ACCESSORY BUILDING: A building subordinate to the main building and used for purposes customarily incidental to those of the main building.

2. BUILDING LINE: The line of that face of the building nearest the front line of the lot. This face includes porches, patios and similar construction, but does not include steps.

3. COMMERCIAL: Engaging in a business, enterprise, activity, or other undertaking for profit.

4. ESSENTIAL SERVICE: The erection, construction alteration or maintenance of public utilities, municipal departments or commissions, of facilities, including buildings necessary for the furnishing of adequate services for the public health, safety or general welfare.
5. FAMILY: Any number of individuals living and cooking together as a single housekeeping unit, as distinguished from a group occupying a boarding house.
6. FRONT YARD: The open space extending across the entire width of the lot between the front line of the building line and the street right-of-way.
7. HEIGHT: The height of a building shall be measured from the mean level of the ground surrounding the building to a point midway between the highest and the lowest points of the roof, providing that chimneys, spires, towers, tanks, and similar projections shall not be included in calculating the height.
8. LOT: The parcel of land on which a main building and any accessory buildings are placed, together with the required open spaces.
9. MULTIPLE DWELLING: A building designed for and occupied exclusively as a residence for two or more families living independently of each other.
10. PRIVATE GARAGE: An accessory building for the storage of motor vehicles owned and used by the owner or tenant of the lot for a purpose accessory to the use of the lot, and for not more than two additional motor vehicles owned and used by others.
11. PUBLIC GARAGE: A building, not a private garage, used for storage or repair of motor vehicles.
12. REAR YARD: The required open space extending from the rear of the main building and along the rear lot line (not necessarily a street line) throughout the entire width of the lot.
13. ROOMING HOUSE: A residential building other than a hotel in which part or parts are kept, used, or held out to be a place where sleeping accommodations are offered for hire for three (3) or more persons.

14. **SIDE YARD:** The required open space extending from the side of any building along the side lot line throughout the entire depth of the yard. Any lot line not a rear line or a front line shall be deemed as a side line.
15. **SIGN:** A sign shall mean a structure that is arranged, intended, designed, or used as an advertisement, announcement, or direction, or a sign posted, painted, or placed in some fashion on a building, structure or any surface for such a purpose.
16. **SINGLE FAMILY DWELLING:** A building designed for and occupied exclusively as a residence for only one family.
17. **SPECIAL EXCEPTION:** A special exception shall be taken to mean the permission or approval granted by the Board of Zoning Adjustment in situations where provision therefore is made by the terms of this Ordinance.
18. **STREET LINE:** The line defining the edge of the legal width of a dedicated street right-of-way.
19. **TRAILER:** Any licensed or unlicensed mobile vehicle designed to be towed or pulled by a motor vehicle.
20. **TRAILER (HOUSE OR MOBILE HOME):** Any licensed or unlicensed trailer or other vehicle designed or used for living or sleeping purposes regardless of whether the wheels are attached or unattached, or a permanent or semi-permanent foundation is constructed underneath or any structure of a permanent or semi-permanent nature or utilities are attached thereto.

**SECTION IV
ZONING DISTRICTS**

- 401 **ESTABLISHMENT OF DISTRICTS**
For the purpose of applying the provisions of this Ordinance, the Borough of Patterson Heights, County of Beaver, Commonwealth of Pennsylvania, is hereby divided

into the following Zoning Districts:

1. "R" Residential
2. "P" Park
3. "I" Industrial

402 MAPS AND BOUNDARIES

1. The boundaries of these Districts are hereby established as shown on the map entitled "Official Zoning Ordinance Map" on file in the office of the zoning officer, which map with all explanatory matter thereon shall be deemed to accompany, be, and is hereby made a part of this Ordinance. The Official Zoning Ordinance shall carry the signature of the President of the Patterson Heights Borough Council and the Borough Secretary certifying that it is the true map adopted by the Council. All amendments shall be identified on the map and similarly certified.
2. The boundaries between Districts are, unless otherwise indicated, either the centerline of streets or such lines extended, or parallel lines thereto, property lines or other physical boundaries and delineations. Where streets, property lines, or other physical boundaries and delineations are not applicable, boundaries shall be determined by the scale shown on the Certified Official Zoning Ordinance Map.

**SECTION V
APPLICATION OF REGULATIONS**

- 501 **USE OF PROPERTY**
No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the District in which it is located.
- 502 **RESTRICTIONS**
 1. No building shall hereafter be erected or altered:
 - a. To exceed the height;

- b. To accommodate a greater number of families;
 - c. To occupy a greater percentage of lot area; or,
 - d. To have narrower or smaller rear yards, front yards, or side yards than is specified herein for the District in which such building is located.
2. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space similarly required for another building.

SECTION VI
PERMISSIVE USES AND REQUIREMENTS

- 601 "R" RESIDENTIAL
In the "R" - Residential Zone, only structures and uses stipulated herein are permitted. All permitted uses shall conform to conditions and restrictions imposed by this Ordinance.
- 602 PERMITTED USES
In the "R" - Residential Zone, the following structures and uses are permitted:
- 1. Single family detached dwellings.
 - 2. Private garages.
 - 3. Educational religious and philanthropic uses not conducted as a gainful business.
 - 4. Municipal buildings.
 - 5. Municipal recreational areas such as playgrounds, which are not conducted as gainful business.
 - 6. Private recreational uses when established and used exclusively by the residents of the parcel on which situated.

603 AREA, YARD AND DIMENSIONAL REQUIREMENTS

In the "R" - Residential Zone, the following requirements shall apply to all future construction.

Lots:
Minimum width (at building line) 50'
Minimum Area 7,000 sq. ft.
Maximum permitted building coverage 35% of total

Yards:
Front Yard Minimum Depth
Must conform to the average front yards with- in 300' on either side.

Side Yard
Number Required 2
Minimum Width 10'
Corner lots shall have a minimum width of 15'.
Building Height
No building shall exceed 3 stories in height or 45'.

604 PARKING REQUIREMENTS

In the "R" - Residential Zone off-street parking shall be provided at the rate of two stalls per each residential unit.

This section is not intended to regulate parking, but is included to regulate the provision of off-street parking in the interest of the safety and general welfare of the Borough.

SIGNS

1. Signs may be erected and maintained only when in compliance with the provisions of this Ordinance and any and all other ordinances and regulations of the Borough of Patterson Heights, relating to the erection, alteration or maintenance of signs and similar devices.
2. Signs may be erected for the following purposes only:
 - a. Signs advertising the sale, rental or development of property; signs indicating the location and direction of premises; signs erected by churches, schools or other similar institutions provided the area of the sign does not exceed twelve square feet (12 sq. ft.).
 - b. Small announcement or professional signs designating professional offices such as those of a surgeon, attorney, engineer, architect, or similar professional person, provided such sign or announcement does not exceed two square feet (2 sq. ft.) in area.
 - c. The bottom-most part of signs shall not exceed the height of two feet (2') above ground level.
 - d. Signs shall be located a minimum distance of four feet (4') from the street right-of-way.

3. Condition and Maintenance

In addition to other requirements of this Article, every sign referred to herein must be constructed of durable materials, kept in repair, and not allowed to become dilapidated. Each sign shall be removed when the circumstances leading to its erection no longer apply.

4. Purpose of sign used

In addition to the other requirements of this Ordinance, no signs or other advertising displays shall be permitted, except those specifically pertaining to the use of the property on which they are located. Further, all lighting and illumination of signs shall conform to regulations regarding hazards to traffic.

5 Billboards

Billboards are prohibited in the Borough without exception.

606 PERMITTED EXCEPTIONS

In the "R" - Residential Zone the following uses may be permitted by special exception, when approved by the Planning Commission and authorized by the Board of Zoning Adjustment, if established in accordance with the stipulations herein enumerated.

1. Conversion apartments may be established as a special exception in the "R" - Residential Zone when:
 - a. Each living unit provides a minimum of not less than 500 square feet of habitable living area.
 - b. Each living unit contains not less than one bathroom and three habitable rooms, at least one of which shall be a bedroom.
 - c. Separate and private sanitary facilities, cooking and dining accommodations are provided for each living unit.
 - d. Fire and safety provisions are certified to be adequate by the Chief of the Borough Fire Department.
 - e. A minimum of two (2) off-street parking spaces are provided for each residential unit.
2. Professional offices of attorneys, engineers, accountants, physicians, dentists, real estate and insurance agents and Borough Officials may be established in conjunction with single

- family residential use as a special exception, provided:
- a. Said uses are clearly subordinate and subsidiary to the residential use.
 - b. The office is conducted and supervised by one (1) professional person residing on the premises.
 - c. Not more than two (2) additional personnel are hired to assist in the business or operations conducted from this location.
 - d. Off-street parking facilities are provided, which in the opinion of a majority of the Borough Planning Commission, are sufficient to accommodate the specific need.
3. Home occupations limited to: barber shops, beauty shops, radio-TV repair, and minor appliance repair and reconditioning may be established in conjunction with single family residential use as a special exception, provided:
- a. Said uses are clearly subordinate and subsidiary to the residential use.
 - b. The operations are managed and operated by the person residing on the premises.
 - c. Not more than one (1) additional person is hired to assist or aid in the operations.
 - d. Off-street parking facilities are provided, which in the opinion of the Borough Planning Commission, are sufficient to accommodate the specific need.
 - e. All operations are conducted indoors and are free of any procedures which will result in adverse influences to surrounding residential uses because of noise, vibration, smoke, odor producing substances or similar conditions.

SECTION VII
PERMISSIVE USES AND REQUIREMENTS
IN THE "P" - PARK ZONE

- 701 "P" - PARK
In the "P" - Park Zone, only structures and uses stipulated herein are permitted. All permitted uses shall conform to conditions and restrictions imposed by this Ordinance.
- 702 PERMITTED USES
In the "P" - Park Zone only the following structures and uses are permitted:
1. Municipal recreational uses such as parks and playgrounds not conducted as gainful business.
 2. Operations and activities of the Beaver Valley Country Club.

703 AREA, YARD, AND DIMENSIONAL REQUIREMENTS

In the "P" - Park Zone all area, yard and dimensional requirements of the "R" - Residential Zone shall apply.

704 PARKING REQUIREMENTS

In the "P" - Park Zone, off-street parking facilities shall be provided in an amount which in the opinion of a majority of the members of the Borough Planning Commission, are sufficient to accommodate the requirements of the establishment.

SECTION VIII
PERMISSIVE USES AND REQUIREMENTS
IN THE "I" - INDUSTRIAL ZONE

- 801 "I" - INDUSTRIAL
In the "I" - Industrial Zone the only uses permitted are those normally contingent to the railroad right-of-way for transportation purposes.

SECTION IX
SUPPLEMENTARY REGULATIONS

The provisions of this Ordinance shall be subject to such exceptions, additions or modifications as herein provided by the following supplementary regulations.

901 ESSENTIAL SERVICES

Essential services, as defined in this Ordinance, shall be permitted in all districts, subject to restrictions approved by the Planning Commission with respect to use, design, yard area, setback and height.

902 DWELLINGS ON SMALL LOTS

Notwithstanding the limitations imposed by any other provisions of the Ordinance, the Board of Zoning Adjustment may permit erection of a dwelling on any lot (in a district where permitted by this Ordinance) separately owned or under contract of sale and containing, at the time of the passage of this Ordinance, an area or a width smaller than that required for a single family dwelling. In no case shall any type of structure be permitted within five feet (5') of a lot line in any residential district.

903 TRAILER CAMPS

No trailer camps are hereafter permitted within the limits of the Borough. No exceptions shall be made except by amendment of this Ordinance.

904 HOUSE TRAILERS

No licensed or unlicensed house trailer and no unlicensed vehicle of any type may hereafter be used for living quarters in any District. The removal of wheels and the provision of foundations or utilities supplied to such trailer or vehicle does not constitute a permanent structure and permit occupancy under any provision of this Ordinance. No exceptions shall be made except by amendment of this Ordinance.

905 STORAGE

No lot or premises shall be used as a garbage dump, or a dead animal rendering plant. No manure, rubbish, or miscellaneous refuse may be stored in the open within any district where the same may be construed as a menace to public health or safety. No exceptions shall be made except by amendment of this Ordinance.

906 FENCES OR HEDGES

Fences or hedges or other plantings shall not be located at street corners so as to interfere with vision clearance across the corner lots. The height of such objects is restricted to three feet (3') within a triangular area formed by the intersecting street lines and a line joining points on the street lines and equidistant from the point of intersection. This distance shall be thirty feet (30') from the corner.

SECTION X
NONCONFORMING USES

1001 WHEN PERMITTED

Subject to the provisions of this section, a use of building or land existing at the time of the enactment of this Ordinance may be continued even though such use does not conform with the provisions of these regulations for the district in which it is located.

1002 UNSAFE STRUCTURE

Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

1003 ALTERATIONS

A nonconforming building or structure may be altered, improved or reconstructed provided such work is not to an extent exceeding in aggregate cost, fifty percent (50%) of the fair market value of the building or structure unless the building or structure is changed to a conforming use.

1004 RESTORATION

Nothing in this Ordinance shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building or structure damaged by fire, collapse, explosion or Act of God subsequent to the date of this Ordinance wherein the expense of such work does not exceed fifty percent (50%) of the fair market value of the building or structure at the time such damage occurred.

1005 EXTENSION

A nonconforming use shall not be extended, but the extension of a lawful use to any portion of a nonconforming building or structure which existed prior to the enactment of the Ordinance shall not be deemed the extension of such nonconforming use.

1006 CHANGES

No nonconforming building, structure, or use shall be changed to another nonconforming use.

1007 CONSTRUCTION APPROVED PRIOR TO ORDINANCE

Nothing herein contained shall require any change in plans, construction or designated use of a building or structure for which a zoning permit has been issued and the construction of which shall have been diligently prosecuted within two (2) months of the date of such permit, and the ground story framework of which shall have been completed within four (4) months of the date of the permit, and which entire building shall be completed according to such plans as filed within one (1) year from the date of this Ordinance.

1008 ABANDONMENT

A nonconforming use of a building or land which has been abandoned shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned as follows:

1. When the intent of the owner to discontinue the use is apparent;

2. When the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within ninety (90) days, unless other facts show intention to resume the nonconforming use;
3. When a nonconforming use has been discontinued for a period of six (6) months;
4. When it has been replaced by a conforming use; or
5. When it has been changed to another use under permit from the Board of Zoning Adjustment.

1009 UNLAWFUL USE NOT AUTHORIZED

Nothing in this Ordinance shall be interpreted as authorization for, or approval of, the continuance of the use of a structure or premises in violation of zoning regulations in effect at the time of the effective date of this Ordinance.

1010 DISTRICT CHANGES

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall apply to any nonconforming uses existing therein.

SECTION XI ADMINISTRATIVE AND ENFORCEMENT

1101 ADMINISTRATIVE

A zoning officer shall administer and enforce this Ordinance, including the receiving of applications, the inspection of premises and the issuing of zoning permits. No zoning permit shall be issued by said officer except where the provisions of this Ordinance have been complied with. The zoning officer shall be appointed by the Council of the Borough of Patterson Heights, Pennsylvania.

SECTION XII
BOARD OF ZONING ADJUSTMENT

1102 ZONING PERMIT REQUIRED

1. No building or structure shall be erected, added to, or structurally altered until a permit therefore has been issued by the zoning officer. All applications for zoning permits shall be in accordance with the requirements of this Ordinance, and unless upon written order of the Board of Zoning Adjustments, no such zoning permit shall be issued for any building where said construction, addition or alteration for use thereof would be in violation of any of the provisions of this Ordinance.

Remodeling or improvement of existing buildings which does not alter the basic structure, create additional lot area coverage or change the use of the parcel or building is exempt from this specific requirement; provided the estimated cost of such activities does not exceed the sum of one thousand dollars (\$1, 000).

2. Matter Accompanying Applications
There shall be submitted with all applications for zoning permits, two copies of a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location of the building on the lot and accessory buildings to be erected, and other such information as may be deemed necessary by the Zoning Officer to determine and provide for the enforcement of this Ordinance.

3. Fee:
One copy of such layout or plot plan shall be returned when approved by the zoning officer together with the permit to the applicant upon a payment of a fee as determined by the Council of the Borough.

1201 CREATION, APPOINTMENT AND ORGANIZATION
A Board of Zoning Adjustment is hereby created. Said Board shall consist of three members appointed by the Borough Council. The initial terms of the first three members shall be as follows: One shall serve until the first Monday of January following the adoption of this Ordinance; one until the first Monday of the second January following the adoption of this Ordinance; and the other until the first Monday of the third January following the adoption of this Ordinance. Their successors shall serve for terms of three years. Any vacancy shall be filled for the unexpired term only. The members of the Board shall be removed for cause by the appointing authority upon written charges and after public hearing. The Board shall organize and elect a Chairman and a Secretary from its membership.

1202 POWERS AND DUTIES

1. The Board of Zoning Adjustment shall hear and decide appeals from and review any order, requirement, decision or determination made by the zoning officer in the administration of this Ordinance.
2. The Board of Zoning Adjustment shall hear and decide all matters referred to it or upon which it is required to pass under this Ordinance.
3. The Board of Zoning Adjustment may issue special permits for any of the uses for which this Ordinance requires the obtaining of such permits. In granting any special permit, the Board shall prescribe any conditions that it deems to be necessary to or desirable for the public interests.

No special permit shall be granted by the Board of Zoning Adjustment unless it finds that the use for which such permit is sought will not

be injurious to the neighborhood or otherwise detrimental to the public welfare and will be in harmony with the general purpose of this Ordinance.

4. The Board of Zoning Adjustment may adapt or vary the strict application of any requirements of this Ordinance in the case of irregular, shallow or steep lots, or other physical conditions whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved, but in no other case.

a. No such variance in the strict application of any provision of this Ordinance shall be granted by the Board of Zoning Adjustment unless it finds that there are special circumstances or conditions which are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of land or buildings.

b. The granting of any variance shall be in harmony with the general purpose and intent of this Ordinance, and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

1203 PROCEDURE

The procedure of the Board of Zoning Adjustment shall be governed by the provisions of applicable laws of the Commonwealth of Pennsylvania, and such rules, not inconsistent therewith, as the Board may adopt. In general, the procedure for appeal from action of the Zoning Officer shall be as follows:

1. Any appeal from the requirements of the Zoning Ordinance shall be taken by filing with the officer from whom the appeal is taken and with

the Board of Zoning Adjustment, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board, all of the documentary material constituting the record upon which the action appealed was taken.

2. The appellant shall, at the time of filing his appeal, pay the enforcing officer a fee of ten dollars (\$10) to defray, or help defray, the cost of the required advertising.

3. Each appeal shall be tried on its merits at a public hearing. Notice of such appeal shall be given by publishing in a newspaper of general circulation in the Borough of Patterson Heights, and in accordance with the applicable law. The Board shall give the additional notice required by law to all parties in interest, and they may adjourn any hearing for the purpose of giving such further notice.

4. The Planning Commission shall furnish all pertinent narrative material, maps, charts and other data relative to the problem involved for reference by all concerned. The Board may adjourn any hearing for the purpose of reviewing such data as may be pertinent to the problem involved and to request interpretations of said data by a representative of the Planning Commission.

5. The Board shall decide each appeal within a reasonable time, and notice thereof shall be given to all parties in interest. The Board's decision shall be immediately filed in its office and be a public record. In the exercise of its functions upon such appeals or upon exceptions, the Board may in conformity with law reverse or affirm, wholly or partly, or modify the order requirement, decision or determination appealed from, or make such order, requirement decision, or determination as in its opinion ought to be made.

6. Any person aggrieved by any decision of the Board or any Borough officer affected thereby may appeal therefrom within thirty (30) days to the Court of Common Pleas, as provided by law.

SECTION XIII AMENDMENTS

1301 PERMITTED CHANGES

Whenever the public necessity, convenience, or general welfare indicate, the Borough Council may, by Ordinance in accordance with applicable laws of the State of Pennsylvania amend, supplement, or change the regulations, restrictions, boundaries, or classifications of buildings, structures, and land, as the same are established by this Ordinance, or may hereafter be made a part thereof.

1302 APPLICATION OR PETITION

Applications or petitions for any change or amendments to existing zoning districts in the Borough of Patterson Heights shall be made to the office of the Planning Commission and shall be accompanied with a fee of twenty-five dollars (\$25.00) payable to the Borough Treasurer and shall be deposited in the General Fund. This fee is for the purpose of defraying the costs of preparing the necessary plats, maps, data, legislations, and notices and all official publications required by the Borough and shall not be refundable even though the application is disapproved by the Borough Council.

1303 AMENDMENT BY COUNCIL

The Borough Council may from time to time on its own motion or petition after public notice and hearing, amend the regulations and districts herein established, but no amendment shall become effective unless the same shall have first been submitted to the Planning Commission for approval, and said Commission shall have allowed a rea-

sonable time for consideration and report, and no such amendment which shall have been disapproved by said Commission shall take effect unless subsequently passed by a two-thirds vote of the Borough Council.

SECTION XIV VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of this Ordinance as a whole or any part thereof, and the parts of or sections remaining shall remain in effect as though the part or section declared unconstitutional had never been a part thereof.

SECTION XV INTERPRETATION, PURPOSE AND CONFLICT

In interpreting and applying the provision of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety and general welfare of the Borough of Patterson Heights. The Ordinance is not intended to interfere with or abrogate or annul other rules, regulations, or ordinances of the Borough, provided that where this Ordinance imposes a greater restriction upon the use of building or premises, or upon the height of a building, or requires larger open spaces than are imposed by other such rules, regulations, or ordinances, the provision of this Ordinance shall prevail.

SECTION XVI REMEDIES

In case any building, structure or sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance or any regulations made pursuant thereto, 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 legal act, conduct, business or use in or about such premises.

SECTION XVII PENALTIES

Any person or corporation who shall violate any of the provisions of the Ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted or approved thereunder, shall for each and every violation or noncompliance be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred dollars (\$500), and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof, where anything in violation of this Ordinance shall be placed or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith, and who may have assisted in the commission of any such violation shall each be guilty of a separate offense and upon conviction thereof shall be fined as herein provided.

SECTION XVIII EFFECTIVE DATE

This Ordinance shall take effect and be in full force ten (10) days following final passage by the Borough Council.

Levell Hamilton
President of Council

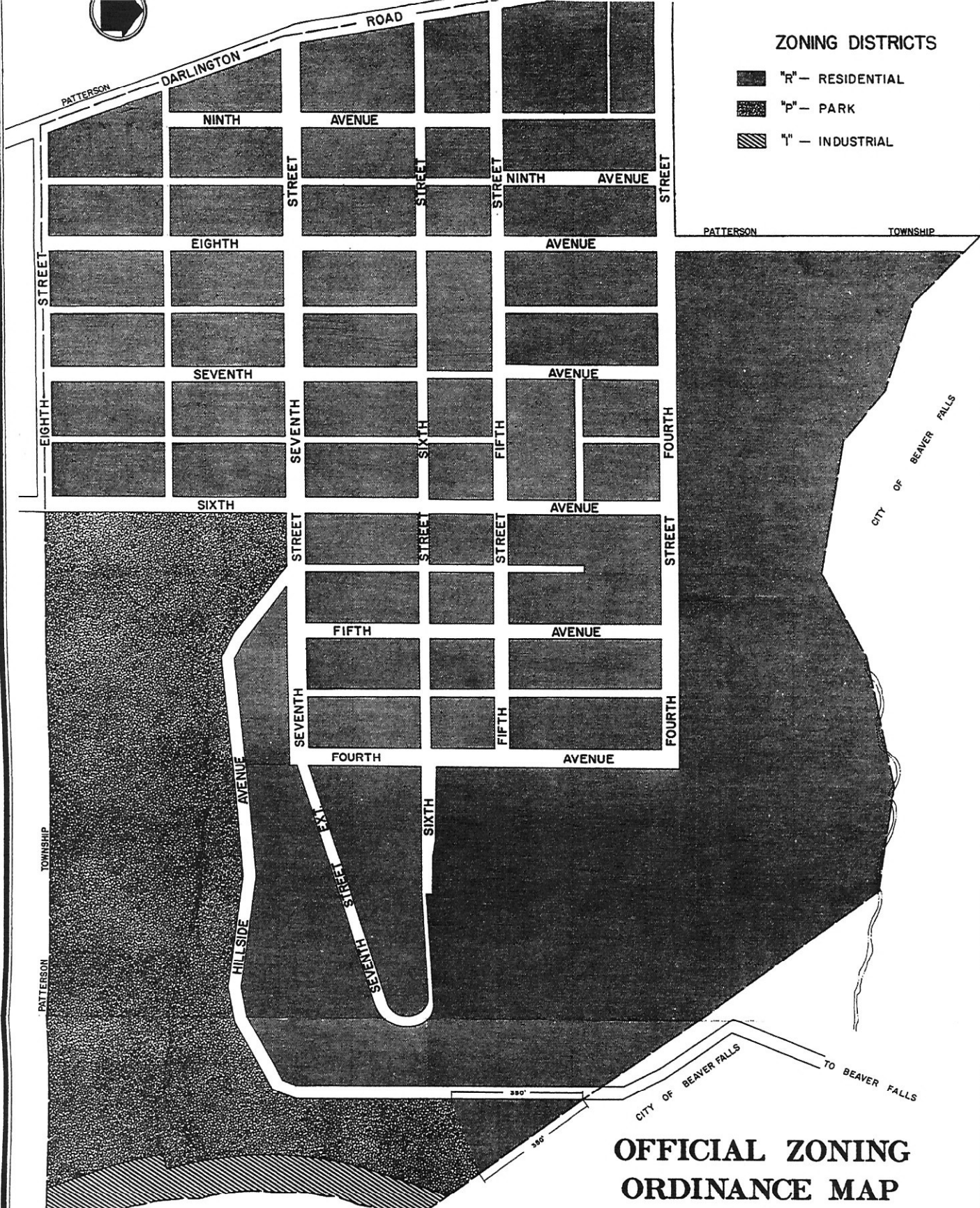
Passed: September 11, 1961

ATTEST: Joseph D. Williams
Secretary




Walter Schanda
Mayor

Approved: September 11, 1961

Walter Atkinson
Solicitor



ZONING DISTRICTS

-  "R" - RESIDENTIAL
-  "P" - PARK
-  "I" - INDUSTRIAL

**OFFICIAL ZONING
ORDINANCE MAP**

for the
**BOROUGH of
PATTERSON HEIGHTS**
Beaver County, Pennsylvania

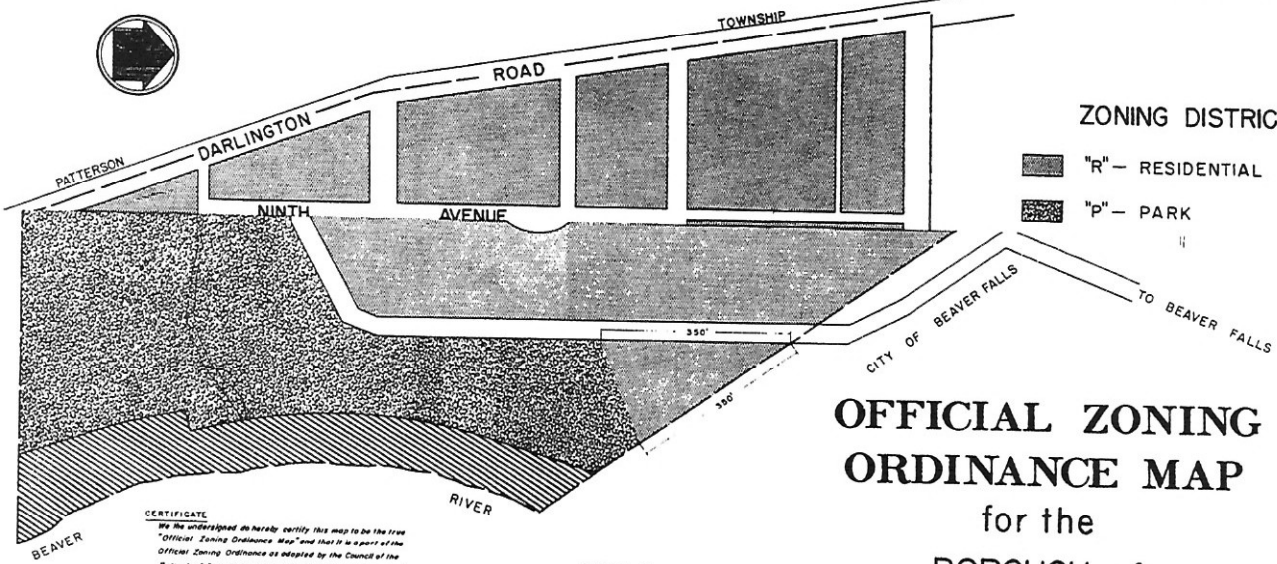
CERTIFICATE
We the undersigned do hereby certify this map to be the true
"Official Zoning Ordinance Map" and that it is part of the
Official Zoning Ordinance as adopted by the Council of the
Borough of Patterson Heights, County of Beaver, Pennsylvania.

ATTEST
Joseph D. Williams
Secretary
W. Lee Patterson
Solicitor



**PATTERSON HEIGHTS
BOROUGH**
Arnold Hamilton
President of Council
W. Lee Patterson
Mayor

PREPARED BY
MICHAEL BAKER, JR., INC.
CONSULTING ENGINEERS
ROCHESTER, PENNSYLVANIA





ZONING DISTRICTS

-  "R" - RESIDENTIAL
-  "P" - PARK

**OFFICIAL ZONING
ORDINANCE MAP**

for the
**BOROUGH of
PATTERSON HEIGHTS**

Beaver County, Pennsylvania

CERTIFICATE
We the undersigned do hereby certify this map to be the true
"Official Zoning Ordinance Map" and that it is a part of the
Ordinance as adopted by the Council of the
Borough of Patterson Heights, County of Beaver, Pennsylvania.

ATTEST
Joseph D. Sullivan
Secretary

PATTERSON HEIGHTS
James O. Hamilton
President of Council

Thomas J. Meyer
Mayor

PREPARED BY
MICHAEL BAKER, JR., INC.
CONSULTING ENGINEERS
ROCHESTER, PENNSYLVANIA

