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# Monroe Township

Snyder County, Pennsylvania

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## Ordinance of Definition

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Adopted: December 28, 2004  
Amended: March 28, 2006  
Amended: October 23, 2007  
Amended: October 25, 2022

**ORDINANCE NO. 2022-3**

**A COMPREHENSIVE ORDINANCE AMENDMENT OF MONROE TOWNSHIP, SNYDER COUNTY, PENNSYLVANIA, AMENDING THE MONROE TOWNSHIP ORDINANCE OF DEFINITIONS, ORDINANCE NO. 2004-8.**

WHEREAS, the Supervisors of the Township of Monroe are empowered by the Second Class Township Code, §1506 to pass ordinances necessary for the proper management, care and control of the Township and its finances and the maintenance of peace, good government, health and welfare of the Township and its citizens, trade, commerce and manufacturers; and

WHEREAS, the Board of Supervisors of Monroe Township has proposed certain comprehensive ordinance amendments to the Monroe Township Ordinance of Definitions, Ordinance No. 2004-8;

NOW, THEREFORE, it is hereby ordained and enacted by the Board of Supervisors of the Township of Monroe as follows:

Section 1. The Monroe Township Ordinance of Definitions, Ordinance No. 2004-8, shall be amended in its entirety, as reflected in Exhibit A, attached hereto.

Section 2. This Ordinance shall become effective five (5) days after enactment.

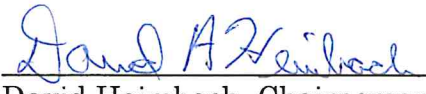
Section 3. Unless specified otherwise in the Ordinance or Ordinances affected by this Ordinance of Definitions, the definitions included herein shall apply to all regulations governing the development of Monroe Township. Included in this category are: Subdivision and Land Development Ordinance, and Zoning Ordinance, and others from which time to time shall be adopted and which shall make specific reference to this Ordinance. Where individual definitions or parts of definitions apply to a specific regulation only, they shall be so indicated.

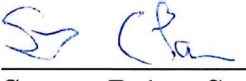
Section 4. All ordinances or parts of ordinances insofar as they are inconsistent herewith are hereby repealed.

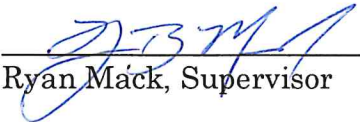
ORDAINED AND ENACTED at a duly assembled public meeting by the Board of Supervisors of Monroe Township, this 25th day of October, 2022.

ATTEST:

  
Stephanie McKinney, Secretary

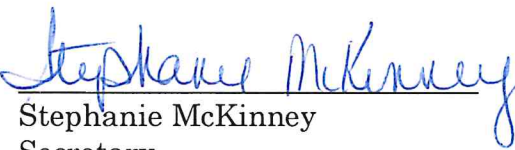
  
David Heimbach, Chairperson

  
Steven Paige, Supervisor

  
Ryan Mack, Supervisor

**CERTIFICATION**

I, Stephanie McKinney, Secretary of the Board of Supervisors of the Township of Monroe, Snyder County, Pennsylvania, hereby attest and certify that the foregoing is a true and correct copy of Monroe Township Ordinance No. 2022-4 which was duly enacted at the regular meeting of the Board of Supervisors of Monroe Township on the 25th day of October, 2022, which amends Ordinance 2004-8, adopted December 28, 2004.

  
Stephanie McKinney  
Secretary

*(Monroe Township Seal)*

## CERTIFICATE OF PREPARATION

AND NOW, this 25th day of October 2022, I hereby certify that I prepared the foregoing Ordinance adopted by the Board of Supervisors of the Township of Monroe, Snyder County, Pennsylvania, at a properly called and duly advertised meeting held on October 25, 2022.

  
Beau A. Hoffman, Solicitor

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- A. General Definitions: In this Ordinance when not inconsistent with the context
1. Words in the present tense imply also the future tense.
  2. The singular includes the plural.
  3. The male gender includes the female gender.
  4. The term "shall" or "must" is always mandatory.
  5. The word "lot" includes the word "plot" or "parcel".
  6. 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".
  7. The word "erected" shall be construed to include the words "constructed, altered or moved".
  8. The word "building" shall include any structure or part thereof.
- B. Specific Words and Phrases: The following words are defined in order to facilitate the interpretation of the Ordinance for administrative purposes and in the carrying out of duties by appropriate offices and by the Zoning Hearing Board.

**Abandoned Vehicle:** Those vehicles without registration and/or inspection which have been parked on private and/or public property. For the purpose of this definition, vehicles missing essential driving parts shall be considered "abandoned".

**Abutting:** Having property or zoning district lines in common.

**Accelerated Erosion:** The removal of the surface of the land through the combined action of man's activity and the natural process at a rate greater than would occur because of the natural process alone.

**Access:** A way or means of approach to provide vehicular or pedestrian physical entrance and exit to a property.

**Access Drive:** A cartway by which ingress and egress to and from private property is gained, which intersects with a right-of-way, and which serves no more than five (5) dwelling units or one (1) non-residential lot.

**Accessory:** That which is customarily incidental and subordinate to a principal use or structure and located on the same lot as the principal use or structure.

**Accessory Solar Energy System:** An area of land and equipment or other area used for a solar collection system to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for on-site use. An accessory solar energy system consists of one (1) or more free-standing ground, or roof

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mounted, solar arrays or modules or solar related equipment and is intended to primarily reduce on-site consumption of utility power or fuels.

Addition: Any construction which increases the size of a building such as a porch, attached garage or carport, or a new room or wing.

Adult Regulated Facility: An establishment open to the general public of the age of eighteen (18) years or older, where more than twenty percent (20%) of the occupied area of the facility is used for one or more of the following purposes:

- A. Adult Book Store: Establishment which offers for sale, for rent, for lease, for view on the premises or for loan, pictures, photographs, drawings, sculptures, motion picture film, or similar visual representation of sexual conduct, or sexual excitement, or books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts of sexual conduct or sexual excitement; or offers for sale devices, equipment, stimulants or other materials for use in sexual conduct or sexual excitement.
- B. Adult Theater: An establishment in which there is offered for view motion picture film, video tape or similar visual representation of sexual conduct or excitement, commonly referred to as "X-Rated" movies, peep shows, or the equivalent thereof.
- C. Cabaret: An establishment, club restaurant, theater, or hall which features topless dancers, exotic dancers, strippers, male or female impersonators or similar entertainers exhibiting specified anatomical areas or specified sexual activities for observation by patrons therein.
- D. Adult Massage Parlor or Adult Massage Studio: A commercial establishment whose business emphasis is the administration of sexually oriented massage to patrons by employees.

Agribusiness: The distribution and repair of farm equipment, the distribution of farm supplies and the processing, storage and distribution of farm commodities. Agribusiness operations do not include the raising of live animals or the display and retail sale of agricultural products.

Agriculture: The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to; forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program. Agriculture does not include nursery.

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**Agricultural Products:** The products of field, pasture, meadow and garden, and fruits, melons, berries, nuts and vegetables, livestock, poultry and poultry products, dairy products and all other things commonly known as agricultural products.

**Airport:** A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers, including charter and commuter services.

**Airport Elevation:** The highest point of an airport's usable landing area measured in feet from sea level.

**Aisle:** The traveled way by which cars enter and depart parking spaces.

**Alley:** A public thoroughfare other than a street which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

**Alteration:** As applied to a building or structure, any change or rearrangement in the total floor area, in the structural parts, or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or by moving from one location or position to another.

**Animal Feeding Operation (AFO):** Federal regulations define an AFO as a facility where animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

**Animal Hospital:** A building used for the treatment, housing or boarding of small domestic animals such as dogs, cats, rabbits and birds or fowl by a veterinarian. Boarding of such animals shall be for medical or surgical treatment only.

**Antenna Height:** The measurement of the overall vertical length of antenna and its support structure above the average finished grade. If such system is located on a building or other structure, the overall vertical length shall be measured and shall include the height of the building upon which the antenna and its structure is situated.

**Antenna Support Structures:** Any structure, mast, pole, tripod, or tower, including any guy wires and braces utilized for the purpose of supporting a communication antenna or antennas.

**Apartment, Conversion:** A second dwelling unit either in or added to an existing single-family detached dwelling for use as a complete, independent living facility with provision within the conversion apartment for cooking, eating, sanitation, and sleeping.

**Applicant:** A landowner, agent of the landowner, or developer, who has filed an application for development.

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**Application for Development:** Every application, whether preliminary or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plot or plan, or for the approval of a development plan.

**Architectural Control:** Regulations governing the appearance or architectural style of buildings or structures.

**Area:** The total outside surface of anything, as measured in square feet.

- A. **Lot Area:** The area contained within the property lines of individual parcels of land shown on a subdivision plan, excluding any area within a street right-of-way and including the area of any easement.
- B. **Building Area:** The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps (gross living area).

**Automobile:** A motor vehicle designed for the conveyance of persons or property requiring a registration under the laws of the Commonwealth of Pennsylvania for operation upon public highways; including a truck, motor home, motorcycle, or travel trailer.

**Automobile Body Shop and Repair Garage:** One or more of the following activities: the repair or painting of bodies, chassis, wheels, fenders, bumpers and accessories of automobiles. mechanical repairs, sale of gasoline or other motor vehicle fuel and accessories, provided the sale is not the primary activity, washing automobiles and motor vehicles rentals. This does not include automobile sales or storage. All repair and paint work is performed within an enclosed building and all automobile parts, refuse and similar articles are stored within a building or enclosed area.

**Automobile Gasoline Station:** A building on a lot or part thereof, that is used for the retail sale of gasoline, oil or other fuel.

**Automobile or Recreational Vehicle Sales:** The display or sale of new or used automobiles, recreational vehicles or both.

**Automobile or Recreational Vehicle Rental:** The rental of automobiles, recreational vehicles or both.

**Automobile Washing (Car Wash):** A building on a lot, designed and used primarily for the washing and polishing of automobiles.

**Average Lot Price:** This amount is determined by taking the arithmetic average of all open market residential lot sales in Monroe Township for the previous year. Open market sales shall not include multiple property/single consideration, nominal consideration, family member forced sale or partial interest sales as defined by the Snyder County Assessor's Office.



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**Awning:** A structure made of cloth, metal or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy.

**Basement:** A story partly underground but having at least one-half (1/2) or more of its height (measured from floor to ceiling) above the average level of the adjoining ground.

**Bed and Breakfast:** An owner-occupied single-family dwelling containing not more than three (3) guest rooms which are used by not more than seven (7) guests rented on a daily basis for periods not exceeding one week.

**Berm:** A mound of soil, either natural or manmade, used to obstruct views.

**Best Management Practices (BMPs):** A broad array of management techniques to control the quantity and quality of stormwater runoff. The concept of BMPs implies that site design will include the most suitable technique (or practice) or combination of techniques (or practices) that will best manage the anticipated stormwater flow and quality based on an evaluation of site conditions and planning requirements. BMPs are to be implemented in accordance with Chapter 102 "Erosion Regulations" of the Pennsylvania Department of Environmental Protection.

**Block:** A tract of land bounded on one side by a street and on the other sides by streets, railroad rights-of-way, waterways, non-subdivided areas and other definite barriers.

**Board of Supervisors:** The Board of Supervisors of the Township of Monroe.

**Boarding House:** A building containing a dwelling unit occupied by the owner of the building and in which sleeping rooms or living units are provided to individuals for temporary lodging on a weekly or monthly basis with or without meals.

**Buffer Area:** A strip of land which is planted and maintained in shrubs, bushes, trees, grass or other landscaping material and within which no structure is permitted except a wall or fence.

**Building:** Any structure on a lot, having a roof supported by columns or walls, including covered porches, bay windows, and chimneys.

**Building Area:** See Floor Area of a Building

**Building, detached:** A building surrounded by open space on the same lot.

**Building, Front Line of:** The line of that face of the building nearest the street line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

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**Building Height:** The vertical distance measured from the average finished grade level at the front of the building to the top story ceiling line.

**Building Line:** A line parallel to the street line, side lot line, or rear lot line defining the required minimum distance between any structure and the adjacent street line, side lot line or rear lot line.

**Building, Nonconforming:** A building so located on a lot that does not meet the dimensional requirements established (i.e. setbacks, height, or floor area).

**Building, Principal:** A building in which is conducted the principal use of the lot on which it is situated.

**Building Setback Line (Setback):** See Setback.

**Business and Office Equipment Sales and Service:** Any retail establishment that is engaged in the sale and/or service of business and office equipment - i.e. desks, typewriters, filing cabinets, etc.

**Business Services:** Includes the service and repair of furniture, office equipment, medical supplies and equipment and commercial appliances; the supply and servicing of vending machines; frozen food lockers; the painting and assembly of signs; printing, copy and photostating services; arts, crafts, drafting, and stationary supplies; food catering; interior decorating; taxidermy; and upholstering.

**Café:** See definition of Tavern.

**Calculations:** The studied care in analyzing or planning.

**Caliper:** The diameter of a tree trunk measured in inches.

**Campground:** A parcel of land used by campers for seasonal, recreational or other similar temporary living purposes, in buildings of a movable, temporary or seasonal nature, such as cabins, tents, recreational vehicles or shelters, but not including a mobile home camp, court or park.

**Campsite:** A plot of ground within a campground intended for occupation by individuals who are camping.

**Carport:** An accessory building or part of the main structure not totally enclosed and primarily designed or used for parking automobiles.

**Cartway:** The portion of a street, alley, and access drive right-of-way which is paved, improved, designated or intended for vehicular traffic.

**Ceiling:** The upper interior surface of a room or other similar compartment.

**Cellar:** A story partly underground having more than one-half of its clear height below the average level of the adjoining ground.

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**Cemetery:** A parcel of land used as a burial ground for human or animal remains.

**Central Sanitary Sewer:** Any privately-owned system, for the collection of sewage or industrial wastes of a liquid nature from two (2) or more lots, and the treatment and/or disposal of the sewage or industrial waste on one (1) or more of the lots or at any other site and which shall comply with all applicable regulations of the PA Department of Environmental Protection.

**Channel:** The bed and banks of a natural stream which convey the constant or intermittent flow of the stream.

**Child Care Center:** Facility in which care is provided or is intended to be provided for children of any age at any time.

**Child Care Home:** Single family dwelling in which child care is provided at any time for not more than eleven (11) children under the age of twelve (12), including any children under the age of twelve (12) who are residents of the dwelling.

**Church:** see House of Worship.

**Clear Sight Triangle:** An area of unobstructed vision at street intersections defined by the center lines of the streets and by a line of sight between points on their center lines at a given distance from the intersection of the center lines. (Figure 2)

**College:** An educational institution which provides general education and/or research above the secondary school level and which is authorized to grant academic degrees. Includes junior colleges and universities.

**Commercial Recreational or Entertainment Facility:** A building housing an activity operated as a business, open to the public for the purpose of public recreation or entertainment, including but not limited to, bowling alleys, theaters, drive-in motion picture facilities, swimming pools, health clubs, museums, etc. This does not include adult-related uses, amusement arcades, nightclubs or golf courses as defined herein.

**Commercial Vehicle:** A motor vehicle that is primarily used for business purposes, including but not limited to making service calls, transporting equipment used in a business or in accomplishing physical work as part of a business (such as hauling material).

**Commission:** The Monroe Township Planning Commission, unless otherwise noted.

**Common Area:** That area in a subdivision including common open space, owned or leased and maintained by an association or other combination of persons for the benefit of the occupants. If owned under the Pennsylvania Unit Property Act, includes all common elements designated for the use of all dwelling unit owners.

Common Elements: Means and includes:

- A. The land on which a building is located and portions of the building which are not included in a unit;
- B. The foundations, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of a building;
- C. The yards, parking area and driveways;  
  
Portions of land and building used exclusively for the management, operation or maintenance of the common elements;
- D. Installations of all central services and utilities;
- E. All other elements of a building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use; and
- F. Such other facilities as are designated as common elements.

**Communications Antenna:** Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including, without limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

**Communications Equipment Building:** An unmanned Building or cabinet containing communications equipment required for the operation of Communications Antennas.

**Communications Transmitting and Receiving Facility:** A communications tower or other facility which transmits or receives a radio, television, or other communication signal.

**Community Water Supply System:** A public or private utility system designated to transmit potable water from a common source to multiple users. Such systems shall follow the regulations of the Pennsylvania Department of Environmental Protection, the Public Utilities Commission (PUC), or the Township, whichever is more stringent.

**Comprehensive Plan:** The official public document prepared in accordance with the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, consisting of maps, charts, and textual material, that constitutes a policy guide to decisions about the physical and social development of the Township of Monroe, as amended from time to time.

**Composting:** The mixing of decomposing refuse matter for the purpose of creating fertilizer material.

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**Conical Surface:** A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

**Condominium:** Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land. May include dwellings, offices and other types of space in commercial buildings or on property.

**Concentrated Animal Feeding Operation (CAFO):** Federal regulations define a CAFO as an animal feeding operation that: (a) confines more than 1,000 animal units (AU); or (b) confines between 301 to 1,000 AU and discharges pollutants into waters of the United States through a manmade ditch, flushing system or similar manmade device, or directly into waters of the United States that originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation. Animal quantities equivalent to 1,000 AU are 1,000 slaughter and feeder cattle, 700 mature dairy cattle, 2,500 swine each weighing more than 25 kilograms (55 pounds), 30,000 laying hens or broilers (if a facility uses a liquid manure system), and 100,000 laying hens or broilers (if a facility uses continuous overflow watering).

**Confined Livestock Operations:** See definition of Concentrated Animal Feeding Operation

**Conservation District:** The Snyder County Conservation District.

**Construction:** The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.

**Contractor's Shop:** Offices and shops for tradesmen, such as building, cement, electrical, masonry, painting and roofing contractors, erectors, excavators, and other artisans. May include a yard where new and used material, machinery, equipment and other supplies for use by tradesman, is stored. Such material, machinery, equipment and other supplies may be made available by wholesale or retail purposes or rental programs.

**Nursing Home:** A building with sleeping rooms where aged, disabled, infirm or invalid persons are housed or lodged and furnished with meals and nursing care.

**Convenience Store with Gas Dispensing:** A retail store which offers food and related items and which dispenses fuel.

**County:** County of Snyder, Pennsylvania.

**Coverage, Building:** That portion or percentage of the plot or lot covered by a building or Buildings.

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**Crematorium:** An establishment containing a furnace used to reduce the deceased to ashes by burning.

**Cul-de-Sac:** A local street with only one outlet and having the other end for the reversal of traffic movement.

**Cultivation of Crops:** The raising, keeping, and sale of field, truck, and tree crops.

**Cultural Facilities:** Include art galleries, auditoriums, libraries, museums, community centers, adult education centers or other similar facilities open to the public or connected with a permitted educational, philanthropic or religious use.

**Culvert:** A structure designed to convey a water course not incorporated in a closed drainage system under a road or pedestrian walk.

**Curb:** The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

**Curb Line:** The outside edge of the cartway.

**Cut:** An excavation. The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in excavation.

**Dam:** An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semi-fluid, or a refuse bank, fill or structure for highway, railroad or other purposes which does or may impound water or another fluid or semi-fluid.

**Day Care Center:** A facility, not in a private residence, enrolling four (4) or more children, and being no more than five (5) years of age and where tuition, or other forms of compensation for the instruction and care of the children is charged. This definition includes Preschool or Pre-K.

**Deck:** An above ground platform which is not covered by a roof or permanent awning and is designed, intended or used for outdoor living purposes as an accessory use to a structure.

**Dedication:** An act transmitting property or interest thereto.

**Density:** The total number of dwelling units per gross area of the proposed development.

**Design Flood:** The relative size or magnitude of a major flood of reasonable expectancy, which reflects both flood experience and flood potential and is the basis of the delineation of the flood way, the flood hazard area, and the water surface elevations.

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**Design Standards:** Standards that set forth specific improvement requirements.

**Design Storm:** The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g. a 5-year storm) and duration (e.g. 24-hours), used in the design and evaluation of stormwater management systems.

**Detention Basin:** A man-made or natural water collection facility designed to collect surface and sub-surface water in order to impede its flow and to release it gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

**Developer:** Any landowner, agent of such landowner, or tenant with the permission of the landowner, who makes or causes to be made a subdivision of land or land development or submits a development plan under the terms of the Monroe Township SALDO.

**Development:** Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

**Development Plan:** The provisions for development of land, including a plat of subdivision; all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "Provisions of the development plan" shall mean both the written and graphic materials referred to in this definition.

**Development Regulation:** Zoning, subdivision, site plan, official map, flood plain regulation, or other governmental regulation of the use and development of land.

**Development Site:** The specific tract of land on which development activity is proposed.

**Distance Between Buildings:** The required distance between facings or building walls measured at the narrowest point.

**Domiciliary Care Unit:** A single family dwelling in which the family residing therein provides 24-hour supervised living arrangements for not more than three (3) unrelated persons at least eighteen (18) years of age who are disabled or are aged persons.

**Down-slope Property Line:** That portion of the property line of the lot, tract, or parcels of land being developed located such that all overland or pipe flow from the site would be directed towards it.

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**Drainage:** The removal of surface water or groundwater from land by drains, grading, or other means.

**Drainage Conveyance Facility:** Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any land development or contiguous land areas.

**Drainage Easement:** A right granted by a landowner to another, allowing the use of private land for stormwater management purposes.

**Drainage Conveyance Facility:** Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any land development or contiguous land areas.

**Drainage Plan:** The documentation of the stormwater management system, if any, to be used for a given development site.

**Drive-In Establishment:** Any restaurant selling food to patrons for consumption on the premises and outside of the building, including patrons who may be served in their automobiles.

**Driveway:** See Access Drive

**Drug Store:** A retail store where medicines, prescriptions and miscellaneous articles such as food, cosmetics, and film are sold.

**Duplex:** See Dwelling, Two Family

**Dwelling:** A building designed to contain one (1) or more dwelling units. Does not include hotels, motels, boarding/rooming houses or other accommodations used for transient occupancy.

**Dwelling, Multi-Family:** A building designed, occupied or used by three (3) or more families living independently of each other, wherein each dwelling unit or apartment contains private bath and kitchen facilities. No dwelling unit shall be clearly subordinate to another in size and purpose (Figure 5).

**Dwelling, Single Family/Detached:** A freestanding building containing one (1) dwelling unit used by one (1) family. (Figure 5)

**Dwelling, Townhouse:** A dwelling, the walls on one or more sides of which are in common with the walls of adjoining dwelling(s) and are party or lot line walls and located in a building consisting of more than two (2) dwellings. (Figure 5)



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**Dwelling, Two Family,:** A building used by two (2) families, with two (2) dwelling units, neither of which is clearly subordinate to the other in size and purpose (Figure 5)

**Dwelling Unit:** One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities and toilet and bathroom facilities and arranged for occupancy by not more than one (1) family.

**Dwelling, Temporary:** A dwelling containing one (1) dwelling unit not intended for permanent occupancy.

**Earth Disturbance:** Any activity including, but not limited to, construction, mining, timber harvesting and grubbing which alters, disturbs, and exposes the existing land surface.

**Easement, Utility:** A right-of-way granted for the limited use of land for public, quasi-public or private purposes.

**Edge of Roof:** On a pitched roof, the lowest portion of the fascia board covering the roof rafters, or if no fascia board exists, the lowest point of the roof rafters. On a flat roof, the top of the parapet wall.

**Emergency Medical Treatment Facility:** Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing emergency health service to people on an out-patient basis.

**Engineer, Professional:** Means an individual licensed and registered under the laws of the Commonwealth of Pennsylvania to engage in the practice of engineering. A professional engineer may not practice land surveying unless licensed and registered as a professional land surveyor as defined and set forth in this ordinance; however, a professional engineer may perform engineering land surveys.

**Engineer, Township:** A Professional Engineer, licensed as such in the Commonwealth of Pennsylvania duly appointed as the Engineer for the Township.

**Engineering Specifications:** The Engineering Specifications of the municipality regulating the installation of any required improvement for any facility installed by any owner, subject to public use.

**Erosion:** The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice, or gravity.

**Erosion and Sediment Pollution Control Plan:** A plan which is designed to minimize accelerated erosion and sedimentation pursuant to 25 Pa. Code, Chapter 102.

**Excavation:** Any act by which earth, sand, gravel, rock or any other similar material is dug into, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting there from.

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**Exotic Wildlife:** Includes, but is not limited to, reptiles and all bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves and any crossbreed of these animals which have similar characteristics in appearance or features. The definition is applicable whether the animals, or reptiles were bred or reared in captivity or imported from another state or nation.

**Family:** A group of individuals not necessarily related by blood, marriage, adoption or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

**Farm:** Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry, or dairy products, including necessary farm structures within the prescribed limits and the storage of equipment customarily incidental to the primary use.

**Farmette:** A parcel of land, primarily consisting of open space, purchased by a person or family for the enjoyment of the rural countryside and who may raise animals for pleasure or incidental income.

**Fee in lieu of Designation:** Payments of cash which are authorized in subdivision regulations when requirements for open space are not met.

**Fences:** An artificially constructed barrier of any material erected to enclose, screen, or separate areas.

**Fill:** Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

**Flag Lot:** A lot not meeting minimum frontage requirements and where access to the public road is by a narrow strip of land owned by the landowner or for which the landowner has legally recorded access. (Figure 8)

**Floodplain Overlay Zoning Related Terms:** The following terms are defined solely for the purposes of the Monroe Township Zoning Ordinance Section 217, Floodplain Overlay Zone.

**Base flood:** A flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or one percent (1%) annual chance flood).

**Base flood elevation (BFE):** The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or

exceeded in any given year.

**Basement:** Any area of the building having its floor below ground level on all sides.

**Completely dry space:** A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

**Essentially dry space:** A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

**Existing Manufactured Home Park Or Subdivision (for use with Zoning Ordinance Section 217 only):** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Expansion to an Existing Manufactured Home Park or Subdivision (for use with Zoning Ordinance Section 217 only):** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Flood Insurance Rate Map (FIRM):** The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Flood Insurance Study (FIS):** The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

**Flood, 100-Year:** A flood which is likely to be equaled or exceeded once every 100 years (i.e., that has a one (1%) percent chance of being equaled or exceeded in any given year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this flood.

**Flood, 500-Year:** A flood which is likely to be equaled or exceeded once every five hundred (500) years (i.e., that has a one-fifth (1/5) of one (1%) percent chance of being equaled or exceeded in any given year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United

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States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this flood.

**Flood Boundary, 100-Year:** The outer boundary of an area of land that is likely to be flooded once every one hundred (100) years (i.e., that has a one (1%) percent chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define its boundary.

**Flood Boundary, 500-Year:** The outer boundary of an area of land that is likely to be flooded once every five hundred (500) years (i.e., that has one-fifth (1/5) of one (1%) percent chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this boundary.

**Flood Elevation, 100-Year:** The water surface elevations of the 100-Year Flood. (Figure 6)

**Flood Elevation, 500-Year:** The water surface elevations of the 500-Year Flood.

**Flood of Record:** The flood which has reached the highest flood elevation above mean sea level at a location.

**Flood Plain:** A flood plain may be either or a combination of: (a) a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse, during a 100-year design frequency storm; or (b) any area subject to the unusual and rapid accumulation of runoff or surface waters from any source. (Figure 6)

**Flood Boundary Map:** Means an official flood hazard map issued or approved by the Federal Insurance Administration.

**Floodproofing:** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Regarding nonresidential structures, the term floodproofing shall also mean that the structure together with attendant utility and sanitary facilities be

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designed so that any space below the Regulatory Flood Elevation is watertight with walls, substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydromatic loads and effects of buoyancy.

**Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. These areas are identified as a Floodway in the Flood Insurance Study prepared by the FEMA. The term shall also include areas not identified in the FIS located within 50 feet of the top of the bank of any stream.

**Flood Fringe:** Those portions of land within the Floodplain subject to inundations by the 100-year flood, beyond the floodway in areas where detailed study and profiles are available. (Figure 6)

**Freeboard:** An additional amount of height above a flood elevation used as a factor of safety (e.g., 1.5 feet above the base flood elevation) in determining the level at which a structure's lowest floor must be elevated or flood proofed to be in accordance with floodplain management regulations.

**Highest Adjacent Grade:** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic Site or Structure:** any structure or place of historical significance that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
  - i. By an approved state program as determined by the Secretary of the Interior; or
  - ii. Directly by the Secretary of the Interior in states without approved programs.

**Manufactured Home:** A transportable, single-family detached dwelling intended for permanent occupancy, office or place of assembly contained in one (1) unit, or in two (2) units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operation,

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and constructed so that it may be used without a permanent foundation. For floodplain management purposes, this definition includes park trailers, travel trailers, and other similar vehicles located onsite for greater than 180 consecutive days.

**Manufactured Home Park or Subdivision:** A parcel, or contiguous parcels, of land which has been planned and improved for the placement of two or more manufactured homes for rent or sale.

**Lowest floor:** The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.

**New construction:** Structures for which the start of construction commenced on or after the effective start date of this floodplain management ordinance and includes any subsequent improvements to such structures. Any construction started after February 2, 1977 and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

**New Manufactured Home Park Or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**PMF - Probable Maximum Flood:** The flood that may be expected from the most severe combination of critical meteorological and hydrologic conditions that are reasonably possible in any area. The PMF is derived from the probable maximum precipitation (PMP) as determined based on data obtained from the National Oceanographic and Atmospheric Administration (NOAA).

**Recreational Vehicle:** A vehicular type unit, including but not limited to, that which is primarily designed as temporary living quarters for recreational, camping or travel use, which has its own motive power or is mounted on or drawn by another vehicle (including Camping Trailer, Motor Home, Travel Trailer, and Truck Camper) and licensed under the laws of the Commonwealth of Pennsylvania. A recreational vehicle shall also include personal watercraft, snowmobiles, all-terrain-cycles, all-terrain vehicles, and other similar vehicles.

For use with Zoning Ordinance Section 217 Only- a vehicle which is:

1. built on a single chassis;
2. not more than 400 square feet, measured at the largest horizontal projections;

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3. designed to be self-propelled or permanently towable by a light-duty truck,
4. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regulatory Flood Elevation:** The one-hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.

**Repetitive Loss:** Flood related damages sustained by a structure on two separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damages occurred.

**Special Flood Hazard Area (SFHA)** for use with Zoning Ordinance Section 217 only: means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.

**Special Permit:** A special approval which is required for hospitals, nursing homes, jails and new manufactured home parks and subdivisions and substantial improvement to such existing parks, when such development is in all, or a designated portion of a floodplain.

**Start of Construction:** This includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure:** For Floodplain District Zoning Purposes is a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

**Substantial Damage:** Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition

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would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.

**Substantial Improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

**Uniform Construction Code (UCC):** The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and IBC.

**Violation:** For Floodplain District Zoning Purposes this term means the failure of a structure or other development to be fully compliant with Section 217 of the Monroe Township Zoning Ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

End of Floodplain Related Definitions.

**Floor Area:** The sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

**Floor Area, Habitable:** The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, closets, and unheated areas such as enclosed porches and any floor area of any room of which the ceiling height is less than five (5) feet.

**Food Truck:** A self-contained conveyance from which food is prepared and sold within the public rights of way and publicly or privately-owned spaces within Monroe Township.

**Food Truck Vending:** The act of selling food by a food truck vendor.



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**Food Truck Vendor:** A person who sells food from a food truck.

**Frontage:** The horizontal or curvilinear distance along the street line upon which a lot abuts.

**Garbage:** Animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking and serving of foods. (Also see definition of Solid Waste)

**Garden Apartment:** A two (2) story multi-family structure, containing one (1) story dwelling units, under one ownership. [Also, see definition of Dwelling, Multi-Family) (Figure 5)

**Gardening:** The cultivation of herbs, fruits, flowers or vegetables, excluding the keeping of livestock.

**Golf Course:** Any regulation 9-hole, 18-hole golf course and/or driving range not including any chip-n-putt, or miniature golf courses.

**Goods:** Any goods, wares, foodstuffs, merchandise, products offered for sale, regardless of whether displayed.

**Governing Body:** The Board of Supervisors of the Township of Monroe, Snyder County, Pennsylvania.

**Grade:** The slope expressed in a percent which indicates the rate of change of elevation in feet per hundred feet. (To) Grade - to finish the surface of a roadbed, top of embankment or bottom of excavation.

**Grade, finished:** The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designed relating thereto.

**Ground Floor:** The floor of a building nearest the front grade of the building.

**Groundwater Recharge:** Replenishment of existing natural underground water supplies.

**Group Home:** The use of any lawful dwelling unit which meets all of the following criteria:

- A. Involves persons functioning as a common household unit.
- B. Involves providing non-routine support services and oversight to persons who have a handicap as defined by applicable federal law.
- C. Does not meet the definition of a "group quarters."
- D. Does not involve the housing or treatment of persons who: a) could reasonably be considered a threat to the physical safety of others, and/or b) were previously

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convicted of a sexual offense committed against a minor.

**Group Quarters:** Any building or portion thereof which is designed or used for four (4) or more persons unrelated to each other or to any family occupying the dwelling unit and having common eating facilities. Does not include boarding house.

**Gutter:** That portion of a right-of-way carrying surface drainage.

**Hazard to Air Navigation:** An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

**Hazardous Material:** Materials which are classified by the U.S. Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, or the Township as having the potential to damage health or impair safety. Hazardous materials include but are not limited to inorganic mineral acids, sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, arsenic and their common salts, lead, coal tar acids, such as phenols and cresols and their salts, petroleum products, and radioactive material. Also included are floatable materials with the potential to cause physical damage such as logs, storage tanks, and large containers, located in flood prone areas.

**Height:** For the purpose of determining the height limits in areas regulated by Section 219 of the Zoning Ordinance, and shown on the Airport Zoning Map, height shall be measured from the Airport Elevation as defined herein.

**Heliport:** An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters and including auxiliary facilities, such as parking, waiting room, fueling, and maintenance equipment.

**Heliport Primary Surface:** A horizontal plane 150 feet above the established airport elevation, the perimeter of which is in plan coincides with the perimeter of the horizontal zone.

**Helistop:** A heliport but without auxiliary facilities, such as parking, waiting room, fueling, and maintenance equipment.

**Highway:** See definition of Streets.

**Historic Site:** A structure or place of historical significance. May be designated as such by local, state, or federal government.

**Home Occupation:** A business activity that is conducted as an accessory use clearly incidental and secondary to the residential living use. The occupation shall be conducted entirely within a dwelling and carried on by no more than two (2) inhabitants residing therein. The exterior of the building is to be maintained in its original character as a residential dwelling and no goods are to be publicly displayed on the premises other than a sign as provided herein.

**Horizontal Surface:** A horizontal plane 150 feet above the established airport elevation,

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the perimeter of which is in plan coincides with the perimeter of the horizontal zone.

**Hospital:** A building or part thereof used for the medical, psychiatric, obstetrical, or surgical care on a 24-hour basis. The term hospital shall include facilities used for medical research and training for health care professions, general hospitals, mental hospitals, tuberculosis hospitals, children's hospitals, and any such other facilities, which provide in-patient care. The term hospital shall not include any facility in which is conducted the housing of the criminally insane or provides treatment for persons actively charged with or serving a sentence after being convicted of felony. A hospital shall be licensed as such by the Commonwealth of Pennsylvania.

**Hotel:** A building containing sleeping rooms or living units with accessory facilities designed for temporary use by individuals.

**House of Worship:** A building for religious worship.

**Impervious Surface:** A surface that does not absorb water, including all buildings and other structures, parking areas, driveways, roads, sidewalks, storage areas and areas of concrete, nonporous asphalt and other such stabilized areas as shall be determined to be nonporous by the Board of Supervisors or Township Engineer.

**Impoundment:** A body of water, such as a pond, confined by a dam, dike, floodgate, or other barrier.

**Improvements:** Those physical additions, installations and changes required to render land suitable for the use intended, including grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, and other public utilities and street shade trees.

**Improvements, Public:** Streets, pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, grading, street signs and plantings, and other items required for the welfare of the property owners and the public.

**Industrial Park:** A tract of land laid out in accordance with an overall plan for a group of industrial operations, including the servicing of these industries, with separate buildings designed and arranged to insure compatibility between the industrial operations in the park and the surrounding area through such devices as landscaping, architectural control, setbacks and use requirements.

**Industry:** The manufacturing, compounding, processing, assembling, or treatment of materials, articles, or merchandise.

**Inlet:** A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

**Junk:** Any discarded materials, machinery, scrap metals, appliances, articles or objects possessing value in part, gross or aggregate, and including but not limited to scrapped motor vehicles and parts thereof, including motors, bodies of motor vehicles and vehicles that are inoperable and do not have a current and valid inspection sticker as required by the Motor Vehicle Laws of the Commonwealth of Pennsylvania, but not including garbage

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or other organic waste or farm machinery provided said farm machinery is used in connection with a bona-fide farming/agricultural operation.

**Junk Yard:** Any place within the Township where junk as herein defined is stored, disposed of, accumulated or maintained.

**Kennel:** An establishment for the sheltering of four (4) or more animals, wild or domesticated, that are more than six (6) months old.

**Land Development:** Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
  - 1. a group of two or more residential dwelling units or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - 2. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
  - 1. Provided, however, land development shall not include:
    - a. Insert MPC 503(1.1)(i)
    - b. Insert MPC 503 (1.1) (ii) except "including of buildings"

**Landfill:** See definition of Solid Waste Disposal Facility .

**Landowner:** The legal or beneficial owner or owners of land, the holder of an option or contract to purchase land (whether or not such option or contract is subject to any condition), a lessee authorized under the lease to exercise the rights of the landowner, or another person having a proprietary interest in land.

**Larger Than Utility Runway:** A runway that is constructed for, and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.

**Laundry and Dry Cleaning Establishments:** A business premises equipped with large scale clothes washing equipment or dry cleaning equipment, regardless of scale.

**Laundry and Dry Cleaning Establishments (Personal):** A business premises equipped with individual clothes washing equipment for the use of retail customers or the drop-off and pick-up of clothing for dry cleaning by retail customers. This does not

include laundry facilities provided as an accessory use in an apartment house or an apartment.

**Level of Service (LOS):** Level of service provides an objective measure of how well a facility operates and is generally estimated utilizing the methodologies contained in the Highway Capacity Manual published by the Transportation Research Board, as amended.

**Library:** A place in which literary, musical, artistic, or reference materials (such as books, manuscripts, recordings, or films) are kept for use but not for sale.

**Livestock:** Any wild or domestic animal of the bovine, deer, swine or sheep family.

**Loading Space:** An off-street space on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts on or has access to a street.

**Location Map:** A map showing the site with relation to adjoining areas.

**Lot:** A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

**Lot Area:** The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any public street right-of-way, but including the area of any other easement.

**Lot Coverage:** The total of impervious areas divided by lot area.

**Lot Depth:** The horizontal distance measured from the street right-of-way line of the street of address to the directly opposite property line.

**Lot Lines:** The boundary lines of a lot as defined herein. (Figure 1)

- A. **Side Lot Line:** Any lot line which is perpendicular to or within forty-five degrees (45°) of being perpendicular to a street line, except for a lot line that is itself a street line.
- B. **Rear Lot Line:** Any lot line which is not a street line or a side lot line.
- C. **Street Line:** A line defining the edge of a street right-of-way and separating the street from abutting property or lots. Commonly known as the "street right-of-way line."

**Lot Width:** The distance measured between the side lot lines. When a lot abuts more than one street, the distance measured between the street right-of-way line for the non-address street and the directly opposite property line. In any case the distance shall be

measured at the building setback line. (Figure 1)

**Manhole:** An inspection chamber whose dimensions allow easy entry and exit and working room for a person inside.

**Manufacturing:** The processing and/or converting of raw unfinished materials or finished materials or products into an article or substance of different character, or for use for a different purpose. Also includes the refinishing of manufactured articles. This includes, but is not limited to: food processing; manufacture of furniture, textiles, leather, rubber, paper, fabricated metals, machinery and glass; stone and clay processing; printing, polishing, photography and related industries; instrument, tool and die and cabinet making; metal and wood fabrication; assembly of electronic apparatus; electroplating, molding and other related industries; and warehousing and distribution.

**Manure:** The fecal and/or urinary excrement of livestock and poultry, often containing some spilled feed, bedding or litter.

**Marginal Access Street:** Minor streets, parallel and adjacent to major traffic streets which provide access to abutting properties and control intersections with major traffic street.

**Medical Clinics and Related Laboratories:** Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to people on an out-patient basis.

**Metes and Bounds:** A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, the corner of intersecting streets, or, in rural areas, a tree or other permanent feature.

**Mini-Storage:** A facility providing for the enclosed storage of household items or recreational equipment where said items are retained for direct use by their owner who shall have direct access thereto without intermediate handling by the proprietor of the facility.

**Minor Subdivision:** The subdivision of a single lot, tract or parcel of land into five (5) or less lots or parcels of land, for the purpose, whether immediate or future, or transfer or ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further, there is not created by the subdivision any new street, streets easement, easements of access or need therefore.

**Mobile Home:** A transportable, single family dwelling intended for permanent occupancy, contained in one or more units designed to be joined into one integral unit capable of again begin separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

**Mobile Home Lot:** A parcel of land in a “mobile home” park, improved with the necessary utility connections and other appurtenances necessary for the erections

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thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

**Mobile Home Park:** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

**Mobile Home Sales Lot:** An open lot for the outdoor display of new or used mobile homes.

**Mobile Home Stand or Pad:** That part of an individual mobile home space which has been reserved for the placement of a mobile home and appurtenant structures and connections.

**Mortuary or Undertaking Establishment:** A place in which human remains are prepared and stored prior to burial or cremation.

**Motel:** See Hotel.

**Municipalities Planning Code (MPC):** The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted.

**Municipality:** The Township of Monroe.

**Natural Feature:** A component of a landscape existing or maintained as part of the natural environment and having ecologic value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, growth of wildlife, human recreation, reduction of climatic stress or energy costs. Such features include those which, if disturbed, may cause hazards or stress to life, property, or the natural environment.

**Natural Production Uses:** A lot or parcel of land or part thereof used for the purpose of extracting stone, sand, clay, gravel or top soil for sale, excluding the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

**Newspaper and Printing Establishments:** Any establishment that is engaged in the printing of newspaper or similar material on a regular basis.

**Nightclub:** Any building used for on-site consumption of alcoholic or non-alcoholic beverages where live entertainment can be offered. For the purposes of this definition, "live entertainment" is meant to include the use of disc jockeys for the purposes of supplying musical entertainment. Nightclubs may also provide for on-site consumption of food. Additionally, nightclubs can offer the retail sale of carry-out beer and wine as an accessory use. "Nightclub" includes an "under 21" club which features entertainment.

**No-Impact, Home-Based Business:** A business or commercial activity administered or

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conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs, or lights.
5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electrical interference, including interference with radio or television reception, which is detectable in the neighborhood.
6. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business may not involve any illegal activity.

Nonconforming: See Nonconformity

Nonconforming Use: For airport zoning includes any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of the Zoning Ordinance or an amendment thereto.

Nonconformity: Any aspect of a use, structure, lot or sign, that does not comply with Township Regulation.

Nonprecision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in Nonprecision instrument approach procedure has been approved or planned.

Nursery: Any lot or parcel of land used to cultivate, propagate, grow and/or sell trees, shrubs, vines and other plants including the buildings, structures and equipment customarily incidental and accessory to the primary use.

Nursing Home: A building with sleeping rooms where aged, disabled, infirm or invalid persons are housed or lodged and furnished with meals and nursing care.

Obscene: Something that the average person, applying contemporary community standards and viewing the material as a whole, would find:



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1. appeals predominantly to the prurient interest;
2. depicts or describes sexual conduct in a patently offensive way; or
3. lacks serious literary, artistic, political or scientific value.

Prurient interest is an appeal to a morbid, degrading and unhealthy interest in sex, as distinguished from a mere candid interest in sex.

**Obstruction:** Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in Section 219.3 of the Zoning Ordinance

**Off-Street Parking:** Parking for motor vehicles not located within the street right-of-way.

**Office Building:** A building designed or used primarily for office purposes, no part of which is used for manufacturing or for dwelling other than by a watchman or janitor.

**On-Lot Sewer:** Any system of piping, tanks, or other facilities serving on a single lot and collecting and disposing of sewage in whole or in part into the soil and any waters of the Commonwealth of Pennsylvania or by means of conveyance to another site for final disposition, and which is located upon the lot which it serves.

**On-Site:** Location on the lot in question.

**Open Channel:** A drainage element in which stormwater flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainageways, swales, streams, ditches, canals, and pipes flowing partly full.

**Open Space:** A parcel or parcels of land or an area of water, or a combination of land and water, within a development plan, designed and intended for the use or enjoyment of residents of the development plan and, where designed, the community at large. Open space does not include off-street parking areas. Open space shall be substantially free of structures but may contain such improvements as approved in the development plan that are appropriate to recreational and other open-space uses of the land, and shall not include playground, athletic field or other open space areas of any schools or churches to be included within the proposed development.

**Outdoor Commercial Recreational Establishment:** A use of privately owned open land for leisure time activities, such as a beach, swimming pool, tennis courts, golf courses and racetracks.

**Outdoor Lighting:** An illumination source outside any building, including, but not limited to, an incandescent bulb, mercury, sodium or neon-filled bulb, and the hardware containing the illumination source and supporting it. Lighting fixtures underneath a roof of an open-sided building, including, but not limited to, storage sheds, canopies and gas station marquees over gas pumps, are deemed to be outdoor lighting.

**Outfall:** Point where water flows from a conduit, stream, or drain.

**Outlet:** Points of water disposal from a stream, river, lake, tidewater or artificial drain.

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**Overlay Zones:** A set of zoning requirements which may be described in the ordinance text, is mapped, and is imposed in addition to those of the underlying district. Developments within the overlay zone must conform to the requirements of both zones or the more restrictive of the two.

**Owner:** Any person who, alone or jointly or severally with other persons, has legal title to any premises. This does not include a lessee, sublessee or other person who merely has the right to occupy or possess a premises.

**Parapet:** That portion of a building wall or false front that extends above the roofline.

**Peak Discharge:** The maximum rate of stormwater runoff from a specific storm event.

**Pedestrian Walkway:** An improved thoroughfare designated exclusively for pedestrian traffic.

**Peddler:** Any person who goes upon any of the streets or alleys, sidewalks or public grounds or from house to house in the Township, not having been invited by the occupant or owner thereof, carrying or transporting goods or personal property of any nature and offering the same for sale including street vendors and transient merchants.

**Person:** A person shall mean and include one or more individuals, partnerships, associations, organizations, corporations, limited liability companies, other legal entities legal representatives, trustees in bankruptcy or receivers.

**Personal Service Establishment:** Service activities shall include and be limited to barber shops, beauty salons, photographic studios, , radio and television repair, repair shops for home appliances and tools, bicycles, guns, locks, shoes and watches, tailor and dressmaking shops, and pet grooming with no overnight boarding.

**Pervious Surface:** A surface that permits full or partial absorption of storm water.

**Pesticide/Fungicide:** Any substance or mixture of substances intended for use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, or other forms of plant or animal life.

**Petroleum Product:** Oil or petroleum of any kind and in any form, including crude oil and derivatives of crude oil. It may be alone, as a sludge, as oil refuse, or mixed with other wastes.

**Plan:** The map or plan of a subdivision or land development, whether sketch, preliminary or final.

**Planning Commission:** The Planning Commission of Monroe Township.

**Plat:** See definition of Plan.

**Swimming Pool:** Any pool or open tank containing, or normally capable of containing, water to a depth at any point greater than twenty-four inches. Farm ponds, and/or lakes

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are not included provided that swimming and/or wading was not the primary purpose for their construction.

**Poultry:** Any member of the Aves class including any type of domestic or wild fowl, chickens, quail, pheasants, ducks, geese, doves, turkeys and pigeons.

**Power Generation Facility:** A facility that generates electric power for the purpose of transmission of the electricity to other users not located at the site where the electricity is generated.

**Precision Instrument Runway:** A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

**Primary Surface:** A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface is set forth in Section 219.2 of the Zoning Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

**Prime Agricultural Soils:** Soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resources and Conservation Services County Soil Survey.

**Principal Structure:** A structure in which is conducted the principal use of the lot on which the structure is located.

**Principal Solar Energy System:** An area of land and equipment or other area used for a solar collection system to capture solar energy, convert it to electrical energy or thermal power and supply electrical or thermal power primarily for off-site use. Principal solar energy systems consist of one (1) or more free-standing ground, or roof mounted, solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures.

**Principal Use:** The main or primary use of property, buildings, or structures.

**Professional Offices:** Include but are not limited to offices for real estate, stock and bond brokers, accountants, adjusters, appraisers, utility companies, physicians, lawyers, clergymen, teachers, dentists, architects, engineers, insurance agents, opticians, banks, financial institutions, contractors (excluding storage yards) and similar office-oriented uses.

**Profile Line (Street Center Line):** Means the profile of the centerline of the finished surface of the street, which shall be midway between the edges of the cartway. (Figure 1)

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**Public:** Owned, operated or controlled by a governmental agency (Federal, state, county, or local, including a corporation created by law for the performance of certain specialized governmental functions.).

**Public Improvements:** An improvement that has been or will be dedicated for public use or that is designed to provide adequate transportation, water, sewerage, flood protection, or recreational facilities or to serve other public requirements in accordance with the Monroe Township Subdivision and Land Development Ordinance and the Zoning Ordinance.

**Public Parks and Recreation Areas:** Locations for leisure-time activities, including but not limited to, sports and entertainment, that are open to anyone without restriction, except for the rules and standards of conduct and use.

**Public Road:** Any road, whether publicly or privately owned, which is dedicated or opened to the use of the general public.

**Public Sewer:** A municipal sanitary sewer system, or a comparable common or package sanitary facility approved by the State of Pennsylvania, Department of Environmental Protection.

**Public Uses and Buildings:** Fire stations, municipal buildings, prisons and other uses by governmental bodies. Does not include public schools and public parks.

**Public Utility Buildings and Structures:** Any structure which belongs to a public utility for uses such as electrical, telephone, gas, water and sewer which are regulated by the PUC or any other governmental agency, except surface uses affiliated with transmission pipelines.

**Public Water:** A municipal water supply system, or a comparable common water facilities approved by the State of Pennsylvania, Department of Environmental Protection.

**Recreational Vehicle:** A vehicular type unit, including but not limited to, that which is primarily designed as temporary living quarters for recreational, camping or travel use, which has its own motive power or is mounted on or drawn by another vehicle (including Camping Trailer, Motor Home, Travel Trailer, and Truck Camper) and licensed under the laws of the Commonwealth of Pennsylvania. A recreational vehicle shall also include personal watercraft, snowmobiles, all-terrain-cycles, all-terrain vehicles, and other similar vehicles.

**Research Laboratory:** A facility for applied research conducted within a building where no goods are produced in quantity.

**Resort:** A hotel or motel that serves as a destination point for visitors. A resort generally provides recreational facilities for persons on vacation. A resort shall be self-contained and provide personal services customarily furnished at hotels, including the serving of meals. Buildings and structures in a resort should complement the scenic qualities of the location in which the resort is situated.

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**Restaurant:** A place where people pay, to sit and eat or carry-out, food that is cooked and served on the premises.

**Retail Business:** Retail business shall include variety stores, apparel stores, florists, drug stores, grocery stores, liquor stores, antique shops, music shops, sporting goods stores, book, stationary, magazines, candy and tobacco shops, and other outlets that sell merchandise on a retail basis.

**Retention Basin:** A pond, pool, or basin used for the permanent storage of water runoff or in which stormwater is stored and not released until after the storm event.

**Retirement Village:** A facility licensed by the state designed to serve the housing needs of older persons in a continuum of care environment through facilities which relate both to dependent and independent persons; such facilities may include independent living units, sheltered care units, nursing care units and related support services.

**Riding Academy or Boarding Stable:** An establishment used for the feeding, housing, riding, driving, and exercising of horses not owned by the owner of the premises and for which the owner of the premises receives compensation, or incidental to the operation of any club, association, ranch or similar establishment.

**Right-of-Way:** A strip of land legally established for use by a street, alley, access drive, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. If the right-of-way involves maintenance by a public agency, it shall be dedicated to public use by the maker of the plat on which such right-of-way is established. (Figure 1)

**Riser:** A vertical pipe extending from the bottom of a pond that is used to control the discharge rate from the pond for a specified design storm.

**Roadway:** See Cartway

**Runoff:** The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

**Runway:** A defined area on an airport prepared for landing and takeoff of aircraft along its length.

**Satellite Dish Antenna:** A device incorporating a reflective surface which is solid, open mesh, or bar-configured and is in the shape of a shallow dish, cone, horn, or cornucopia, and including its pedestal and other attachments. Such device shall be used to transmit and/or receive radio or other electromagnetic waves between terrestrially and/or orbitally-based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, televisions receivers only or TVROs, and satellite microwave antennas.

**School, Commercial:** A school conducted for profit for such instruction as business, art, music, trades, handicraft, dancing or riding.

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**School, Non-Public:** An educational facility not operated by a public agency, but controlled by the Department of Education.

**School, Public:** A public place of educational instruction operated by a public agency.

**Screen Planting:** A vegetative material of sufficient height and density to conceal from the view of adjoining property owners the structures and uses on the premises on which the screen planting is located.

**Seasonal Parking of Recreational Vehicles:** Parking of a recreational vehicle for seasonal occupancy.

**Sedimentation:** The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment."

**Sediment Basin:** A barrier, dam, retention or detention basin located and designed to retain rock, sand, gravel, silt, or other material transported by water.

**Sediment Pollution:** The placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with the requirements of Township Ordinances

**Seepage Bed:** A covered pit or bed with open-jointed lining through which septic tank effluent may seep or leach into the surrounding soil.

**Setback (Building Setback Line):** A line parallel to the front, side, or rear lot line defining the required minimum distance between any structure and the adjacent right-of-way, and the line defining side and rear yards, where required. (Figure 1)

**Severe Slope:** Land with a fifteen (15) foot or greater change in elevation within 100 feet or less in horizontal distance, or in other terms fifteen (15) percent or greater on the average.

**Sewage Enforcement Officer (SEO):** The Sewage Enforcement Officer of the Township.

**Sewage Facilities Planning Module:** A revision to, or an exception to the Township's Official Sewage Facilities Plan submitted in connection with the request for approval of a subdivision or land development in accordance with Department regulations.

**Sewer:** A public or private utility system designed to collect, centrally treat and dispose of sewage from customers in compliance with Pennsylvania Department of Environmental Protection regulations or regulations of the Township, whichever is more stringent. See also Central Sanitary Sewer and On-Lot Sewer.

**Sexual Conduct:** Ultimate sexual acts, normal or perverted, actual or simulated, involving a person or persons including acts of masturbation, sexual intercourse, fellatio, cunnilingus

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, anilingus or physical contact with a person's nude or partially denuded genitals, pubic area, perineum, anal region, or, if such person be female, a breast.

**Sexual Device:** An artificial human penis, vagina, or anus, or other device primarily designed, promoted, or marketed to physically stimulate or manipulate the human genitals, pubic area, perineum, or anal area, including dildos, penisators, vibrators, penis rings, and erection enlargement or prolonging creams, jellies, or other such chemicals or preparation.

**Sexually Explicit Nudity:** The sexually oriented and explicit showing, by any means, including but not limited to, close-up views, poses or depictions in such position or manner which present or expose such areas to prominent, focal or obvious viewing attention, of any of the following: post pubertal, full or partially developed, human female breast with less than a fully opaque covering of any portion thereof below the top of the areola or nipple; the depiction of covered human male genitals in a discernible turgid state; or lewd exhibition of the human genitals, pubic area, perineum, buttocks, or anal region, with less than a fully opaque covering.

**Shade Tree:** A tree in a public place, street, special easement, courtyard, open space, park, or right-of-way adjoining a street.

**Shooting Range:** A place where firearms and other projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery, cross-bows) can be shot for recreation, competition, skill development and/or training, usually in a sportsmen's or outdoor club in which skeet shooting, rifle shooting, or archery is practiced. Nothing within this definition shall be construed to include hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania.

**Shopping Center:** A group of stores planned and designed to function as a unit for the lot(s) on which it is located with off-street parking provided as an integral part of the unit.

**Shoulder (Street):** The portion of the street, contiguous to the cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of pavement.

**Sight Distance:** The length of roadway visible to the driver of any vehicle at any given point on the roadway.

**Sight Triangle:** A triangular-shaped portion of land established at intersections in which nothing may be erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

**Sign:** Any object, display or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design symbols, fixtures, colors, illumination, or projected images. The term "sign" does not include the flag of the United States of America or the Commonwealth of Pennsylvania, works of art which in no way identify a product or business; or scoreboards located on athletic fields.

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Sign, Banner - A sign intended to be erected either with or without a frame made of flexible plastic or fabric of any kind.

Sign, Canopy: A sign attached to, painted, or printed onto a canopy. For the purposes of the Ordinance, the permitted size of a canopy sign will be calculated on the basis of the size of the building wall parallel, or substantially parallel, to a street. It will, for measuring purposes, be considered a wall sign.

Sign, Electronic – A sign that displays images, pictures, video and/or copy by means of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic signs include computer programmable, microprocessor-controlled, electronic or digital displays.

Sign, Flashing: A sign that uses an intermittent or flashing light source or windblown and/or mechanical moved reflective material to attract attention.

Sign, Freestanding: Any sign that is not affixed to a building and is securely and permanently mounted in the ground. Such sign may include a ground, pole or monument sign.

Sign, Government: Any temporary or permanent sign erected and maintained for any government purposes other than signs placed on the premises of a publicly owned building, structure or other land use, designed to identify it to the public. Examples of government signs include speed limit signs, city limit signs, street name signs, and traffic signs. Conversely a sign placed on a public building such as library, school or public safety building, which identifies said building, shall not be considered a government sign.

Sign, Identification: A sign which displays only the name, address, and/or crest, or insignia, trademark, occupation or profession of an occupant or the name of any building on the premises.

Sign, Marquee: Any sign attached to a marquee for the purpose of identifying a movie theater or similar place of entertainment.

Sign, Off-Premises: A sign that draws attention to, provides direction, or communicates information about a business, service or commodity, that exists or is conducted, sold, offered, maintained or provided at a location other than the premises where the sign is located.

Sign, Real Estate: A sign that is used to offer for sale, lease, or rent the premises upon which such sign is placed.

Sign, Temporary: A sign intended for short-term use, such as a promotional sign, including signs pertaining to business events, community events, political issues, an individual seeking public office, or a forthcoming public election.

Sign, Wall: Any sign directly attached to an exterior wall of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to



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the plane of the building or structure on which it is placed. Signs directly painted on walls shall be considered wall signs.

**Sign, Window:** A temporary or permanent sign, which is oriented to the public right-of-way and is located on the inside or outside of a window.

**Site:** A parcel of land located in the Township, established by a plat or otherwise as permitted by law, which is the subject of an application for development. A site may include more than one lot.

**Slope:** The face of an embankment or cut section; any ground whose surface makes an angle with the plain of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet over 100 feet of horizontal distance.

**Soil-Cover Complex Method:** A method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called Curve Number (CN).

**Soil Percolation Test:** A field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-site sewage disposal.

**Solar Easement:** A right expressed as an easement, restriction, covenant, or condition contained in any deed, contract, or other written instrument executed by or on behalf of any landowner for the purpose of assuring adequate access to direct sunlight for solar energy systems.

**Solar Energy:** Radiant energy (direct, diffuse and/or reflective) received from the sun.

**Solar Panel:** That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for electricity.

**Solar Related Equipment:** Includes, but is not limited to, a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for collection of solar energy.

1. **Solar Array:** A grouping of multiple solar modules with purpose of harvesting solar energy.
2. **Solar Cell:** The smallest basic solar electric device which generates electricity when exposed to light.
3. **Solar Module:** A grouping of solar cells with the purpose of harvesting solar energy.

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**Solicit:** Any person who goes upon any of the streets or alleys, sidewalks or public grounds or from house to house in the Township, not having been invited by the occupant or owner thereof, for the purpose of taking or attempting to sell or take orders for the sale of goods or other personal property of any nature or for services to be performed. A soliciting transaction shall not include a sale made pursuant to a pre-existing retail agreement, or a sale made pursuant to prior negotiations between the parties at a business establishment at a fixed location where goods or services are offered or exhibited for sale; or a sale of realty in which transaction the purchaser is represented by a licensed attorney or in which the transaction is being negotiated by a licensed real estate broker.

**Solid Waste:** Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities.

**Solid Waste Disposal Facility:** A lot, parcel or tract of land where solid waste is disposed, which meets all requirements of the Pennsylvania Department of Environmental Protection and possesses a permit from PADEP to operate such facility.

**Solid Waste Processing Facility:** A processing facility that provides for the extraction and utilization of materials or energy from municipal waste that is generated offsite, including, but not limited to, a facility that mechanically extracts materials from municipal waste, a combustion facility that converts the organic fraction of municipal waste to usable energy, and any chemical and biological process that converts municipal waste into a fuel product. The term also includes any facility for the combustion of municipal waste that is generated offsite, whether or not the facility is operated to recover energy.

**Special Event:** Any occasion including but not limited to fairs, shows, exhibitions, Township-wide celebrations and festivals taking place within a specifically defined area of the Township for a period not to exceed seven (7) days, unless otherwise approved by the Board of Supervisors, and for which a sponsor is the licensee for all designated transient retail businesses, merchants and vendors permitted to conduct such activities as part of the special event.

**Special Occasion Home:** An owner-occupied residence of historical and/or architectural significance which is available for private rental for occasions such as business meetings, weddings, receptions, banquets, private parties, fund-raising events, conferences and similar functions, although not otherwise open to the general public. The rental use must be as secondary and subordinate to the residential use.

**Specified Anatomical Areas:**

- A. Less than completely and opaquely covered human genitals, pubic regions; buttocks; and female breasts below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

### Specified Sexual Activities:

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy; and
- C. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

**Spillway:** A depression in the embankment of a pond or basin which is used to pass peak discharge greater than the maximum design storm controlled by the pond.

**Storm Sewer:** A system of pipes and/or open channels that convey intercepted runoff and stormwater from other sources, but excludes domestic sewage and industrial wastes.

**Stormwater Management Facility:** Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

**Story:** That portion of a building between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. (Figure7).

**Stream Enclosure:** A bridge, culvert or other structure in excess of 100 feet in length upstream to downstream which encloses a regulated water of this Commonwealth.

**Street:** Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, viaduct, and any other ways used or intended to be used by vehicular traffic, excluding an alley and access drive whether public or private. Streets design standards are located in Article V of the Monroe Township Subdivision and Land Development Ordinance. Streets are classified in accordance with the Monroe Township Comprehensive Plan and are defined as follows:

- A. Interstate Highway: Limited access highways designed for traffic between major regional areas or larger urban communities of 50,000 or more; these highways extend beyond state boundaries, with access limited to interchanges located by the U.S. Department of Transportation.
- B. Freeway: Limited access roads designed for large volumes of traffic between communities of 50,000 or more to major regional traffic generators (such as central business districts, suburban shopping centers and industrial areas); freeways should be tied directly to arterial roads, with accessibility limited to specific interchanges to avoid the impediment of through traffic.
- C. Principal Arterial Highway: A Principal Arterial provides land access while retaining a high degree of thru traffic mobility and serves major centers of urban activity and traffic generation. They provide a high speed, high volume network for travel between major destinations in both rural and urban areas.
- D. Minor Arterial Highway: A Minor Arterial gives greater emphasis to land access with a lower level of thru traffic mobility than a principal arterial and serves larger

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schools, industries, hospitals and small commercial areas not incidentally served by principal arterials.

- E. Collector Highway: A Collector Highway serves dual functions, collecting traffic between local roads and arterial streets and providing access to abutting properties. It serves minor traffic generators, such as local elementary schools, small individual industrial plants, offices, commercial facilities, and warehouses not served by principal and minor arterials.
- F. Local Roads: Those that are local in character and serve farms, residences, businesses, neighborhoods and abutting properties.

**Street Width**: The distance between street right-of-way lines measured at right angles to the centerline of the street.

**Structure**: A combination of materials the use of which requires a fixed location on the ground or attachment to something having a fixed location on the ground and includes, among other things, buildings, stadiums, platforms, radio towers, communications antennas and towers, sheds, signs, storage bins and fences.

**Structure**: For airport zoning purposes is an object, including a mobile object, constructed or installed, including but not limited to buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

**Subdivision**: The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

**Substantially Completed**: Where, in the judgment of the Township Engineer, at least ninety percent (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

**Supervisors**: Monroe Township Board of Supervisors.

**Tavern**: An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. Taverns may also serve food.

**Timber Harvesting**: Timber harvesting shall mean the process of cutting down and removing trees for the primary purpose of sale or processing into commercial wood products.

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**Time of Concentration (T<sub>c</sub>):** The time for surface runoff to travel from the hydraulically most distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

**Topographic Map:** A map showing the elevations of the ground by contours or elevations.

**Tourist Home:** See Bed and Breakfast.

**Townhouse:** Single family attached dwelling units of one or two story construction so situated that there are three (3) or more units contiguous to one another with some common walls, adjacent parking facilities and common yards or open space provided for all occupants.

**Township:** The Township of Monroe, Snyder County, Pennsylvania, Board of Supervisors, its agents or authorized representatives.

**Transient Retail Activity:** Any activity conducted by a peddler, vendor, solicitor or transient merchant within his or her scope of conduct as a transient retail business.

**Transient Retail Business:** (1) engaging in peddling, canvassing, soliciting and taking orders, either by sample or otherwise, for any goods upon any of the streets or alleys, sidewalks or public grounds or from house to house in the Township, and (2) selling, vending, soliciting or taking orders for any good from a fixed location in the Township on a temporary basis, which shall include, but shall not be limited to, such activities conducted at the time of special events or celebrations, for seasonal purposes or for or in advance of specific yearly holidays.

**Transient Merchant:** A person who engages or proposes to engage temporarily in merchandising business in the Township and occupies a room, building, tent, lot, stand or other premises for the purpose of selling trading or bartering goods.

**Transitional Surfaces:** These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of 7 feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

**Transportation Terminals:** Land and buildings used as a relay station for the transfer of a load/freight from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

**Tree:** For airport zoning purposes is any object of natural growth.

## Ordinance of Definition

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**Undeveloped Land:** Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.

**Use:** The specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

**Utility, Public:** A business organization regulated by the Public Utilities Commission ("PUC").

**Utility Runway:** A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

**Vehicle:** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheel chair or an electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability.

**Visual Runway:** A runway intended solely for the operation of aircraft using visual approach procedures.

**Waiver or Modification:** A deviation from the Subdivision and Land Development Ordinance, approved by the Township following the provisions of the Pennsylvania Municipalities Planning Code.

**Watercourse:** A stream of water, river, brook, creek, or channel or ditch for water whether natural or man-made.

**Waters of the Commonwealth:** Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof; whether natural or artificial, within or on the boundaries of this Commonwealth.

**Wetlands:** Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

**Wholesale, Storage and Warehousing:** A building or group of buildings primarily used for the storage, transfer and distribution of products and materials.

**Wind Energy Facilities (Windmill):** A device which converts wind energy to mechanical or electrical energy.

## Ordinance of Definition

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**Window:** An opening to the outside, other than a door, which provides all or part of the required natural light, natural ventilation, or both, to an interior space.

**Yard:** A space open to the sky and unoccupied by any building, structure, or merchandise for display, sale, or storage, located on the same lot with a building or structure. (Figure 1)

- A. **Yard, Buffer:** A space open to the sky and unoccupied by any building, structure, or merchandise for display, sale, or storage, located on the same lot with a building or structure. This may be greater than the required front yard, rear yard and side yards (Figure 1)
- B. **Yard, Exterior:** An open, unoccupied space between the building(s) and the building setback lines.
- C. **Yard, Front:** A yard extending the full width of the lot and situated between the street line and the front building setback line.
- D. **Yard, Rear:** A yard extending the full width of the lot and situated between the rear lot line and the rear building setback line.
- E. **Yard, Side:** A yard extending from the front building setback line to the rear buildings setback line between the side lot line and the side building setback line.

**Zone:** A section of a municipality designated in the zoning ordinance and usually delineated on the zoning map, for which requirements for the use of land and building and development standards are prescribed.

**Zoning Hearing Board:** The Monroe Township Zoning Hearing Board.

**Zoning Map:** The map delineating the boundaries of zones.

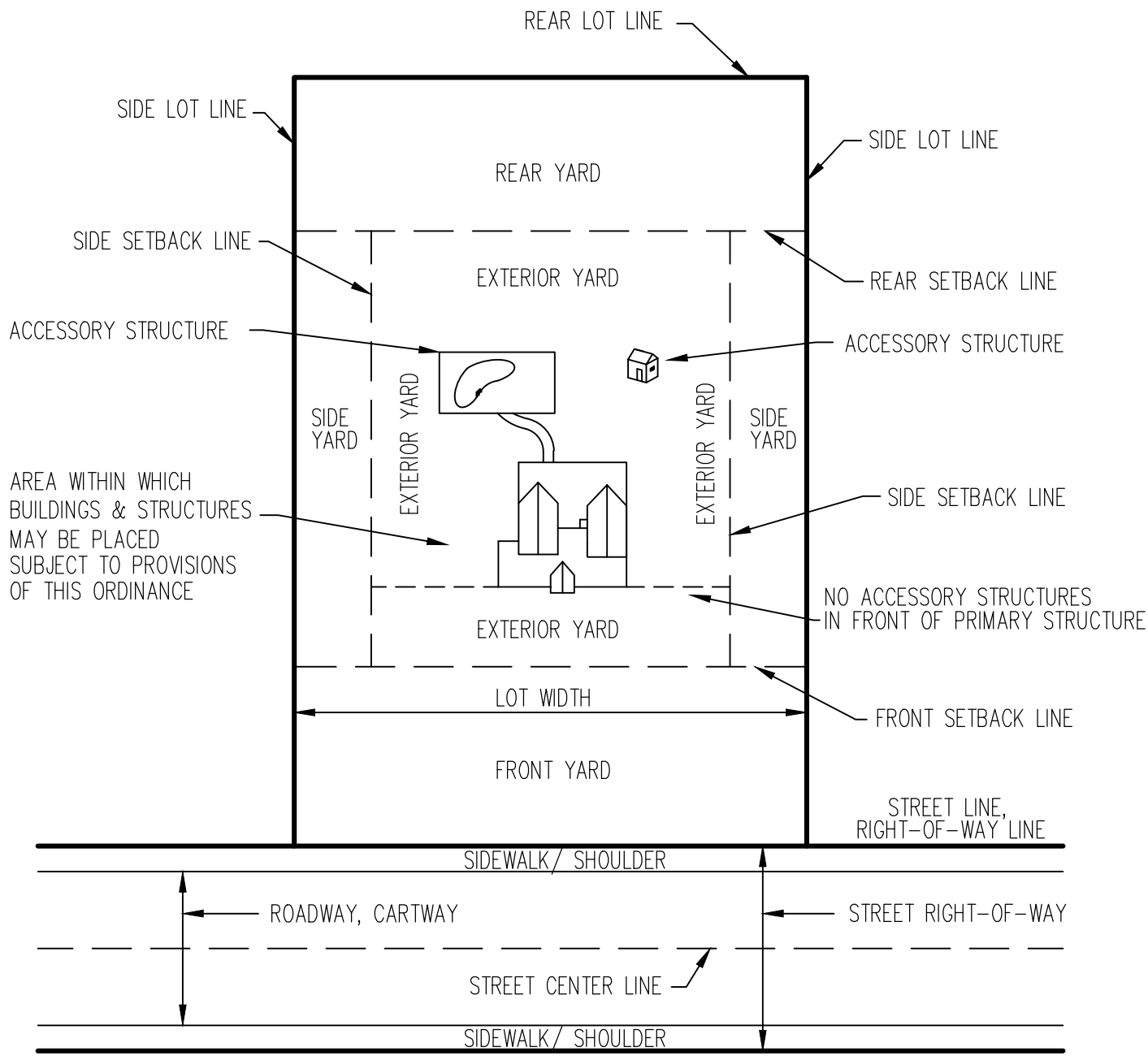
**Zoning Officer:** The administrative officer designated to administer the zoning ordinance and issue zoning permits.

**Zoning Permit:** A document signed by a Zoning Officer, as required in the zoning ordinance, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that acknowledges that such use, structure, or building complies with the provisions of the municipal zoning ordinance or authorized variance there from.

### General Interpretation and Application

Unless specified otherwise in the Ordinance or Ordinances affected by it, the definitions included herein shall apply to all regulations governing the development of Monroe Township. Included in this category are: Subdivision and Land Development Ordinance and the Zoning Ordinance, and others from which time to time shall be adopted and which shall make specific reference to this Ordinance. Where individual definitions or parts of definitions apply to a specific regulation only, they shall be so indicated.

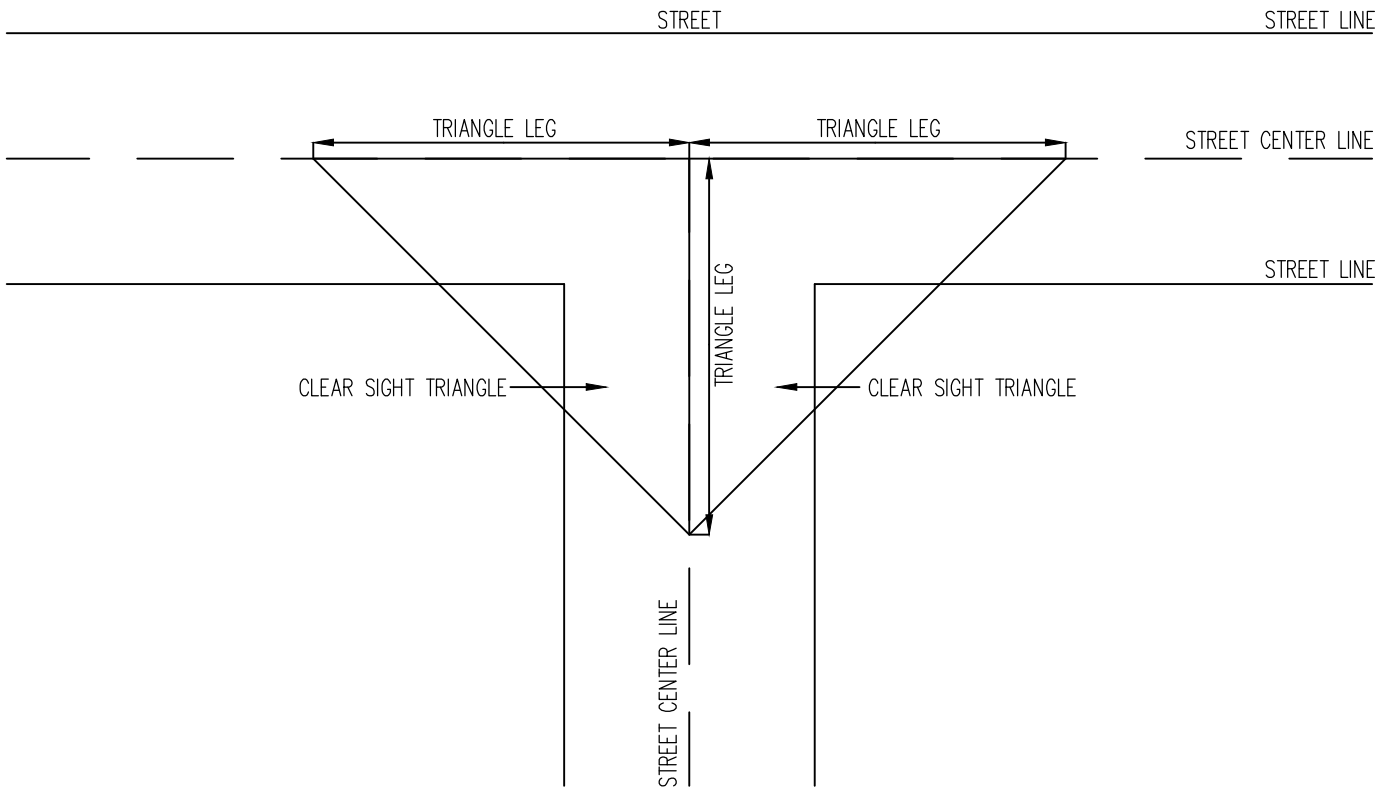




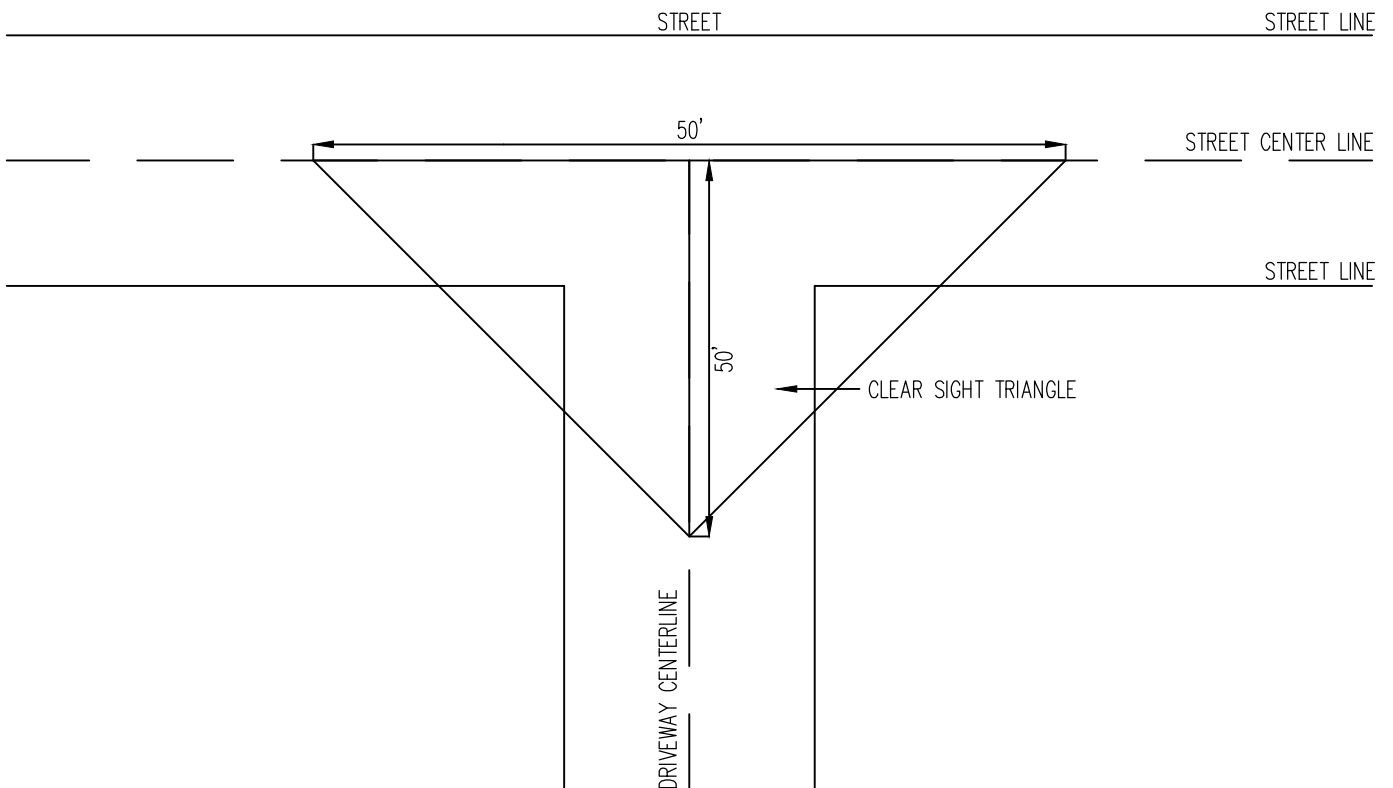
SKETCH PLAN DEPICTING ZONING TERMS

**FIGURE 1**

# INTERSECTION CLEAR SIGHT TRIANGLES



# DRIVEWAY CLEAR SIGHT TRIANGLE



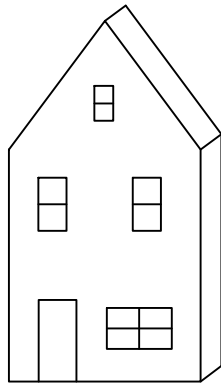
**FIGURE 2**

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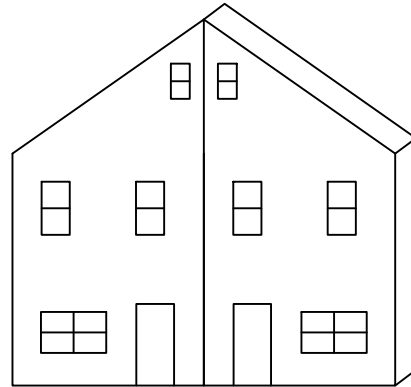
FIGURE 3

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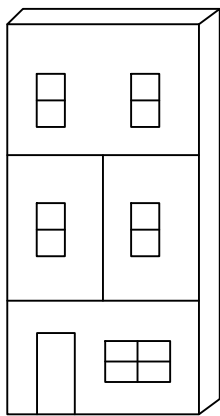
FIGURE 4



SINGLE FAMILY DETACHED DWELLING



TWO FAMILY DWELLING



MULTI-FAMILY DWELLING



TOWNHOUSE DWELLING

**FIGURE 5**

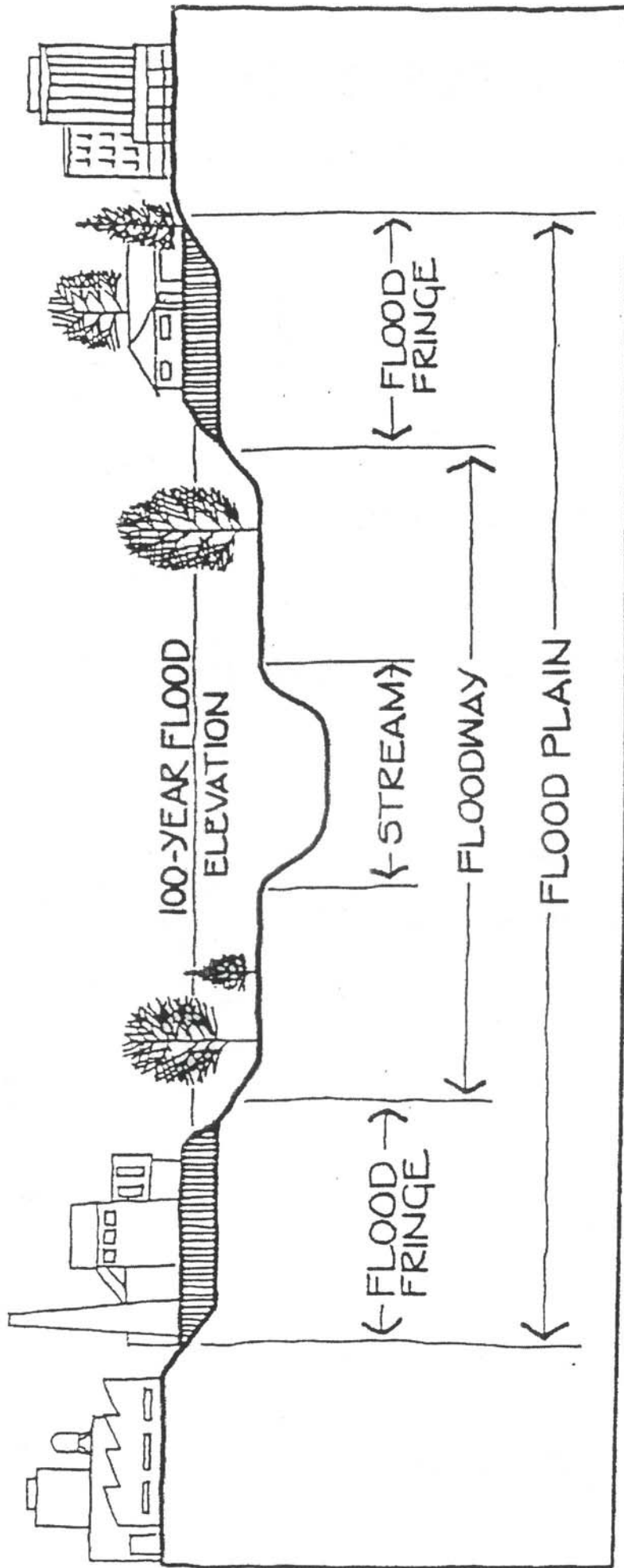
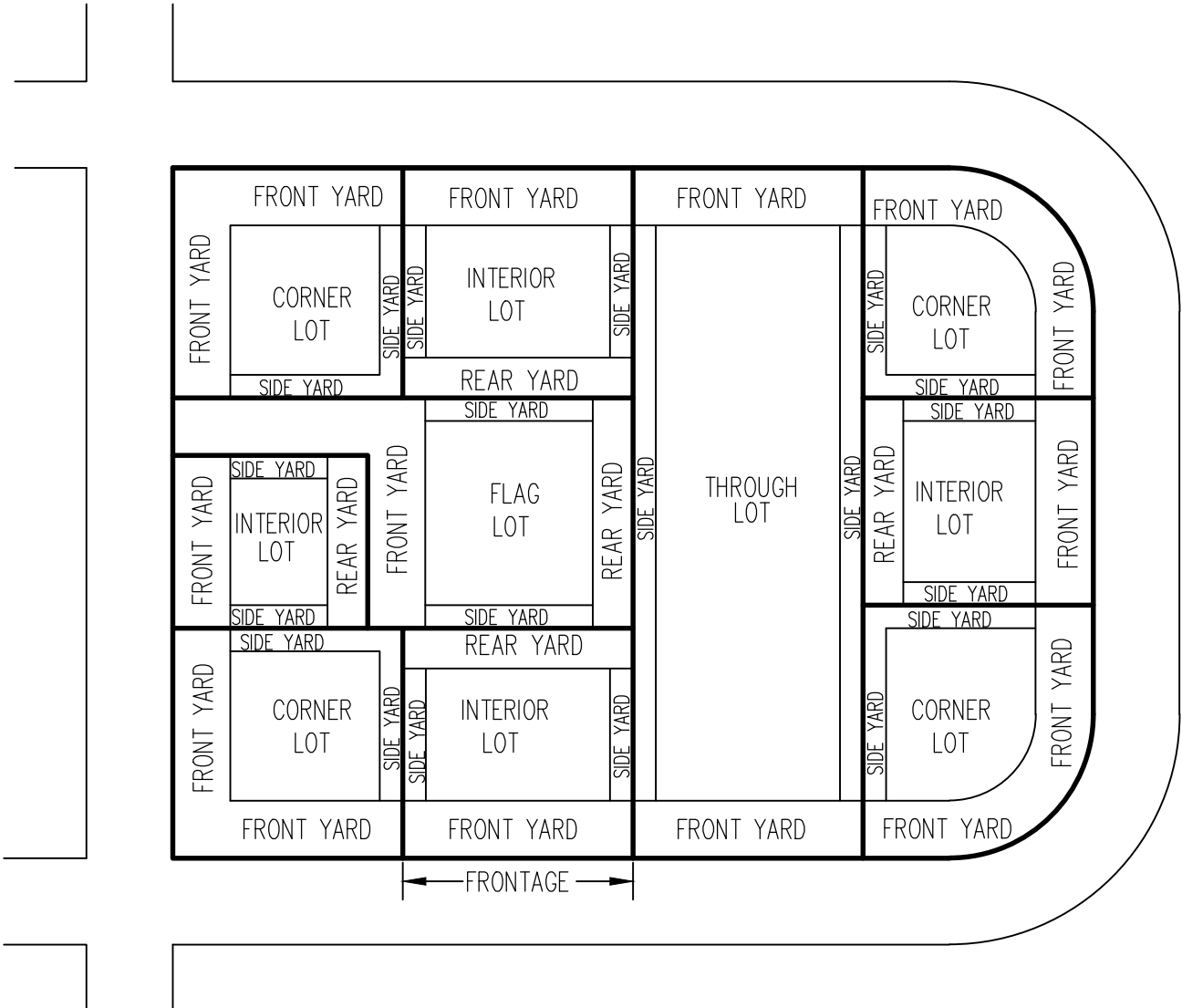


FIGURE 6

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FIGURE 7



**FIGURE 8**

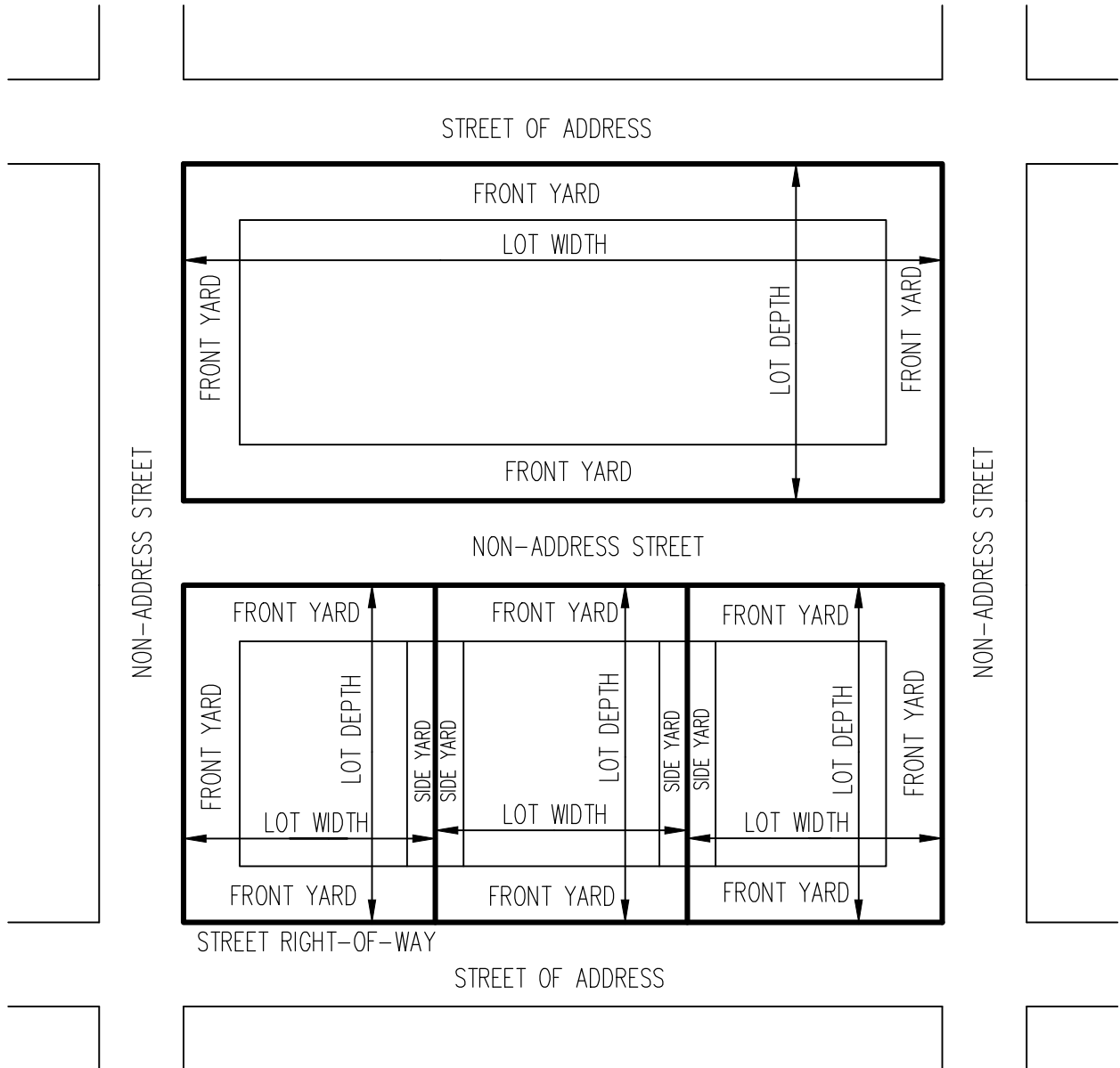


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FIGURE 9

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FIGURE 10



**FIGURE 11**