

BOROUGH OF AVALON

Ordinance #1373

AN ORDINANCE OF THE BOROUGH OF [AVALON] [BELLEVUE] [BEN AVON], AMENDING THE AVALON-BELLEVUE-BEN AVON JOINT ZONING ORDINANCE TO CORRECT TYPOGRAPHICAL ERRORS AS SPECIFIED HEREIN

WHEREAS, through the process of codifying the Ben Avon Borough Ordinances, typographical errors within the Avalon-Bellevue-Ben Avon Joint Zoning Ordinance were identified and brought to the attention of the Joint Planning Commission; and

WHEREAS, the revision of the Joint Zoning Ordinance to correct the typographical errors is necessary; and

WHEREAS, The Councils of the Boroughs of Avalon, Bellevue and Ben Avon did hold a public hearing on the 27th day of June, 2017; and

WHEREAS, the Joint Planning Commission and Allegheny County Economic Development have had the opportunity to review the proposed amendment.

I. NOW, THEREFORE BE IT ORDAINED by the Council of the Borough of [Avalon] [Bellevue] [Ben Avon], pursuant to the authority conferred by 1984 Pa. Laws 164 codified at 74 Pa. Cons. Stat. §§5912 et. seq., and the Pennsylvania Municipalities Planning Code, that the Joint Zoning Ordinance is amended as follows:

A. Article VII, Conditional Uses, is amended by revising § 2000-717, Mobilehome Park, Paragraphs A.(3), L.(1) and M.(2) to read as follows:

“A. (3) Access Point on Existing Street. As specified in the applicable Subdivision and Land Development Ordinance.”

“L. (1) The street system within a Mobilehome Park shall be designed and constructed according to required standards of local streets defined by the applicable Subdivision and Land Development Ordinance.”

“M. (2) Water and sewer systems. Water supply and sewage disposal system connections shall be provided to each Mobilehome lot within a Mobilehome Park. In addition, the Mobilehome park shall meet all requirements of the applicable Subdivision and Land Development Ordinance with regard to said water and sewer systems.”

- B. Article XI, Application and Review Process, is amended by revising § 2000-1101, Special Exception Procedures for Approval, Paragraph A.(1)(a) and Paragraph A.(1)(d) to read as follows:

“(a) A Development Plan, as defined by the applicable Ordinance;”

...

“(d) A traffic impact analysis, if required by the applicable Ordinance;”

- C. Article XI, Application and Review Process, is amended by revising § 2000-1102, Conditional Uses Procedure for Approval, Paragraph A.(4)(b)(i) to read as follows:

“(i) A Development Plan, as defined by the applicable Ordinance;”

- D. Article XII, Rezoning Applications, is amended by revising § 2000-1204, Rezoning Applications Plans, Analyses and Reports, Paragraph E. to read as follows:

“E. Conceptual Development Plan, as defined by the applicable Ordinance.”

- E. Article XIII, Building and Occupancy Permits, is amended by revising § 2000-1300, Administration and Enforcement, Paragraphs E. and H. to read as follows:

“E. The Applicable Zoning Officer shall allow the owner of a lot upon which a violation of this Ordinance has been noted a period of up to thirty (30) days, at the option of the Applicable Zoning Officer, to carry out the required action. At the conclusion of the period within which the owner is obliged to correct the violation he shall be subject to penalty as required by Section XV, Paragraph B., of this Ordinance, with each day that the violation remains uncorrected being a separate penalty. Provided that the zoning officer may require action to come into compliance to be taken within a period shorter than thirty (30) days if the zoning officer finds that the ongoing activity that results in the violation presents an immediate danger to the public health, safety and welfare. The Applicable Zoning Officer’s notice shall indicate specifically the date on which the owner shall first be subject to penalty.”

“H The Applicable Zoning Officer shall receive and process all requests for reasonable accommodation under the Fair Housing Amendments Act or the Americans with Disabilities Act as applicable. Criteria and procedures for the handling of such requests shall be in accordance with this Ordinance.

- II. This Ordinance repeals any inconsistent prior ordinances or portion thereof to the extent of such inconsistency.
- III. This Ordinance shall be effective upon recordation in the Borough ordinance book, or upon the thirtieth day after passage by the Council, whichever comes first, provided further, the foregoing notwithstanding, that this amendment will not be effective until such time as it has also been approved by all of the Boroughs participating in the Joint Zoning Ordinance.
- IV. The provisions of this Ordinance are severable. Should any part of this Ordinance be invalidated by a court of law, it is the intention of the Council that the remainder of the Ordinance be in full force and effect.

DULY ORDAINED AND ENACTED at a public meeting of the Council of the Borough of Avalon this 15th day of August 2017.

ATTEST:

BOROUGH OF AVALON

Terraine Makatura
Borough Secretary

By: *[Signature]*
Council President

APPROVED:

Brigitte Jackson 8/15/17
Mayor Date

This Ordinance recorded in the Borough Ordinance book on August 15th, 2017 by the undersigned.

Terraine Makatura
Borough Secretary