

## ORDINANCE NO. 472

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AMENDING  
ORDINANCE NO. 375, THE REVISED ZONING ORDINANCE OF  
THE BOROUGH OF MONROEVILLE.

BE IT ORDAINED AND ENACTED by the Borough of Monroeville, in Council assembled, that Ordinance No. 375, known as the "Revised Zoning Ordinance" of the Borough of Monroeville, enacted December 13, 1962, is hereby amended as follows:

Section 1. The first paragraph of Section 701 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"USE. In this district land and structures may be used and structures may be erected, enlarged, altered, and maintained for the limited uses hereinafter set forth. In addition, any use other than a single-family residential use shall be in accordance with a site plan approved by the Planning Commission. The site plan shall show, as proposed, the location of main and accessory structures on the site and their relation to one another, traffic circulation within the site, the location of vehicular access onto the site, the exterior dimensions of all structures, the provision of automobile parking space, the provision of other open space on the site, the landscaping, paving, fences and walls on the site, and the location of signs. In approving site plans, the Planning Commission may act on site plans submitted to it, or may act on its own initiative in proposing and approving a site plan. In considering any site plan hereunder, the Planning Commission shall endeavor to assure safety and convenience of traffic movement, both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site, as well as contiguous properties. To this end the Planning Commission may limit vehicular access by plan."

Section 2. The first paragraph of Section 1201 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"USE: In this district land and structures may be used and structures may be erected, altered, enlarged, and maintained for the limited special uses hereunder, but including the retail sale of products when such sale is clearly incidental to the permitted industrial use. In any "M-2" District, the uses shall, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this Ordinance, be in accordance with a site

plan or plans approved by the Planning Commission. The site plan shall show, as proposed, the location of main and accessory structures on the site, and in relation to one another, traffic circulation features within the site, the location of vehicular access onto the site, the height and bulk of structures, the provision of automobile parking space, the provision of other open space on the site, the landscaping, paving, fences and walls on the site, and the display or signs. In approving site plans, the Planning Commission may act on site plans submitted to it, or may act on its own initiative in proposing and approving a site plan. In considering any site plan hereunder, the Planning Commission shall endeavor to assure safety and convenience of traffic movement, both within the site covered and in relation to access streets, harmonious and beneficial relationship of structures and uses on the site, as well as contiguous properties. To this end, the Planning Commission may limit vehicular access by plan."

Section 3. Section 901-5 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"Automobile and house trailer sales, repair, and supply business, provided the same is located completely within an enclosed building."

Section 4. Section 901-6 of the said Revised Zoning Ordinance is deleted in its entirety.

Section 5. Section 901-32 of the said Revised Zoning Ordinance, providing for conditional uses in C-2 districts, is hereby amended by adding thereto sub-sections e and f, as follows:

"e. Outdoor display and sale of automobiles and house trailers, subject to the general conditions set forth in Section 1501 and the specific conditions set forth in Section 1501-15."

"f. Automobile service station, including automobile car washing enterprises, subject to the general conditions set forth in Section 1501 and the specific conditions set forth in Section 1501-16."

Section 6. Section 1101-2 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"Automobile, house trailer, and truck sales, repair, and supply business, washing, community garage, major garage, tire retreading or recapping, and battery manufacture, provided the same is located completely within an enclosed building."

Section 7. Section 1101-18 of the said Revised Zoning Ordinance, providing for conditional uses in M-1 districts, is hereby amended by adding thereto sub-sections f and g, as follows:

"f. Outdoor display and sale of automobiles, house trailers, and trucks, subject to the general conditions set forth in Section 1501 and the specific conditions set forth in Section 1501-15."

"g. Automobile service station, including automobile car washing enterprises, subject to the general conditions set forth in Section 1501 and the specific conditions set forth in Section 1501-16."

Section 8. Section 1304 of said Revised Zoning Ordinance, pertaining to automobile parking space, is hereby amended by adding thereto Section 1304-15, as follows:

"1304-15. In C-2 and M districts, where a building is used for the sale, repair, and display of automobiles, house trailers, or trucks, as permitted in Section 901-5 as amended and Section 1101-2 as amended, one automobile parking stall shall be provided for every five hundred (500) square feet of floor area in such building."

Section 9. Section 1304-14 of said Revised Zoning Ordinance, pertaining to automobile parking areas, is hereby amended to read as follows:

"1304-14. Every parcel of land hereafter used as a parking area for five or more automobiles shall be paved and maintained in concrete, asphalt, or a combination of tar or asphalt and stone chips laid over a base of crushed stone compacted to not less than six inches in depth, or such other surfacing of an equivalent or superior character if the same is first approved by the zoning officer. In addition, curbs or wheel bumpers shall be installed where necessary to prevent vehicle encroachment onto required yard."

Section 10. Section 1501 of said Revised Zoning Ordinance, pertaining to conditional uses, is hereby amended by adding thereto Sections 1501-15 and 1501-16, as follows:

"1501-15. Outdoor display and sale of automobiles and house trailers in C-2 districts, and outdoor display and sale of automobiles, house trailers, and trucks in M-1 districts, provided:

a. The area used for the display of merchandise offered for sale and the area used for the parking of customer and employee automobiles shall be continuously maintained in either concrete, asphalt, or

a combination of tar or asphalt and stone chips laid over a base of crushed stone compacted to not less than six inches in depth, or such other surfacing of an equivalent or superior character if the same is first approved by the zoning officer. In addition, curbs or wheel bumpers shall be installed where necessary to prevent vehicle encroachment onto required yards.

b. All lights and light poles shall be located and erected in such a fashion that the closest edge of such structure or equipment shall be not less than ten feet from the nearest edge of the street right-of-way line, and all lights and illumination shall be directed into the sales area and away from the adjoining streets and adjacent lots.

c. All required yards shall be properly landscaped and maintained.

d. No article of merchandise shall be displayed outdoors less than five feet from the lot lines of adjacent properties.

e. No strings of lights or flags, flashers, or any other display paraphernalia shall be permitted on such zoning lot, on any of the structures or poles attached thereto, or in or on the merchandise displayed outdoors, except for such signs otherwise allowed under this Ordinance and subject to the limitations of the Sign Ordinance of the Borough of Monroeville.

f. There shall be provided on the same zoning lot the following off-street parking spaces as defined by Section 1304.

- (1) One parking stall for each 500 square feet of floor area of any building erected on the same zoning lot, except that where such building is used either wholly or partially for body repair there shall be one parking stall provided for each 200 square feet of floor area devoted to body repair, and in addition,
- (2) One stall for each 1500 square feet of lot area occupied or reserved for occupancy by vehicles or merchandise offered for sale or rental on the premises.

All required off-street parking stalls shall be reserved exclusively for the parking of customer or

employee automobiles and are not to be used for the display of merchandise. Separation by curb, wall, planting, fence, grass stripping or painting shall be required between the customer parking area and the outdoor display area. Customer vehicles with external damage awaiting repairs shall be located either indoors or in an area outdoors of sufficient size, as defined in sub-section f (1) above, and such area shall be located and screened in such fashion so that the vehicles therein will not be visible from the public streets or highways or from surrounding properties.

g. All servicing and repair facilities shall be conducted entirely within an enclosed building.

h. All such lots used for the outdoor display of automobiles, house trailers, or trucks shall have included on the same zoning lot and as part of the same business facility a completely enclosed structure of not less than 2500 square feet of floor area, and all repairs, servicing, sales, and customer car washing shall be located and conducted therein.

i. No vehicle shall be displayed or offered for sale outdoors which does not have all of the mechanical and body components necessary for the safe and lawful operation thereof on the streets and highways of the Commonwealth of Pennsylvania.

"1501-16. Automobile service station, including car washing enterprises in the C-2 and M-1 districts provided:

a. No part of the lot area to be used for such purpose is less than 200 feet from the closest point of any other automobile service station area so used.

b. Such activities as car washing, waxing, polishing, and lubrication shall be conducted entirely within an enclosed building.

c. The requirements of Section 1301-4 shall be strictly observed."

d. Car washing enterprises shall, in addition to all other required parking areas, provide a sufficient automobile storage area paved as defined in Section 1304-14, so that at anticipated peak business hours automobiles waiting to be washed shall not overflow onto adjacent properties, streets or berms.

Section 11. Section 803-4 of the said Revised Zoning Ordinance shall be amended to read as follows:

"All required front, side, and rear yards shall be maintained in lawns and planting, and no required yard shall be used for automobile parking or the display of merchandise."

Section 12. Section 904-4 of the Said Revised Zoning Ordinance shall be amended to read as follows:

"All required front, side, and rear yards shall be maintained in lawns and planting, and no required yard shall be used for automobile parking or the display of merchandise."

Section 13. Section 1301 of the said Revised Zoning Ordinance is hereby amended by adding thereto Section 1301-9, as follows:

"1301-9. No string lights are permitted in any district (except colored holiday decorative lights during appropriate holiday periods), and all outdoor lighting structures and equipment, of any sort, shall be not less than ten feet from the nearest point of street right-of-way."

Section 14. Section 1306-6 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"Except as herein otherwise specifically provided, a non-conforming structure may not be reconstructed or replaced by another non-conforming structure or non-conforming use or by non-conforming sign. However, a non-conforming structure or a non-conforming sign which is damaged or destroyed by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed 50% of the cost of the restoration of the entire structure new, may not be restored. In the event such damage or destruction is 50% or less than the cost of restoration of the entire structure new, repairs or reconstruction may be made, provided that such restoration is started within one year from the date of the partial destruction and is diligently prosecuted to completion. (See also Section 1703)."

Section 15. Section 1403 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"C", "L" and "M-1" DISTRICTS: in the "C-1" Neighborhood Shopping District, the "C-2" Community Business District, the "L" Special Use District, and the "M-1" Planned Light Industrial District, only the following exterior signs shall be permitted:

1403-1. Signs permitted in "S" and "R" Districts.

1403-2. A sign which directs attention to a business, commodity, service, or entertainment, conducted, sold, or offered upon the premises, including "Ground Signs", "Wall Signs", "Roof Signs", "Projecting Signs", "Temporary Signs", "Marquees", and "Awnings and Canopies: as described in the "Sign Ordinance"."

Section 16. Section 1404 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"M-2" DISTRICTS: In the "M-2" Industrial District, only the following exterior signs shall be permitted:

1404-1. Signs permitted in the "S", "R", "C", "L" and "M-1" Districts.

1404-2. Signs which direct attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than on the premises where the signs are displayed provided such signs shall be in conformity with the "Sign Ordinance" requirements."

Section 17. Section 1702 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"BUILDING PERMITS: No structure shall hereafter be erected or structurally altered nor shall any act be performed which is regulated by this Ordinance until a building permit or other appropriate permit shall have been issued by the Zoning Officer or such other Borough official designated by him. Such permit shall state that the proposed structure or activity shall comply with all laws of the Borough relating thereto and shall be approved for zoning compliance by the Zoning Officer. All such building permits shall expire six months from date of issuance unless construction thereunder is commenced prior to such expiration. Full credit, however, shall be allowed on all renewal applications for fees paid on account of the expired permit."

Section 18. Section 1703 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"OCCUPANCY CERTIFICATES: No use of land other than agricultural and forestry use shall be made and no structure hereafter erected or structurally altered shall be occupied or used until a certificate of "Use, Occupancy, and Compliance" shall have been issued by the Zoning Officer. A similar certificate

of use, occupancy and compliance shall be applied for before an existing use of a structure or land shall be changed. Such certificates shall be valid only so long as the use and occupancy of such land or structure shall continuously comply with all of the requirements and regulations of this Ordinance. The Zoning Officer may also revoke a certificate of occupancy upon his determination that a failure of compliance of any regulation of this Ordinance exists. Upon such invalidity or revocation, any further use or occupancy of such land or structure shall be considered to be in violation of this Ordinance and subject to its penalty provisions. A certificate of occupancy shall state that the proposed use of a structure or land complies with all of the regulations of this Ordinance and all other laws of the Borough. It shall be applied for coincidentally with the application for a building permit and shall be issued upon examination of the complete structure or use arrangement and certification of compliance by the Zoning Officer."

Section 19. The second paragraph of Section 1704 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"A certificate of non-conformance shall state in what specific respects the structure, or use of a structure or land, or sign, does not comply with the provisions of this Ordinance. It shall be applied for on or before December 31, 1965, or in the case of non-conformity due to re-classification, not more than thirty (30) days after the effective date of the re-classifying ordinance and shall be issued after verification of such non-conformity by the Zoning Officer. If the Zoning Officer should disagree with the legal status of such alleged non-conforming use or non-conforming structure the matter shall be referred by the Zoning Officer to the Board of Adjustment for disposition. Failure of the Zoning Officer to note or give notice of the non-conformity shall not free the owner of such property from the obligation to comply with these provisions."

Section 20. Section 1710 of the said Revised Zoning Ordinance is hereby amended to read as follows:

"VIOLATION: PENALTY": Any person, firm, association or corporation violating any provision of this Ordinance shall upon summary conviction before the Mayor or any Justice of the Peace of the Borough of Monroeville, be punished by a fine not to exceed the sum of One Hundred (\$100.00) Dollars for each offense, recoverable with costs, and in default of the payment of the fine and costs, shall be subject to imprisonment in the Allegheny County Jail or Workhouse for a period not

exceeding thirty (30) days. Each day that a violation is continued shall constitute a separate offense and may be punishable as such. In the case of firms or associations the penalty may be imposed upon any of the partners or members thereof, and in the case of corporations, upon any of the officers thereof or any of its agents, who may have executed any applications for permits on its behalf."

Section 21. Any ordinance or part of ordinance in conflict with any of the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

ORDAINED AND ENACTED this 25 day of March, 1965.

ATTEST:

BOROUGH OF MONROEVILLE

S/Carrol F. Pickens  
Secretary

By S/Frank A. Witt  
President of Council

EXAMINED AND APPROVED THIS 27 day of Mar., 1965.

S/John J. Duncan  
Mayor