PART 12
General Regulations

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SECTION 1201. ALLOWABLE USE OF LAND AND BUILDINGS

A. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

B. No structure shall be erected or altered to provide for greater height or bulk; to accommodate or house a greater number of families; to occupy a greater percentage of lot area; to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Chapter.

C. No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements set forth herein. No part of a yard or other open space, or off-street parking or loading space required in connection with any building for the purpose of complying with this Chapter shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

SECTION 1202. NUMBER OF BUILDINGS PER LOT

In no case shall there be more than one principal building used for residential purposes located on one property, except as otherwise provided in this Chapter for a Mobile Home Park, Planned Development**,** or Land Development. If two or more principal non-residential buildings are proposed on a property, the space between such buildings shall be as established by the building setback requirements of the district in which the use is located, and the proposed development shall be required to apply for Land Development approval as prescribed in this Chapter.

SECTION 1203. ALLOWABLE SETBACK ENCROACHMENTS

No structure shall be erected, placed, or moved to within any setback area except certain accessory structures as provided in Section 1204.A. of this Part. The following portions of structures may project into required yards:

A. Unenclosed, uncovered steps, entrance platforms, terraces, stoops, or landings, not over thirty-six (36) inches above grade level, and not exceeding six (6) feet) in projection. Roofs or balconies, not exceeding six (6) feet in projection, and covering porches, stoops, or entrances per above, may be constructed into required yards setbacks.

B. The ordinary projection of belt courses, sills, lintels, chimneys, and other similar ornamental and architectural features not exceeding twenty-four (24) inches.

C. An eave, cornice, roof overhang, awning, balcony, or bay window not exceeding three (3) feet in projection.

D. Exterior stairways and fire escapes not exceeding four (4) feet in projection.

SECTION 1204. ACCESSORY USES

Accessory uses and structures are permitted in all zone districts in accordance with the provisions of this Section. Accessory uses and structures shall be incidental and subordinate to, and commonly associated with, the operation of the principal use of the property; and shall be operated and maintained under the same ownership and on the same property, or on adjoining property under the same ownership, as the principal use. Except for agricultural purposes, accessory uses shall be clearly subordinate in height, area, bulk, extent, and purpose to the principal use served, shall not exceed fifty percent (50%) of the square footage of the principal building, and shall not exceed fourteen (14) feet in height at the measuring point of the respective roof type. Accessory uses shall not be permitted prior to the erection and operation of the principal use on a parcel, or adjoining parcel under the same ownership. For purposes of this Section,"agricultural" use shall include any land, building, or structure that, through its operation of farming, generates income as proven by an income tax return.

A. Accessory Structures Exempt from Building Permit and Setback Requirements

Accessory uses such as essential services, sidewalks, driveways, curbs, drainage installations, retaining walls, mail boxes, nameplates, lamp posts, bird baths, and structures of a like nature are permitted in any required front, side, or rear yard without the issuance of any permit; however, such uses shall be subject to all other regulations for accessory structures found in this Section.

B. Swimming Pools

1. All private in-ground or above ground swimming pools containing over 150 cubic feet of water, are considered structures for the purpose of permits, and for regulations of other ordinances. For the purpose of this Chapter, they are not counted as floor area in computing the lot coverage, but shall not be located in any required setback area.

2. All swimming pools shall be at least fifteen (15) feet from any property line and shall be enclosed by a fence, wall, or other substantial barrier not less than four (4) feet in height, with a self-closing, self-latching gate and of such a character as is reasonable to prevent access to the pool.

3. No swimming pool containing over 150 cubic feet of water shall be constructed in the Township except in accordance with a permit previously secured from the Zoning Officer upon written application, accompanied by a plan showing the size, shape, and location of the swimming pool and its enclosure, and such other information as may be deemed

necessary to enable the Zoning Officer to determine whether the pool complies with this Chapter.

C. Fences, Walls, and Hedges

1. Fences, walls, and hedges may be permitted in any required yard or along the edge of any yard, provided that driveway entrances are not shielded by the fence, wall, or hedges in such a way as to obstruct the view of a driver entering a road from the driveway. In addition, fences shall not obstruct visibility at intersections.

2. No fence, wall, or other obstruction (except a required retaining wall) shall be more than six (6) feet in height, except when located within a platted residential subdivision. No barbed wire (except in agricultural areas), metal spikes, or other dangerous fence shall be erected or maintained unless in a Commercial or Industrial district with such dangerous portion of the fence at least eight (8) feet above the ground.

3. In a platted residential subdivision; fences, latticework, screens, or walls not more than six (6) feet in height may be located in the required side or rear yard, and a hedge, open fence, or a wall maintained so as not to exceed three (3) feet in height may be located in any front yard. For purposes of this section, those portions of the side and rear yards which abut a street shall be treated as front yards.

4. For purposes of fence, wall, and hedge regulations, any yard that abuts a street from which access is prohibited shall be treated as either a side or rear yard, but not as a front yard.

D. Satellite Dishes

1. Satellite dishes shall be subject to all zone district setbacks, which shall be measured from that part of the dish that extends closest to the adjoining property or right-of-way line.

2. Within residential subdivisions or commercial or industrial zone districts, ground-mounted satellite dishes larger than twenty-four inches (24”) in diameter shall be screened from adjacent uses or public rights-of-way by a continuous evergreen screen no less than seven (7) feet in height at maturity, provided, however, that no screening shall be required that would interfere with line of sight to the satellite. When the distance from the satellite dish to a property or right-of-way line exceeds thirty (30) times the height of the dish, no screening shall be required between the dish and that property or right-of-way line.

E. Private Dog House and Private Dog Pen

1. Private dog houses and/or pens shall be located on the Owner’s property at a point closer to the Owners dwelling than it is to the nearest neighboring residential dwelling. Fenced in yards are not considered dog pens for purposes of this Section.

SECTION 1205. VISIBILITY AT INTERSECTIONS

On the corner lot or at any point of entry on a public road, nothing shall be erected, placed, planted or allowed to grow in such a manner that obscures the vision between the height of two and one-half

(2½) feet and ten (10) feet, measured from the centerline grade of the intersecting streets or driveways and within the area bounded by the street lines of such corner lots and a line joining points on these street lines seventy-five (75) feet from their intersection along the lot lines.

SECTION 1206. EXCEPTIONS TO HEIGHT LIMITATIONS

The height limitations of this Chapter shall not apply to church spires, belfries, domes, monuments, observation towers, windmills, chimneys, smokestacks, flag poles, masts and aerials, silos, and similar structures or projections neither intended nor used for human occupancy. Public utility structures, other than buildings, necessary for the distribution of essential services to the general public shall not be subject to the height limitations of this Chapter. Structures such as cellular communications towers, erected by private companies, are not considered essential services and are subject to applicable height restrictions.

SECTION 1207. STRIPPING OF TOPSOIL, EXCAVATION OF CLAY, SAND, GRAVEL, OR ROCK

Operations defined by the title of this Section may be conducted, in all zoning districts, only under the following conditions:

A. As part of the construction or alteration of a building or the grading incidental to such building, or preparation of ground in anticipation of future building.

B. In connection with normal lawn preparation and maintenance.

C. In connection with the construction or alteration of a street or utility improvement.

D. In farming operations where such use is permitted, provided sound soil conservation practices are observed.

SECTION 1208. SLOPE CONTROLS

A. Specific Intent

In addition to the general goals stated in the Land Use Plan Goals and Objectives included in the Comprehensive Plan, the purpose of this Section is to prevent the erection of non-residential structures in areas unsuitable for building sites; to minimize danger to public health by protecting watersheds; to discourage erosion of soils by maintaining adequate foliage cover on hills; and to promote the perpetuation of open space on hillsides. Slope areas may be located within the confines of any zoning district. Residential structures are permitted, subject to the controls of this Section.

B. Definition of Slope Area

For purposes of this Section, a slope area is considered to be any land having an average slope in excess of twenty-five percent (25%).

C. Permitted Land Uses

The following uses are the only uses permitted in areas subject to slope controls:

1. Parks and outdoor recreational uses shall be permitted so long as their activities do not conflict with the use of the land as a watershed.

2. Tree farming, forestry, and other agricultural uses, when conducted in conformance with conservation practices that ensure adequate protection against soil erosion.

3. Residential uses on a one-acre minimum site subject to Section 1208.E. of this Part, unless more restrictive regulations apply.

D. Application Procedure

Any person desiring to change or in any way modify an existing use of land in an area subject to these controls shall supply a statement to the Planning Commission signifying his intentions that the intended use of the land will be a use permitted by these regulations. If such a change involves the construction of any building, the applicant shall, in addition, furnish the Zoning Officer with a statement prepared by a registered civil engineer or surveyor to the effect that the proposed building will not be erected on any land where the percentage of grade exceeds forty percent (40%).

E. Residential Uses

Single-family residential structures may be constructed on a slope with a grade in excess of twenty-five percent (25%) if the building is constructed in such a manner that does not disturb the existing grade and natural soil conditions. The applicant shall supply the Township with the following:

1. A site plan of the property indicating existing grades, with contour lines at two-foot intervals, and proposed grades, along with indication of proposed paved areas and storm drainage facilities.

2. A landscaping plan indicating existing and proposed ground cover, and the location, size and species of existing and proposed trees and shrubs.

3. Architectural plans, elevations, and sections.

4. A statement prepared by a registered architect indicating the building methods to be used in overcoming foundation and other structural problems created by slope conditions and the requirement to preserve natural watersheds and prevent soil erosion.

5. An engineering statement, prepared by a professional engineer, certifying the stability of a slope after grading.

F. Area and Bulk Regulations

The following development standards shall be observed for single-family residential uses only on all slope lands:

Minimum Lot Size	1 acre
Minimum Lot Width	150 feet
Minimum Front Yard Setback	50 feet
Minimum Side Yard Setback	40 feet
Minimum Rear Yard Setback	60 feet
Maximum Building Height	3 stories or 35 feet
Maximum Lot Coverage	10%

SECTION 1209. AGRICULTURAL REGULATIONS

Where permitted by this Chapter and unless otherwise controlled by other Township ordinances or regulations, operations involving the use of buildings and land for farming, gardening, nurseries, greenhouses, riding academies, livery or boarding stables, stock raising, dairying, and poultry shall be permitted subject to the following safeguards and regulations:

A. Storage of manure or odor- or dust-producing substances shall not be permitted within two hundred (200) feet of any lot line.

B. Greenhouse heating plants shall not be operated within one hundred (100) feet of any lot line.

C. Side and rear setbacks for buildings or enclosures in which animals or poultry are kept are established as follows:

1. Fifty (50) feet in cases where the farm abuts land currently used for agriculture.

2. Fifty (50) feet in cases where the farm abuts a Planned Residential Development which has a fifty (50) foot conservation easement in place.

3. One hundred (100) feet in cases where the farm abuts a conventional subdivision in any residential zone.

D. The selling of products raised, bred, or grown on the premises shall be permitted, provided that all stands or shelters used for such sales be constructed according to good building practice and maintained in good condition throughout the off season when not in use.

E. Setbacks from public road rights-of-way for all buildings and structures other than those listed in Section 1209.C., above, shall be:

R-1	35 feet
R-2	35 feet
R-3	35 feet
C-1	45 feet
I-1	45 feet
I-2	50 feet

F. Side and rear yards in other than Residential zones shall be as follows:

C-1, if adjacent to C-1, I-1, or I-2	25 feet
I-1, if adjacent to C-1, I-1, or I-2	25 feet

SECTION 1210. ABANDONED VEHICLES (Nuisance Vehicles are addressed in Chapter 10, Part 3 of the Township Code of Ordinances, entitled "Motor Vehicle Nuisances.")

No abandoned vehicle shall be permitted on any public property or upon any street or alley within the Township. Unless otherwise provided by law, the Township Police, or the Zoning Officer, shall notify the owner or possessor of the vehicle to remove the vehicle within ten (10) days. Upon failure of refusal to remove such vehicle, the Township may remove the same and charge the cost of removal to the owner or possessor of the vehicle, or proceed against the owner or possessor by summary proceedings. In addition, the Township may institute proceedings in courts of equity.

SECTION 1211. ANIMALS

No horses, cows, poultry, goats, sheep, or similar animals (excluding dogs or cats), and no wild animals of any kind shall be permitted on any tract of land less than ten (10) acres in size.

SECTION 1212. COMMUNICATIONS FACILITIES

Express standards and criteria for considering Conditional Use approval for communications facilities shall be as follows:

A. Proposed communications facilities, including towers and antenna additions to existing structures, shall be located only in the R-1, C-1, I-1, I-2, and SD zoning districts. Proposed new communications towers must gain approval by Conditional Use from the Board of Supervisors of Cecil Township. As part of the Conditional Use application, the applicant shall provide notification by Certified Mail of the intent to seek such approval. This notification shall be provided to all property owners within three hundred (300) feet of the property lines of the parcel on which the facility is to be located. Proposed antenna additions or electronic equipment buildings to existing structures need not gain Conditional Use approval; however, all other applicable requirements of this Section shall be imposed for such antenna addition.

B. Any applicant proposing a new communications tower shall demonstrate that efforts have been made to obtain permission to mount an antenna or antennae on an existing building, public utility transmission structure, or communications tower rather than erect a separate tower. The applicant shall contact, by Certified mail, all owners of potentially suitable structures within a one-quarter-mile radius of the proposed site. If utilization of an existing structure is not an option, the applicant shall provide written proof to this effect which shows that one of the following situations exists:

1. The proposed equipment would exceed the structural capacity of the existing building, public utility transmission or storage structure, or communications tower and reinforcement of the existing structure cannot be accomplished.

2. The proposed equipment would cause RF (Radio Frequency) interference with other existing or proposed equipment for that existing structure and the interference cannot be prevented.

3. Existing buildings, public utility transmission structures, or communications towers do not have adequate space, access, or height to accommodate the proposed equipment.

4. Addition of the proposed equipment would result in NIER (Non-Iodizing Electromagnetic Radiation) levels which exceed adopted Federal or State emissions standards.

5. A reasonable business arrangement cannot be achieved.

C. The applicant shall demonstrate that it is licensed by the Federal Communications Commission (FCC) to operate a communications facility. At any time during the calendar year that an amendment to the FCC license is issued, a copy of the amended license shall be submitted to Cecil Township within thirty (30) days of issuance.

D. Proof shall be provided that the proposed communications facility complies with safety standards and electromagnetic field limits established by the Federal Communications Commission (FCC). In the event that the FCC imposes more stringent standards at a later date, those standards shall apply.

E. Proof shall be provided that the communications facility has been reviewed, and has not been determined to be a hazard, by the Federal Aviation Administration (FAA). The communications tower shall meet all FAA regulations and any Airport Zoning Regulations.

F. The applicant shall submit evidence that the tower, or an antenna addition to an existing tower or structure, and its method of installation has been designed by a civil or structural engineer registered in the Commonwealth of Pennsylvania and is certified by that engineer to be structurally sound and able to withstand wind and other loads in accordance with applicable building codes.

G. The owner of any communications tower shall be required to conduct periodic inspections of the tower to ensure structural integrity. Such inspections will be required as follows:

1. Monopole towers - at least once every ten (10) years.
2. Self-Supporting towers - at least once every five (5) years.
3. Guyed towers - at least once every three (3) years.

Inspections shall be conducted by an engineer licensed by the Commonwealth of Pennsylvania. The cost of the inspection shall be borne by the tower owner. The result of the inspection shall be provided to the Township. Based upon the results of the inspection, the Township may require repair or removal of the communications tower.

H. Adequate access by means of a public street or an access easement to a public street shall be provided to facilitate periodic visits by maintenance workers. Said access drive shall be composed of an all-weather, dust-proof surface.

I. The distance between the base of the communications tower and any property line shall at least equal the height of the tower. If the facility is erected on a leased parcel taken from a parent tract, this distance may be measured to the property line of the parent tract. In addition, self-supporting towers shall be sited no closer than one thousand (1000) feet to any recorded plan of subdivision. An accessory structure erected in connection with the facility shall meet ordinance setback requirements for the district in which it is located.

J. The maximum height of any monopole communications tower shall be one hundred (100) feet. The height of any guyed or self-supporting communications tower may not exceed two hundred (200) feet.

K. The applicant shall demonstrate that the proposed height of the communications facility is the minimum height necessary to function effectively.

L. For communications facilities other than those added to existing structures, enclosure by a chain-link or similar fence eight feet in height shall be required. Said fence shall have a self-latching gate to limit accessibility to the general public.

M. All guy wires and all guyed towers shall be clearly marked so as to be visible at all times. All guy wires shall be a minimum of five (5) feet from any property line.

N. Landscaping shall be installed and maintained by the owner of any communications tower as necessary for proper screening of associated equipment storage or maintenance buildings. The Planning Commission will determine the extent of screening during site plan approval.

O. All lighting, other than that required by the Federal Aviation Administration (FAA), shall be shielded and reflected away from adjoining properties.

P. The facilities which are erected to maintain a communications facility may not include offices, long-term vehicle storage, other outdoor storage, broadcast studios, or other uses that are not needed to send or receive signals, unless such facilities are permitted by right in the zoning district.

Q. In January of each year, the owner of a communications tower shall submit written verification to the Township Building Inspector that there have been no changes in the operating characteristics of the communications tower as stated at time of approval of the use by Conditional Use, including, at a minimum:

1. Copy of the current FCC license;
2. Name, address, and emergency telephone number for the operator of the communications tower;
3. Copy of Certificate of Insurance at a level of coverage acceptable to the Municipal Solicitor, with Cecil Township added as a named insured on the policy.

R. All Conditional Uses approved under this Section will automatically lapse if the communications facility is not used for six (6) continuous months. In such case, all portions of the communications facility will be removed by the party responsible for erecting the facility, with costs of removal to be borne by that party.

SECTION 1213. ADULT BUSINESSES

Express standards and criteria for considering conditional use approval for adult businesses shall be as follows:

A. Adult businesses, as defined in Part 2 of this Chapter, may be permitted, after Conditional Use review by the Township Board of Supervisors, only on land designated with an I-1 (Light Industrial) or I-2 (Heavy Industrial) zoning classification.

B. Adult businesses shall not be located within five hundred (500) feet of the property boundary within which is located an existing public or private pre-elementary, elementary, middle, secondary, or high school; church, day care center, library, hospital, group care facility, personal care boarding home, public park or playground, other existing or proposed adult business, or any establishment which is licensed to serve and/or sell alcoholic beverages. No more than one adult business may be located in the same building, structure, or portion thereof.

C. Adult businesses shall not be located within five hundred (500) feet of any property which is residentially zoned or which contains a residential use.

D. Distances indicated in subsections B and C, above, shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where an adult business is conducted to the nearest property line of the premises of the several uses or zoning districts specified in those subsections.

E. An adult business lawfully operating as a conforming use is not rendered a non-conforming use by the location, subsequent to the grant or renewal of the adult business permit, of a church, public or private pre-elementary, elementary, middle, secondary, or high school; day care center, library, hospital, group care facility, personal care boarding home, public park or playground, or residential use within five hundred (500) feet of the adult business. This provision applies only

to the renewal of a valid permit, and does not apply when an application for a permit is submitted after a permit has expired or has been revoked.

F. An application for a permit to operate an adult business must be made on a form provided by the Zoning Officer of Cecil Township before the establishment is open for business. The application must be accompanied by a site plan of the premises, a diagram showing the configuration of the interior floor area, drawn to scale, and narrative statements detailing the adult business licensing history of the applicant for the five (5) years immediately preceding the date of application and an indication of whether or not the applicant has been convicted of criminal activity. The applicant shall provide all such information as requested by the Township (including fingerprints and photographs) as to enable the Township to determine whether the applicant meets qualifications set forth in this Section.

G. Applicants proposing to operate an adult business shall pay to the Township an application/investigation fee of $250 plus, where applicable, an additional $200 for each officer of the corporation or each member of the partnership proposing establishment of the business. The fees will enable the Cecil Township Police Department to verify the substance of the narrative statements of all parties signing an application for an adult business. If an applicant who wishes to operate an adult business is an individual, he/she must sign the application for a permit as applicant. If the applicant is other than an individual, each individual who has a ten percent (10%) or greater interest in the business must sign the application for a permit as applicant. If a corporation or partnership is listed as the entity wishing to operate an adult business, each individual having a direct or indirect interest of ten percent (10%) or greater in the corporation or partnership must sign the application for permit as applicant.

H. The Township Zoning Officer shall approve the issuance of a permit to an applicant within thirty (30) days after receipt of an application unless it is found that one of more of the following is true:

1. An applicant is under eighteen (18) years of age.

2. An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the application form.

3. An applicant is residing with a person who has been denied a permit by the Township to operate an adult business, or residing with a person whose license to operate an adult business has been revoked by the Township.

4. The premises to be used for the adult business has been reviewed and disapproved by either the Zoning Officer or the Building Inspector as not being in compliance with applicable laws and ordinances.

5. The permit fee required by this ordinance has not been paid.

6. An individual applicant or any individual holding a direct or indirect interest of more than ten percent (10%) of a corporate applicant, or any of the officers and directors of a corporate applicant, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; or the manager or other person in charge of the operation of the applicant's business, has or have been convicted of an offense involving prostitution or promotion of prostitution; sale, distribution, or display of harmful material to a minor; possession or distribution of child pornography; public indecency; engagement in organized criminal activity; sexual assault; gambling; or possession or

distribution of a controlled substance. In order for approval to be denied pursuant to this subsection, the person or persons' conviction or release in connection with the offense must have occurred within two (2) years of the date of application in the event of a misdemeanor and within five (5) years of the date of application in the event of a felony.

7. The applicant has not applied for and obtained Conditional Use approval from the Cecil Township Board of Supervisors.

I. An applicant shall permit the Zoning Officer, representatives of the Police and Fire Departments, or other Township officials to inspect the premises of an adult business for the purpose of ensuring compliance with Township codes, at any time that the business is occupied or open for business. Failure to permit such a lawful inspection will be deemed a violation of this Chapter.

J. An adult business shall be initially granted permit approval when it has met the requirements of this Section. The permit shall be valid through December 31st of the year in which the permit is initially issued. For each year thereafter that the applicant intends to operate, the owner or operator shall seek renewal of the license. The application for renewal shall be submitted to the Zoning Officer by November 1st of the year prior to the year for which the permit is sought. When application is made after November 1st, the pending application will not prevent the expiration of the permit. The lack of a permit or failure to renew such permit in a timely manner shall be grounds for the Township to deny or revoke an occupancy permit for the adult business.

K. If the Township Zoning Officer denies the renewal of a permit, the applicant shall not be issued a permit for one (1) year from the date of denial; however, after ninety (90) days have elapsed since the date of denial, the Zoning Officer may grant a permit if it is found that the basis for denial of the renewal permit has been abated or corrected.

L. The Zoning Officer shall suspend a permit for a period not to exceed thirty (30) days if it is determined that an applicant or employee of an applicant has:

1. Violated or is not in compliance with any section of this Chapter.

2. Engaged in excessive use of alcoholic beverages while on the premises of the adult business.

3. Refused to allow an inspection of the adult business premises as authorized by this ordinance.

4. Knowingly permitted gambling by any person on the adult business premises.

5. Failed to man managers' stations and/or viewing rooms as set forth in subsection O.3., below.

M. The Zoning Officer shall revoke a permit if a cause of suspension set forth in subsection L., above, occurs and the permit has been suspended within the prior twelve (12) months. Revocation shall also result if any of the following has been determined:

1. The applicant, or any of the persons specified in subsection H.6., above, is or has been convicted of the offenses specified in subsection H.6.

2. An applicant gave false or misleading information in the material submitted to the Township during the application process.

3. An applicant or an employee of the applicant has knowingly allowed possession, use, or sale of controlled substances on the premises.

4. An applicant or an employee of an applicant has knowingly allowed prostitution, sexual intercourse, sodomy, oral copulation, masturbation, or other explicit sexual conduct to occur on the premises.

5. An applicant or an employee of an applicant knowingly operated the adult business during a period of time when the applicant's permit was suspended.

N. When the Zoning Officer revokes an adult business permit, the revocation shall be effective for one (1) year, and the applicant shall not be issued an adult business permit for one (1) year from the date the revocation became effective, except that if the revocation is pursuant to subsection M.1., above, the revocation shall be effective for two (2) years in the event of a misdemeanor or five (5) years in the case of a felony. After denial of an application, or denial of a renewal of an application, or suspension or revocation of a permit, the applicant shall have the right to appeal said action and to seek prompt judicial review of such administrative action in any court of competent jurisdiction.

O. An applicant who operates or causes to be operated an adult business which exhibits on the premises, in a viewing room of less than 150 square feet of floor space, a film, video cassette, or other image production or reproduction which depicts nudity or sexual conduct, as defined herein, shall comply with the following requirements:

1. The application for a permit to operate an adult business shall be accompanied by a floor plan diagram of the premises specifying the location of one or more manager's stations, the location of all viewing rooms, partitions and doors, the location of all overhead lighting fixtures, and designating any portion of the premises in which patrons will not be permitted. The plan shall be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas to an accuracy of plus or minus six (6) inches. The Zoning Officer may waive such a plan for renewal applications if the applicant certifies that the interior spaces represented by the floor plan previously submitted have not been altered.

2. No alteration in the configuration or location of a manager's station may be made without the prior approval of the Township.

3. At least one (1) employee shall be on duty and situated in each manager's station at all times that any patron is present inside the premises.

4. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station to every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms shall not contain video reproduction or viewing equipment. If the premises has two or more designated manager's stations, the interior of the premises shall be configured in such a manner that there is an unobstructed view from at least one of the manager's stations of each area of the premises to which any patron is permitted access for any purpose, excluding restrooms. The view required by this subsection must be by direct line of sight from the manager's station.

5. It shall be the duty of the owners and operators, and it shall also be the duty of any agents and employees present on the premises, to ensure that the view area specified in subsection O.4., above, remains unobstructed by any doors, walls, merchandise, display racks, or other

materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted.

6. No viewing room may be occupied by more than one (1) person at any time. No connections or openings to an adjoining room, except for the entrance, shall be permitted.

7. The premises shall be equipped with overhead lighting fixtures of sufficient intensity, at an illumination of not less than three (3) foot-candle measured at the floor level, to illuminate every place to which patrons are permitted access.

8. It shall be the duty of the owners and operators, and it shall also be the duty of any agents and employees present on the premises, to ensure that the illumination described above is maintained at all times that any patron is present on the premises.

9. Any party having a duty under subsections O.1. through O.8., above, shall be considered in violation of this Chapter if he/she knowingly fails to fulfill that duty.

P. An applicant shall not transfer his/her permit to another person. An applicant shall not operate an adult business under the authority of a permit at any place other than the address designated in the application.

Q. No adult business may expose, place, post, exhibit, or in any other fashion display in any location, whether public or private, lewd material as described herein in such a manner that it may be readily seen and its contents or character distinguished by viewing it in or from a public place or vehicle.

SECTION 1214. HELIPORTS

Express standards and criteria for considering Conditional Use approval for a heliport shall be as follows:

A. Heliports, as defined in Part 2 of this Chapter, may be permitted, after Conditional Use review by the Township Board of Supervisors, only on land designated with an SD (Special Development) zoning classification. This subsection shall not apply to life flights or other cases of medical or police emergency.

B. The application for conditional use shall include the following documentation:

1. A survey showing that the heliport is to be located at least three hundred (300) feet from any lot line and five hundred (500) feet from any principal structure.

2. An engineering study showing the minimization of detrimental impact on the essential character of the neighborhood caused by the heliport and related activities. The Township will specifically consider the following in this respect:

   a. Screening or other landscaping around the heliport.

   b. The type of helicopter to be used at the heliport and attendant noise levels generated thereby, especially for anticipated readings above fifty (50) decibels, measured at the property lines of the land on which the heliport is located.

   c. Proposed flight paths to be used by the operator, especially during takeoffs and landings.

d. The effect on property values.

e. The location of the heliport, both on the property itself and in relation to surrounding properties.

f. Any anticipated downdrafts or other air displacements generated by craft using the heliport.

3. Compliance with all applicable Federal and State laws regulating helicopters and heliports, including, but not limited to, approval of flight paths and approach patterns by the aviation department of the Pennsylvania Department of Transportation and the Federal Aviation Administration (FAA).

4. Compliance with all Township ordinances and a certification that the property where the heliport is proposed does not contain a deed restriction or land covenant that would preclude the installation of a heliport or the landing of a helicopter.

5. A report from a reputable acoustic or aviation consultant showing the computer prediction model developed by the FAA, referred to in 14 C.F.R. Part 150, Sec. A150.103.

6. Proof of holding of helicopter liability insurance in an amount not less than five million dollars ($5,000,000) for any one (1) accident or occurrence.

7. An application for a heliport or helipad on a roof shall be accompanied by certification by a registered engineer that the loads imposed by the helicopter will be supported by the structure.

C. Heliports shall further be subject to the following additional conditions:

1. The minimum site size for a heliport or helipad shall be fifteen (15) acres.

2. No more than two (2) takeoffs and two (2) landings may occur at a heliport in any one (1) day.

3. No takeoffs or landings may occur between the hours of 7:00 p.m. and 9:00 a.m.

4. The heliport or helipad shall be at least 60 feet square or a circle with a 60-foot diameter.

5. The heliport or helipad shall be clearly marked with the insignia commonly recognized to indicate a helipad.

6. The heliport or helipad landing pad shall be paved, level, and maintained dirt free. Rooftop pads shall be free of all loose stone and aggregate.

7. The fence enclosing the heliport or helipad must be secured at all times to preclude access by the general public and at least five (5) parking spaces shall be established outside of the fenced area.

8. At least two (2) approach lanes to each heliport shall be maintained free of obstructions and shall be provided in accordance with the guidelines and requirements of the PennDOT Bureau of Aviation and the FAA.

9. Required approach lanes shall not be permitted over churches, schools, hospitals, nursing homes, stadiums, school or Township parks or athletic facilities, or other places of public assembly, nor over private residences during descent from a minimum cruising altitude of one thousand (1,000) feet or ascent to such minimum cruising altitude of one thousand (1,000) feet.

10. Clear areas for emergency landings of the helicopter in the event of mechanical failure shall be available. These emergency landing areas shall be located within the normal glide range of the helicopter with one engine off when operating within the approved takeoff or landing lane from the heliport or helipad.

11. Lighting shall be shielded away from abutting residential properties.

12. Maintenance of aircraft shall be prohibited, except for maintenance of an emergency nature.

13. There shall be no storage of fuel at the heliport or helipad.

14. There shall be no basing or overnight parking of aircraft at any heliport or helipad.

D. If, after approval of the conditional use by the Township of Cecil, the use of the heliport or the heliport itself ceases to comply with any of the foregoing requirements of subsections B and C, the conditional use shall be deemed to have immediately and automatically expired and be of no further effect. This stipulation shall be considered part of any approval granted or deemed to be granted by the Township, whether or not expressly set forth therein.

SECTION 1215. TRAFFIC IMPACT STUDIES

Where deemed necessary by the Township, a traffic impact study shall be performed as part of an application for development. A scope of work for the study shall be submitted for Township approval. The study shall be performed by a qualified professional traffic engineer. The following outline of issues to be addressed by the study is provided:

A. Description of the proposed project in terms of land use type and magnitude.

B. An inventory of existing conditions in the site environs, including:

1. Roadway network and traffic control
2. Existing traffic volumes in terms of peak hours and Average Daily Traffic (ADT)
3. Planned improvements to roadways by others

C. An analysis of existing traffic conditions, including:

1. Intersection levels of service
2. Roadway levels of service (where appropriate)
3. Other measures of roadway adequacy; i.e., lane widths, traffic signal warrants, vehicle delay studies, etc.

D. Projected site-generated traffic volumes in terms of:

1. Peak hours and ADT
2. Approach/departure distribution, including method of determination
3. Site traffic volumes on roadways
4. Comparison of existing zoning to proposed site generation

E. An analysis of future traffic conditions, including:

1. Future design year (development fully completed) combined volumes (site traffic plus future roadway traffic)
2. Intersection levels of service
3. Roadway levels of service (where appropriate)
4. Other measures of roadway adequacy; i.e., lane widths, traffic signal warrants, vehicle delay studies, etc.

F. A description of the recommended access plan and off-site improvements, including:

1. Schematic plan of access and on-site circulation
2. General description of off-site improvements required

SECTION 1216. BED & BREAKFAST ESTABLISHMENTS

Bed & Breakfast Establishments shall be considered Special Exceptions within the R-1 zoning district and, where permitted, shall only be located within, and accessory to, an owner-occupied single-family home. Bed & Breakfast Establishments shall be bound by the standards below as well as the applicable requirements of the zoning district in which they are located, along with any additional conditions established by the Zoning Hearing Board after a public hearing.

A. Procedural Standards

1. Operation of a Bed & Breakfast Establishment shall not commence until approval has been granted by the Zoning Hearing Board.

2. No party shall operate a Bed & Breakfast Establishment unless the establishment has in place panic and fire safety precautions as deemed satisfactory by the Zoning Hearing Board, and complies with any and all applicable regulatory agency requirements.

3. No ancillary use inconsistent with the description of a Bed & Breakfast Establishment shall be operated in connection with an approved Bed & Breakfast Establishment. Examples of such ancillary uses include, but are not limited to:

   a. operation of a commercial restaurant; (food service is permitted to overnight guests only).

   b. sales of items to the general public;

   c. procurement of an alcoholic beverage sales permit;

   d. provision or recreation or conference facilities to other than guests;

   e. operation of services such as beauty and barber shops, on-site dry cleaning or laundry services, and gift shops.

4. The location of a Bed & Breakfast Establishment in a residential district shall not be considered a precedent for the granting of any Conditional Use, Variance, or other Special Exception that would allow other commercial and industrial development in the same district. Operation of a Bed & Breakfast Establishment is not to be considered, classified, or permitted as a Home Occupation.

B. Development Standards

1. A Bed & Breakfast Establishment shall include no more than eight (8) guest rooms for rent.

2. Accommodations shall not be provided to a particular guest for more than thirty (30) consecutive days.

3. Parking areas in residential districts must be so designated and maintained so as not to alter the existing character of the district. All parking shall be screened from view from adjacent residential uses according to a landscaping plan conforming to the requirements of this Chapter, said plan to be required by the Zoning Hearing Board as a condition of approval.

4. Parking lot illumination, if proposed, must not result in a detrimental condition to any adjacent residential property boundary. A parking lot lighting plan indicating illumination at the property lines must be submitted as part of the application to be heard by the Zoning Hearing Board. Parking lot lighting must be of a down-directed variety, (such as shoe box fixtures), the standards for which may not exceed a height of eighteen (18) feet and must be of an architectural style specifically approved by the Zoning Hearing Board.

5. Signage for Bed & Breakfast Establishments shall be limited to the display of one (1) non-illuminated sign per street frontage, limited to a size of no more than nine (9) square feet.