

ARTICLE 2: DEFINITIONS

200 General Provisions

- A. The following rules of construction shall apply in interpreting this Ordinance.
1. Words used in the present tense include the future.
 2. The singular number includes the plural, and the plural the singular.
 3. The word "shall" is always mandatory; the word "may" is permissive.
 4. The word "used" or "occupied", as applied to any land or building, includes the words "arranged or designed or intended to be used or occupied."
- B. Unless otherwise expressly stated, the definitions of words and terms contained in this Article shall be used in interpreting this Ordinance. Words not herein defined are used with a meaning of standard usage.

201 Accessory Use or Building

A subordinate use or building customarily or intended to be incidental to, and located on the same lot occupied by a principal use or building. The term Accessory Building includes but is not limited to private garage, garden or barn, a private playhouse, a private greenhouse, and a private swimming pool.

202 Agriculture

The cultivation of soil and the raising and harvesting of products of the soil, including customary soil and water conservation practices, but not including the raising or keeping of livestock, poultry, pigs, horses, sheep or the like.

203 Alley

A right-of-way, other than a street, used for vehicular access to the side or rear of abutting property.

204 Alterations

As applied to a building or structure, a change or re-arrangement in the structural parts, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location to another.

205 Area

205.1 Building Area: The aggregate of the maximum horizontal cross-section areas of all buildings on a lot, excluding cornices, unroofed porches, paved terraces, steps, eaves and gutters.

205.2 Lot Area: The area contained within the property lines of a record lot, including the area within all easements, but excluding the area within all street rights-of-way.

206 Automobile Service Station

A building or premise where gasoline, oil, grease, batteries, tires and automobile accessories, or any combination therefore, are sold at retail and where incidental servicing and mechanical repairs are conducted; provided, however, that this term shall not be deemed to include motor vehicle repair garages.

207 Building

A combination of materials having a roof, to form a structure for the shelter of persons, animals or property. The word "building" shall include any part thereof.

208 Building Coverage

The percentage of the lot area covered by the building area.

209 Building Height

A building's vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and lowest points of the roof.

210 Building Setback Lines

The rear lines of the minimum front yards, as herein designated for each district, measured from the street line.

211 Drive-Thru Restaurant

A restaurant with a special lane for traffic, which is utilized for the ordering and dispensing of food thereby limiting traffic congestion and reducing parking lot area.

212 Dwelling

A building or portion thereof arranged or designed to provide one or more dwelling units.

- A. Dwelling Unit: A dwelling or portion thereof providing complete living facilities for one (1) family; provided, however, that this term shall not be deemed to include rooming, boarding or lodging houses, or hotels, motels, tourist homes or other similar places offering overnight accommodations for transients.
- B. Single-Family Detached Dwelling: A building, commonly known as a single family house, designed for and occupied exclusively as a residence having one dwelling unit from ground to roof and open space on all sides; where a private garage is structurally attached to such a dwelling, it shall be considered as a part thereof.
- C. Two-Family Detached ("Duplex") Dwelling: A single building containing two dwelling units separated by a party-wall, and intended and designed to be occupied as a residence by two families living independently of each other as separate housekeeping units.
- D. Single-Family Attached ("Townhouse") Dwelling: A portion of a building designed for and occupied exclusively as a residence for only one family and having (i) only one dwelling unit from ground to roof, (ii) two points of independent outside access, (iii) at least two other dwellings built in conjunction therewith with (iv) any portion of one or two walls in common with an adjoining dwelling.
- E. Multi-Family ("Apartment") Dwelling: A building containing one dwelling unit above another dwelling unit or a building containing three or more dwelling units and designed to be occupied by three or more families living independently of one another.

213 Essential Utility Equipment

Underground or overhead electrical, gas, communications, water or sewage systems, including poles, towers, rights-of-way, wires, lines, mains, drains, sewers, conduits, cables, fire alarm boxes, public telephone booths, police call boxes, traffic signals, hydrants, regulating and measuring devices, and the structures in which they are housed, and other similar equipment and accessories in connection therewith; provided, however, that this term shall not be deemed to include buildings, yards or areas for the storage, repair or processing of equipment or material; nor does it include sewage treatment plants, lagoons, settling basins and the like conducted as a principal use; nor does it include yards, areas or substations for the above-ground generation, transforming or switching of electricity.

214 Highway Service Plaza

A business occupying not less than ten (10) acres of land at or near an interchange of a limited access highway and intended primarily to provide services for travelers, which may include food, lodging and incidental servicing of motor vehicles and trucks.

215 Home Professional Office, Home Occupation

An office or business conducted in a dwelling or accessory building, or in both, the activity being clearly incidental and secondary to the use of the premises for residential purposes.

216 Hotel, Motel or Motor Hotel

A building or group of buildings containing sleeping rooms for the accommodation of transient guests.

217 Lot

A parcel or plot of land used or set aside and available for use as the site of one or more buildings and buildings accessory thereto or for any other purpose, in one ownership and not divided by a street nor including any land within the limits of a public or private street right-of-way. The term "record lot" means the land designated as a separate and distinct parcel of land on a legally recorded deed filed among the Land Records of Washington County.

A. Lot, Corner: A lot abutting two or more streets at their intersections, where the interior angle of the intersection does not exceed one-hundred thirty-five degrees (135 degrees).

B. Lot, Width: The width of a lot measured at the building setback line.

218 Lot Line

Any boundary line of a lot.

A. Lot Line, Front: The street line, which shall be the same as the legal right-of-way line, provided that along streets for which a future right-of-way width is designated and legally adopted, pursuant to Article 66B of the Annotated Code, the front lot line shall be the future right-of-way line thus established.

- B. Lot Line, Rear: Any lot line which is parallel to or within forty-five degrees (45 degrees) of being parallel to a street line, except for a lot line that is itself a street line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lot lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one lot line furthest from any street shall be considered a rear lot line.
- C. Lot Line, Side: Any lot line which is not a street line or a rear lot line.

219 Mayor and Council

The elected Mayor and Town Council of the Town of Williamsport.

220 Mobile Home

A single-family detached dwelling unit manufactured in one complete section, designed for long-term occupancy, containing sleeping accommodations, a flush toilet, a bathtub or shower, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; and designed to be transported after fabrication on its own wheels, or on flatbed or other trailers; arriving at the site where it is to be occupied as a complete dwelling, and ready for occupancy except for minor and incidental unpacking and assembly operations; provided, however, that sectional ("double-wide") homes and travel trailers shall not be considered mobile homes for the purposes of this Ordinance.

221 Mobile Home Park

A parcel of land under single ownership which has been planned and improved for the placement of more than one mobile home occupied for non-transient use.

222 Motor Vehicle Repair Garage

A building or premises intended or operated for the major repair of motor vehicles including body-work, painting, spraying, welding or the storage of vehicles not in operating condition.

223 Nonconforming Structure or Lot

A structure or lot that does not conform to a dimensional regulation prescribed by this Ordinance for the district in which it is located or to regulations for off-street parking, off-street loading or accessory buildings, but which structure or lot was lawfully in existence at the effective date of this Ordinance.

224 Nonconforming Use

A use of a building or lot that does not conform to use regulations prescribed by this Ordinance for the district in which it is located, but which was lawfully in existence at the effective date of this Ordinance.

225 Person

A corporation, institution, partnership, trust, association or any other legal entity as well as a natural individual.

226 Planning Commission

The legally-constituted Planning Commission of the Town of Williamsport.

227 Rooming, Boarding or Lodging House

A building or part of a building (other than an institutional building), occupied or intended to be rented and occupied by three or more roomers, boarders or lodgers.

228 Sectional ("double-wide") Dwelling

A single-family detached dwelling-unit manufactured in two or more sections, designed for permanent occupancy, and transported to a building site in sections which are fastened together and mounted on a permanent foundation ready for occupancy except for minor and incidental unpacking and assembly operations. For purposes of this Ordinance, "Sectional dwelling" includes modular, pre-fabricated and other similar types, but mobile homes and travel trailers are not considered to be "sectional dwellings."

229 Sewage Disposal System

A. Public Sewerage System: A public system serving all dwelling units, business, commercial, industrial or other establishments, which is designed and operated for the collection, transportation, treatment and disposal of sewage, in strict compliance with regulations of all agencies having jurisdiction.

B. Repealed June 9, 1980.

230 Sign

Any permanent or temporary structure or part thereof, or any service attached, painted or represented directly or indirectly on a structure or other surface that displays or includes any letter, work, insignia, flag, or representation used as, or which is the nature of, an advertisement, announcement, visual communication, direction, or is designed to attract the eye, or bring the subject to the attention of

the public. Flags of any governmental unit or any charitable or religious organization, interior signs not visible from a public right-of-way or adjoining property, and cornerstones built into or attached to a wall or a building are not deemed signs within purposes of this Ordinance.

- A. On-Premises Sign: A sign which directs attention to a business, profession, product, home occupation, service or activity conducted or sold on the same lot.
- B. Off-Premises Sign: A sign which directs attention to a business, profession, product, home occupation, service or activity not conducted or sold on the same lot.
- C. Commercial Advertising Sign: An advertising sign, structure or symbol, commonly known as a billboard, erected and maintained by a person or corporation engaged in the sale or rental for profit of the space thereon to a clientele of manufacturing, service, commercial or other business enterprises upon which sign there is displayed, generally for a limited period of time, advertising matter describing a variety of products or services widely or generally available, but usually not produced, assembled, stored or sold on the lot or premises upon which the advertisement is located.
- D. Business Advertising Sign: An advertising sign, structure or symbol erected and maintained by or for the benefit of a specific individual manufacturing, service, commercial or other business enterprise and used exclusively to advertise the location or the products or services offered by said enterprise, rather than for the periodic advertising of products and services generally available.

231 Special Exception Use

A use for which the Board of Appeals may grant permission following a public hearing and finds of fact consistent with the provisions of this Ordinance, and provided the use complies with specified conditions and standards outlined in this Ordinance.

232 Street

A strip of land, including the entire width of the right-of-way between street lines, used or intended for use by the public for vehicular travel or to provide vehicular access to three (3) or more abutting lots for principal uses.

233 Street Line

The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way line, provided that where a future right-of-way width for a street is officially established pursuant to Article 66B of the Annotated Code, then the street line shall be the side of the future right-of-way so established.

234 Structure

A combination of materials assembled, constructed or erected at a fixed location, the use of which requires location on the ground or attachment to something having location on the ground. The word "structure" shall include any part thereof.

235 Travel Trailer

A portable or vehicular unit (a) having a width not exceeding eight (8) feet and a length not exceeding thirty-two (32) feet; (b) built on a chassis or designed to be transported on a truck or other vehicle; and (c) designed for temporary use as a dwelling for travel, recreation, vacation or similar short-term uses.

236 Use

Any activity, occupation, business or operation conducted, or intended to be conducted, in a building or other structure or on a tract of land.

237 Water Supply System

A. Public Water Supply System: A public system serving all dwelling units, business, commercial, industrial or other establishments, which is designed and operated to supply potable water in strict compliance with regulations of all agencies having jurisdiction.

B. Repealed June 9, 1980

238 Yard

A portion of a lot adjoining and extending inward from a lot line or street line, and which shall remain unobstructed by buildings or structures or portions thereof except overhanging eaves, gutters or cornices.

A. Yard, Front: A yard adjoining and extending parallel to a street line.

B. Yard, Side: A yard adjoining and extending parallel to a side lot line and lying between a front yard and a rear yard.

- C. Yard, Rear: A yard adjoining and extending parallel to a rear lot line.

ARTICLE 3: ZONING DISTRICTS AND USE REGULATIONS

300 Zoning Districts and Map

- A. For the purpose of this Ordinance, zoning districts are hereby established as follows:

SR - Suburban Residential District
TR - Town Residential District
TC - Town Center District
GC - General Commercial District
NC - Neighborhood Commercial District
EC - Employment Center District
HR - Historic Recreation District

- B. For the purposes of this Ordinance, the zoning districts established by sub-section A. shall be of the number, size, shape and location shown on the Town "Zoning Map" adopted and included in its entirety as part of this Ordinance.

- C. Regardless of the existence of copies of the zoning map which may from time to time be made or published, the official zoning map, which shall be maintained in the office of the Zoning Administrator, shall be the final authority as to the current zoning status of land, buildings, and other structures.

301 Interpretation of District Boundaries

- A. The following rules shall apply for interpreting the location of the zoning district boundary lines drawn on the zoning map:

1. Boundaries drawn approximately along the center-lines of streams, drainageways, streets, roads, alleys, or railroads or other rights-of-way shall be construed to follow such center-lines.
2. Boundaries drawn approximately parallel to the center-lines of streams, drainageways, streets, roads, alleys, or railroad or other rights-of-way, or parallel to property lines shall be construed to lie parallel to such center-lines or property lines at the distance therefrom noted upon the zoning map.
3. Boundaries drawn approximately along platted lot lines or other property lines shall be construed to follow such lines.

4. The location of boundaries otherwise in question shall be determined by the dimensions or notations upon the zoning map.
- B. Where a zoning district boundary line as shown on the zoning map divides a lot or property which was in single ownership and of record at the effective date of this Ordinance, the uses permitted thereon and the other district requirements applying to the least restricted portion of such lot shall be considered as extending over the entire lot or for a distance of fifty (50) feet from the district boundary line into the more-restricted portion of the lot, whichever distance is less.

302 Uses Permitted in Zoning Districts

- A. Unless otherwise provided by law or specifically in this Ordinance, no land or building or structure shall be used or occupied except for a use permitted, as specified in this Article, in the zoning district within which the land or building or structure is located.
- B. No use shall be permitted except in compliance with the laws of the State and the regulations of the Washington County Health Department regarding water supply and waste disposal, as evidenced by the written approval of the Washington County Health Department.
- C. A use listed in Section 305 of this Ordinance is permitted by right in any zoning district under which it is denoted by the letter "P", provided that such use shall be subject to the conditions and requirements specified in Section 305 and elsewhere in this Ordinance. Such uses permitted by right shall be principal uses within the meaning of this Ordinance, unless otherwise specified.
- D. A use listed in Section 305 of this Ordinance is permitted as an accessory use, as defined in Article 2, in any zoning district under which it is denoted by the letter "A", provided that such use shall be subject to the conditions and requirements specified in Section 305 and elsewhere in this Ordinance.
- E. A use listed in Section 305 shall not be permitted in any zoning district under which it is denoted by the letter "N". Such uses lawfully existing at the effective date of this Ordinance shall be construed as nonconforming uses subject to the provisions of Article 8.
- F. A use listed in Section 305 may be permitted as a special exception in any zoning district under which it is denoted by the letters "SE" provided that approval for said use has been granted by the Board of Appeals pursuant to Article 10, and further provided that said use shall be subject to the conditions and