

ORDINANCE # 93

AN ORDINANCE OF THE TOWNSHIP OF WESTFALL, PIKE COUNTY, AMENDING ORDINANCE #76-1 KNOWN AS THE "WESTFALL TOWNSHIP ZONING ORDINANCE OF 1990" TO AMEND §5.2 THEREOF TO ADD A SUBSECTION CONCERNING CLEARING OPERATIONS, INVOLVING THE REMOVAL OF TIMBER, VEGETATION AND OR GROWTH FROM ANY PROPERTY GREATER THAN ONE (1) ACRE IN AREA, ESTABLISHING A BUFFER FROM WHICH NO CLEARING WILL TAKE PLACE AND PROVIDING FOR THE PLANTING OF ADDITIONAL SCREENING PLANTINGS: AND TO AMEND §6.7(b) (1) TO ALLOW FOR THE LIMITED REPLACEMENT OF UNDERGROUND FUEL STORAGE TANKS WITH ABOVE GROUND FUEL STORAGE TANKS.

Be it ordained by the Board of Supervisors of Westfall Township, Pike County, Pennsylvania as follows:

SECTION I: **AMENDMENT:** Ordinance #76-1, adopted the 27th day of December 1990, being the "Westfall Township Zoning Ordinance of 1990" is hereby amended as follows:

a. There is hereby added to Section 5.2 the following:

13. Clearing Operations. Any activity which will substantially remove the timber, vegetation and/or growth from any lot, parcel or site greater than one (1) acre in area as a separate activity shall require a zoning permit in all districts, provided that such activity as part of approved subdivision or land development plans shall not require a separate Conditional Use Permit. Any lot, parcel or site so cleared shall be immediately stabilized so that no erosion, sedimentation or additional run-off onto the property of others shall occur. A

buffer of ten (10) feet from which no timber, vegetation and/or growth may be removed, except for maintenance and access purposes, shall be maintained on any lot, parcel or site in excess of three (3) acres. Additional screening plantings within the buffer zone may be required where the existing timber, vegetation, and/or growth is inadequate to screen the lot, parcel or site so cleared from adjoining properties, streets and or roads.

b. Section 6.7(d) (1) is hereby amended to provide as follows:

No flammable or explosive liquids, solids, or gases shall be stored in bulk above the ground except for tanks or drums of fuel directly connecting with energy devices, heating devices or appliances located and operated on the same lot as the tanks or drums of fuel, provided that upon the replacement of any permitted commercial underground or municipal underground fuel storage tank legally existing as of the date of the initial adoption of this Ordinance, any commercial underground or municipal underground storage tank removed may be replaced by an above ground fuel storage tank or tanks, further provided that any such above ground fuel storage tank or tanks do not exceed the capacity of the tank or tanks removed or have an aggregate capacity of two thousand (2,000) gallons, which ever be lesser.

SECTION 2: REPEALER - Any Ordinance or part of Ordinance

conflicting with this Ordinance be, and the same is hereby repealed in so far as the same is inconsistent with this Ordinance.

SECTION 3: EFFECTIVE DATE - This Ordinance shall become effective five (5) days after the date of its Adoption by the Board of Supervisors.

This Ordinance is duly ordained and enacted into Law this 26th day of August, 1998 at a duly and legally convened meeting of the Board of Supervisors of the Township of Westfall, after public hearing thereon having been held on the 26th day of August, 1998.

WESTFALL TOWNSHIP BOARD OF SUPERVISORS

By:

Chairman

Kenneth J. Petru
Supervisor

Mario A. Burda
Supervisor

Kenneth A. Thiele
Supervisor

John F. Hess
Supervisor

ATTEST:

Lisa Green
Township Secretary