

PUBLIC NOTICE

Notice is hereby given that on Wednesday, May 26, 2021 the Hermitage Board of Commissioners intends to consider and enact a Zoning Ordinance amendment during their Regular Meeting in the Commissioner's Meeting Room at the Hermitage Municipal Building, 800 North Hermitage Road, Hermitage, Pennsylvania. The meeting will begin immediately following the 6:00 p.m. Work Session.

The title of the Ordinance is:

AN ORDINANCE OF THE CITY OF HERMITAGE, MERCER COUNTY, PENNSYLVANIA, IN ACCORDANCE WITH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE ("MPC"), AMENDING PORTIONS OF CHAPTER 27 OF THE HERMITAGE CODE OF ORDINANCES, RELATED TO ZONING, ALSO KNOWN AS THE "HERMITAGE ZONING ORDINANCE"; PROVIDING FOR ADDITIONAL DEFINITIONS; AMENDING CERTAIN SECTIONS OF PART 4 TO CORRECT THE ORDER OF PROVISIONS, PROVIDE CHANGES TO GREENWAY REQUIREMENTS, REPLACE THE SECTION PERTAINING TO INTERCONNECTING DRIVEWAYS, AND PROVIDE AMENDMENTS FOR BUFFER ZONE REQUIREMENTS; AND ALSO FOR AMENDING PART 5 TO PROVIDE FOR APPROPRIATE ENFORCEMENT OF THE ZONING ORDINANCE.

A summary of the Ordinance is as follows:

The ordinance makes a number of technical corrections and adds a few additional provisions to Chapter 27 of the Hermitage Code of Ordinances, commonly referred to as the Hermitage Zoning Ordinance. The amendments would be effective seven (7) days from the ordinance's enactment.

Section 1 makes a number of corrections, clarifications and modifications based on feedback throughout the adoption process, as well as adding one new definition, "Shooting Range."

Section 2 amends the permitted use table to allow Shooting Ranges as permitted uses in the Heavy Industrial zoning district, and provides additional criteria. The section also corrects some language and removes fence requirements that are enacted later in the ordinance as a separate section.

Section 3 clarifies greenway requirements and simplifies and clarifies the implementation of the City's vehicular access standards, also known as interconnection, between adjoining nonresidential lots to provide a better system for locating and placing such adjoining driveways. The section also makes a correction to ensure the continued adequate buffering of nonresidential

uses from neighboring properties in the appropriate districts. Finally, the section provides for a new stand-alone set of performance regulations governing fences constructed in the City.

Section 4 provides adjustments and clarifications to the administration of the Zoning Ordinance, including the City's enforcement powers.

Section 5 amends the Zoning Ordinance's table of contents to match the amendments contained herein.

Section 6 provides for severability in the event any portion of this ordinance is deemed to be unenforceable as a matter of law.

Section 7 states that the ordinance will be effective seven (7) days after its adoption.

The full text of the Ordinance is available for inspection at the office of the City Manager, 800 North Hermitage Road, Hermitage, Pennsylvania. Due to COVID-19 restrictions, please make arrangements to review the ordinance at the Municipal Building by calling (724) 981-0800. The ordinance is also on the City website at www.hermitage.net. A copy of the full text of the ordinance has also been provided to the Herald. The full text is also available for inspection at the Mercer County Law Library located in the Mercer County Courthouse, Mercer, Pennsylvania.

**CITY OF HERMITAGE
MERCER COUNTY, PENNSYLVANIA**

ORDINANCE NO. ____ - 2021

AN ORDINANCE OF THE CITY OF HERMITAGE, MERCER COUNTY, PENNSYLVANIA, IN ACCORDANCE WITH THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE ("MPC"), AMENDING PORTIONS OF CHAPTER 27 OF THE HERMITAGE CODE OF ORDINANCES, RELATED TO ZONING, ALSO KNOWN AS THE "HERMITAGE ZONING ORDINANCE"; PROVIDING FOR ADDITIONAL DEFINITIONS; AMENDING CERTAIN SECTIONS OF PART 4 TO CORRECT THE ORDER OF PROVISIONS, PROVIDE CHANGES TO GREENWAY REQUIREMENTS, REPLACE THE SECTION PERTAINING TO INTERCONNECTING DRIVEWAYS, AND PROVIDE AMENDMENTS FOR BUFFER ZONE REQUIREMENTS; AND ALSO FOR AMENDING PART 5 TO PROVIDE FOR APPROPRIATE ENFORCEMENT OF THE ZONING ORDINANCE.

WHEREAS, the City of Hermitage encourages the reasonable development of all legal uses of property for the benefit of City residents and guests; and

WHEREAS, in furtherance of its land use responsibilities, the City adopted a new Comprehensive Plan on June 26, 2019; and

WHEREAS, upon substantial consideration, the City adopted Ordinance 2-2021, which repealed the previous Zoning Ordinance and replaced, along with the Zoning District map, in its entirety; and

WHEREAS, during the process, substantial input was obtained from the members of the community; local and county planning agencies; and City staff and officials; and

WHEREAS, the Board of Commissioners desires to enact certain provisions to correct or modify the provisions of the new Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF HERMITAGE, MERCER COUNTY, PENNSYLVANIA, AND THE CITY OF HERMITAGE HEREBY ORDAINS AND ENACTS BY THE AUTHORITY OF THE SAME AS FOLLOWS:

SECTION 1. AMENDMENT OF CHAPTER 27, PART 2, DEFINITIONS. Chapter 27, Part 2, Section 202, related to Specific Terms is hereby amended as follows:

A. To replace the definition of the term "Greenways" by repealing and replacing the language as follows:

~~Greenway – A corridor of open space. Greenways vary greatly in scale, from narrow ribbons of green that run through urban, suburban and rural areas to wider corridors that incorporate diverse natural, cultural and scenic features. They can incorporate both public and private property, and can be land or water based. Greenways are often associated with trails.~~

Greenway – "An area of specified width between the curb or edge of pavement of a public or private street and the building or buildings of a non-residential development. A greenway is preserved for pedestrian facilities, patios and outdoor dining areas, street trees and landscaping, but does not permit vehicle parking areas."

B. To add the definition "Shooting Range" as follows:

Shooting Range – A property that complies with the requirements and regulations of this Chapter, in addition to Chapter 6, Part 2 of the Code of Ordinances, that is created to provide for the safe discharge of firearms for sighting, target practice, and related uses.

C. To amend the definition "Aisle" to read as follows:

Aisle - Vehicular travel lane within a parking lot.

D. To amend the definition "Backyard Poultry" to "Poultry, Backyard" and to read as follows:

~~Backyard Poultry~~ **Poultry, Backyard** – The raising of poultry birds for domestic and/or commercial uses as an accessory use to a residence. For purposes of this ordinance, poultry birds shall be defined to include domestic chickens and ducks only; no geese, turkeys or other fowl shall be permitted unless as part of a farm permitted under Agriculture.

E. To amend the definition "Electric Vehicle Charging Station" to "Vehicle Charging Station" and to read as follows:

Electric Vehicle Charging Station – A public or private parking space that is served by battery charging station equipment or the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

F. To amend the definition "Height of Sign" to "Sign, height" and to read as follows:

~~Height of Sign~~ **Sign, height** - The vertical distance measured from the top of the sign structure to the mean finished grade of the street closest to the sign, or in the case of a sign located greater than 100 feet from a public street, the distance from the mean grade at the base of the sign, provided that the ground level is not deliberately elevated to increase the height of the sign.

G. To amend the definition "Keeping of Horses and Ponies" to "Horses and Ponies, Boarding of" and to read as follows:

~~Keeping of Horses and Ponies~~ **Horses and Ponies, Boarding of** - The boarding and care of horses and/or ponies used for recreational purposes for one's family.

H. To amend the definition "Portable Storage Container" to "Storage Container, Portable" and to read as follows:

~~Portable Storage Container~~ **Storage Container, Portable** - A portable, weather-resistant receptacle designed and used for the storage or shipment of household goods, wears, building materials or merchandise. The term shall not include yard waste containers provided by the City, roll-off containers, or containers having a storage capacity of less than one hundred fifty (150) cubic feet.

I. To amend the definition "Solar Access" by separating the definition of "Solar Easement" and creating a new definition thereof as follows:

~~Solar Access - The access of a Solar Energy System to direct sunlight. Solar Easement - A legal agreement that protects access to sunlight on a property.~~

Solar Access - The access of a Solar Energy System to direct sunlight.

Solar Easement - A legal agreement that protects access to sunlight on a property.

J. All amendments as to specific terms shall be modified so that the list of specific terms shall appear in alphabetical order.

SECTION 2. AMENDMENT OF CHAPTER 27, PART 3, DISTRICT REGULATIONS. Chapter 27, Part 3, is hereby amended as follows:

A. In Section 315, the incorrectly numbered "Section 314.20" shall be numbered to read "Section 315.20.

B. The newly numbered Section 315.20 shall be amended to include the Permitted Use by Right of "Shooting Range" and the corresponding column titled "Subject to Additional Regulations" shall be amended to add to Shooting Range "Section 321.480.

C. Section 321.480, shall be added, and the section shall read as follows:

321.480 SHOOTING RANGE

A. A Shooting Range shall be permitted only as provided for in Chapter 6, Part 2 of the Code of Ordinances. In the event of any conflict between this Section and Chapter 6, Part 2, the regulations of Chapter 6, Part 2 shall control.

B. Any portion of a Shooting Range shall be located no less than 500 feet from any occupied building that is not related to the use of the Shooting Range.

C. A Shooting Range shall only operate at such hours so as not to be a nuisance to neighboring property owners or the community.

D. A Shooting Range shall take all applicable safeguards to prevent any projectile from being discharged onto any other property. Any applicant for a Shooting Range shall provide a plan to the Zoning Officer outlining how the applicant intends to ensure compliance with this section.

D. The heading of Section 321.120 shall be amended to read as follows:

321.120. BACKYARD POULTRY POULTRY, BACKYARD

E. The heading of Section 321.280 shall be amended to read as follows:

321.280. KEEPING OF HORSES AND PONIES HORSES AND PONIES, BOARDING OF

F. Section 301.70.10(C), related to "Application of Yard Regulations", shall be amended as follows, to allow for the addition of a new Section 409, as provided herein:

C. Steps above grade, open fire escapes, wheelchair ramps and other similar features are permitted to project into required yards no more than three feet. ~~A wall or fence under 6 feet in height and paved terraces without walls, roofs or other enclosures may be erected within the limits of any yard. Retaining walls, buffer strips and fences required for screening under this Ordinance are not subject to the 6 foot high limitation. Fences required for recreational facilities such as tennis courts and baseball fields may be higher than 6 feet; provided, that they are constructed of open type fencing material, such as chain link. No fence shall be permitted which obstructs a sight triangle measured 30 feet along the edge of any roadway and 30 feet along the edge of any intersecting roadway and/or driveway. The sight triangle must be free of obstruction by any fence higher than 3 feet. No fence shall be constructed within the legal right of way of any public street.~~

The following areas are to be excluded for the purpose of computing Lot Coverage:

- Uncovered decks and patios.
- At-grade walkways and driveways.
- Retaining walls and fences.
- Swimming pools.

SECTION 3. AMENDMENT OF CHAPTER 27, PART 4, SUPPLEMENTARY REGULATIONS. Chapter 27, Part 4, is hereby amended as follows:

A. The ordering of Section 405.10 shall be amended to change the subsection ordering from "E" through "K" to traditional headings of subsections "A" through "G".

B. Section 408.30, Street Frontage, Greenways and Access Drives, subsection B shall be amended to read as follows:

"The greenway shall also contain street trees planted no greater than ~~thirty (30)~~ forty (40) feet on center. The location of street trees and sidewalks relative to the street edge shall be in accordance with the City's recommended standards for each type of street, with exact locations to be as determined by the City, and PennDOT where applicable, based on the conditions of each site. The preferred location for street trees shall be between the sidewalk and roadway, but they may be behind the sidewalk where determined to be necessary due to traffic safety needs and/or utility locations. Canopy trees are preferred for street trees and location adjustments is the first alternative where canopy trees will interfere with overhead utility lines. Where no other alternative is possible, ornamental trees (based on the appropriate utility company recommendations) may be substituted for canopy trees."

C. Section 408.30, Street Frontage, Greenways and Access Drives, subsection C is hereby repealed and replaced as follows:

~~The minimum width of the greenway shall be twenty (20) feet, measured from the curb or edge of pavement of the public street(s) abutting the property. The greenway may contain landscaping, lawn, sidewalk and utilities only and shall not contain any vehicular or other use, with the exception of entrance drives crossing the greenway. Where a site with existing development is subject to a land development plan due to a renovation or addition to existing building(s) and the greenway requirement will cause reduction in the number of existing parking spaces such that the minimum parking requirement of the zoning ordinance cannot be met, the Hermitage Planning Commission may authorize a reduction in the greenway width to the least extent possible to preserve the minimum required parking spaces.~~

The minimum width of the greenway shall be twenty (20) feet on a public street and fifteen (15) feet on a private street, measured from the curb or edge of pavement of the public street(s) abutting the property. The greenway may contain landscaping, lawn, sidewalk, patios and outdoor dining areas and utilities only and shall not contain any vehicular or other use, with the exception of entrance drives crossing the greenway.

D. Section 408.50 is hereby repealed in its entirety and replaced as follows:

408.50 Vehicular Access Standards.

- A. Purpose. To reduce traffic congestion and the number of curb cuts along public streets, parking areas shall be connected to adjacent parcels through a rear or side yard access drive constructed parallel to the public street to which the use fronts or is located along. The intent is to provide a secondary point of access in a grid pattern.
- B. Applicability. This section shall apply to all nonresidential lots within the following Zoning Districts:
1. NMU Neighborhood Mixed Use
 2. CC City Center District
 3. B2 Business 2 District
 4. HC Highway Commercial
 5. NC 1 Neighborhood Commercial 1
 6. NC 2 Neighborhood Commercial 2
- C. All nonresidential lots within the above zoning districts shall share access with an adjacent nonresidential property when available, consistent with subsection 2 below. If shared access cannot be provided by an existing driveway, the applicant shall provide access in a way that maximizes the potential for shared access in the future, consistent with subsection 3 below. When the requirements of subsections 2 and 3 cannot be satisfied, an independent access may be permitted consistent with subsection 4 below. Multiple access points may be provided when the requirements of subsection 5 are satisfied.
1. Existing Driveways. All existing driveways providing access to the property from public roads shall be eliminated, unless they meet the requirements in subsection 3 or 4 below.
 2. Shared Access via Existing Driveways on Adjacent Properties.
 - a. When the nearest edge of an existing driveway on an adjacent nonresidential property having frontage on the same street is within 50 feet of the subject tract, that subject tract shall utilize the driveway on the adjacent tract as a shared access, provided that an easement granting access to the subject tract has been recorded.
 - b. The shared access shall be the sole access to the site unless a second driveway is permitted consistent with subsection 5, herein.
 - c. Shared access shall not be required when all possible interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more.
 - d. Shared access may be entirely located on one lot or split along a common lot line.
 - e. Each property with a nonresidential use shall provide an access easement guaranteeing internal vehicular access to all abutting nonresidential lots.
 3. Shared Access via New or Existing Driveway on the Property.
 - a. When shared access cannot be provided via an existing driveway consistent with subsection 2 above, a maximum of one driveway intersection shall be permitted per street frontage.
 - b. This driveway shall be located on a side lot line bordering a nonresidential property. In order to accommodate required sight distances, or preserve environmental features, the driveway may be set back from the side lot line no greater than 50 feet. Shared access shall not be required when all possible

- interconnections between the two abutting lots would cross twenty (20) linear feet or more of wetlands, floodplains, and/or slopes of 15% or more.
- ~~c. Each property with a nonresidential use shall provide an access easement for this driveway guaranteeing access to all abutting nonresidential lots. In addition, the access easement shall provide access from the closest adjacent property line to the driveway. The easement between the driveway and the closest adjacent lot shall have a minimum width of 35 feet and shall be located between 50 and 100 feet from the street ultimate right-of-way line.~~
 - ~~d. The location of the driveway intersection and the easement connection to the closest adjacent lot shall be subject to approval by the Board of Commissioners based on its ability to minimize the need for future driveways and/ or maximize the distance from existing street and driveway intersections, including consideration for safe site distances.~~
4. ~~Independent Access:~~
- ~~a. When future shared access cannot be provided consistent with subsection 2 or 3 above, a maximum of one driveway intersection per street shall be permitted.~~
 - ~~b. The driveway intersection shall be separated from existing driveway intersections by a minimum of 300 feet.~~
5. ~~Dual Access:~~
- ~~a. A second driveway intersection per street may be permitted when it is located at least 300 feet from the first driveway intersection and at least 300 feet from adjacent property lines.~~
 - ~~b. When a second driveway can be permitted consistent with subsection 5.a. above, a separation from adjacent property lines may be reduced in order to provide future shared access, provided the second driveway is located within 50 feet of an adjacent property line and at least 300 feet from any other driveway intersection. The potential interconnection shall not cross twenty (20) linear feet or more of wetlands, floodplains, or slopes of 15% or more. Each property with a nonresidential use shall provide access easements to all abutting lots consistent with subsection 3.c.~~

408.50 Vehicular Access Standards.

- A. Purpose. To reduce traffic congestion and the number of curb cuts along public streets, parking areas shall be connected to adjacent parcels through a rear or side yard access drive constructed parallel to the public street to which the use fronts or is located along. The intent is to provide a secondary point of access in a grid pattern.
- B. Applicability. This section shall apply to all nonresidential lots within the following Zoning Districts:
 - 1. NMU Neighborhood Mixed Use
 - 2. CC City Center District
 - 3. B2 Business 2 District
 - 4. HC Highway Commercial
 - 5. NC 1 Neighborhood Commercial 1
 - 6. NC 2 Neighborhood Commercial 2

- C. Parking areas on abutting nonresidential lots shall be interconnected by access driveways. Each nonresidential lot shall provide cross-access easements guaranteeing access to adjacent lots, and said interconnections shall be logically placed in a manner that ensures convenient traffic flow between parcels. All interconnections shall be constructed and provided for in any new land development plan, and a form signed by both affected property owners shall be placed on file with the City. This requirement shall be waived only upon a determination by the zoning officer that all possible interconnections between two adjoining lots would require crossing twenty (20) linear feet or more of wetlands, floodplain, or natural slopes of at least 15% grade. The applying landowner shall construct the interconnection to the property line and leave the connecting driveway open for future connection by the adjoining landowner.
- D. In the event that one property owner is required to construct an interconnection and the adjoining landowner is unwilling to agree to the appropriate location for the interconnection, the zoning officer shall determine the location of the interconnection, upon receiving input from both affected property owners.
- E. In determining the appropriate location for the interconnection, the following criteria shall be considered:
 - (i) It is preferred that the interconnection should be located toward the rear of property (a distance of greater than 100 feet from a fronting road) to promote buildings closer to the street and lessen vehicle traffic interference with pedestrian access to building entrances;
 - (ii) The topography of the affected lots;
 - (iii) The shape of the affected lots;
 - (iv) Current and proposed buildings on the affected lots; and
 - (v) Any other factor unique to the properties that would affect the most effective location for providing access, while protecting the development rights of the affected property owners.

E. Section 408.60, Buffer Yard and Screening Requirements is hereby amended to add and amend the following language to read as follows:

408.60 Buffer Yard and Screening Requirements.

The purpose of this Section is to set standards to buffer or screen incompatible uses in order to minimize negative impacts on neighboring properties.

- A. **Buffer Yard Requirements.** Where any major, minor or industrial nonresidential development borders a residential zoning district or use, or a public or private school or a church, buffer yard option A or B shall be required along the entire length of all abutting property lines. The buffer yard shall not be required within the future right-of-way of any street or in any location where it would interfere with the greenway and/or vehicle sight distance or safety.
- B. **Buffer Yard A.**
 - 1. **Applicability.** Buffer Yard A shall be required within the following zoning districts:

- a. RR Rural Residential
 - b. SR 1 Suburban Residential 1
 - c. SR 2 Suburban Residential 2
 - d. NMU Neighborhood Mixed Use
 - e. CC City Center
 - f. NC1 Neighborhood Commercial 1
 - g. NC2 Neighborhood Commercial 2
 - h. B2 Business 2 District
 - i. HC Highway Commercial
2. Specifications. A 20-foot-wide strip containing a solid fence or wall, of a minimum height of six (6) feet, plus seven (7) evergreen trees, two (2) canopy trees and three (3) ornamental trees per 100 linear feet.
- C. Buffer Yard Option B.
- 1. Applicability. Buffer Yard B shall be required within the following zoning districts:
 - a. ~~B2 Business 2~~ B1 Business 1
 - b. LI Light Industrial
 - c. HI Heavy Industrial
 - 2. Buffer Yard B shall also be required for any shopping center and/or retail use that is at least 80,000 square feet in size.
 - 3. Specifications. A 50-foot-wide strip containing eight (8) evergreen trees, three (3) canopy trees and three (3) ornamental trees per 100 linear feet plus a solid fence or wall, of a minimum height of six (6) feet, for any portion of the property that is within 200 feet of an existing residence.
- D. Screening Requirements.
- 1. Loading Docks and Trash Collection Enclosures. Loading docks, trash collection area enclosures and similar facilities shall be incorporated into the overall design of buildings and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. These facilities shall be screened by a solid masonry, vinyl or wood wall at least six (6) feet in height and of adequate strength of construction to retain the original structural integrity. Such enclosures shall be maintained as necessary to remain in a state of proper repair and positive appearance. Failure to properly maintain or repair enclosures as needed shall constitute a violation of this Section of the zoning ordinance. These facilities must meet all requirements as per Section 408.20.C, "Building Perimeter Landscaping."
 - 2. Building Mechanical Systems. All building mechanical systems such as air condition units, exhaust systems, satellite dishes, fire escapes, elevator housing and other similar elements shall be incorporated into the overall design and character of the building and screened from view. Wherever feasible, the use of exterior mechanical systems should be minimized. Landscaping and other screening devices including decorative fencing shall be used to soften the view of these features from adjoining properties or public streets.

3. Outdoor Storage Facilities. Storage facilities for goods or materials that are kept on premises for retail sale, wholesale, storage or use shall be permitted as an accessory use and must be attached to a principal building. Storage facilities must be screened from view and constructed of a material which maintains 100% opacity and be no higher than the building to which they are attached. Storage facilities shall meet all requirements as per 408.20.C, "Building Perimeter Landscaping", if directly abutting a public street, private street, access drive or greenway or as determined by the City.

F. A new Section 409 titled "Fences" shall be added and shall reads as follows:

409. FENCES

A wall or fence under 6 feet in height and paved terraces without walls, roofs or other enclosures may be erected within the limits of any yard. Retaining walls, buffer strips and fences required for screening under this Ordinance are not subject to the 6 feet high limitation. The following standards for fences also apply:

A. Fences required for recreational facilities such as tennis courts and baseball fields may be higher than 6 feet; provided, that they are constructed of open type fencing material, such as chain link.

B. No fence shall be permitted which obstructs a sight triangle measured 30 feet along the edge of any roadway and 30 feet along the edge of any intersecting roadway and/or driveway.

C. The sight triangle must be free of obstruction by any fence higher than 3 feet.

D. No fence shall be constructed within the legal right-of-way of any public street.

E. Unless otherwise provided for herein, there is no required setback for fences constructed on the lot of any property owner.

F. The finished side of a fence shall project outward to neighboring property owner(s).

SECTION 4. AMENDMENT OF CHAPTER 27, PART 5, ADMINISTRATION, ENFORCEMENT, AND APPEALS. Chapter 27, Part 5, is hereby amended as follows:

A. Section 502.10 is hereby amended to remove part of the section and to read as follows:

502.10 Application for Building Permits

The Zoning Officer shall receive applications for building permits. A building permit is an application filed prior to the start of construction/development by a developer to describe the proposed activity in sufficient detail to determine whether or not it meets the requirements of this

and other applicable City ordinances. Applications conforming to such ordinances shall be approved, those not conforming to such ordinances shall be denied.

~~Applications for single developments, either of an individual building or a complex, with an estimated cost of \$1,000,000 or more, will be required to submit a scale model. This model will include buildings within 200 feet of the proposed development. The purpose of this requirement is to show the impact of the proposed development on surrounding development.~~

B. Section 502.30 is hereby amended to read as follows:

502.30 Permits, Applications, Appeals and Certificates

The Zoning Officer shall issue or deny such permits or certificates as required by this Ordinance where no other body is involved; shall receive all applications for special exceptions, conditional uses and variances and forward same to the appropriate body. The Zoning Officer shall make a determination within 30 days of the date that the application was received. In addition, the Zoning Officer shall receive all applications for appeals prior to forwarding same to the Zoning Hearing Board.

C. Section 502.40 is hereby amended to read as follows:

502.40 Enforcement

The Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcing this Ordinance to the greatest extent permitted under the Pennsylvania Municipalities Planning Code.

SECTION 5. AMENDMENT OF TABLE OF CONTENTS. The Table of Contents shall be amended to properly reflect the changes in definitions, section headings, pagination, and all other terminology added, removed, or amended in this Ordinance.

SECTION 6. SEVERABILITY. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.

SECTION 7. EFFECTIVE DATE. The provisions of this ordinance shall become effective in seven (7) days.

HERMITAGE ORDAINS AND ENACTS AND IT IS HEREBY ORDAINED AND ENACTED FINALLY INTO LAW BY THE BOARD OF COMMISSIONERS OF THE CITY OF HERMITAGE THIS _____ DAY OF _____, 2021.

ATTEST:

**CITY OF HERMITAGE
BOARD OF COMMISSIONERS**

Gary Hinkson, Secretary

By: _____
Duane J. Piccirilli, President