

# ARTICLE 17 Definitions

## **17.1 Applicability and Interpretation**

It is not intended that this glossary include only words used or referred to in this Ordinance. The words are included in order to facilitate the interpretation of the Ordinance for administrative purposes and in the carrying out of duties by appropriate officers and by the Zoning Hearing Board.

Except where specified in the following definitions, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word “building” shall include the word “structure”; and the word “occupied” or “used” shall include “arranged, designed, constructed, altered, converted, rented, leased, or intended to be used”; the word “shall” is intended to be mandatory; the word “abut” shall include the words “directly across from”.

## **17.2 Definition of Terms**

For the purposes of this Ordinance the following words, terms, and phrases have the meaning herein indicated.

- **Abutting:** Having a common border with, or being separated from such common border by, an alley or easement.
- **Access:** A means of vehicular approach or entry to or exit from property.
- **Accessory Apartment:** A single apartment unit built within the exterior walls of a single family detached dwelling existing prior to adoption of this Ordinance. See Section 5.2.5.
- **Accessory Use or Structure:** A use or structure subordinate to and located on the same lot as the principal use or building and serving a purpose customarily incidental to the use of the principal building. See Sections 5.2 and 5.3.
- **Adult Day Care Center:** A facility for the supervised care of older adults, providing activities such as meals and socialization one or more days a week during specified daytime hours. The participants, primarily persons with physical and/or mental limitations who need socialization, physical assistance, and/or psychological assistance, return to their homes each evening. The program is often used as respite by family members caring for an older person who cannot be left alone safely in the home.
- **Adult Entertainment:** Adult bookstores, topless or bottomless bars, theaters, dance clubs, massage parlors, and similar establishments providing entertainment and/or the retail sale of books, magazines, newspapers, movies, slides, films, devices or other photographic or written reproductions depicting nudity or sexual conduct.
- **Agricultural Business:** A business which offers at least twenty-five percent (25%) of its services to the agricultural sector including the processing and sale of agricultural products/supplies or the sale and/or repair of agricultural equipment.
- **Agricultural Operation:** An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes enterprises that implement changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

- **Alteration:** As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.
- **Alteration, Structural:** Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.
- **Amendment:** A change in the regulations or district boundaries or classifications of property established by this Zoning Ordinance and according to procedures provided by law and exercised by the Township Board of Supervisors.
- **Animal Hospital:** A facility operated by a Doctor of Veterinary Medicine for the care and treatment of animals where the indoor boarding of animals is limited to short-term care incidental to the hospital use.
- **Animal Kennel:** A facility involved in the boarding, breeding, grooming, sale or training of four or more dogs over six months of age and for which a fee is charged.
- **Appeal:** A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Ordinance as expressly authorized by the provisions of Articles 14 and 15.
- **Applicant:** A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.
- **Application for Development:** Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.
- **Automotive Repair Facility:** A building or structure used primarily for making major repairs to motor vehicles (automobiles, motorcycles, trucks, farm equipment or machinery, and/or snowmobiles), including overhauling, body work, painting, refinishing and upholstering, as well as incidental servicing and maintenance.
- **Automotive Sales Facility:** Any building or land area used for the display and sale of new or used automobile or other motor vehicles, including warranty repair or associated work.
- **Automotive Service Station:** A building or structure where gasoline or any motor vehicle fuel or oil or other lubricating substance, batteries, tires, and other automotive accessories are supplied and dispensed to the motor vehicle trade, at retail, and where minor repair service may be offered.
- **Basement:** A story having more than one-half (1/2) of its clear height below the average level of the adjoining ground. A basement shall not be considered in determining the permissible number of stories.
- **Bed and Breakfast Inn:** A non-restaurant short-term transient lodging allowed in a residence that provides pre-arranged meals only to a limited number of lodgers, as qualified persons. It must be owner-occupied, with a minimum of signs, no special external appearance, with off-street parking required on the site screened from neighbors. Lodgers are limited to a 14 day stay to avoid becoming multi-family rental dwellings.
- **Billboard:** See Sign, Off Premises Advertising.
- **Blade Length:** The length measured from the tip of any blade to the hub of the nacelle structure that houses all the generating components to which blades are attached).
- **Board:** The Board of Supervisors for Nippenose Township, Lycoming County, Pennsylvania.

- **Boarding House:** Any dwelling in which no more than four (4) persons are housed or lodged for hire with or without meals. A lodging house or a furnished-room house shall be deemed a boarding house. This use shall not include Family Based Group Home and Group Care Facility.
- **Building:** A combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers used for human occupation.
- **Building Area:** The total area taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.
- **Building Coverage:** The portion of a lot, expressed as a percentage that may be covered by the total ground floor area of all principal and accessory buildings on a lot including covered porches, carports and breezeways.
- **Building Height:** The vertical distance measured from the average elevation of the proposed finished grade along the wall of the building (or adjacent to the side of a non-building use), to the highest point of the roof or parapet for flat roofs, and to the mean height between eaves and ridge for gable, hip, or gambrel roofs.
- **Building – Principal:** A building(s) housing the main or principal use of the lot on which the building is situated.
- **Campground:** A tract or tracts of land, or any portion thereof, used for the purpose of providing two or more spaces for travel trailers, recreational vehicles, cabins, or tents, and excluding mobile homes, with or without a fee charged for the leasing, renting or occupancy of such space. A campground may include the single family detached dwelling of the owner or operator of the facility. For the purpose of this ordinance a Campground is classified as an Outdoor Recreation Area.
- **Carport:** An open space for the storage of one or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts except that one or more walls may be the walls of the main building to which the carport is an accessory building or extension.
- **Central Water or Sewer:** A water or sewer distribution system, which serves facilities on a community, area wide or regional basis. The facility company must be approved by and (or) licensed by the appropriate State or Federal agencies.
- **Certificate of Occupancy:** A statement signed by the Zoning Officer setting forth that a building complies with the provisions of the Ordinance, or that a building, structure, or a parcel of land is lawfully employed for a specified use and suitable for occupancy for purposes consistent with this Ordinance.
- **Child Care Center:** A facility of seven (7) or more children not related to the operator, not in a residence, license and inspection required by the PA Dept. of Human Services.
- **Clear Sight Triangle:** An area of unobstructed vision at street intersections or street and driveway intersections defined by lines of sight between points at a given distance from the intersection of street and/or driveway lines.
- **Club:** The room, building, or other facilities used for the meetings of a group of people organized for a common purpose.
- **Cluster Subdivision:** A large-scale residential development of 10 acres or more, in which individual dwelling units or buildings are grouped together. Modification or reduction of the minimum yard and lot size requirements is permitted in exchange for an equivalent amount of land in open space to be preserved for scenic, recreation, or conservation purposes. The overall dwelling unit density of the underlying district cannot be exceeded in this type of development.

- **Commercial:** Something owned, operated, and supported by private individuals or a corporation, on a profit basis, for the use or benefit of the general public or for some part of the general public.
- **Commission:** The Planning Commission of Nippenose Township, Lycoming County, Pennsylvania.
- **Common Open Space:** A parcel or parcels of land or an area of water or a combination of land and water within a development site designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.
- **Communications Antenna:** Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communication signals, including without limitation omni-directional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communication Commission (FCC) to operate such device. This definition shall not include utility pole mounted DAS antenna and equipment nor private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.
- **Communications Equipment Building:** An unmanned Building or cabinet containing communications equipment required for the operation of Communications Antennas and covering an area on the ground not greater than 250 square feet.
- **Communications Tower:** A structure other than a Building such as a monopole, self-supporting or guyed tower, designed and used to support Communications Antennas.
- **Community System:** A central water or sewerage system, the rates and service of which are not controlled by a government authority.
- **Comprehensive Plan:** A Comprehensive Plan (overall program) consisting of maps, charts, and textual matter, and indicating the recommendations of the Planning Commission for the continuing development of the Township. The Comprehensive Plan includes, but is not limited to, the following related basic elements: a statement of objectives; a plan for land use; a plan for the movement of people and goods; a plan for community facilities and utilities; and a map or statement indicating the relationship of the municipality and its proposed development to the adjacent municipalities and areas.
- **Concentrated Animal Feeding Operations:** An Agricultural Operation with more than 1,000 animal equivalent units (AEUs), or operations with 301 to 1,000 AEU's, which have the potential to discharge to surface waters of the Commonwealth. An AEU is defined as 1,000 lbs. of live animal weight.
- **Concentrated Animal Operations:** An Agricultural Operation where the animal density exceeds two animal equivalent units (AEUs) per acre on an annualized basis. An AEU is defined as 1,000 lbs. of live animal weight.
- **Conditional Use:** A use which may not be appropriate in a particular zoning district as a whole but which may be suitable in certain locations within the district when specific conditions and factors prescribed within this Ordinance for such cases are met. "Conditional Uses" are allowed or denied by the Board of Supervisors after recommendation by the Planning Commission.
- **Condominium:** A building, a group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.
- **Consistency:** An agreement or correspondence between matters being compared which denotes a reasonable, rational, similar, connection or relationship.
- **Construction:** The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure including the placement of mobile homes.

- **Contractor:** A person or entity that agrees and becomes obligated to furnish materials or professional services for a price.
- **Contractor's Yard:** Land that is used for the storage and maintenance of contractor's construction equipment, equipment parts, materials and supplies, fabrication of subassemblies and parking of construction equipment, storage trailers, PODS and the like, and which may include office space for the contracting business. A single vehicle and trailer stored at a residence shall not be considered a contractor's yard.
- **Convenience Market:** A small retail store, which may be franchised, offering a limited selection of food and household products and staying open for longer hours at a convenient location. This use may also include the sale of motor vehicle fuels but does not offer motor vehicle repairs.
- **Correctional Facility:** An establishment, regardless of ownership or operation, whether private, non-profit or public, engaged in the confinement and correction of offenders sentenced by the court. Such facilities shall include, but are not limited to detention centers, honor camps, houses of correction, jails, prisons, prison farms, juvenile detention centers, penitentiaries, reformatories, training schools for delinquent offenders and other adjudicated individuals, and halfway homes for delinquents, offenders, and other adjudicated individuals.
- **County Comprehensive Plan:** A land use and growth management plan prepared by the county planning commission and adopted by the county commissioners which establishes broad goals and criteria for municipalities to use in preparation of their comprehensive plan and land use regulation.
- **Cultivation of Crops:** The use of land for the raising of crops and excluding the keeping of animals.
- **DAS: Distributed Antenna System:** A wireless communication technology utilizing utility pole mounted antenna and equipment to communicate with Communications Towers.
- **Decibel:** The unit of measurement for the relative loudness of sounds to each other, being approximately the smallest degree of difference detectable by the human ear.
- **Decision:** Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies.
- **Density:** A measure of the number of dwelling units which occupy, or may occupy, an area of land.
- **Density, Net Residential:** The number of dwelling units in relation to the land area actually in use or proposed to be used for residential purposes, exclusive of public rights-of-way, streets, sidewalks, parks, playgrounds, common open spaces, etc.
- **Density, Gross Residential:** The number of dwelling units in relation to an area of land way whether exterior or interior, but including interior parking areas and access lanes, sidewalks, parks, playgrounds, common open spaces, etc.
- **Department:** The Department of Environmental Protection of the Commonwealth of Pennsylvania.
- **Determination:** Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:
  - The governing body.
  - The zoning hearing board.

- The planning agency, only if and to the extent the planning agency is charged with final decision on preliminary or final plans under the subdivision and land development ordinance or Cluster Subdivision provisions.
  - Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.
- **Developer:** Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.
- **Development:** Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured (mobile) homes; streets, and other paving; utilities; filling, grading and excavation; drilling operations; storage of equipment or materials; and the subdivision of land.
- **Development of regional significance and impact:** Any land development that, because of its character, magnitude, or location will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.
- **District or Zone:** A portion of the area of Nipponese Township, as shown on the Zoning Map, containing a uniform class of uses of structures or land, and to which regulations described in the Zoning Ordinance text apply.
- **Drilling:** The digging or boring of a well, either vertically or horizontally, for the purpose of exploring for, developing or producing oil or gas or other hydrocarbons, or for the purpose of injecting gas, water or any other fluid or substance into the earth.
- **Drilling Pad:** The area or surface operation surrounding the surface location of a well or wells. Such area shall not include an access road to the drilling site.
- **Drug and Alcohol Treatment Facility:** The physical location in which ongoing, structured and systematic drug and alcohol services are provided, including residential or non-residential facilities.
- **Dwelling:** "Dwelling" means any building or portion thereof which is designed or used for residential purposes. The term "dwelling" shall not be deemed to include motel, rooming house, tourist home, hotel, hospital, or nursing home.
- **Dwelling, Farm:** A dwelling unit located on a farm and used for the residence of the proprietor of a farm or persons necessary for the operations of the farm, in same ownership as the farm on which the dwelling is constructed.
- **Dwelling, Manufactured (Mobile) Home:** A single-family detached factory manufactured dwelling built on a chassis, subject to the Manufactured Home Construction and Safety Standards (HUD) Code, whether or not wheels, axles, hitch, or foundation provided. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.
- **Dwelling, Manufactured (Modular) Home:** A structure intended for permanent occupancy as a dwelling consisting of prefabricated sections or components constructed according to nationally recognized building codes at another location and transported to the site for assembly, placement upon and attachment to a permanent foundation. The placement of such dwelling unit(s) on a site shall meet all the requirements herein addressed to a conventionally built dwelling.
- **Dwelling, Multiple Family:** "Multiple family dwelling" means a building designed for or containing more than two dwelling units, sharing access from a common hall, stair, or balcony.

- **Dwelling, Seasonal:** A part-time dwelling utilized in conjunction with recreational pursuits and for the enjoyment of the outdoors.
- **Dwelling, Single-Family Detached:** "Single-family detached dwelling" means a dwelling designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit and having an additional lot with private yards on all four sides of the house.
- **Dwelling, Townhouse:** A "single-family attached dwelling" of three or more adjoining dwelling units, each of which is separated from the other by one or more unpierced firewalls from ground to roof, having individual outside access. Rows of attached townhouses shall not exceed eight dwelling units.
- **Dwelling, Two-Family:** "Two-family dwelling" means two dwelling units, each of which is attached side to side, or one above the other, each one sharing only one common wall with the other. Each unit shall have individual access to the outside.
- **Dwelling Unit:** "Dwelling Unit" means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.
- **Easement:** Authorization by a property owner for use by another of any designated part of his property for a specified purpose.
- **Essential Services:** Municipal utility facilities that do not require enclosure in a building, including gas, electrical, steam, telephone, or water distribution systems; and including related equipment such as poles, towers, wires, pole mounted DAS antennas and traffic signals, hydrants, and other similar equipment.
- **Facility Boundary:** The property lines of the lot, parcel, tract or group of lots, parcels or tracts upon which any non-residential structure or use is proposed.
- **Facility Site:** All contiguous land owned or under control of an owner or operator of a waste storage or processing facility.
- **Family:** For purposes of this Ordinance, "family" and "single family" shall mean any of the following:
  - an individual residing alone in a dwelling; or
  - two or more persons related, by blood or marriage, or adoption (being hereinafter called "related persons"); or
  - no more than three unrelated persons.
  - In addition, up to six foster children residing with an individual or with two or more related persons shall be considered part of a "family" for purposes of this Ordinance.
    - Any other combination of persons shall not be a "family" or "single family" for purposes herein of.
- **Family Child Care Home:** A facility of four (4), five (5), or six (6) children unrelated to the operator, in a residential setting that must be registered but does not require an inspection by the PA Dept. of Human Services.
- **Fill:** Sand, gravel, earth or other material placed or deposited to form an embankment or raise the elevation of the land surface. The term includes material used to replace an area with aquatic life with dry land or to change the bottom elevation of a regulated water of the Commonwealth of Pennsylvania.

- **Floodplain Management Ordinance:** An ordinance adopted by Nippenose Township to obtain participation in the National Flood Insurance Program (NFIP).
- **Forestry:** The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.
- **Garage, Private:** Any accessory building or part of a principal building used for the storage of motor vehicles owned or used by the owner or tenant of the premises and having no public shop or service in connection therewith.
- **Garage, Public Parking:** Structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repair or refinishing of automobiles.
- **General consistency, generally consistent:** That which exhibits consistency.
- **Governing Body:** The Board of Township Supervisors, Township of Nippenose, County of Lycoming, Commonwealth of Pennsylvania.
- **Grade: Finish:** The top surface elevation of lawns, drives, or other improved surfaces after completion of construction or grading operations.
- **Natural:** The elevation of the original or undisturbed natural surface of the ground.
- **Subgrade:** The elevation established to receive top surfacing or finishing materials.
- **Group Child Care Home:** A facility of seven (7) to twelve (12) children not related to the operator, in a residential setting which is licensed and inspected by the PA Dept. of Human Services.
- **Group Home:** A residence occupied by a group of persons unrelated by blood, marriage, adoption or guardianship that live together as a single housekeeping unit. Such homes include, but are not limited to, homes for orphans, foster children, the elderly, mentally or physically handicapped persons, battered children and women, and specialized treatment facilities providing less than primary health care. This category does not include childcare facilities, institutional residences or a correctional facility.
- **Habitable Floor Area:** Space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, attics, storage or utility spaces, and similar areas are not considered habitable space.
- **Hazardous Waste:** A waste or combination of wastes which because of its quantity, concentration or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed.
- **Historic Structure:** Any structure that is:
  - Listed in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
  - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

- Individually listed on a local inventory of historic places in communities with historic preservation programs which have been certified either:
  - By an approved state program as determined by the Secretary of the Interior or
  - Directly by the Secretary of the Interior in states without approved programs.
- **Hobby Farm:** The raising or boarding of animals, livestock or poultry for personal use on a small farm operated for pleasure or supplemental income rather than for primary income.
- **Home Based Business:** A business conducted on a lot in conjunction with a residential dwelling unit. Such uses include baking and catering, lawn mower, or appliance repair shops; bike shops; carpentry, woodworking, or metalworking shops; antique shops; and other similar uses compatible with the residential character of the lot and district. The repair of motor vehicles shall be excluded from this use.
- **Home Based Business, No Impact:** A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the requirements of Section 4.20.
- **Home Gardening:** The cultivation of herbs, fruits, flowers, or vegetables on a piece of ground adjoining the dwelling, excluding the keeping of livestock.
- **Home Occupation:** Any lawful, service-oriented occupation, profession or second occupation customarily conducted entirely within a dwelling or on a farm and carried on by the inhabitants thereof, which is clearly incidental, secondary, and consistent with the use of the premises for dwelling or agricultural purposes and does not change the character thereof. Home occupation is deemed to include Barber, Hairdresser, Tailor, Professional Office of Attorney, Architect, Landscape Architect, Engineer, Accountant, Physician, Dentist, Teacher, Realtor, Insurance Agency, Minister, Municipal Officials, Family Day Care Home, Craft Shop, Repair Shop, and other uses of the same general character.
- **Homeowner's Associations:** An incorporated, non-profit organization operating under recorded land agreements through which, (a) each lot and/or home owner in a Planned Residential Development or other described land area is automatically a member and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property and (c) the charge if unpaid becomes a lien against the property.
- **Hospital:** an institution providing medical, surgical, or psychiatric testing and treatment for people who are ill, injured, pregnant, etc. on an inpatient, outpatient, or emergency basis.
- **Hotel or Motel:** A building or group of buildings, containing rooms designed, arranged, and used for overnight lodging of travelers and the business conduct of which is licensed under applicable laws.
- **Hydraulic Fracturing:** The process of injecting water, customized fluids, sand, steam, or gas into a gas well under pressure to improve gas recovery.
- **Impervious Surface:** That portion of a lot (expressed as a percentage) that does not absorb precipitation. All buildings, structures, parking areas, driveways, roads, sidewalks, and any areas in gravel, concrete, asphalt, etc. materials shall be considered impervious surfaces.
- **Institutional Residence:** Establishments primarily engaged in the provision of residential social and personal care for children, the elderly, and other special categories of persons with some limits on their ability for self-care, and where medical care at less than hospitalization is an element. These uses include, but are not limited to: group foster homes; nursing homes; retirement homes; personal

care or assisted living facilities; children's boarding homes; halfway homes for persons with social or personal problems, except halfway homes for delinquents, offenders and other adjudicated individuals, and disturbed individuals; homes for the deaf and blind; homes for emotionally disturbed or mentally or physically handicapped persons, with health care incidental; and group homes treated by more than 10 residents, excluding staff. Residents of these facilities would be housed where there is commercial rental or condominium ownership is also included in this category. Such facilities may also require licensing by the Pennsylvania Department of Health or the Pennsylvania Department of Human Services or other State agencies.

- **Junk:** Any discarded material and shall include, but not be limited to, scrap metal, abandoned, inoperable and/or unlicensed motor vehicles, machinery, equipment or appliances, and all forms of waste and refuse of any type of materials, including scrap metal, glass, wood, industrial waste and reuse of any type of materials, containers and structures. It shall not include garbage kept in a proper container for the purpose of prompt disposal. Materials at a properly maintained recycling drop off site or center may not be considered junk.
- **Junk Yard Or Salvage Yard:** Any place where any junk as hereinafter defined is stored or disposed of.
- **Kennel:** See Animal Kennel.
- **Land Development:** (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
  - (i) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - (ii) The division or allocation of land or space whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
    - A subdivision of land.
    - Except that the following shall be excluded from this definition:
      - (i) The conversion of an existing single-family detached dwelling or double dwelling into not more than three residential units, unless such units are intended to be a condominium;
      - (ii) the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
      - (iii) the addition or conversion of buildings or rides within the confines of an enterprise, which would be, considered an amusement park. For the purpose of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.
- **Landowner Curative Amendment:** A landowner challenge on substantive grounds to the validity of a zoning ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest. See Sections 609.1 and 916.1(a)(2) of the Municipalities Planning Code, as amended.
- **Lot:** A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.
  - **Lot Area:** The computed area contained within the lot lines exclusive of any street right-of-way.

- **Lot, Corner:** A lot abutting the intersection of two streets.
  - **Lot Depth:** The mean horizontal distance between the front and rear lot lines.
  - **Lot Lines:** The property lines bounding the lot.
  - **Lot Line-Front:** The lot line separating the lot from the street right-of-way line.
  - **Front Lot Line of a Corner Lot:** In the case of a corner lot the front lot line shall be defined by the street address of the lot.
  - **Lot Line-Rear:** The lot line opposite and most distant from the front lot line.
  - **Lot Line-Side:** Any lot line other than a front or rear lot line.
  - **Lot Width:** The width of the lot between side lot lines at the front building lines as prescribed by the front yard regulations.
- **Manufactured Housing:** see Dwelling - Manufactured.
  - **Mediation:** A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.
  - **Medical Marijuana Grower/Processor:** A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the DOH to grow and process medical marijuana.
  - **Medical Marijuana:** Marijuana for certified medical use as legally permitted by the Commonwealth of Pennsylvania with Act 16.
  - **Medical Marijuana Organization or Facility:** A dispensary or a grower/processor of marijuana for medical purposes.
  - **Medical Offices, Clinic, Surgery Center:** A place where outpatients are studied or treated by generalist or specialist physicians and assisting staff practicing as a group, excluding a Drug and Alcohol Treatment Facility as defined by this Ordinance.
  - **Metering Station:** A permanent structure that is used as a midstream operation for the purpose of metering or measuring the flow and/or volume of gas and includes associated equipment, tanks and site disturbance.
  - **Minerals:** Any aggregate or mass of mineral matter, whether coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.
  - **Mixed Occupancy:** The use of a lot for more than one principal use.
  - **Mobile Home:** See Dwelling.
  - **Mobile Home Park:** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement therein of mobile homes.
  - **Motel or Hotel:** A building or group of buildings, containing rooms designed, arranged, and used for overnight lodging of travelers and the business conduct of which is licensed under applicable laws.
  - **Multimunicipal plan:** A plan developed and adopted by any number of contiguous municipalities, including a joint municipal plan as authorized by the Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended.

- **Multiple Family Dwelling Development:** A new multi-family dwelling construction project requiring compliance with the Township Subdivision and Land Development Code in addition to requirements of this Ordinance.
- **Municipal Curative Amendment:** An amendment procedure that can be utilized if a municipality determines that its zoning ordinance or any portion thereof is substantially invalid. - See Section 609.2 of the Municipalities Planning Code.
- **Municipal engineer:** A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.
- **Municipality:** Shall mean the municipal corporation known as the Township of Nippenose, Lycoming County, Pennsylvania.
- **Municipal Waste Landfill:** A facility using land for disposing of municipal waste. The facility includes land affected during the lifetime of operations including, but not limited to, areas where disposal or processing activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite and contiguous collection, transportation and storage facilities, closure and post-closure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility.
- **\*\*NPDES Permit (National Pollution Discharge Elimination System Permit):** A federal permit program that addresses water pollution by regulating point sources that discharge pollutants to waters of the United States. Created in 1972 by the Clean Water Act, the NPDES permit program is authorized to state governments by EPA to perform many permitting, administrative, and enforcement aspects of the program.
- **Natural Gas Compressor Station:** A facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.
- **Natural Gas Processing Plant:** A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.
- **No Impact Home Based Business:** see Home Based Business, No Impact.
- **Non-conforming Lot:** A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.
- **Non-conforming Structure:** A structure or part of a structure manifestly not designed to comply with the applicable use provisions in the Zoning Ordinance or amendment hereto or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment. Such non-conforming structures include, but are not limited to, nonconforming signs.
- **Non-conforming Use:** A use, whether of land or of a structure, which does not comply with the applicable use provisions in the Zoning Ordinance or amendments hereto or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

- **Non-profit:** Something owned, operated, and supported by private individuals or a corporation, without seeking profit, for the use or benefit of the general public or for some part of the general public.
- **Nursing or Retirement Home:** Any commercial premises providing sleeping rooms where patients are lodged and furnished with meals and long-term nursing care.
- **Nutrient Management Act:** Act of the Pennsylvania General Assembly No. 6 approved May 20, 1993 (P.L. 12), as amended.
- **Office:** A place where the affairs of a business or a profession are carried out, not including the manufacture or assembly of products or merchandise.
- **Official Map:** A map established by the Board of Supervisors pursuant to Article IV of the Municipalities Planning Code, Act of the General Assembly No. 247 approved July 31, 1968, as re-enacted and amended December 21, 1988, by Act No. 170 (P.L. 1329).
- **Oil and Gas Development:** The well site preparation, construction, drilling, redrilling, hydraulic fracturing and/or site restoration associated with an oil or gas well of any depth, water or other fluid storage impoundment and transportation used for such activities, and the installation and use of all associated equipment, including tanks, meters and other equipment and structures, whether permanent or temporary, the site preparation, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment, and other activities associated with the exploration for, production and transportation of oil and gas. The definition does not include natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions.
- **Oil and Gas Staging Facility:** A facility or location on a permitted site for the storage of equipment, pipes and vehicles used to support oil or gas development activities at other permitted sites (see Section 4.10 Contractor's Yard).
- **Oil or Gas Well:** A pierced or bored hole drilled or being drilled in the ground for the purpose of or to be used for producing, extracting or injecting gas, oil petroleum or other liquid related to oil and gas production, storage, including brine disposal.
- **Oil or Petroleum:** Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA.
- **One Hundred Year Flood:** A flood that, on the average, is likely to occur once every one hundred (100) years (i.e., that has one (1) percent chance of occurring each year, although the flood may occur in any year).
- **Open Space:** That portion of the land open to the sky and usually reserved in a natural state or for outdoor recreational use.
- **Outdoor Advertisement:** An advertisement used outdoors, including painted walls or rock faces, of a product or service unrelated to the use of the land or structure on which it is located, but not including official notices or directional road signs of a governmental body.
- **Parking Area – Private:** An open area for the same use as "private garage".
- **Parking Area – Public:** An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

- **Patio:** A courtyard with or without railings and without a roof, adjacent to or near a dwelling but not a part of the dwelling structure and intended to be used as an area for seating, dining, or recreation outdoors.
- **Permanent Foundation:** A support for a building or structure consisting of either poured concrete, concrete blocks, cinder blocks, brick, or stone to form a horizontal pad or vertical wall on which the building or structure is placed and is intended to remain indefinitely. In the case of mobile homes, permanent placement on such a foundation is intended to first require the removal of the wheels and chassis from the mobile home.
- **Permit:** A document issued by the Municipality, authorizing an applicant to undertake certain activities.
  - **Zoning Permit:** A permit issued indicating that a proposed use, building or structure is in accordance with the provisions of this Ordinance and authorizing an applicant to proceed with the construction or development of the use, building or structure.
  - **Occupancy Permit:** A permit issued upon completion of the construction of a structure, or change in use of structure or parcel of land indicating that the premises complies with the provisions of this Ordinance and may be used for the purposes set forth in the Occupancy Permit.
- **Permitted Use:** Any use, which does not require special action by the Zoning Hearing Board or by the Board of Supervisors before the Zoning Officer grants a zoning permit.
- **Person:** An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
- **Plan:** A map, plat or layout showing the subdivision of land and indicating the location and boundaries of individual lots or properties.
- **Planning Commission:** The Planning Commission of Nippenose Township, Lycoming County, Pennsylvania.
- **Porch:** A covered area more than four (4) feet by five (5) feet or twenty (20) square feet in area at a front, side, or rear door.
- **Principal Structure:** See Building – Principal.
- **Principal Use:** The main use on a lot.
- **Private:** Something owned, operated, and supported by private individuals or a corporation, rather than by government, and not available for public use.
- **Professional Office:** The office of a single member of a recognized profession. A professional office may be considered a home occupation when conducted from a residence, by a member of the resident family and when the office is only secondary to the residential use of the building.
- **Professional Office Group:** The offices of more than one professional including assisting staff.
- **Public:** Something owned, operated, and supported by the community or the people for the use or benefit of the general public.
- **Public grounds:** Includes:
  - parks, playgrounds, trails, paths and other recreational areas

- sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities
  - publicly owned or operated scenic and historic sites.
- **Public Hearing:** A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to acting in accordance with this act.
- **Public Meeting:** A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act".
- **Public Notice:** Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days, and the second publication shall not be less than seven days from the date of the hearing.
- **Public or Quasi - Public Uses:** Uses or structures designed, intended or arranged for the use or service of the general public, although the fees and conditions of such use may be determined and regulated by the operator thereof, e.g., Post Offices, Churches, Cemeteries, Schools, Community Centers, Firehalls, Municipal building and other uses of the same general character.
- **Public Service Facility:** The erection, construction, alteration, operation or maintenance of buildings, power plants or substations, water treatment plants or pumping stations; sewage disposal or pumping plants and other similar public service structures by a utility, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, communication, water supply and sewage disposal services.
- **Public System:** A water or sewerage system which is owned and operated by a local government authority or by a local utility company adequately controlled by a governmental authority.
- **Recreation Facility:** A place designed and equipped for the conduct of sports, fitness, leisure – time activities and enjoyment of the outdoors.
  - **Recreation Facility, Outdoor:** A profit or non-profit business or public facility in which amusement, play or other exercise is offered or sold. This use shall include the sale of products related to recreation. Outdoor recreation shall include but not be limited to campgrounds, RV parks, golf courses, country clubs, game lands, commercial riding stable, nature preserves, parks and recreation areas and resorts.
  - **Recreation Facility, Indoor:** A profit or non-profit business or public facility in which amusement, education, play or other exercise is offered or sold. This use shall include the sale of products related to recreation. Indoor recreation shall include but not be limited to movie theatres, indoor skating rinks, indoor sports facilities, gymnasias, indoor shooting ranges and museums.
- **Recreational Vehicle:** A vehicle which is (i) built on a single chassis; (ii) not more than 400 square feet, measured at the largest horizontal projection; (iii) designed to be self-propelled or permanently towable by a light-truck; (iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
- **Recreational Vehicle Park:** Any site upon which two or more recreational vehicles are or are intended to be located. This use may include the single family detached dwelling of the owner or operator of the facility. For the purpose of this ordinance a Recreational Vehicle Park is classified as an Outdoor Recreation use.

- **Rehabilitation Center:** An institution providing medical treatment and physical or psychological therapy to bring or restore people to a normal or optimal state of health, constructive activity, etc. on an inpatient, outpatient or emergency basis.
- **Report:** Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.
- **Resort:** A building or group of buildings located on a lot, arranged and used for lodging of members and guests, including facilities for service of food to lodgers and/or non-lodgers, and may include retail sale of commodities and services, and facilities for educational activities and recreation for lodgers and/or non-lodgers.
- **Retail Business:** A place of business engaged in the selling of goods and merchandise to the general public for personal, business or household use and rendering services incidental to the sale of such goods.
- **Riding Stable, Commercial:** A building in which horses are kept for hire, remuneration or sale.
- **Riding Stable, Private:** An accessory building in which horses are kept for private use and not for hire, remuneration or sale.
- **Right-Of-Way:** That portion of land dedicated to the public for use as a street, drain, ditch, stream, utility easement or cross walk.
- **Roadside Stand:** A temporary booth, stand or shelter located along a roadway, but off the right-of-way, from which farm, nursery or greenhouse products are offered for sale to the general public.
- **Screen Planting:** A vegetative material of sufficient height and density to conceal from the view of property owners in adjoining residential districts the structures and uses on the premises on which the screen planting is located.
- **Self-Storage Facility:** A warehouse facility where separate storage spaces, of varying sizes are available for lease or rental to the general public, usually on a self-service basis. For the purposes of this Ordinance, there shall be no residential occupancy or non-commercial sales conducted from such storage areas.
- **Setback Line:** The line within a property defining the required minimum distance between any building to be erected and the adjacent property line. The front yard setback line shall be measured at right angles from the front street right-of-way line which abuts the property upon which said building is located and shall be parallel to said right-of-way line.
- **Shopping Center:** A retail commercial area designed as a unit, with adequate off-street, free parking area, and usually consisting of several one or two-story buildings.
- **Sign:** Any exterior name, identification, description, display, or illustration exposed to public view which directs attention to an object, product, place, activity, person, institution, organization or business. A projecting or free-standing sign with two faces shall be considered as a single sign. All sign material and information contained within a single frame support shall be considered as one sign.

- **Sign, Off Premises Advertising:** A sign with a fixed message or an electronic graphic display which directs attention to a business, commodity, service, or entertainment conducted, sold or offered elsewhere than upon the premises where such sign is located, or to which it is affixed.
- **Sign, Business:** A sign which directs attention to a business or profession conducted, or to a commodity, service, or entertainment sold or offered upon the premises where such sign is located or to which it is affixed.
- **Sign, Gross Surface Area:** The entire area within a single continuous perimeter inclosing the extreme limits of such sign and in no case passing through or between any adjacent elements of the same. However, such perimeter shall not include any structural or framing elements lying outside the limits of such sign and not forming an integral part of the display.
- **Sign, Portable:** Any sign or structure, which is not securely attached to the ground or any other structure.
- **Small Wind Energy System:** A single tower, or multiple towers, situated on a lot to provide energy from a wind source to an individual home, multi-family residential use, office or business and industrial and agricultural uses located on the same lot. The wind energy is not to be provided to others for sale off-site in the power grid. The small wind energy system may follow the rules of net metering under the State policy.
- **Solid Waste Transfer Facility:** A facility which receives and processes or temporarily stores municipal or residual waste at a location other than the generation site, and which facilitates the transportation or transfer of municipal or residual waste to a processing or disposal facility.
- **Special Exception Use:** A use which, by its unique characteristics, requires individual consideration by the Zoning Hearing Board before a zoning permit, may be decided upon.
- **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 be no floor above it, then the space between the floor and the ceiling next above it.
- **Story, First:** The lowest story or the ground story of any building, the floor of which is not more than 12 inches below the average contact ground level at the exterior walls of the building.
- **Story, Half:** A partial story under the gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story.
- **Street:** A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley.
  - **Collector Street:** A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route to arterial streets. Collector streets are so designated in the Comprehensive Plan for the Township.
  - **Minor Street:** A street designed to afford primary access to abutting property.
- **Street Right-of-Way Line:** The closest edge of the right-of-way as required by the municipal subdivision ordinance. (See also Lot Line-Front).
- **Structural Alteration:** Any change in the structural members of a building, such as walls, columns, beams or girders, or any addition to any structure.

- **Structure:** Structure means a combination of materials that form a construction that is safe and stable and includes, among other things, buildings, stadiums, platforms, radio towers, sheds, carports, storage bins, fences, and display signs.
- **Subdivision:** The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new streets or easements of access or any residential dwelling, shall be exempted. (See also Land Development.)
- **Surface Mining:** Surface mining shall mean the extraction of minerals from the earth or from waste or stock piles or from pits or bands by removing the strata or material which overlies or is above or between them or otherwise exposing and retrieving them from the surface, including but not limited to strip, drift, and auger mining, dredging, quarrying, leaching and activities related thereto, but not including those mining operations carried out beneath the surface by means of shafts, tunnels, or other underground mine openings. "Surface mining" shall not include (i) the extraction of minerals (other than anthracite and bituminous coal) by a landowner for his own non – commercial use from land owned or leased by him; nor (ii) the extraction of sand, gravel, rock, stone, earth or fill from borrow pits for highway construction purposes, so long as such work is performed under a bond, contract and specifications which substantially provide for and require reclamation of the areas affected in accord with DEP requirements.
- **Swimming Pool:** Any structure intended for swimming, recreation bathing or wading that contains or is designed to contain water over 24 inches (610 mm) deep. This includes in-ground, above and on-ground pools; hot tubs, spas and fixed in place wading pools.
- **Temporary Use:** The use of land or the structure or building located on a lot for a limited time as regulated by this Ordinance.
- **Tent:** A collapsible shelter of canvas or other portable material used, when erected, for the temporary occupancy of one or more persons.
- **Townhouse:** A "single-family attached dwelling" of three or more adjoining dwelling units, each of which is separated from the other by one or more unpierced firewalls from ground to roof, having individual outside access. Rows of attached townhouses shall not exceed eight dwelling units.
- **Township:** The Township of Nippenose, Lycoming County, Pennsylvania
- **Tract Size:** The area of the entire development lot including all buildings, individual unit lots, open space, and required yards.
- **Trailer Storage:** Any type of enclosed structure, trailer portion of a tractor trailer combination, bus, mobile home, vehicle, or portion of a vehicle, whether with wheels, hitch, or other appurtenances of mobility that is used for storage of materials on a lot.
  - Any such structure shall be treated as an Accessory Structure, subject to all regulations applicable to Accessory Structures. A Zoning Permit shall be required for any such apparatus that exceeds 100 square feet of storage area.
- **Travel Trailer:** See Recreational Vehicle.
- **Turbine Height, Tower Height:** The distance measured from the surface grade of the tower foundation to highest point in vertical position of the turbine rotor blade.
- **Uniform Construction Code (UCC):** The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered

by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

- **Use:** The specific purpose for which land or a structure or building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.
- **Variance:** The permission granted by the Zoning Hearing Board, following a public hearing that has been properly advertised as required by the provisions of this Ordinance for an adjustment to the application to a specific piece of property of some regulation which, if strictly adhered to, would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of the Ordinance.
- **Vehicle Hobby Shops:** An Accessory Use which is housed in the Homeowner's household garage. Such use involves the repair or restoration of either licensed or unlicensed or Junk Motor Vehicles as a hobby for the personal use or interest of the Owner, such as classic or antique automobiles or antique farm tractors or machinery, and not for money, payment, employment or compensation from others.
- **Village:** An unincorporated settlement that is part of a township where residential and mixed-use densities of one unit to the acre or more exist or are permitted and commercial, industrial or institutional uses exist or are permitted.
- **Water Reuse Storage Facility:** A stand-alone facility to accommodate tanks of any construction (metal, fiberglass, concrete, etc.) and impoundments used for the storage of water that has been used and is being reused.
- **Water Withdrawal Facility:** A facility immediately adjacent to a water body or stream that typically contains a submerged suction line, pumps, water main, multiple hydrants, truck loading and staging area, and water storage tanks, and which stores water on a temporary basis that is intended to be transported by vehicle to another location.
- **Waste:** A material whose original purpose has been completed and which is directed to a disposal, processing or beneficial use facility or as otherwise disposed of, processed or beneficially used. The term does not include source separated recyclable materials or material approved by the Pennsylvania Department of Environmental Protection (DEP) for beneficial use.
- **Waste Facility:** A municipal or municipal authority owned and operated facility where the land, structures and other appurtenances or improvements are utilized for the disposal or processing of municipal, residual or hazardous waste.
- **Waste Processing:** any method, technique or process, including neutralization, incineration, stabilization or solidification, designed to change the physical, chemical or biological character or composition of any waste(s).
- **Waste Transfer Facility:** A municipal or municipal authority owned and operated facility which receives and processes or temporarily stores municipal or residual waste at a location other than the generation site, and which facilitates the transportation or transfer to a waste facility. The term includes a facility that uses a method or technology to convert part or all the waste materials for offsite reuse. The term does not include a collecting or processing center that is only for source-separated recyclable materials, including clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper and plastics.

- **Waste Treatment:** A method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of a hazardous substance to neutralize the hazardous substance or to render the hazardous substance nonhazardous, safer for transport, suitable for storage or reduced in volume. The term includes activity or processing designed to change the physical form or chemical composition of a hazardous substance to render it neutral or nonhazardous.
- **Wind Energy Facility:** An electric generating complex of wind towers, whose main purpose is to supply electricity to the power grid, consisting of one (1) or more wind towers as the primary use and other accessory structures and buildings, including sub-stations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities
- **Wind Tower, or Tower:** The total structure for converting wind sources into electricity through a system using a wind generator that includes the nacelle, rotor, blades, tower, foundation, and pad transformer with transmission lines sending the electricity to a power sub-station.
- **Yard:** An open space on the same lot with a building or structure, unoccupied and unobstructed from the ground upward.
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- **Yard, Front:** An open space extending the full width of the lot between the principal building or structure and the street right-of-way line or front lot line, unoccupied and unobstructed from the ground upward.
- **Yard, Rear:** An open space extending the full width of the lot between the principal building or structure and the rear lot line, unoccupied and unobstructed from the ground upward.
- **Yard, Side:** An open space extending from the front yard to the rear yard between the principal building or structure and the nearest lot line, unoccupied and unobstructed from the ground upward.
- **Yard, Minimum:** The minimum area or open space required by this Ordinance to be provided between and front, side or rear lot line and a principal or accessory building(s) or structure(s) on the lot.
- **Yard Sale or Garage Sale:** The sale by a resident conducted on the premises of tangible personal property, such as used clothing and household articles accumulated over several years as part of everyday living, belonging to the owner or occupant of such property.
- **Zoning:** The designation of specified districts or zones within the municipality, reserving them for certain classes of uses, together with limitations on lot area and size, heights of structures, and other stipulated requirements.
- **Zoning District:** A portion of the municipal area within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.
- **Zoning Hearing Board:** The Zoning Hearing Board for Nippenose Township, Lycoming County, Pennsylvania.
- **Zoning Map:** The officially adopted Zoning Map of Nippenose Township, Lycoming County, Pennsylvania, containing zoning districts, together with all amendments subsequently adopted.
- **Zoning Officer:** The administrative officer charged with the duty of enforcing the provisions of this Ordinance.
- **Zoning Ordinance:** The Zoning Ordinance of Nippenose Township, Lycoming County, Pennsylvania, as amended.

- **Zoning Permit:** See Permit.