

**NORTH NEWTON TOWNSHIP
ORDINANCE NO. 2017-1**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
NORTH NEWTON TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA,
AMENDING THE NORTH NEWTON TOWNSHIP ZONING ORDINANCE;
SECTION 200 ENTITLED “DEFINITIONS”, SECTION 1026 ENTITLED
“INTENSIVE AGRICULTURAL OPERATIONS, AND SECTION 1103 ENTITLED
“EXISTING NONCONFORMING USES AND BUILDINGS”**

WHEREAS, the North Newton Township Board of Supervisors (“Supervisors”) is authorized to amend the Zoning Ordinance in accordance with §609 of the Municipalities Planning Code (53 P.S. § 10101, *et seq.*); and

WHEREAS, the Supervisors have determined that it is in the best interest and general welfare of the citizens and residents of North Newton Township to amend the Zoning Ordinance as set forth below.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of North Newton Township, Cumberland County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Article 2 of the North Newton Township Zoning Ordinance entitled “Definitions”, Section 200 entitled “Definition of Terms” is hereby amended by relocating the terms “Building Setback Line”; “Flood, One-Hundred-Year (Base Flood)”; “Flood Fringe”; “Improvements”; “Lot Coverage”; “Principal Use”; and “Variance” to their correct, respective places in alphabetical order within this section.

SECTION II: Article 10 of the North Newton Township Zoning Ordinance entitled “Specific Criteria for Conditional Uses, and Permitted Uses by Right”, Section 1026 entitled “Intensive Agricultural Operations”, Part A, subpart 1 is hereby amended and shall read as follows:

§ 1026.A.1. The parcel of contiguous land owned by the owner of an intensive agricultural operation shall be and remain at least 50 acres in the Agriculture Zoning District.

SECTION III: Article 10 of the North Newton Township Zoning Ordinance entitled “Specific Criteria for Conditional Uses, and Permitted Uses by Right”, Section 1026 entitled “Intensive Agricultural Operations”, Part A, subpart 1.b.(1) is hereby amended and shall read as follows:

§ 1026.A.1.b.(1) From a dwelling not owned by the owner of the intensive agricultural operation, a church, a building used in connection with a home occupation or incidental business, or other building occupied by human beings at least 10 hours a week: 500 feet from an occupied building located in the Agriculture Zoning District and 1,000 feet from an occupied building in a non-agriculture zoning district.

SECTION IV: Article 11 of the North Newton Township Zoning Ordinance entitled “Nonconforming Lots, Uses and Buildings”, Section 1103 entitled “Existing Nonconforming Uses and Buildings”, Part B, subpart a.(i) is hereby amended and shall read as follows:

§ 1103.B.1.a.(i) Extension along a Nonconforming Setback. If an existing building has a lawfully nonconforming building setback, additions may occur to increase the height above such setback or to extend other portions of the building out to the nonconforming front, side or rear setback line, provided that:

SECTION V: SAVINGS CLAUSE. In all other respects, the Zoning Ordinance of North Newton Township shall remain as heretofore enacted, ordained and amended.

SECTION VI: SEVERABILITY. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

SECTION VII: REPEALER. All provisions of previous Ordinances of North Newton Township which are contrary to this Ordinance are expressly repealed.

SECTION VIII: EFFECTIVE DATE. This Ordinance shall be effective on March 28, 2017.

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ENACTED AND ORDAINED this 28th day of March, 2017, by the Supervisors of North Newton Township, Cumberland County, Pennsylvania.

Attest:

North Newton Township Board of Supervisors

By: 
Bonnie L. Myers, Secretary

BY: 
David R. Parthemore, Chairman

BY: 
Ralph Fisher, Vice-Chairman

BY: 
Mike L. Gutshall, Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Board of Supervisors of North Newton township, Cumberland County, Pennsylvania, certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting duly held on March 28, 2017; at which meeting a quorum was present; that said Ordinance has been duly recorded in the Ordinance Book of the Township Board of Supervisors; that said Ordinance remains in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the meeting at which the Board adopted said Ordinance was a public meeting duly held after giving public notice of the date, time and place of such meeting by posting and publishing such notice at the time and in the manner required by Act No. 84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 28th day of March, 2017.


Secretary

3/28/17
Date