

**EAST PROSPECT BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2019 - 1

**AN ORDINANCE OF THE BOROUGH OF EAST PROSPECT,
YORK COUNTY, PENNSYLVANIA, AMENDING SECTIONS
203, 506, 702, 707, AND 708 OF THE ZONING ORDINANCE OF
THE BOROUGH OF EAST PROSPECT TO REFER
SEPARATELY TO ZONING AND BUILDING PERMITS IN
COMPLIANCE WITH THE PENNSYLVANIA UNIFORM
CONSTRUCTION CODE.**

BE IT ENACTED AND ORDAINED, by the Borough Council of East Prospect Borough, York County, Pennsylvania, and by and through the authority of the same, as follows:

Section 1. Article II, Section 203 of the Zoning Ordinance of the Borough of East Prospect is hereby amended to alter the existing definition of "CERTIFICATE OF USE AND/OR OCCUPANCY" as follows:

CERTIFICATE OF USE AND/OR OCCUPANCY – A certificate, issued by the Zoning Officer, which permits the use of a building in accordance with the approved plans and specifications and certifies compliance with the provisions of law for the use and occupancy of the land structure in its several parts, together with any special stipulations or conditions of the zoning permit.

Section 2. Article V, Section 506.B of the Zoning Ordinance of the Borough of East Prospect is hereby amended to require both zoning and building permits, to read as follows:

B. Permitted Permanent Signs

Only the types of permanent signs listed on Chart A shall be permitted throughout the Borough. Permanent signs must conform to the standards set forth in Chart A as well as satisfy the general regulations of Section 506.A. Zoning permits and building permits shall be required for all permanent signs.

Section 3. Article VII, Section 702.A of the Zoning Ordinance of the Borough of East Prospect is hereby amended to the extent that it requires a building permit which should now be a zoning permit, to read as follows:

A. Requirements: It shall be unlawful to commence the excavation for or the construction or erection of any building or structure, including an accessory building, or to commence the moving or alteration of any building, including an accessory building, until the Zoning Officer has issued a zoning permit for such work.

Section 4. Article VII, Section 707.A of the Zoning Ordinance of the Borough of East Prospect is hereby amended to the extent that it provides for expiration of an approved variance, to read as follows:

A. Filing of Variance: An application may be made to the Zoning Hearing Board for a variance

where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. The application must be on a form obtained from the Zoning Officer. The applicant must provide all the information requested on the form, together with any other information and data that may be required to advise the Board on the variance, whether such information is called for by the official form or not.

Unless otherwise specified or extended by the Board, a variance authorized by the Board expires if the applicant fails to obtain a building permit, zoning permit, or use certificate within six (6) months from the date of the authorization of the variance.

Section 5. Article VII, Section 708.A of the Zoning Ordinance of the Borough of East Prospect is hereby amended to the extent that it provides for the expiration of an approved special exception, to read as follows:

A. Filing of Special Exceptions: For any use permitted by special exception, a special exception must be obtained from the Zoning Hearing Board. In addition to the information required on the zoning permit application, the special exception application must show:

1. Ground floor plans and elevations of proposed structures.
2. Names and addresses of adjoining property owners.

Unless otherwise specified or extended by the Zoning Hearing Board, a special exception authorized by the Board expires if the applicant fails to obtain, where required to do so, a building permit, zoning permit, or use certificate within six (6) months of the date of the authorization of the special exception.

Section 6. The provisions of any prior Ordinance which is inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor of the Borough of East Prospect.

ENACTED AND ORDAINED by the Borough Council of East Prospect Borough this 9th
day of September, 2019.

Attest:

EAST PROSPECT BOROUGH COUNCIL

Mindy K Barshinger
Mindy Barshinger, Borough Secretary

BY: Donald E. Barshinger
Donald Barshinger, President

(SEAL)

APPROVED this 9th day of September, 2019.

Matthew Mann
Matthew Mann, Mayor