

Laurel Municipal Inspection Agency is authorized by ordinance to administer property maintenance in Gallitzin Borough, abiding by the International Property Maintenance Code. They have also been delegated to enforce the following ordinances: #270 – Prohibition of Public Nuisances, #118 – General Health Ordinance, #360 – Snow and Ice Removal from Sidewalks and the Gallitzin Borough Zoning Ordinance.

Included is a synopsis of the Zoning Ordinance for Gallitzin Borough, with the zoning map. The entirety of the zoning ordinance will be available at a later date. At present, however, you may review it or portions thereof by request.

ZONING ORDINANCE
FOR
GALLITZIN BOROUGH

Prepared by the Cambria County Planning Commission
for the Gallitzin Borough Planning Commission. October, 1976.

"The preparation of this document was financed in part through an urban planning grant from the Department of Housing and Urban Development, under the provisions of Section 701 of the Housing Act of 1954, as amended, and as administered by the Bureau of Planning, Pennsylvania Department of Community Affairs."

ARTICLE I

PRELIMINARY PROVISIONS

SECTION 101 ENACTING CLAUSE

Be it ordained and enacted by the Gallitzin Borough Council assembled, and it is hereby ordained and enacted by the authority of the same, that from and after the passage and approval of this ordinance, the several classes of districts specified herein shall be established and the following regulations shall be in full force and effect.

SECTION 102 SHORT TITLE

This ordinance shall be known as the Zoning Ordinance, and the map referred to here in and made a part of this ordinance shall be known as the Zoning District Map.

SECTION 103 EFFECTIVE DATE

The effective date of this ordinance shall be five (5) days after enactment and signature of approval by the Gallitzin Borough Council.

SECTION 104 VALIDITY AND CONFLICT

Should any section or provision of this ordinance be declared invalid, the same shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid. Where a provision of this ordinance is found to be in conflict with a provision of any building or housing code, or in any applicable health regulations, or in any other ordinance of the Borough existing on the effective date of this ordinance, or in any regulation issued under the authority of such code or ordinance, the provision which establishes the higher standard for the protection of health, safety and welfare shall prevail.

SECTION 105 PURPOSE AND INTENTION OF ORDINANCE

The purposes of this ordinance are set forth in general terms in the Act of Legislature which enables the Borough to enact this ordinance. The provisions of this ordinance shall be held to be the minimum requirements for the protection of the health, safety, and welfare of the people at large, and to be designed to encourage the establish-

ment and maintenance of reasonable community standards of physical environment.

It is fundamental to the purpose of this ordinance to recognize that existing lots or properties throughout the Borough are less adequate than others because of their location, size, odd shape, or difficult topography, or any combination of these limitations. A claim of hardship under this ordinance therefore, shall not be allowed on behalf of any lot because the physical characteristics of the lot prevent it from being built upon exactly as in another lot abutting or close to it or in the same zoning district. The regulations herein permit most such lots to be satisfactorily built upon. There can be some alleviation for other lots through variances (minor concessions) granted by the Zoning Hearing Board when special physical conditions make literal enforcement of the regulations either unsatisfactory to the interest of the people at large or actually impossible. It is not the ordinance but the physical conditions that prevent a lot from accommodating a type or area or bulk of structure unsuited to it. For typical example, it is not intended that each lot in a Multiple-Family Dwelling District automatically become the prospective site for a multiple-family dwelling and use. If a lot in such a district, after provision of the yards, and other open spaces prescribed for its own and adjacent property protection, has a buildable area too small in area or dimensions for a multiple-family dwelling, then the lot may be used under its district regulations for another type of dwelling or building permitted in that district.

SECTION 106 PURPOSE AND COMMUNITY DEVELOPMENT OBJECTIVES

The purpose of this zoning ordinance shall be designed:

(1) To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements as well as;

(2) To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers. Zoning Ordinance has been made in accordance with an overall program, and with consideration for the character of the municipality,

its various parts and the suitability of the various parts for particular uses and structures.

(3) To facilitate the development of the Borough and to fulfill the goals and objectives of the Gallitzin Borough Comprehensive Plan dated July, 1976.

SECTION 107 FILING

This ordinance, including the Zoning District Map, together with any succeeding amendments, thereto, shall be on file and may be viewed by any interested party in the Borough office.

ARTICLE II

RULES AND DEFINITION

SECTION 201 RULES

The following rules of construction shall apply to this ordinance:

- A. The particular shall control the general.
- B. In case of any difference of meaning or implication between the text of this ordinance and any caption or illustration, the text shall control.
- C. The word "shall" is mandatory and not discretionary. The word "may" is permissive.
- D. Words used in the present sense shall include the future: words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- E. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", and/or "occupied for".

SECTION 202 DEFINITIONS

ACCESSORY BUILDING OR ACCESSORY USE - A building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such principal building or use. An accessory use includes, but is not limited to, the following:

- Children's playhouse, garden house, or private greenhouse
- Civil defense shelter serving not more than two (2) families
- Garage, shed, or building for domestic storage
- Incinerator incidental to residential use
- Storage of merchandise normally carried in stock on the same lot with any commercial use unless such storage is excluded by the district regulations
- Storage of goods used in or produced by manufacturing activities, on the same lot or parcel of ground with such activities, unless

such storage is excluded by the district regulations

- Non-paying guest house or rooms for non-paying guests within an accessory building provided such facilities are used for the occasional housing of guests or occupants of the principal building and not for permanent occupancy by others as housekeeping units
- Servants' quarters or servants' house
- Off-street motor vehicle parking area; loading and unloading facility
- Home occupation
- Fence; sign

ALLEY - A service way at least fifteen (15) feet wide, providing a secondary public means of access to abutting properties.

ALTERATIONS - As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location to another, or any change in use from that of one zoning district classification to another.

ALTERATIONS, STRUCTURAL - Any change in the supporting members of a building such as bearing walls, columns, beams, girders, or foundations.

APARTMENT - A room or suite of rooms in a multiple-family structure which is used as a single housekeeping unit, and which contains complete kitchen, bath and toilet facilities, permanently installed.

APARTMENT HOTEL - A building consisting of guest rooms, suites of rooms, or dwelling units which are occupied more or less permanently, wherein the occupants are furnished so-called hotel services, including dining room and main service.

APARTMENT HOUSE - A building used by three (3) or more families living independently of each other and containing dwelling units.

AREA, BUILDING - The total of areas taken on a horizontal plane at the main level of the principal building exclusive of uncovered porches, terraces, steps, garages and other necessary buildings.

AUTOMOBILE REPAIR, MAJOR - Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service; including body, frame or fender straightening or repair; overall pointing of vehicles.

AUTOMOBILE REPAIR, MINOR - Incidental repairs; replacement of parts; motor service to automobiles; state inspection; but not including any operation specified under AUTOMOBILE REPAIR, MAJOR above.

BASEMENT - A story partly below the finished grade but having at least one-half of its height (measured from finished floor to finished ceiling) above the average level of the finished grade where such grade abuts the exterior walls of the building. A basement shall be considered as one story in determining the permissible number of stories.

BILLBOARD - Structure, building wall, or other outdoor surface used to display lettered, pictorial, sculptured, or other matter which directs attention to any product, commodity, or service offered only elsewhere than on the premises or as a minor and incidental service on the premises.

BOARD - The Zoning Hearing Board of Gallitzin Borough.

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 - A structure having a roof supported by columns or walls, for the shelter of persons, animals, chattels, or property. When separated by walls which are common with the walls of adjoining dwellings, each portion of such structure shall be considered a separate building.

BUILDING AREA - The floor area enclosed by exterior walls and roof or ceiling (see FLOOR AREA).

BUILDING LINE - The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include walks, steps, or terraces.

BUILDING HEIGHT - The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eave and ridge for gable, hip, and gambrel roofs.

CELLAR - A portion of a building having one-half or more of its height below the average grade of the adjoining ground. In a dwelling, a cellar may not contain living quarters.

COVERAGE - That percentage of the lot area covered by the building area.

DISTRICT, ZONING - A section of the Borough for which uniform regulations governing the use, height, area, and intensity of use of buildings and land and open spaces about buildings are herein established.

DWELLING - A building designed or used exclusively as the living quarters for one or more families.

DWELLING, ONE-FAMILY - A detached building designed for or occupied exclusively by one family.

DWELLING, TWO-FAMILY - A building designed for or occupied exclusively by two families living independently of each other, with separate dwelling unit entrances.

DWELLING, MULTIPLE-FAMILY - A dwelling or group of dwellings on one plot or lot containing separate living units or dwelling units for three or more families, but which may have joint services or facilities or both.

DWELLING, GROUP - A group of two or more one-family, two-family, or multiple-family dwellings occupying a lot in one ownership and having a yard in common.

DWELLING, MULTI-STORY MULTIPLE-FAMILY - A multiple family dwelling of more than three (3) stories.

DWELLING, ROW - A multiple-family dwelling divided by party walls into distinct and non-communicating units, each dwelling unit of which has direct access to the outdoors.

DWELLING UNIT - A building or portion thereof providing one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, and having no cooking or sanitary facilities in common with any other dwelling unit.

FAMILY - One or more persons related by blood, marriage, or adoption, or three unrelated persons living as a household in a dwelling unit. May also include domestic servants and gratuitous guests.

FLOOR AREA - The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls, or from the centerline of common walls separating buildings. For purposes of determining parking and loading space requirements for the several zoning districts herein, the "floor area" of a building or building shall include: basement space, penthouses, attic space providing structural headroom of seven and one-half (7 1/2) feet or more, interior balconies and mezzanines, enclosed porches, accessory uses other than accessory off-street

parking, lobbies, and hallways. For determination of parking and loading space requirements, the following areas shall not be included: cellar space, elevator shafts and stairwells, floor space for mechanical equipment as necessary to service the needs of the building, uncovered steps, terraces, breezeways, open spaces unroofed unless specifically required in the parking regulations herein, and fitting and dressing rooms.

FLOOR AREA RATIO (F.A.R.) - The total floor area of the building or buildings on a lot divided by the area of such lot, or in the case of group dwellings or multiple dwelling plan, by the net site area.

GARAGE, PRIVATE - An accessory building, housing only motor-driven vehicles, the property of and for the use of the occupants of the lot on which the private garage is located.

GARAGE, PUBLIC - Any garage other than a private garage, available to the public, and which is used for storage, parking, repair, rental greasing, washing, servicing, adjusting, or equipping of motor-driven vehicles.

HABITABLE LIVING AREA - The floor area of a building or structure which is finished to the extent that it is customarily occupied by residents or users of the building or structure.

HEIGHT - See BUILDING HEIGHT herein.

HOME OCCUPATION - The use customarily conducted entirely within a dwelling unit and carried on by the inhabitants thereof, which is clearly incidental and secondary to the use of the dwellings and which does not change the character thereof or have any exterior evidence of such secondary use other than a small plate, and in connection therewith there is not involved the keeping of a stock in trade.

HOSPITAL - The term "hospital" shall include sanitarium, sanitorium, preventorium, clinic, rest home, nursing home, convalescent home, and any place for the diagnosis, treatment, or other care of human ailments, and shall be deemed to be limited to such places.

HOTEL - A building in which lodging is provided and offered to the public for compensation and in which ingress and egress to and from rooms is made from an inside lobby or office supervised by a person in charge at all hours, and which is open to transient guests, in contradistinction to a boarding house, lodging house, or rooming house.

HOTEL, MOTOR - A building in which lodging is provided and offered to the transient public for compensation and in which egress and ingress to and from rooms may be made

either through an inside lobby or office supervised by a person in charge at all times or directly from the exterior.

INSTITUTIONAL HOUSE - A public or private benevolent establishment devoted to the shelter, maintenance, or education and care of minor children; homeless, aged, or infirm persons; or members of a religious community. This classification shall not include almshouses, penal or reformatory institutions, or institutions for the custody, care, or treatment of persons suffering from amentia, mental derangement, or drug or alcoholic addiction.

LOADING SPACE - A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of vehicles.

LOADING ZONE

LOT - A parcel, tract, or area of land accessible by means of a public street. It may be a single parcel separately described in a deed or plat which is recorded in the office of the County Recorder, or it may include parts of or a combination of such parcels when adjacent to one another and used as one parcel.

LOT, CORNER - A lot at the point of intersection of and abutting on two or more intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of two street lines.

LOT, DEPTH OF - The mean horizontal distance between the front lot line and the rear lot line, measured midway between the side lot lines.

LOT, INTERIOR - A lot other than a corner lot or a through lot.

LOT LINE, FRONT - In the case of an interior lot, the line separating the lot from the street. In the case of a corner lot, the line separating the narrowest frontage of the lot from the street.

LOT, THROUGH - A lot having frontage on two parallel or approximately parallel streets and which is not a corner lot.

LOT WIDTH - The dimension of a lot, measured between the side lot lines on the building line.

MOBILE HOME - A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit or in two units designed to be joined into one 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 operations, and constructed so that it may be used without a permanent foundation.

MOTEL - See HOTEL, MOTOR herein.

NON-CONFORMING USE - A building or use of land lawfully existing on the effective date of this ordinance that does not completely conform to the use regulations for the district in which it is located.

NURSERY SCHOOL - A school designed to provide daytime care or instruction for two or more children of preschool age.

PARKING LOT - Any lot, parcel, or yard used in whole or in part for the storage or parking of two or more vehicles where such usage is not incidental to or in conjunction with a one-family or two-family dwelling.

PARKING SPACE - An off-street space available for the parking of one motor vehicle and having an area of not less than one hundred eighty (180) square feet exclusive of passageways and driveways appurtenant thereto and giving access thereto and having direct access to a street or alley.

PLANNING COMMISSION - The Planning and Zoning Commission of Gallitzin Borough.

SELF-SERVICE LAUNDRY - A business that provides home-type washing, drying, or ironing machines, or dry-cleaning machines for hire to be used by customers on the premises.

SERVICE STATION - A building(s), premises, or portions thereof which are used, arranged, designed, or intended to be used for the retail sale of gasoline or other fuel for motor vehicles, boats, or aircraft, as well as for minor automobile repair, including state inspection.

SIGN - Any surface, fabric, or device bearing lettered, pictorial, sculptured, or other matter designed to convey information visually and exposed to public view; any structure designed to carry the above visual information; any structure or device designed or installed principally to direct or attract attention, except traffic signs or devices.

SITE PLAN - A drawing prepared to scale which indicates all lot lines, adjacent streets, easements, right of ways, the size and location of all buildings, parking areas, driveways and other prominent features.

STORY - That portion of a building included 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.

STREET - A public or private way other than an alley which affords the principal means of access to abutting properties. If there is no officially established grade, the Municipal Engineer shall establish same.

STRUCTURE - Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

USE - The specific purpose for which land or a building is designed, arranged, intended, or for which it may be occupied or maintained. The term PERMITTED USE or its equivalent shall not be deemed to include any non-conforming use.

YARD - A space on the same lot with a principal building, open, unoccupied, and unobstructed by structures, except as otherwise provided in this ordinance.

YARD, CORNER - A front yard extending the full length of a street line shall be considered a front yard. The set back requirements for corner lots of yards shall conform to the set back requirements for each of the intersecting streets.

YARD, FRONT - A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lampposts, and similar structures, the depth of which is the least distance between the lot line and the building line.

YARD, REAR - A yard extending across the full width of the lot between the rear of the principal building and the rear lot line, unoccupied by other than accessory buildings which do not occupy more than thirty (30) percent of the space, and steps, walks, terraces, driveways, lampposts, and similar structures, the depth of which is the least distance between the rear lot line and the rear of such building.

YARD, SIDE - A yard between the principal building and the side lot line, extending from the front yard, or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally and at ninety degrees (90°) with the side lot line, from the nearest part of the principal building.

ZONING ADMINISTRATOR - Under the provisions of this ordinance the Zoning Administrator, who shall be appointed by the Borough of Gallitzin, shall administer and enforce this ordinance, including the receiving of applications, the inspection of premises and the issuing of permits.

ARTICLE III

ESTABLISHMENT OF DISTRICTS

SECTION 301 ESTABLISHMENT OF DISTRICTS AND THE ZONING DISTRICT MAP

- A. The Borough of Gallitzin is hereby classified and divided into five (5) districts designated as follows:

R-1 District	R-1 Single Family Residential District
R-2 District	R-2 Multi-Family Residential District
C District	Commercial District
M District	Light Manufacturing District
S District	Conservancy

- B. The Zoning District Map which is attached hereto and made a part hereof shows the boundaries of the areas covered by the districts listed in this section.

SECTION 302 INTERPRETATION OF DISTRICT BOUNDARIES

- A. Where district boundaries are indicated as approximately following the centerlines of streets, highways, street lines, highway right-of-way lines, or streams, street lines shall be construed to be such boundaries.
- B. Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundaries.
- C. Where district boundaries are so indicated that they approximately follow or are parallel to the centerlines of streets, highways, or the right-of-ways of same, such district boundaries shall be construed to be parallel thereto and at such distance therefrom as indicated on the Zoning District Map.
- D. Where the boundary of a district follows a railroad, such boundary shall be deemed to be located in the middle of the main tracks of such railroad.

- E. Where the boundary of a district follows a stream or other body of water abutting another municipality, the boundary shall be deemed to be the limits of jurisdiction of the Borough of Gallitzin, unless otherwise indicated.

ARTICLE V

PROVISIONS GOVERNING RESIDENTIAL DISTRICTS

"R-1" Single-Family Residential District

The "R-1" Single-Family Residential District is composed of certain quiet, low-density residential areas of Gallitzin Borough, plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district; to protect the amenities of certain areas of Gallitzin Borough where the pattern has already been established with single-family development on relatively large lots; to promote and encourage a suitable environment for family life, and to prohibit all activities of a commercial nature except home office of doctors or ministers and certain home occupations, controlled by specific limitations governing the size and extent of such non-residential activities. To these ends, development is limited to a relatively low concentration with relatively large lot size, and permitted uses are limited basically to single-family dwellings providing homes for the residents, plus certain additional uses such as schools, parks, churches, and certain public facilities which serve the residents of the district.

"R-2" Multi-Family Residential District

The "R-2" Multi-Family Residential District is composed of certain medium density residential areas of Gallitzin Borough representing a compatible mingling of single-unit and multiple-unit dwellings, and mobile home trailer parks by special exception plus certain open areas where similar residential development appear likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district; to promote and encourage a suitable environment for family life, and to prohibit all activities of a commercial nature except home offices of doctors or ministers, funeral homes, membership clubs, rooming houses, tourist homes, and certain home occupations, controlled by specific limitations governing the size and extent of such non-residential activities. To these ends, development is limited to a medium concentration, and permitted uses are typically single and two-unit dwellings, row dwellings, and low-rise apartments, plus certain additional uses such as schools, parks, churches, and certain public facilities which serve the residents of the district. However, high-rise apartments, with corresponding proportions of open space, also may be developed under prescribed standards of density and open space.

ARTICLE VI

"C" Commercial District

The "C" General Commercial District is intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise for congregation of people and passenger vehicles. This includes such uses as retail stores, theaters and other amusement enterprises, business offices, newspaper offices and printing presses, restaurants, bars, and community garages or community parking areas subject to special regulations. Residential use is limited or restricted because it would substantially interfere with the development or continuation of the commercial structures and uses in the district.

This district classification is intended to be located so as to serve more than an immediate neighborhood on or at the confluence of major access highways, so as to serve this purpose.

ARTICLE VII

MANUFACTURING DISTRICTS

"M" Light Manufacturing District

The "M" Light Manufacturing District is intended to permit and encourage industrial development that will be so located and designed as to constitute a harmonious and appropriate part of the physical development of the Borough, contribute to the soundness of the economic base of the Borough, provide opportunities for local employment close to residential areas, thus reducing travel to and from work, and otherwise further the purposes set forth in the initial paragraphs of this ordinance. The limitations on use, height, and lot coverage are intended to provide for modern light industrial development in an urban environment. Residential and the general commercial use are considered not compatible and are prohibited, as well as any use which would substantially interfere with the development or continuation of the industrial uses and structures in the district.

ARTICLE VIII

"S" Conservancy District

The "S" Conservancy District is intended to encourage the conservation of steep hillside land within the Borough, where the economics of building and supplying public services and facilities argue against the more usual type of building development; and where only huge expenditures for grading the land, will permit a change of zone, and make building development feasible; to prohibit commercial and industrial uses of land, and also residential use, except under special conditions relating to public service; and to discourage any use when its character or location within the district would create requirements and costs for public service, such as police and fire protection, water supply, and sewerage, substantially in excess of such requirements and costs in areas of less steep topography.