CITY OF CORRY

1991

ZONING

ORDINANCE

NO. 1347
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CITY OF CORRY

ERIE COUNTY, PENNSYLVANIA

ORDINANCE NO. 1347     BILL NO. 91-2

Presented By: Mayor Armitage

AN ORDINANCE DIVIDING THE CITY OF CORRY INTO VARIOUS ZONING DISTRICTS AND REGULATING THE CONSTRUCTION, ALTERATION AND USE OF BUILDINGS OR LAND WITHIN EACH SUCH DISTRICT.

BE IT HEREBY ORDAINED by the City Council of the City of Corry, Erie County, Pennsylvania, and it is hereby enacted by authority of the same.

ARTICLE 1 - GENERAL PROVISIONS

101 TITLE: The official title of this Ordinance is "The Corry 1991 Zoning Ordinance".

102 EFFECTIVE DATE: This Ordinance shall take effect on April 18, 1991.

103 DEFINITIONS: Certain words or terms that appear in this Ordinance are defined in Article 10.

104 COMPLIANCE: No structure shall be located, erected, constructed, reconstructed, moved, altered, converted or enlarged, nor shall any structure or land be used or designed to be used except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certifications required by this Ordinance.

105 SEVERABILITY: If any provisions of this Ordinance or Application of any provision to particular circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other circumstances shall not be affected.

106 CONFLICT: Whenever there is a difference between minimum standards or dimensions or provisions specified herein and those contained in other regulations, resolutions or ordinances of the City of Corry, the highest standards shall govern.
COMMUNITY DEVELOPMENT OBJECTIVES: This Ordinance and zoning map are intended to promote, protect, and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water and sewage, schools, public grounds and other public requirements as well as preventing the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers. More specifically, these broad purposes are designed to clearly achieve the objective of the City of Corry Comprehensive Plan as incorporated in "A Comprehensive Plan for the City of Corry and Wayne Township", completed in 1974. The specific objectives upon which this Ordinance have been based included the following:

1. To support and encourage order and beauty in the development of the City of Corry's environment for the convenience and pleasure of present citizens and future residents through sound land development practices and the provision of adequate public utilities and facilities.

2. To encourage future land development to compliment a logical, harmonious and efficient pattern of future City growth.

3. To encourage future residential use to occur in a harmonious arrangement within compact neighborhood units.

4. To preserve strategic properties suitable for industrial development for the establishment of suitable diversified industry throughout the City.

5. To guide commercial development in such a way so as to minimize adverse influence on adjacent roads or land values; to maintain and protect existing commercial uses, and to encourage new commercial facilities to locate in functional designed centers with safe and adequate highway access.

6. To protect property values to insure suitable, attractive and efficient development of the community.

7. To encourage development of integrated and cohesive suburban development.

8. To encourage developers to incorporate adequate public facilities and open spaces in neighborhood design.
ARTICLE 2 - DISTRICT REGULATIONS

201 ZONING MAP: A map entitled "Zoning Map of the City of Corry - 1991" hereby adopted as part of this Ordinance. The Zoning Map shall be kept on file available for examination at the City of Corry Municipal Building.

202 ZONING DISTRICTS: The City is divided into the districts stated in this Ordinance as shown by the district boundaries on the Zoning Map.

203 DISTRICT BOUNDARIES: The boundaries between districts are center lines of streets, alleys, railroad right-of-ways, streams or such lines extended, or lines parallel thereto or concentric therewith, or property lines when proximate thereto, or may be lines otherwise indicated on the Zoning Map. When the Zoning Officer cannot definitely determine the location of a district boundary, he shall deny the application and the Board, upon appeal, shall interpret the location of the district boundary.

204 DISTRICT REGULATIONS: Lot and yard dimensions, permitted uses, conditional uses, special exceptions, maximum height of structures, and density are specified for each district in Article 4 under DISTRICT REGULATIONS. Uses not expressly listed for a district, as being of the same classification as a listed use, are prohibited in that district. Conditional uses require approval of City Council and Special Exceptions require approval of the Board, whereas permitted uses require only normal application procedures. Uses which are normally accessory to the declared permitted use are also permitted.

ARTICLE 3 - NON-CONFORMING USES

301 NON-CONFORMING USES: The following provisions shall apply to all non-conforming uses and structures:

301.1 Any non-conforming use may be continued but may not be extended or expanded or changed unless to a conforming use, except as permitted by the Board in accordance with the provisions of this Ordinance, provided, however, that such continuance is in conformity with any conditions established by the Board, or previous board, or City Council, under a previous zoning ordinance, for a zoning variation.
301.2 Any non-conforming structure damaged by fire, flood, explosion, or other casualty, subsequent to the date of this Ordinance wherein the expense of such work does not exceed seventy five percent (75%) of the fair market value of the building or structure at the time such damage occurred, may be reconstructed and used as before if such reconstruction is performed within twelve (12) months of such casualty and if restored structure covers no greater area and contains no greater cubic feet than before such casualty. If approved by the Board, a reconstructed structure may exceed its original lot coverage and cubic content, but must then meet minimum yard requirements of the districts in which the structure is located and must meet off-street parking and loading requirements of this Ordinance. If approved by City Council, a conditional use may be granted for the reconstruction and re-use of a structure regardless of the seventy-five percent (75%) limitation herein before stated.

301.3 The non-conforming use of a building may be extended throughout those parts thereof which were manifestly arranged or designed for such use at the time of adoption of this Ordinance. A non-conforming building or structure may, with the approval of the Board, be extended, enlarged or replaced but must meet the minimum yard requirements of the district in which the structure is located and must meet off-street parking and loading requirements of this Ordinance. No change in a non-conforming use which increases vehicle traffic or is otherwise objectionable to the neighborhood shall be permitted by the board.

301.4 If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restricted classification.

301.5 Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approval and required permits have been granted, or where no approvals are necessary, where construction has been legally started before the enactment of this Ordinance and complete within a one year period.
301.6 Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

301.7 Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use.

301.8 Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, this article shall also apply to any uses which hereby become non-conforming.

301.9 A non-conforming use of a building or land which has been abandoned shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned as follows:

1. When the intent of the owner to discontinue the use is apparent; or

2. When the characteristic equipment and furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment within twelve (12) months, unless other facts show intention to resume the non-conforming uses; or

3. When a non-conforming use has been discontinued for a period of twelve (12) months; or

4. When it has been replaced by a conforming use. This, however, shall not apply to the rotation of crops, or the alternating use of land for pasture and/or for cultivation from year to year, of land now used for general farming purposes, which may be used in the same manner as heretofore.

301.10 Nothing in this Ordinance shall be interpreted as authorization for or approval of the continuance of the use of a structure or premises in violation of zoning regulations in effect at the time of the effective date of this Ordinance.
ARTICLE 4 - DISTRICT REGULATIONS

Permitted Uses, Special Exceptions, and Conditional Uses shall be as follows for each Zoning District.

401 DISTRICT R-1 SINGLE FAMILY RESIDENTIAL:

Permitted Uses

Single family detached dwellings (Except Mobile Homes)
Parks and playgrounds
Educational and religious (Non-Profit)
Home gardening (No sale of products)
Private garages (Accessory use)
Private swimming pool (Accessory use)
Garden shed or shelter (Accessory use)
Cemeteries
Essential services
Mineral Excavation (in accordance with Section 615)
Group Living Arrangements

Special Exceptions

Agriculture (see Section 608)
Essential structures
Home occupations (see Section 613)
Home professional offices (see Section 614)

Conditional Uses

Special residential and commercial projects (see Section 616)
Hospitals, clinics, nursing homes
Colleges, institutes of learning
Funeral homes
Expansion for existing abutting commercial & industrial uses
Non-conforming re-use (in accordance with Section 301.2)

402 DISTRICT R-2 GENERAL RESIDENTIAL:

Permitted Uses

Permitted uses shown for District R-1
Accessory uses permitted in R-1
Multiple dwellings (Except Mobile Homes)
Group housing projects (Except Mobile Homes)
Rooming houses (Except Mobile Homes)
Recreation areas (accessory use)
Educational or day-care school
Essential services
Special Exceptions

Special exceptions shown for District R-1
Bed and Breakfast Facilities
Essential structures
Outside recreational uses, as defined

Conditional Uses

Conditional uses shown for District R-1
Clubs, lodges, or fraternities
Non-conforming re-use (in accordance with Section 301.2)

403 DISTRICT R-3 SPECIAL RESIDENTIAL:

Permitted Uses

Permitted uses shown for District R-1
Mobile homes with permanent foundations on individual lots of record
Mobile home parks*
Essential services
*Regulated by the subdivision ordinance

Special Exceptions

Special exceptions shown for District R-1
Essential structures

Conditional Uses

Conditional uses shown for District R-1
R-2 Permitted and conditional uses, and
R-2 Special exceptions.
Non-conforming re-use (in accordance with Section 301.2)

404 DISTRICT C-1 LIGHT COMMERCIAL & C-2 LIGHT HIGHWAY COMMERCIAL:

Permitted Uses

Non-residential uses permitted in R-2
Retail stores and shops
Wholesale and distributors, no outside storage
Restaurants, tea rooms
Inside storage facilities
Banks, studios, offices
Service establishments, such as barber shops, beauty parlors, and commercial laundry (include coin operated laundry)
Dry cleaning, pressing, or tailor shops using non-explosive solvents
Hotel or motel
Theater or assembly hall
Pool hall, bowling alleys, or any legal inside recreational use
Bakery goods and candy manufacturer with retail outlet in which a minimum of 25% of manufactured output is sold retail from the premises.
Bus or taxi stations
Printing establishments
Automobile sales, including minor repairs and service conducted inside the building
Commercial parking (surface or within a building)
Club, lodge, or fraternities
Taverns, cocktail lounges
Gasoline service stations
Drive-in facilities
Car washing
Industrial office buildings
Essential services

Special Exceptions

Residential use in combination with commercial use
Essential structures
Outside recreational uses, as defined
Agriculture

Conditional Uses

Industrial uses
Non-residential conditional uses shown for District R-2
Non-conforming re-use (in accordance with Section 301.2)

405 DISTRICT C-3 TRANSITIONAL COMMERCIAL:

Permitted Uses

Permitted uses in R-2
Banks, studios, offices
Barber shops, beauty parlors
Accessory use parking (surface or inside)
Home occupations and professional offices
Bed and Breakfast Facilities

Special Exceptions

Residential use in combination with commercial use
Retail or service businesses (in accordance with Section 617)
Essential structures
Special exceptions shown for Districts R-1 and R-2
Conditional Uses

Conditional uses shown for Districts R-1 and R-2
Non-conforming re-use (in accordance with Section 301.2)

406 DISTRICT I-1 LIGHT INDUSTRIAL-HEAVY COMMERCIAL:

Permitted Uses

Wholesale, storage (retail sales shall not exceed 25% of gross sales)
Building materials/lumber yards
Distributing plant, parcel delivery service, motor trucking center
Bottling plant
Public garage, auto & mobile equipment repair
Contractor, equipment storage in opaque enclosure
   Equipment exempt from enclosed storage shall include the following: operable vehicles, mobile motorized equipment, trailers and trailer mounted equipment.
Light manufacturing (as defined in this ordinance) including production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools, dies, and gauges; ceramics; apparel; lightweight nonferrous metal castings; sheet metal products; plastic goods; pharmaceutical goods and food products, but not including animal slaughtering curing nor rendering of fats.
Research center
Storage of coal and other bulk products
Bakery goods, candy manufacture without a retail outlet
Laundry, cleaning, dyeing plants
Essential services & structures

Special Exceptions

Agriculture (see Section 608)
Outside recreational uses

Conditional Uses

Mobile home parks
Planned commercial projects
Gasoline service stations
Mineral excavation (see Section 615)
Permitted uses in Districts C-1 and C-2
Expansion for existing commercial uses
Non-conforming re-use (in accordance with Section 301.2)
407 DISTRICT I-2 HEAVY INDUSTRIAL:

Permitted Uses

Permitted uses shown for District I-1
Bulk storage of gasoline, fuel oil or other inflammable or explosive liquids (2000 gal max.)
Steel fabricators
Metal goods manufacture with foundries, heavy presses, etc.
Chemical industry
Asphalt manufacture or refining
Concrete plant, rock crushing
Monuments works
Essential services & structures

Special Exceptions

Agriculture (see Section 608)
Outside recreational uses

Conditional Uses

Conditional uses in District I-1
Mineral excavation (see Section 615)
Mobile home parks
Planned commercial projects
Gasoline service stations
Permitted uses in Districts C-1 and C-2
Wrecking or dismantling of motor vehicle (storage of the parts and materials from such operations and the storage of other junk (see Section 610)
Bulk storage of gasoline, fuel oil or other inflammable or explosive liquids where total capacity per site exceeds 2000 gallons (tank to be measured in accordance with water capacity)
Non-conforming re-use (in accordance with Section 301.2)

408 DISTRICT P PRESERVE AND RECREATION:

Permitted Uses

Parks and recreation
Essential services

Special Exceptions

Essential structures

Conditional Uses

Mineral Excavation (in accordance with Section 615)
### BUILDING HEIGHT:

<table>
<thead>
<tr>
<th>Max. height (stories)(1)</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>I-1</th>
<th>I-2</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Max. height (feet)</td>
<td>35</td>
<td>35</td>
<td>35</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>60</td>
<td>60</td>
<td>35</td>
</tr>
</tbody>
</table>

### LOTS:

<table>
<thead>
<tr>
<th>Min. width (feet)</th>
<th>(3)</th>
<th>(3)</th>
<th>(3)</th>
<th>20</th>
<th>60</th>
<th>20</th>
<th>100</th>
<th>100</th>
<th>NONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. area (sq.ft.)(2)</td>
<td>(3)</td>
<td>(3)</td>
<td>(3)</td>
<td>2,000</td>
<td>8,000</td>
<td>2,000</td>
<td>20,000</td>
<td>20,000</td>
<td>NONE</td>
</tr>
<tr>
<td>Max. bldg. coverage</td>
<td>30%</td>
<td>40%</td>
<td>30%</td>
<td>85%</td>
<td>50%</td>
<td>85%</td>
<td>80%</td>
<td>80%</td>
<td>25%</td>
</tr>
</tbody>
</table>

### FRONT YARDS:

| Min. depth (feet) | 22  | 22  | 22  | 0   | 25  | 10** | 25  | 25  | 30  |

### SIDE YARDS:

| Number required | 2   | 2   | 2   | NONE | 2   | 2   | 2   | 2   | 2   |

Minimum width (feet):

| Main bldg., on one side* | 10  | 10  | 10  | 0   | 10  | 5*** | 10  | 10  | 10  |
| Main bldg., opposite side* | 5   | 5   | 5   | 0   | 10  | 5*** | 10  | 10  | 10  |
| Accessory uses* | 3   | 3   | 3   | 0   | 10  | 5*** | 10  | 10  | 10  |

*Except corner lots

| Corner lots (abutting on adjacent street)(4)(5) | 15  | 15  | 15  | 5   | 10  | 5**  | 15  | 15  | 15  |

### REAR YARDS:

Minimum depth (feet):

| Main buildings | 10  | 10  | 10  | 5   | 10  | 5*** | 10  | 10  | 10  |
| Accessory uses | 3   | 3   | 3   | 5   | 10  | 5*** | 10  | 10  | 10  |
| Accessory uses (facing alley) | 10  | 10  | 10  | 15  | 15  | 15  | 15  | 15  | 15  |

*25 feet if property fronts on Columbus Avenue

***10 feet If property fronts on Columbus Avenue
(1) Basements shall be considered as 1/2 story; cellars and attics are not included.

(2) The minimum lot area shall be increased for each family unit more than one, in accordance with the following schedule:

- Dwelling units other than efficiency units (as defined) 1,000 sq. feet
- Efficiency dwelling units as defined in this Ordinance 600 sq. feet

(3) Lot areas and widths, in Residential Districts, shall be as follows:

- Without public water and public sewer  
  - Minimum Area 20,000 sq. feet
  - Minimum Width 100 feet

- Lots with public water, but not public sewers and vice versa:
  - Minimum Area 10,000 sq. feet
  - Minimum Width 70 feet

- Lots with both public water and public sewer:
  - Minimum Area 7,000 sq. feet
  - Minimum Width 60 feet

- In addition to the required lot size shown above, the site shall be restricted by the specified building coverage and parking requirements, and no more than one-half of the open area (lot area excluding buildings) shall be devoted to off-street parking or parking access.

(4) The minimum setback shall be greater where required by "Sight-Triangle Regulations" see Section 6.

(5) If the use is a garage with vehicle door(s) facing adjacent street, then the minimum setback to the vehicle door(s) shall be the same as the front yard minimum for the District or fifteen (15) feet, whichever shall be greater.

410 OFFICIAL ZONING MAP:

The Official Zoning Map, known as the "Zoning Map of the City of Corry – 1991", is hereby attached and enacted as part of this Ordinance.
ARTICLE 5 - OFF-STREET LOADING AND PARKING

501 OFF-STREET LOADING: Off-street loading spaces shall be provided in accordance with the following specifications in all districts whenever any new use is established or an existing use is enlarged:

501.1 Size: Each loading space shall not be less than ten (10) feet in width, forty-five (45) feet in length, and fourteen (14) feet in height.

501.2 Off-street loading areas shall be provided so that the loading and unloading of trucks and all other vehicles shall be conducted in such a manner that no part of said truck or vehicle, or the operations of the loading or unloading shall extend onto the adjacent sidewalk or roadway or in any other manner hinder or impede the use thereof.

501.3 Number of Loading Spaces Required: The number of off-street loading spaces required is set forth below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.

OFF-STREET LOADING SPACE REQUIREMENTS

<table>
<thead>
<tr>
<th>USES</th>
<th>SQUARE FEET OF FLOOR AREA</th>
<th>REQUIRED OFF-STREET LOADING BERTHS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Schools</td>
<td>15,000 or more</td>
<td>1</td>
</tr>
<tr>
<td>2. Hospitals (in addition to space for ambulance)</td>
<td>10,000 - 300,000 for each additional 300,000 or major fraction thereof</td>
<td>1 additional</td>
</tr>
<tr>
<td>3. Undertakers and funeral parlors</td>
<td>5,000 for each additional 5,000 or major fraction thereof</td>
<td>1 additional</td>
</tr>
<tr>
<td>4. Hotels and</td>
<td>10,000 or more</td>
<td>1</td>
</tr>
<tr>
<td>5. Commercial, wholesale manufacturing and storage</td>
<td>10,000 - 25,000</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>25,000 - 40,000</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>40,000 - 60,000</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>60,000 - 100,000</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>for each additional 50,000 or major fraction thereof</td>
<td>1 additional</td>
</tr>
</tbody>
</table>
502 OFF-STREET PARKING: Off-street parking shall be provided in accordance with the following specifications in all districts whenever any new use is established or an existing use is enlarged:

502.1 Size and Access: Each off-street parking space shall have an area of not less than 180 square feet exclusive of access drives or aisles, and be in usable shape and condition. Except in the case of dwellings, no parking area shall contain less than two (2) spaces. Parking areas which have space for three (3) or more vehicles, shall be designed and constructed to provide sufficient turn-around area to allow vehicles to exit via designated driveways. All driveways between the street and a point ten (10) feet outside the street right-of-way shall be constructed at an angle with the street of not less than sixty (60) degrees. Barriers shall be placed so vehicles are not permitted to cross any sidewalk or exit on to any street or alley except at a designated driveway. The maximum driveway width shall not exceed twenty (20) feet; and the minimum distance between driveways serving the same parking lot shall not be less than thirty (30) feet. Where a lot does not abut on a public street or alley or easement of access, there shall be provided an access drive leading to the parking, loading or storage areas.

502.2 Number of Parking Spaces Required: The number of off-street parking spaces required is set forth below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.

**OFF-STREET PARKING SPACE REQUIREMENTS**

<table>
<thead>
<tr>
<th>USES</th>
<th>REQUIRED PARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Automobile washing facility</td>
<td>1 for each employee (see Section 502.7)</td>
</tr>
<tr>
<td>2. Automobile sales &amp; services garages</td>
<td>1 for each 400 sq. ft. of floor area</td>
</tr>
<tr>
<td>3. Banks or professional offices</td>
<td>1 for each 200 sq. ft. of floor area, plus 1 for each employee (see Section 502.7)</td>
</tr>
</tbody>
</table>
4. Churches & schools, & similar institutions
   1 for each 4 seats in an auditorium or 1 for each 17 classroom seats, whichever is greater. (Seating capacity of benches & continuous seats shall be construed to be 20" per seat space.)

5. Bowling alleys
   7 for each alley

6. Community buildings, social halls & similar institutions
   1 for each 400 sq. ft. of floor area

7. Drive-in facilities
   1 for each employee, plus 1 for each 100 sq. ft. of floor area (see Section 502.7)

8. Dwellings
   1 for each family or dwelling unit including space in garage

9. Food supermarkets
   1 for each 200 sq. ft. of floor area

10. Funeral homes & mortuaries
    10 for first parlor, 5 for each additional parlor

11. Hospitals, nursing or convalescing homes
    1 for each 3 beds, plus 1 for each employee

12. Hotels & motels
    1 for each living or sleeping unit, plus 1 for each employee

13. Manufacturing plants, research or testing laboratories
    1 for each 500 sq. ft. of floor area

14. Restaurants, taverns & night clubs (w/seating)
    1 for each 4 seats

15. Restaurants, take out only
    1 for each 100 sq. ft. of floor area (see Section 502.7)

16. Retail stores & shops
    1 for each 200 sq. ft. of floor area (see Section 502.7)

17. Rooming houses
    1 for each separately leased area, plus one for each employee

18. Service stations
    4 for each service bay, but no less than 1 per employee (see Section 502.7)
19. Sports arenas, auditoriums, theaters, assembly halls 1 for each 4 seats

20. Trailer or monument sales 1 for each 2,500 sq. ft. of lot area

21. Wholesale establishments or warehouses 1 for each employee on maximum shift. Total parking area shall not be less than 25% of the building floor area

22. Home occupations (see Section 613)

23. Home professional offices (see Section 614)

502.3 Location of Parking Areas: Required parking spaces shall be located on the same lot with the principal use. The Board may permit parking spaces to be located not more than 300 feet distance from the lot of the principal use if located in the same zoning district as the principal use, and the Board finds that is impractical to provide parking on the same lot with principal use. For uses within C-1 zoned parts of the City, on-street and municipal parking shall be considered as meeting the parking requirements, except for drive-in facilities.

502.4 Screening and Landscaping: Off-street parking areas for more than five vehicles, and off-street loading areas, shall be effectively screened on each side which adjoins or faces any residential district, except where there is a separation by public alley, street, or railroad.

502.5 Surfacing: All commercial and industrial parking areas for more than 2 automobiles shall have a paved or treated surface (see Appendix "A") graded and drained to dispose of all surface water, and designed to provide for orderly and safe loading, parking, and dust control, and shall be approved by the City.

502.6 Lighting: Any lighting used to illuminate off-street parking or loading areas shall be arranged so as to reflect the light away from adjoining premises of any residential district.

502.7 Drive-in facilities: Any establishment which has drive-in facilities, as defined in this ordinance, shall, in addition to the spaces required by Section 502.2, provide lane spaces between the service
structure and the public right-of-way as designated below. A lane space shall be one vehicle in width and 22 feet long. The vehicle position at the pump island, service window, wash bay, service booth, or other service structure, may be counted as one lane space.

Drive-in Theaters: Eight (8) lane spaces per each ticket window.
Service Stations: Three (3) lane spaces per each side of a pump island.
Banks: Seven (7) lane spaces per service window.
Car Wash Facilities: Eight (8) lane spaces per wash bay.
Other Facilities: Four (4) lane spaces per service window or other service structure.

The requirements for off-street parking for dwellings may be modified for elderly apartment complexes, if approved by resolution of City Council, but shall be no less than one parking space for each five (5) apartments.

ARTICLE 6 - SUPPLEMENTAL REGULATIONS

The provisions of this Ordinance shall be subject to such exceptions, additions or modifications as herein provided by the following supplementary regulations:

601 EXISTING LOTS OF RECORD: Any lot of record existing at the effective date of this Ordinance and held in separate ownership of adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its dimensions are less than the minimum requirements of this Ordinance.

602 APPLICATION OF YARD REGULATIONS:

602.1 Permanent parts of all structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, antennae, balconies, decks or platforms above normal grade level shall not project into any minimum front, side or rear yard. Antennae, towers and similar electronic equipment projecting more than six (6) inches above ground level shall not be constructed within such minimum front, side or rear yard areas. In no case shall such antennae, towers or similar electronic equipment be located closer to the street than the front building line.
602.2 A wall under four feet in height, or higher if a retaining wall, and paved terraces, drives, walks, or other areas without walls, roofs or other enclosure, may be erected within the limits of any yard.

602.3 Non-residential buildings hereafter constructed or uses hereafter established shall not be located or conducted closer to any lot line in any of the residential districts, unless separated by a street, railroad, or alley, than the distances specified in the following schedule:

<table>
<thead>
<tr>
<th>USE</th>
<th>MINIMUM SIDE OR REAR YARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-street parking spaces &amp; access drives for non-residential uses.</td>
<td>10 feet</td>
</tr>
<tr>
<td>All other non-residential uses or structures.</td>
<td>20 feet</td>
</tr>
</tbody>
</table>

602.4 C-2 Commercial corner lots on Columbus Avenue - all commercial building frontage shall either face Columbus Avenue or away from secondary streets.

603 TEMPORARY STRUCTURES: Temporary structures including trailers and temporary chemical toilets used in conjunction with construction work or recreation, shall be permitted only during the period that the construction work or recreation is in progress. Permits for temporary structures shall be issued for a period of time not to exceed six months. Residing in basement of foundation structures before completion of the total structure shall be permitted only if approved by the Board. The Board shall establish a reasonable period of time for completion.

604 HEIGHT LIMITATION: When the following conditions are met, height limits may be increased:

604.1 Building height in excess of the height above average ground level allowed in any district may be permitted provided all minimum front, side and rear yard depths are increased one (1) foot for each additional foot of height.

604.2 The following structures are exempt from height regulations provided they do not constitute a hazard to an established airport: television and radio towers, ornamental towers and spires, chimneys, elevator bulkheads, smoke stakes, conveyors, flag poles, silos, standpipes, elevated water tanks, derricks and similar structures.
PERFORMANCE STANDARDS: No use, land or structure in any district shall involve any element or cause any conditions that may be dangerous, injurious, or noxious to any other property or persons in the City. In cases involving performance standards, the Board may require a plan of the proposed construction or development, a description of machinery proposed, and techniques to be used; and the Board may obtain qualified expert consultants to testify as to whether a proposed use will conform to the performance requirements. The cost of such service shall be borne by the applicant. Furthermore, every use of land or structure in any district must observe the following performance requirements:

605.1 Fire Protection: Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

605.2 Electrical Disturbances: No activity shall cause electrical disturbances adversely affecting radio or other equipment in the neighboring area.

605.3 Noise: Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes, which shall be exempt from this requirement.

605.4 Smoke: The maximum amount of smoke emission permissible shall be determined by use of the Standard Ringleman Chart issued by the U.S. Bureau of Mines. No smoke of a shade darker than No. 2 will be allowed.

605.5 Odors: In any district except the Industrial District no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property. This shall not apply to any form of fertilizer in districts where agriculture is a permitted use.

605.6 Air Pollution: No pollution of air by fly-ash, dust, vapors or other substance shall be permitted which is harmful to the health, or to animals, vegetation, or other property.

605.7 Glare: Reflective material or lighting devices which produce objectionable direct or reflected
glare on adjoining properties or through thoroughfares shall not be permitted.

605.8 Erosion: No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

605.9 Water Pollution: The method for discharging wastes to public sewers, drains or watercourses shall be acceptable to the State Department of Environmental Resources.

606 WATER RECREATION AND STORAGE AREAS: Any public or private facility such as swimming pools, swimming clubs, reservoirs, or sewage lagoons shall comply with the following regulations:

606.1 The facility must meet the yard requirements for the applicable district.

606.2 Before a permit shall be issued to the operator or owner of a public or commercial facility, a plan shall be approved by the Board as to size of facility, proposed use, parking arrangement and the use of buildings on site, surrounding properties and their usage and any other pertinent information, such as fences.

606.3 All private swimming pools shall be fenced for the protection of small children. The fence shall be 4 feet minimum in height. Pools which have a rim 4 feet or higher above adjacent ground and non-climbable sides shall be construed to be fenced. A gate shall be provided in the fence, or at the steps or ladder of a pool not requiring fencing (or the steps or ladder shall be readily removable). The gate shall have a lock or catch sufficient to prevent opening by small children. This shall not apply to portable pools with a one (1) foot maximum water depth which are twelve (12) feet or less in maximum dimension.

607 SIGNS/CANOPIES: Signs or canopies may be erected and maintained only when in compliance with the provisions of this ordinance and any and all other ordinances and regulations of the City of Corry, Pennsylvania, relating to the erection, alteration or maintenance of signs and similar devices. Signs or canopies may be erected for the following purposes and no other.

607.1 R-1 DISTRICTS:

(a) Signs advertising the sale, lease, rental, or
development of the property on which the signs are placed, providing the area of the sign does not exceed four (4) square feet in area. Signs advertising the sale of lots in new major subdivisions shall not exceed ninety-six (96) square feet in area and, unless approved by the Board, shall not remain on the property for more than two (2) years; and shall not be closer to the street right-of-way than twenty-five (25) feet.

(b) Signs erected by churches, schools, educational facilities, hospitals, funeral homes, or similar institutions, provided the area of the sign does not exceed thirty-six (36) square feet.

(c) Small announcement or professional signs designating home occupations, home professional offices, or agricultural uses, providing such sign or announcement does not exceed two (2) square feet in area.

(d) The bottom-most part of a sign not attached to a building shall not exceed the height of six (6) feet above ground level.

(e) The top-most part of a sign attached to a building shall not exceed a height of ten (10) feet above ground level.

(f) Signs shall be located a minimum distance of five (5) feet from the street right-of-way line or property edge of sidewalk, whichever is farther from the street centerline.

(g) No sign in this district shall be illuminated in any way, except for incidental illumination from ornamental light sources which are not installed for sign illumination, or as part of the sign.

(h) No more than one sign may be erected on one property. A double-faced (front & back) sign may be considered as a single sign.

607.2 **R-2 and R-3 DISTRICTS:**

(a) The provisions for the erection of signs in R-1 Districts shall also apply in the R-2 and R-3 Districts, with the following additional signs and requirements being permitted.
(b) Signs erected by rooming houses, housing projects, apartments, mobile home courts, clubs, day care schools operated for profit, and similar uses, providing the area of the sign does not exceed twelve (12) square feet.

(c) Signs in this district may be indirectly illuminated by a hooded light source constructed in such a way that the light source itself is not visible from the street, or with interior illumination, but no sign or display may be made of gaseous discharge (neon, etc.) tubing.

(d) No more than one sign may be erected on one property.

**607.3 C-1 AND C-2 DISTRICTS, and I-1 and I-2 DISTRICTS:**

(a) Signs advertising an activity or business pursuit, but only if such signs are located on the premises of the activity or business advertised, and providing such signs do not exceed four (4) square feet in size for each foot of width of the principal building. On corner lots, the width of the principal building facing each street shall be included. The combined total area of all signs on the premises shall not exceed the permitted area stated herein.

(b) Signs, parking areas and buildings may be illuminated providing the use of such illumination does not confuse, blind, or distract vehicle operators on the highways or streets. No sign shall be permitted which is a nuisance to adjacent property owners.

(c) Except in C-1 Districts, signs shall be located a minimum distance of eighteen (18) inches from the street right-of-way line or property edge of the sidewalk, whichever is farther from the centerline of the street.

**607.4 C-3 DISTRICTS:**

(a) The provisions for the erection of signs in R-2 and R-3 Districts shall also apply in C-3 Districts, except that two signs will be permitted per property, with said two signs not exceeding the following sizes and mounting heights:
C-3 DISTRICT
Main sign..........................50 square feet
Secondary Sign.........................20 square feet
Maximum height to top of sign.........15 feet

607.5
P DISTRICTS

(a) No signs will be permitted in these districts, except for identity and directional signs which do not exceed 50 square feet in area and which are designed to conform to the recreational and park atmosphere of development. Undeveloped land in P Districts shall have no signs.

607.6
ADDITIONAL SIGN REQUIREMENTS:

(a) No sign or display shall make use of blinking or intermittent lights, animation, or moving parts, except that portion of a sign which displays the time, temperature, humidity, weather, or similar information will be permitted in C-1, C-2, I-1 and I-2 Districts. This requirement shall not apply to interior commercial displays in C-1, C-2, I-1 or I-2 Districts, provided such lights or moving displays do not create a distraction to motorists.

(b) No sign shall be installed with any portion of the foundation, post, or mounting hardware within any street, walk, or alley right-of-way of the City.

(c) No sign shall project into any public right-of-way, except that signs in C-1 Districts, if required, may project up to two (2) feet into such right-of-way if authorized by permit, and if such signs are mounted to read horizontally and are attached to the face of a building in such a manner as to be visible and readable from the front of the building. Permits for such projecting signs shall be issued only when such projection is required for proper sign installation because of limited mounting area.

(d) Any existing sign which has not been installed in accordance with regulations in effect at the time of installation, including the securing of the proper permit or permits, shall be immediately removed.
(e) Any existing legally installed sign which projects into a public right-of-way more than two (2) feet or otherwise is in non-conformance with the requirements of this ordinance shall be removed, and/or reinstalled in such a manner as to conform to said requirements, prior to April 1, 1994. Existing marquee's and time & temperature signs shall be exempted from this requirement, but may not be replaced within the public right-of-way. City approved business identification signs under sidewalk canopies may be permitted.

(f) In addition to the other requirements of this ordinance, all signs must be constructed of durable materials, kept in good condition and repair, and not allowed to become dilapidated.

(g) All signs shall be removed when the circumstances leading to their erection no longer apply.

(h) Billboards are prohibited in all districts.

(i) No signs or other advertising displays shall be permitted except those specifically pertaining to the property or use of the property on which they are located.

(j) All lighting and illumination of signs shall conform to regulations regarding hazards to traffic in accordance with State and Local laws and regulations.

(k) Signs maintained pursuant to and in conformance with any law, ordinance, governmental regulation of function shall be exempt from the requirements of this ordinance, including official "City of Corry" name and/or "Welcome to Corry" signs and Corry Industrial Park signs.

(1) No Trespassing, no soliciting and similar regulatory signs will be permitted but shall not exceed two (2) square feet in area and shall not be spaced closer than twenty-five (25) feet between signs and shall not be more than ten (10) feet above ground. Installation, size, and location of such signs shall conform as close as possible to these regulations.
(2) Signs posted on the premises of schools, hospitals or other emergency care centers which regulate the movement of traffic or identify special facilities on said premises shall not exceed eight (8) square feet in area per sign.

(3) Hospitals, and schools with fifty (50) or more students, and industries located in the City with 100 or more employees, may place not more than two (2) signs, on State routes where possible, indicating the direction to their facilities. Such signs shall be for directional purposes only and shall include only the name of the facility with arrows. Each sign shall not exceed 150 square inches in area. (6" X 25") Additional signs may be permitted if approved as a Conditional Use.

(1) Portable signs, whether illuminated or non-illuminated with wheels attached or not, exceeding 200 pounds in weight are prohibited in the City.

(m) Political signs are permitted one (1) month before an election date, but must be removed no more than two (2) weeks following the election, and are subject to the following restrictions:

(1) No such signs are permitted on utility poles or trees, whether in or out of public right-of-ways.

(2) Political signs in R-1, R-2, R-3, C-3 are limited to a maximum of two (2) square feet in area.

(3) Political signs are not permitted in P Districts.

(4) Exterior political signs in C-1, C-2, I-1 and I-2 Districts are limited to a maximum of 25 square feet in area.

(5) The cost of removal of political signs which are not in conformance with this ordinance may be charged against the party responsible for installing the sign.
(n) All exterior signs ten (10) square feet or larger, and all exterior signs mounted in such a manner that any portion of the sign is within five (5) feet of a public right-a-way (except paper or cloth signs) shall require a permit. Fees for all sign permits will be in accordance with a schedule of fees established from time to time by City Council.

(o) Special signs for public purposes, may be approved by City Council, but shall be temporary, installed for a specified period of time, and may include signing for public events, fund raising, etc.

607.7 Projections into the public right-of-way:

(a) Signs constructed as a canopy or sign and canopy combinations, with plastic translucent faces which are detachable (not permanent part of the building) may be permitted to project into the public right-of-way in C-1 Districts, provided that they extend not more than four (4) feet from the building and the bottom most portion shall be minimum of nine (9) feet above sidewalk grade. The sign portion shall face the street and be approximately parallel with the street. Only a back lit type of illumination shall be permitted.

(b) Permanent canopies of extended features on facades which are an integral non-detachable part of the building may be permitted to project into the public right-of-way from existing structures in areas zoned C-1, provided that they extend not more eighteen (18) inches from the building and the bottom most portion shall be a minimum of nine (9) feet above sidewalk grade.

(c) On existing structures only, in I-1 or I-2 Districts, canopies or sign and canopy combinations, with plastic translucent faces which are detachable (not a permanent part of the building) may be permitted to project into the public right-of-way, provided that they extend not more than three (3) feet from the building and the bottom most portion shall be a minimum of nine (9) feet above sidewalk grade. The sign portion shall face the street and be approximately parallel with the street. Only a back lit type of illumination shall be permitted.
(d) In C-1 Districts, no door shall be mounted in such a manner that the door, when opened, may enter into or interfere with any public right-of-way.

608 AGRICULTURE: Agriculture uses when permitted as a special exception shall comply with the following:

608.1 Intensively used facilities for animal raising and care, including but not limited to such facilities as kennels, feed lots, runs, and pens, shall not be constructed within one hundred (100) feet of neighboring residential buildings, and shall be conducted in strict compliance with all performance standards, but especially standards for noise and odor. The act of animal breeding must be conducted in an area shielded from view of general public and neighboring properties.

608.2 Roadside stands for the sale of agricultural products shall be:

(a) Temporary

(b) Erected at least fifteen (15) feet back from the nearest edge of the roadway surface, but not on a public walk or within the street right-of-way, and providing no hazard is created thereby.

(c) Provided with parking spaces off the traveled portion of the street, unless the street is of adequate width to allow unrestricted two-way traffic in addition to the necessary parking.

609 FLOOD PLAINS: The location and boundaries of land subject to periodic flooding shall be determined by reference to the current Flood Plain Map approved by the Federal Department of Housing and Urban Development, or other official authority. Notwithstanding any other provisions of this Ordinance, land subject to periodic flooding shall be used only in accordance with the applicable provisions of the current City Ordinance regulating flood plain land use.

610 JUNKYARDS AND SIMILAR STORAGE AREAS (INCLUDING AUTOMOBILE WRECKING):

610.1 All junkyards shall be completely screened from roads or developed areas with a solid fence or wall eight (8) feet or more in height. Maintained in good condition, and painted (except for masonry construction), or with suitable planting. All
existing junkyards shall comply with this requirement within one (1) year of the date of this Ordinance, or shall terminate their operation.

610.2 Junkyards with outside storage shall be permitted only as a conditional use in accordance with Section 407, and shall be located no closer than five hundred (500) feet to a City street or highway.

610.3 All junkyards shall comply with all State and Federal regulations, and written evidence of such compliance shall be furnished to the Zoning Officer upon three (3) days notice.

611 SANITARY LANDFILL AREAS: Sanitary landfills are not permitted within the City except upon full approval of the State Department of Environmental Resources, and the Council of the City of Corry.

612 DRIVE-IN THEATERS: Access shall be to minor roads, where possible, rather than highways, to reduce traffic congestion. Theater screens shall be placed so that they are not visible from a highway, or shall be screened with adequate fencing or planting. All parts of the theater shall be no closer than two hundred (200) feet to any Residential District, and all lights shall be directed away from the residences.

613 HOME OCCUPATIONS: A home occupation, when approved as a Special Exception use, shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes. Home occupations may include, but are not limited to art or craft studios, dressmaking, music teaching, minor repairs, and similar activities. However, a home occupation shall not be interpreted to include commercial stables, kennels, restaurants, beauty shops, barber shops, auto repair services or other activities which by their nature will produce heavy traffic concentrations, parking problems, and/or noise which is objectionable. The following additional conditions shall be mandatory, plus any other conditions which the Board may impose at the time of approval:

613.1 The occupation may be customarily carried on in a dwelling unit, without the addition of special remodeling being necessary, and shall be an activity of a type which does not require the permanent installation of special equipment.

613.2 The occupation is carried on by a member or members of the immediate family residing in the dwelling unit, with no employees outside the family; and
613.3 The occupation is carried on wholly within the principal structure or accessory structure, with no evidence of the activity being visible from the street, or from the adjacent properties; and

613.4 There shall be no exterior display, exterior sign other than permitted by ordinances of the City of Corry, no exterior storage of materials, and no variation from the residential character of the principal or accessory structures; and

613.5 No offensive odor, vibration, noises, smoke, dust, heat or glare shall be produced; and

613.6 There shall be no commodity sold on the premises, except that commodities which are incidental to a craft or art course may be sold during classes, but not otherwise, and shall be sold only in such quantity as shall be established by the Special Exception use granted; and

613.7 The area devoted to the home occupation shall occupy no more than twenty (20) percent of any above ground floor of the principal structure, nor shall it occupy more than fifty (50) percent of a basement area, or fifty (50) percent of a residential garage or other accessory building.

613.8 Off-street parking for any home occupation shall meet the following minimum requirements: One parking space for each one hundred (100) square feet of space devoted to the home occupation, plus one space for each vehicle owned by, or customarily operated by, the members of the household. Any home occupation requiring more than six (6) additional off-street spaces (in accordance with this section) shall not be permitted. Parking spaces must be accessible, and in accordance with Section 502.1.

613.9 No off-street loading facilities shall be installed, and no truck loading or unloading relating to the home occupation shall be permitted. Trucks, for the purposes of this section, shall include any open or closed bed vehicle used for hauling, including vans and pickup trucks.

614 HOME PROFESSIONAL OFFICES: A home professional office shall be a professional office (as defined in this ordinance) which is located in a residential dwelling and which is secondary to the use of the structure as a dwelling. Such use shall be permitted only when approved as a Special Exception and shall be so approved only subject to the following conditions, plus
any other conditions that may be added by the Board at the time of approval:

614.1 No more than one professional person, plus one receptionist, plus two licensed nurses or technicians may perform professional services on the site at any one time.

614.2 The structure shall be used as the principal residence of the professional person, who must be a sole proprietor, and no partnership or corporation business shall be conducted on the premises.

614.3 No evidence of the business activity shall be visible from the street or adjacent properties, and no signs shall be allowed except as permitted by ordinance. There shall be no variation from the residential character of the principal or accessory structures.

614.4 The business services performed on the premises shall be confined to those of the profession, with no sale of products, except for medicinal or professionally prescribed products.

614.5 The portion of any floor of the principal structure devoted to the professional use shall not exceed forty (40) percent of the usable floor area, and no portion of such business shall be conducted in an accessory building, except for storage.

614.6 Off-street parking for home professional offices shall be adequate to serve all clients visiting the premises, and shall in no case be less than one parking space for each one hundred (100) square feet of office space, plus one space for each vehicle owned by, or customarily operated by, the members of the household. In addition, a parking space shall be provided for each nurse, technician, or professional practitioner who is not a member of the household. Parking spaces must be accessible and in accordance with Section 502.1.

615 MINERAL EXCAVATIONS: Drilling for oil or gas (including injection wells) and excavation of sand, gravel, coal or other material from the ground shall comply with the following minimum requirements, and if such use is classified (within the zoning district where the drilling or excavation occurs) as a "Conditional Use", it shall also comply with any other measures that City Council may specify to protect the public interest. A zoning certificate shall be required for each property.
615.1 No drilling or excavation work shall commence prior to the issuance of a zoning certificate.

615.2 Prior to the issuance of a zoning certificate, the following documents shall be submitted to and approved by the City.

(a) A plot plan of the site, drawn to scale.

(b) A plan showing how soil erosion and sedimentation is to be controlled.

(c) A plan for maintenance and restoration of the site.

(d) Written proof that all registration and other requirements of the Pennsylvania Department of Environmental Resources have been satisfied.

The information submitted to and approved by the Pennsylvania Department of Environmental Resources may be accepted by the City to fulfill this requirement.

615.3 No drilling or mineral excavation shall be conducted closer than fifty (50) feet from an adjacent property, unless under common lease or ownership, and no closer than on hundred (100) feet to any street right-of-way line.

615.4 No drilling or mineral excavation operations shall conducted closer than three hundred (300) feet to an existing dwelling, or to a school, hospital or similar use, nor shall such operations be conducted closer than 50 feet from any commercial or industrial building.

615.5 No oil, gas, or injection well shall be drilled north of an East-West line running through the centerline of the Sciota Road Bridge over Hare Creek within 1,000 feet of Hare Creek. Said limits shall be determined by measuring from the proposed well site to the closest point on the centerline of Hare Creek.

616 SPECIAL RESIDENTIAL & COMMERCIAL PROJECTS: City Council may permit, as a conditional use, departures from the zoning regulations for properly planned project if the planned project meets with the following requirements:
616.1 The area of land to be developed is not less than two (2) acres.

616.2 Adjacent properties will not be adversely affected.

616.3 Where dwelling units occur, the average density shall not be greater than the density requirements in the district in which the planned area is located. The use of the land shall not differ substantially from the uses permitted in the district except that limited commercial facilities intended to serve only a special residential project area and fully integrated into the design of a residential project may be allowed.

616.4 The plan shall be consistent with the intent and purpose of this Ordinance.

616.5 For residential areas, a minimum of one (1) acre per twenty (20) dwelling units shall be improved for recreational use. At least one (1) recreation area shall be a minimum of one half (1/2) acre with the size of remaining areas to be approved by the Planning Commission.

616.6 All parking requirements of this ordinance shall be met.

617 TRANSITIONAL COMMERCIAL DISTRICTS: In Transitional Commercial District C-3 (section 405) all uses shall conform to the following requirements:

617.1 Hours of operation: Between 7:00 A.M. and 11:00 P.M. current time, except for hotels, motels, parking, essential services and residential use.

617.2 Drive-in facilities: Not permitted.

617.3 Landscaped or open areas: The following minimum side and back yard requirements shall separate transitional commercial facilities from abutting residential zoned property, except where separation is provided by a street, alley, railroad, creak, or other land which cannot be used for residential purposes. Residential uses which may be permitted are exempt from these provisions.

Buildings & structures
Parking, loading, drives

C-3
10 ft.
5 ft.
Buffers & Fences: A buffer or fence shall be installed where land in District C-3 abuts property zoned or used for residential purposes except with separation is provided by a street, alley, railroad, creek, or other land which cannot be used for residential purposes. Residential uses which may be permitted are exempt from these provisions. Acceptable fences or buffers shall be installed within five (5) feet or the residential property line and may include any of the following, or such other fence or buffer as the Board may approve:

1. Fences, solid type, neat and properly maintained on both sides, between six (6) and seven (7) feet high, and including basket weave type, vertical board type, horizontal board type, cyclone type with opaque inserts, and stockade type.

2. Walls of concrete between six (6) and seven (7) feet in height shall be neat and properly maintained on both sides.

3. Walls of evergreen vegetation, such as spruce or pine, no less than five (5) feet in height at planting, and maintained and/or replaced as necessary to provide a continuous and perpetual visibility shield.

Retail or Service Businesses: Retail businesses permitted as a Special Exception shall, in addition to meeting the provisions of Section 804, be of such a nature that they do not create heavy pedestrian or vehicular traffic. Such uses as the following may be permitted by the Board if they comply in all other respects with the provisions of this ordinance:

1. Clothing or shoe stores
2. Flower or gift shops, jewelry stores, etc.
3. Dry-cleaning establishments (no coin operation)
4. Government or government agency facilities
5. Day care facilities
6. Retail bakery or candy sales
7. Uses which, in the opinion of the Board, are similar to the above.

Transitional Commercial on Corner Lots: Where a corner lot is zoned C-3 all commercial frontage and signs shall face the major traffic street.
618 CITY OWNED STRUCTURES: Nothing in this ordinance shall prevent the City of Corry, or its agencies, from locating buildings, structures, services, or other community facilities in any zoning district, when the installation of such facilities is deemed, by City Council, to be in the best interest of the City for the protection of public health or safety, or for the general welfare of the community.

619 OUTSIDE STORAGE: No lot or premises shall be used as a garbage or storage dump, or as a storage area for manure, rubbish, or miscellaneous refuse, or for the storage of vehicle parts or junk vehicles which are not classified as restorable. No such refuse may be stored in an open area in any District. The number of restorable junk vehicles on any lot in residential districts shall not exceed one (1) vehicle per property. In the case of multi-family use of land, the landowner shall be responsible for compliance with this provision. (see definition of junk vehicle). Commercial repair of vehicles shall not be performed in residential districts. No non-restorable junk vehicle shall be parked on any lot in residential districts at any time for more than twelve (12) hours.

620 SIGHT LINE (visibility at intersection): No fence, wall, hedge, screen, sign or other structure or planting shall be higher than three (3) feet in any district within the triangle area (sight triangle) formed by the intersection of the center line of each street; sight triangles shall be formed by connection of points on the intersecting street centerlines; such points being eighty (80) feet from the intersection of the centerlines. Trees may be planted in this triangle area provided the lowest foliage is eight (8) feet or higher. In computing heights, the street adjacent to the structure, or the ground line at structure, whichever is lower, shall be the elevation from which heights are measured.

621 OUTSIDE TOILETS: No outside privy or toilet shall be constructed or installed within the city limits of Corry (except in accordance with Section 603), and all toilets hereafter installed must be connected with city sewers, if available, with a septic tank which has been approved by the proper authorities and for the installation of which a permit has been issued.

622 SERVICE STATIONS, AUTO REPAIR & PUBLIC GARAGES: All facilities which are otherwise permitted by this ordinance, and which provide for the storage and sale of vehicle fuel and lubricating oil, and/or which provide for the repair of vehicle, shall be in conformance with the following:

622.1 No portion of such facility or its equipment shall be located less than forty (40) feet from a
Residential District, as established by this ordinance, unless separated from such District by a street or alley.

622.2 No equipment for the service of gasoline or oil shall be placed closer to any street line, sidewalk, or public way, than ten (10) feet.

622.3 No vehicle parts or equipment shall be stored outside a building.

622.4 No repair facilities shall be maintained on the front portion of the lot or in the front portion of the first story of the building within twenty (20) feet of the street, or in any portion of the lot or building within one hundred (100) feet of the premises of any school, hospital, church or public library.

623 VEHICLE DOORS: Any door for vehicles, opening upon a street, which is used for commercial or industrial purposes, shall be at least fifteen (15) feet from the street line and an open, unoccupied space shall be maintained between said door and the street line. The height of such open, unoccupied space shall not be less than ten (10) feet and the other dimensions shall be such that no part of the structure encroaches on the trapezoidal area circumscribed by lines diverging from each side of the doorway at a forty-five (45) degree angle with the street.

624 SHRUBBERY & TREES:

624.1 No tree or shrub of any kind shall be planted closer to the street line or sidewalk than thirty (30) inches, nor shall be allowed to grow closer than eighteen (18) inches, except at heights of ten (10) feet or more.

624.2 The following trees shall not be planted in front or side yards: Poplar, Willow and Cottonwood.

624.3 The following trees shall not be planted in any area or district within the City of Corry: American Elm and Boxelder.

624.4 Trees may be planted within the public right-of-way between the sidewalk and street only if there is a minimum clear area of five (5) feet from curb to sidewalk. All such plantings shall be centered in the clear area. Where no curbs exist, trees shall be planted three (3) feet from the public walk, or future walk location. All trees, planted in public right-of-ways shall be hard maples, Norway maples,
or an ornamental tree with a mature height of thirty-five (35) feet or less.

625 FENCES AND WALLS:
625.1 In residential districts, an open or solid fence or wall shall not exceed seven (7) feet in height, and shall not extend closer to the street line than the front building line, unless the building line is over thirty (30) feet from the street line, in which case the fence or wall may be constructed no closer to the street line than thirty (30) feet.

625.2 An ornamental fence may be erected in the area between the building line and street line to a height not exceeding six (6) feet, providing that thirty (30) percent of more of the fence is open and not solid.

625.3 No fence wall, or other structure of any type or height in any district shall be installed closer to the street line or edge of sidewalk than eighteen (18) inches, except in districts having no front set-back requirement.

625.4 All fences shall be neat and properly maintained on both sides.

626 GARAGE SALES: Garage sales, as defined in this ordinance, shall be permitted from any one structure or premise no more than a total of ten (10) days annually. A day shall be construed to be any calendar day, or portion thereof, on which goods are offered for sale on the premises.

627 PARKING VEHICLES IN RESIDENTIAL DISTRICTS: No vehicle with a gross vehicle weight (GVW) rating in excess of 15,000 pounds shall be permitted to be parked on any property in a Residential District. This provision shall not apply to vehicles making deliveries to, or pick ups from said property or to vehicles involved in permitted construction on said property, however, such vehicles may only be parked on said property so long as they are actively engaged in such work. Non-commercial recreational vehicles are exempt from the provisions of this section.

ARTICLE 7 - ADMINISTRATION AND ENFORCEMENT

701 OFFICE OF ZONING OFFICER:

701.1 Creation of Office: The Office of Zoning Officer of the City of Corry, Pennsylvania, is hereby created.
701.2 Appointment: The Zoning Officer shall be appointed by City Council of the City of Corry in accordance with Section 614 of the Pennsylvania Municipalities Planning Code (Planning Code).

701.3 Official Records: An official record shall be kept of all business of the Zoning Officer.

701.4 Compensation of the Zoning Officer: The compensation of the Zoning Officer shall be fixed by City Council.

702 DUTIES AND POWERS OF THE ZONING OFFICER: The Zoning Officer shall administer and enforce all the provisions of the Zoning Ordinance in accordance with its literal terms. The Zoning Officer shall have such duties and powers as are conferred on him by the Zoning Ordinance and the Planning Code, and shall include but not be limited to the following:

702.1 Applications, Permits, Zoning Certificates of Use and Occupancy: The Zoning Officer shall receive applications for Zoning Certificates and Building Permits and issue Permits and Zoning certificates of Use and Occupancy.

702.2 Inspection and Right of Entry: The Zoning Officer may examine or cause to be examined all structures and/or land for which an application has been filed for Zoning Certificate and he may conduct such inspections from time to time during and at completion of the work for which a Zoning Certificate has been issued. The Zoning Officer shall have the authority to enter, at any reasonable hour, any structure and/or land in the City of Corry to enforce the provisions of the Zoning Ordinance. A letter or other identification of his authority shall be provided by City Council and shall be displayed for the purpose of identification.

702.3 Non-Conforming Uses: The Zoning Officer shall identify and keep an up-to-date register of all non-conforming uses and non-conforming structures.

702.4 Civil Enforcement: The Zoning Officer shall be authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.

703 APPLICATION FOR BUILDING/ZONING PERMIT AND ZONING CERTIFICATE OF USE AND OCCUPANCY: The application for a Building Permit also applies for a Zoning Permit/Certificate as a required by
this ordinance. The permit and certificate may be combined on one form.

703.1 When Permit is Required: It shall be unlawful to erect, enlarge, construct, reconstruct or structurally alter any building and/or other structure or change the use, intensity of use, or extend or displace the use of any building, other structure and/or land in the City without first filing an application with the Zoning Officer in writing and obtaining the required Permit.

703.2 When a Zoning Certificate of Use and Occupancy is Required: It shall be unlawful to use and/or occupy any building, other structure and/or land for which a Permit is required until a Zoning Certificate of Use and Occupancy for such building, other structure and/or land has been issued by the Zoning Officer. The application for issuance of a Certificate of Use and Occupancy shall be made at the same time an application for a Permit is filed with the Zoning Officer.

703.3 Forms of Application: The application for a Permit and a Zoning Certificate of Use and Occupancy shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee as established by City Council.

703.4 By Whom Application is Made: Application for a Permit and a Zoning Certificate of Use and Occupancy shall be made by the owner or lessee of the building, other structure and/or land or agent of either or by the contractor, engineer or architect employed in connection with the proposed work. If the application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner that the qualified person making the application for the proposed work is authorized to make such application. The full names and addresses of the owner, lessee, applicant and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.

703.5 Description of Work: The application shall contain a general description of the proposed work, its location, the use and/or occupancy of all parts of the building, other structure, and of all portions of the site or lot not covered by the building and/or other structure and use of land, proposed parking and/or loading facilities if required herein
and such additional information as may be required by the Zoning Officer.

703.6 Plat Plan: There shall also be filed not less than one (1) copy of a plat plan showing to scale or approximate scale at least the following:

(a) Size and location of all new construction and all existing buildings, and/or other structures on the site, dimensions and area of the lot, distances from lot lines and the location and approximate street grades;

(b) All existing, proposed, extended and/or new uses of buildings, other structures and/or land;

(c) Proposed and existing parking and/or loading facilities if required herein;

(d) The Plat Plan shall be drawn in accordance with an accurate boundary line survey or such other evidence of property ownership as is acceptable to the Zoning Officer;

(e) And such additional information as may be required by the Zoning Officer.

Where complete and accurate information is not readily available from existing records, the Zoning Officer may require the applicant to furnish a survey of the lot by a registered engineer or surveyor at the applicant's expense. Each applicant shall be required to attest to the correctness of the data and statements furnished in the application.

703.7 Expiration of Permits: If work described in any permit is not started within twelve (12) months from the date of issuance, the permit shall expire and a written notice shall be given by the Zoning Officer to the persons affected. If work described in any permit has not been substantially completed within the time specified in Section 703.8, the permit shall expire and written notice to that effect shall be given by the Zoning Officer to the persons affected. Work as described in the cancelled permit shall not proceed unless a new permit is obtained.

703.8 Substantial Completion: The outside of all new structures for which a building permit has been
issued shall be substantially completed within a period of time from the date construction is started. Substantially completed shall be construed to mean that roof and exterior walls, are finished, including painting (except block, brick, or prefinished material), and that all exterior doors and windows are installed. It shall also mean that the lot shall be cleared of debris and graded. Maximum periods for substantial completion are as follows:

Residential Construction (new)..................2 years
Residential Garages................................1 year
Non-Residential Construction (new)..............2 years
Additions to Gross Floor Area
   (Residential & Non-Residential).............1 year
Demolition or miscellaneous construction
   which does not increase floor area...........6 months

704 ACTION ON PERMITS AND CERTIFICATES OF USE AND OCCUPANCY:

704.1 Action on Application: The Zoning Officer shall act on all applications for a permit within ten (10) business days after the completed application is filed. If the requirements of the Zoning Ordinance and other applicable Ordinances are satisfied, a permit shall be issued.

704.2 Posting a Permit: The permit issued by the Zoning Officer shall be posted at the work site until the permit expires or the Certificate of Use and Occupancy is delivered.

704.3 Revoking a Permit: The Zoning Officer may revoke an issued permit if it is determined that any false statement or misrepresentation of fact was in the application for the permit.

704.4 Action Upon Completion: Upon completion of the permitted work and prior to use and occupancy, the holder of the permit shall notify the Zoning Officer of such completion. Within ten (10) business days after receiving notice of completion, the Zoning Officer shall conduct a final inspection of all permitted structures and/or land. All violations of the permit and plans shall be recorded and presented in writing to the holder of the permit within fifteen (15) business days of receipt of notification of completion of work.

If the Zoning Officer has determined that the completed work conforms with the issued permit and
complies with the Zoning Ordinance and other applicable Ordinances, he shall issue a Certificate of Use and Occupancy for the use indicated in the permit within fifteen (15) business days of notification of completion of work.

705 FEE SCHEDULE: No permit shall be issued until the applicant pays the respective fee prescribed by the City. A permit fee schedule shall be established by resolution of City Council.

706 NOTICE OF VIOLATION: If the Zoning Officer shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action and specifying the maximum number of days to correct the violation. The notice shall include the fact that the recipient has the right to appeal to the Zoning Hearing Board within a prescribed period of time. This enforcement notice shall comply with Section 616.1 of the Planning Code.

707 PROSECUTION OF VIOLATION: If the Notice of Violation is not complied with, the Zoning Officer has the authority to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his duties under this Ordinance. In addition, City Council may institute any appropriate action or proceedings under Section 617 of the Planning Code. Enforcement remedies shall be initiated before the District Justice.

708 ENFORCEMENT PENALTIES AND REMEDIES: Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this zoning ordinance shall upon being found liable therefore in a civil enforcement proceeding commenced by the City of Corry, pay a judgment of not more than five hundred dollars ($500.00) plus all court costs, including attorney fees incurred by a municipality as a result thereof. If the defendant neither pays nor timely appeals the judgment, the City of Corry may enforce the said judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fee collected for the violation of this zoning ordinance shall be paid to the City of Corry.
STOP WORK ORDER:

Notice to Owner: Upon notice from the Zoning Officer that work on, or use or occupancy of any building, other structure and/or land has been determined to be contrary to the Zoning Ordinance, such work shall be immediately stopped. The Stop Work Order shall be in writing to the owner of the property involved and shall state the conditions under which work or use or occupancy may be resumed.

Conditions of Discontinued Work: Any person who has been served with a Stop Work Order or discontinues or abandons work shall not leave any building, other structure and/or land in such condition as to be a hazard to the public. The Zoning Officer shall have the authority to require that such building, other structure and/or land shall be put in such condition as he determined, and the work on it shall be at the full expense of the recipient of a Stop Work Order.

ARTICLE 8 - ZONING HEARING BOARD FUNCTIONS

GENERAL: In accordance with Article IX of the Planning Code, a Zoning Hearing Board shall be appointed by City Council, which shall adopt rules to govern its procedures. The Board shall hold meetings, keep minutes and pursuant to public notice, conduct hearings, compel the attendance of witnesses, take testimony under oath, and render decisions or reports or findings. For the filing of any appeal or proceeding with the Board, a hearing fee shall be charged in accordance with a schedule established by City Council. All City costs associated with Section 802, 803 and 804 over and above the hearing fee shall be borne by the applicant. The costs, however, shall not include legal expenses of the Board, expenses for engineering, architectural or other technical consultants or expert witness costs which the Board may require in order to render a decision. The stenographer's appearance fee shall be split between the applicant and the Board, while the transcription costs shall be paid by the party requesting the transcript.

The Membership of the Board shall be established in accordance with the provisions of Section 903 of the Planning Code. The Organization of the Board shall be based upon Section 906 of the Planning Code and the removal of any members of the Board shall be undertaken pursuant to Section 905 of the Planning Code. City Council may from time to time appropriate monies for clerical, technical or legal consultants for necessary services based upon Section 907 of the Planning Code.
802 FUNCTIONS: The Zoning Hearing Board shall conduct meetings, hearings and make decisions on matters as provided by this Ordinance in accordance with the provisions of Sections 908, 909, 910, 912 and 914 of the Planning Code which includes the following functions:

802.1 Request and Application Procedure: All requests, applications or appeals made to the Board shall be in writing on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of the Ordinance involved, and shall set forth the interpretation that is claimed, the use which is sought, and/or the details of the variance that is applied for, and the grounds on which it is claimed a request should be granted. At least ten (10) days before the date of the hearing, on a request, application or appeal, the Board shall transmit to the Planning Commission a copy of said request, application or appeal in order that the Planning Commission may have an opportunity to submit a report to the Board, if it so desires.

802.2 Appeals from the Zoning Officer: The Board shall hold a hearing and decide all appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provisions of this Ordinance or Map, or any valid rule or regulation governing the action of the Zoning Officer. Such appeals of determination shall be filed in accordance with Section 919 of the Planning Code. All appeals and applications made to the Board shall be in writing on forms prescribed by the Board.

802.3 Variances: The Board shall hear requests for variances, in accordance with Section 910.2 of the Planning Code, where it is alleged that the provisions of this Ordinance inflict unnecessary hardship upon the applicant. The Board may grant a variance provided the following findings are relevant:

(a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
(b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

(c) That such unnecessary hardship has not been created by the appellant.

(d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

(e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

(f) In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to assure compliance with the objectives of this Ordinance.

802.4 Special Exceptions: The Board shall have the power to decide applications for Special Exceptions as specified in this Ordinance, in harmony with its general purpose and intent and in accordance with the standards set forth. The Board shall approve a Special Exception use only if it meets with the following standards and criteria:

(a) The use is compatible with adjacent uses and structures.

(b) The use is suited to the topography and other characteristics of the site.

(c) The use complies with all other provisions and regulations of this Ordinance, including regulations specific to the particular Special Exception for which application is made.

(d) The interpretation and application of the provisions of this Ordinance shall be held to be the minimum requirements for the health,
safety and general welfare of the City. In granting a Special Exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to assure compliance with the objectives of this Ordinance. Such conditions may include but not be limited to parking, buffer strips, hours of operation, lighting, traffic flow, signs and performance standards.

802.5 Non-Conforming Uses: The Board shall have the power to authorize changes of lawful non-conforming uses in accordance with Article 3 of this Ordinance.

802.6 Conditional Uses: City Council shall have the power to decide applications for Conditional Uses as specified in this Ordinance, in harmony with its general purpose and intent and in accordance with the standards set forth. City Council shall consider applications for Conditional Uses only after receiving recommendations from the Planning Commission, and shall approve a conditional use only if it meets with the following standards and criteria:

(a) The use is compatible with adjacent uses and structures.

(b) The use is suited to the topography and other characteristics of the site.

(c) The use complies with all other provisions and regulations of this Ordinance, including regulations specific to the particular Conditional Use for which application is made.

(d) The interpretation and application of the provisions of this Ordinance shall be held to be the minimum requirements for the health, safety and general welfare of the City. In granting a Conditional Use, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to assure compliance with the objectives of this Ordinance. Such conditions may include but not be limited to parking, buffer strips, hours of operation, lighting, traffic flow, signs and performance standards.
802.7 Performance Standards: In cases involving performance standards, the Board may:

(a) Require a plan of the proposed construction or development, a description of machinery proposed, and specifications for the mechanisms and techniques to be used; and,

(b) Obtain qualified expert consultants to testify as to whether a proposed use will conform to the performance requirements. The cost of such services shall be borne by the applicant.

(c) Impose such conditions as it deems necessary for the protection of adjacent property and the public interest.

803 HEARINGS: The Board shall conduct hearings and make decisions in accordance with Section 908 and 909.1 of the Planning Code.

804 APPEAL FROM BOARD'S DECISION: Any person aggrieved by any decision of the Board or City Council may, within thirty (30) days after such decision of the Board of City Council, appeal therefrom in accordance with Article X-A of the Planning Code.

ARTICLE 9 - AMENDMENTS

901 GENERAL: The City Council may introduce and consider amendments to this Ordinance and to the Zoning Map, as proposed by a member of the City Council, by the Planning Commission, or by a petition of a person residing or owning property within the City, in accordance with Section 609 of the Planning Code.

902 PETITIONS: Petitions for amendment shall be filed with the Planning Commission and the petitioner, upon such filing shall pay an advertising deposit and a filing fee, in accordance with a schedule established by City Council resolution. The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to City Council.

903 REFERRAL: Any proposed amendment presented to City Council shall be referred to the City of Corry Planning Commission and the Erie County Department of Planning for review and recommendations prior to a public hearing by City Council. A thirty (30) day review period by these planning agencies shall be allowed before the City Council may take final action on the amendment.
ACTION: Before acting upon a proposed amendment, City Council shall hold a public hearing thereon. Notice of such public hearing shall be published once each week for two successive weeks in a newspaper of general circulation in the City. Such notice shall state the time and place of the hearing and the particular nature of the amendment to be considered. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

If the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the City, at points deemed sufficient by the City, along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.

Within thirty (30) days after enactment, a copy of the amendment to the Zoning Ordinance shall be forwarded to the Erie County Department of Planning.

CURATIVE AMENDMENTS: A landowner in the City of Corry who desires to challenge on substantive ground the validity of this Zoning Ordinance or Map, or any provision thereof which prohibits or restricts the use or development of land in which he has an interest, may submit a curative amendment to the City Council with a written request that his challenge and proposed amendment be heard and decided as provided in Section 609.1 and 609.2 of the Planning Code. As with other proposed amendments, the curative amendment shall be referred to the Planning Commission and the Erie County Department of Planning at least thirty (30) days before the public hearing is conducted by City Council.
ARTICLE 10 - DEFINITIONS

Except where specifically defined herein, all words used in the Ordinance shall carry their customary meanings. Words used in the present tense shall include the future. The singular number shall include the plural, and the plural the singular. The word "shall" is always mandatory and not permissive. The word "uses" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".

Abandoned Vehicles: Unused, stripped, junked, wrecked or otherwise unusable vehicles which do not carry a current registration plate or inspection sticker and which are no longer safely usable for the purpose for which they were manufactured and which have been in place for a period of thirty (30) days or more.

Accessory Use: A use customarily incidental and subordinate to the principal use of building and located on the same lot with such principal use or building.

Accessory Use Parking: Parking customarily incidental and subordinate to the principal use of a building located on or adjacent to the lot where the parking occurs.

Agriculture: Any agricultural use, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry, kennels, and forestry.

Alley: Area of a lot or site shall be calculated from dimensions derived by horizontal projections of the site.

Basement: A story having more than fifty (50) percent of its clear height above the average level of the surrounding ground but with a floor elevation below grade. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for a dwelling unit, not common space for other floors of the building.

Bed and Breakfast Facility: A residential building other than a hotel in which part or parts are kept, used or held to be a place where sleeping accommodations are offered for hire and limited meals may be served to overnight guests only; a Bed and Breakfast Facility is open to transient guests.

Billboard: A sign (see definition of sign in this ordinance) which advertises a service, activity, product, or business pursuit, but which is not located on the premises of the item advertised.

Board: The Zoning Hearing Board of the City of Corry, Erie County, Pennsylvania.
Boarding, Rooming, Tourist or Lodging House: A building where lodging is provided, for compensation, for two (2) or more persons who are not a family.

Building: A roofed structure enclosed by walls, columns, or piers for the shelter, housing or enclosure of persons, goods, materials or animals.

Building Height: The vertical distance from the average elevation at grade level, to the highest point of the deck of a flat roof or mansard roof, or to the mean height between the eaves and the ridge for gable, hip and gambrel roofs.

Building or Set-Back Line: Imaginary line parallel to or concentric with the nearest right-of-way line and which is located at the set-back distance from the street right-of-way line, said line being a boundary or limit beyond which no permanent part of a building shall project.

Business Service: Any business activity which renders service to other commercial or industrial enterprises.

Cartway: That portion of a road or alley which is paved, graded, or improved for travel by vehicles.

Cellar: A story having more than fifty (50) percent of its clear height below the average level of the surrounding ground. A cellar shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for dwelling purposes.

City: The City of Corry, Pennsylvania.

City Council: The Council or Legislative Body of the City of Corry, Erie County, Pennsylvania.

Clinic: Any establishment where human patients are examined and treated by doctors or dentists but not hospitalized overnight.

Club: Any establishment operated for social, recreational, or educational purposes but open only to members and invited guests and not the general public.

Commission (or Planning Commission): The Planning Commission of the City of Corry, Erie County, Pennsylvania.

Conditional Use: A modification of the regulations of the ordinance which City Council is permitted to authorize in specific instances listed in this ordinance, under the terms, procedure and conditions prescribed herein.
Commercial: Engaging in a business, enterprise, activity or other undertaking for profit, except an activity including only the manufacture and sale of goods.

Coverage: That percentage of the lot area covered by principal and accessory use structures.

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: The area of a lot or group of lots computed exclusive of any portion of the right-of-way of any road divided by the number of families housed on the lot or group of lots.

Determination: Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:
   (1) the governing body;
   (2) the zoning hearing board; or
   (3) 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 planned residential development provisions.
Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

Drilling: The drilling or redrilling of any well or the deepening of any existing well.

Drive-in Facility: A commercial business that provides service to the occupants of a vehicle from a window, booth, or other structure designed to provide such service without the occupants leaving the vehicle. This shall include, but not be limited to, such establishments as drive-in banks, drive-in beverage distributors, restaurants, laundries, and service stations. Also included in this category are automobile washing facilities that are designed to allow the vehicle to be driven or propelled through a wash bay.

Dwelling: Any building (including cottages) designed or used as a permanent or temporary living quarters for one or more families.

Dwelling, Single Family: A detached building arranged or used for occupancy by one family containing a habitable floor area of at least eight hundred (800) square feet of dwelling space.
Dwelling, Multiple: A building arranged or used as residence for two or more families independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, flats and group houses.

Dwelling Unit: One or more rooms for living purposes together with separate cooking and sanitary facilities used or intended to be used by one or more persons living together and maintaining a common household, and accessible from the outdoors either directly or through an entrance hall shared with other dwelling units.

Efficiency Dwelling Unit: A dwelling unit having no more than three rooms, no more than one of which shall be a bedroom, and which has a floor space of five hundred (500) square feet or less. Basements, attics, and storage rooms shall not be considered as rooms if used for non-living purposes. Bathrooms are not included.

Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, T.V. cable, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wire, mains, drains, sewers, pipes, conduit cables, radio transmissions, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including structures of buildings.

Essential Structures: Buildings and other large structures necessary for providing Essential Services.

Family:
1. One or more persons related by blood, marriage, or adoption, plus domestic servants, occupying a dwelling unit, including not more than one boarder, roomer, or lodger.

2. Less than six unrelated persons occupying a dwelling unit, living together and maintaining a common household.

Finished Grade: The average grade on all sides of a structure immediately adjacent to the structure.

Floor Area: The enclosed area of a building designed and intended for all season use.

Garage Sales: A private non-continuous sale of surplus used household goods which is held on the premises in a District not zoned for commercial sales.
Golf Course: Land for playing the sport of golf, consisting of a minimum of nine holes, but excluding miniature golf, par-three golf, pitch and putt, driving ranges and similar golf-associated activities, except as accessory uses on a golf course.

Group Living Arrangements: A single nonprofit housekeeping unit that provides room and board to persons who are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968 and who are residents by virtue of receiving supervised specialized services limited to health, social and/or rehabilitative services provided by governmental agencies, their licensed or certified agents or any responsible non-profit social service corporation. Supervision shall be provided by responsible adults whose number shall be determined and certified by the sponsoring agency. However, one responsible adult shall always be in the actual residence on a twenty-four hour a day basis. The number of residents shall not exceed eight (8) persons including supervisory adults and the children of supervisory adults per 1,000 square feet of floor space excluding basement and garage areas.

Height: See Building height.

Home Occupation: Any use customarily carried on entirely within a dwelling by occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and which does not change the residential character thereof.

Junk Vehicle: Any vehicle which is without a currently valid license plate(s) or inspection sticker and is in either a stripped, rusted, wrecked, dismantled, partly dismantled, inoperative, or abandoned condition. A junk vehicle shall be classified as to its condition in one of the two following categories:

1. Restorable Junk Vehicle: A vehicle that is in a condition whereby repairs to same could reasonably be made to place it in operating condition without exceeding the estimated value when repaired.

2. Non-Restorable Junk Vehicle: A junk vehicle in such condition that it is economically unsound to restore same to operating condition considering the repairs to be made, age of the vehicle, market value of the vehicle if it were restored or in such condition that the zoning officer determines that it warrants such classification. The Zoning Officer shall make the final determination as to the classification to be assigned to any particular vehicle.

Junk Yard: Land or structure used for the collection, storage, processing and sale of scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, waste paper, glass, rags, containers and other discarded materials. It shall not include.
however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

**Kennel:** Any establishment wherein four (4) or more dogs are kept for the purpose of breeding, hunting, training, renting, research or vivisection, buying, boarding, sale, show or any other similar purpose and is so constructed that dogs cannot stray therefrom. For the purpose of this ordinance, classify under agricultural use.

**Landowner:** The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

**Light Manufacturing:** The processing or fabrication of certain materials and products which does not produce objectionable noise, vibration, air pollution, fire hazard or other disturbances or dangers to neighboring properties.

**Loading Space:** A portion of a lot usable for the loading or unloading of motor vehicles.

**Lot:** A parcel of land occupied or capable of being occupied by one or more buildings devoted to a common interest or use, and including accessory uses and open yard space.

**Lot, Corner:** A lot at the junction of and fronting on two or more intersecting street rights-of-way.

**Lot, Depth of:** A mean horizontal distance between the front and rear lot lines.

**Lot, Minimum Area of:** The area of a lot computed exclusive of any portion of the right-of-way of any public or private thoroughfare, street road, alley or easement of access of use; but including any easement for essential services.

**Lot, Minimum Width of:** The minimum width measured at right angles to its depth.

**Lot, Width of:** The width, measured along the set-back line.

**Lot of Record:** Any lot which individually or as a part of a subdivision, has been recorded in the office of Recorder of Deeds of the County.

**Main Building:** A building in which is conducted the principal use of the lot on which it is situated.
Mobile Home: A transportable, single family dwelling intended for permanent occupancy contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and designed so that it may be used with or without a permanent foundation and whether or not it is placed on a permanent foundation. A Travel Trailer or motorized home, as defined herein, shall be construed as a mobile home if occupied or connected with utilities.

Mobile Home Park: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

Motorized Home: A portable dwelling designed and constructed as an integral part of a self-propelled motor vehicle, including non-collapsible portable dwellings which are mounted on a truck bed.

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 Structures: A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment of prior to the application of such ordinance or amendment to its location by reason of annexation. Such non-conforming structures include, but are not limited to, non-conforming signs and non-conforming buildings.

Non-Conforming Use: A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore 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 annexation.

Off-street Parking Space: A private parking space, whether or not enclosed, located off the right-of-way of any public or private road.

Open Space: Any area of land which is predominantly free of structures.

Outside Recreational Uses: Commercial uses for recreation purposes which are predominately outside activities, such as golf courses, soft ball, tennis, football, outside swimming, hiking, excluding such commercial activities as miniature golf, driving ranges, etc.
Pennsylvania Planning Code: Pennsylvania Municipalities Planning Code, Act 247 of July 31, 1968, and amendments to same as may be adopted from time to time.

Permanent Foundation: A foundation around and under all perimeter walls of a building, mobile home or structure. A permanent foundation shall be constructed to a depth below frost level (which shall in no case be less than 42 inches below the outside ground surface at the building), and shall be of portland cement concrete, masonry or other approved materials, and, shall comply in all respects with the City Building Code currently in effect. Footings shall be required under all foundation walls.

Permitted Use: The main or primary purpose, for which a building, other structure, and/or land may be used, occupied or maintained under the provisions of the Zoning Ordinance. The use or any other provisions prescribed for the Zoning District in which a building, structure, or property is located.

Person: Any person, firm, partnership, association, corporation, company, organization or entity of any kind, and shall include both the singular and the plural.

Personal Services: An enterprise conducted for man which primarily offers services to the general public such as: shoe repairs, valet service, watch repairing, barber shops, beauty parlors, and related activities.


Portable Building: A movable building not exceeding 120 square feet in gross floor area which is built on skids and has no concrete slab or below grade foundation.

Private Garage: An accessory building for the storage of motor vehicles owned and used by the owner or tenant of the lot for a purpose accessory to the use of the lot, and for not more than two additional motor vehicles owned and used by others. The total number of vehicle spaces in any private garage(s) shall not exceed four (4) spaces per dwelling unit if single family, and not more than one (1) additional vehicle space for each dwelling unit more than one (1).

Professional Offices: The use of offices and related spaces for professional services as are provided by doctors, dentists, teachers, lawyers, architects, engineers, and certified accountants.

Public Garage: A building, not a private garage, used for storage or repair of motor vehicles.
Recreation: See Outside Recreational Uses.

Road or Street: The entire right of way of a public street, thoroughfare, highway or of a private road providing access to two or more properties.

Rooming House: A residential building other than a hotel in which part or parts are kept, used or held to be a place where sleeping accommodations are offered for hire for three (3) or more persons, but not open to transient guests.

Service Station: A retail place of business engaged primarily in the sale of motor fuels, but also in supplying goods and services generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs. They may include sale of petroleum products; sales and servicing of tires, batteries, automotive accessories and replacement items; washing and lubrication services; the performance of minor automotive maintenance and repair; and the supplying of other incidental customer services and products, but shall not include auto body repairs.

Sign: Any structure or device to attract attention by words or graphic display, including any writing (letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trade mark); flag (including banner or pennant, but excluding the State and Nation flags); or any other figure of similar character which is visible from outside a building, or which is a structure or any part thereof, or is attached to, painted on or in any other manner represented on a building, or post, or on any open space or lot. An illuminated sign within a building and located in a window is a sign, as are Political banners and placards.

Special Exception: A modification of the regulations of the ordinance which the Board is permitted to authorize in specific instances listed in this Ordinance, under the terms, procedures and conditions prescribed herein.

Story: The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above it. A basement shall be considered as a story if more than fifty (50) percent of its clear height is above finished grade, or if it is used for business or dwelling purposes.

Street: Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

Street Line: The line defining the edge of the legal width of a street right-of-way.
Structure: Anything constructed or erected, the use of which requires a fixed location on the ground or an attachment to something having a fixed location on the ground, including in addition to buildings, carports, porches, and other building features but not including sidewalks, fences, drives, open patios at ground level, and walls less than one (1) foot in height.

Tourist Home: A rooming house primarily for transient guests.

Trailer: Any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

Travel Trailer: A mobile vehicle, with wheels, designed for overnight occupancy or camping purposed, capable of being towed by a passenger automobile or a truck.

Truck Terminal: A facility to a accommodate the service, repair and storage of trucks and other motorized equipment, and which may incidentally provide warehousing activities.

Variance: A departure from the strict letter of the Ordinance as it applies to a specific property, authorized by the Zoning Hearing Board.

Well: A bore hole drilled or being drilled for the purpose of or to be used for producing, extracting or injecting any gas, petroleum or other liquid related to oil or gas production or storage, including brine disposal, but excluding bore holes drilled to produce potable water to be used as such.

Yard: Any open space located on the same lot with a building unoccupied and unobstructed from the ground up. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line or right-of-way line and nearest point of a permanent part of a building.

Yard, Front: An open space extending the full width of the lot between the building and the road right-of-way line.

Yard, Rear: An open space extending the full width of the lot between the building and the rear lot line.

Yard, Side: An open space extending from the front yard to the rear yard between a building and the nearest side lot.

Zoning Certificate: The written authorization issued by the Zoning Officer for the use of land, buildings or structures.

Zoning Map: The map containing the zoning districts of the City of Corry, Erie County, Pennsylvania together with all amendments subsequently adopted.
Zoning Officer: The Zoning Officer or his authorized representative, appointed by the Council of the City of Corry, Erie County, Pennsylvania.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Ordained and enacted into law on the 18th day of March, 1991 in lawful session regularly assembled.

Attest:  
Janice T. Buell, City Clerk

Jack Armitage, Mayor
June 9, 1988

APPENDIX A

Mr. Robert Grice
City Administrator
100 South Center St.
Corry, PA 16407

Re: Corry Zoning Ordinance
Section 502.5

Dear Bob:

This letter is in reference to your request for an engineering interpretation of the referenced section of the zoning ordinance, which states:

502.5—Surfacing: All Commercial and Industrial parking areas for more than 2 automobiles shall have a paved or treated surface graded and drained to dispose of all surface water, and designed to provide for orderly and safe loading, parking, and dust control, and shall be approved by the City.

After reviewing various alternatives, we recommend that the information on the attached sheet be used as a handout for clarification of this section of the ordinance.

If there are questions, please call.

Yours very truly,

David A. Johnson

DAJ/s
Criteria required to meet Ordinance Section 502.5:

Grading Requirement: Minimum slopes of 1/8 to inlets, or to other new or existing drainage facilities.

Paved or treated surface (dust control): Any of the following, or approved substitutions of similar materials, shall meet the requirements, if applied over a stable bank run gravel base:

1. Hot mix bituminous paving surface. Minimum bituminous thickness of 2".

2. Cold mix bituminous paving surface (material to be approved by the City Engineer). Minimum bituminous thickness of 2".

3. Aggregate emulsion surface (macadam) in accordance with the attached specifications.

The following surfaces are also acceptable on a stable bank run base, but will require periodic maintenance.

1. Double seal (tar and chips). This should be a double application, with hot asphalt. Each application to be approximately 30# of crushed 1b (No.8) limestone or slag, on 0.3 gal. of emulsion. Local stone or other soft aggregate cannot be used.

2. Heavy oil applications, such as "D.L.", with application rates sufficient to keep a heavy black surface. All oil to be used must have written D.E.P. approval for the intended use.

3. Asphaltic shingle tab clippings. Minimum application rate shall be sufficient for a three (3) layer depth at all locations. To be applied in summer months when bonding will occur from the heat of the sun.

The latter three items above may not be sufficient to hold a good cover in steep areas, or locations of heavy wheel traction. Repairs must be made as required.
Aggregate/emulsion surface treatment shall be constructed over a granular base in accordance with the following four steps:

1. The base shall have a prime coat applied, meeting the specifications of the Department of Transportation, Commonwealth of Pennsylvania, Pub. 408, Section 461, "Bituminous Prime Coat".

2. The contractor shall then apply a single course of No. 67 stone (90 pounds minimum per square yard), with no less than 0.6 gallons per square yard of bituminous emulsion applied after the stone is in place. Installation shall be in general conformance with Section 480 of Publication 408, and as approved by the City Engineer.

3. Immediately after this application, apply and roll 20 pounds per square yard of No. 8 stone in the hot emulsion. Prior to the next step, the contractor shall properly repair any deficiencies in this step to the satisfaction of the City Engineer.

4. The contractor shall then apply a bituminous surface treatment, consisting of two applications each of stone and emulsion, as specified in Publication 408, Section 480.

The emulsions used shall conform to Section 702, Class E-2 or E-3, and stone shall conform to Section 703, of the Specifications of the Department of Transportation, Commonwealth of Pennsylvania, Edition of 1983.
City of Corry
Ordinance

Ordinance No. 1461

Presented by: Mayor Blair

Council Bill No. 05-06

An Ordinance, amending Ordinance No. 1347, as amended, by changing the
treatment of legal non-conforming uses damaged beyond seventy-five (75) percent by fire, flood,
explosion or other causality and the owners rights to replace such structures.

BE IT ORDAINED by the City Council of the City of Corry, Erie County, Pennsylvania
and it is hereby enacted by authority of the same.

Section 1: That Article III, Section 301.2 of Ordinance Number 1347, as amended, shall be
changed to read as follows:

Section 301.2: Any legal non-conforming structure damaged by fire, flood, explosion, or
other causality, subsequent to the date of this Ordinance may be reconstructed and used as
before if such reconstruction is performed within 12 months of the date of such causality
and if the restored structure covers no greater area and contains no greater cubic content
than before such causality. If approved by the Board, a reconstructed structure may
exceed its original lot coverage and cubic content, but must meet the minimum yard
requirements of the district in which the structure is located and must meet the off-street
parking and loading requirements of this Ordinance.

Section 2: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the
extent of such inconsistency.

Ordained and enacted into law by the City Council of the City of Corry this 18th day of
July, 2005, in lawful session regularly assembled.

Thomas J. Blair, Mayor

Attest:

Janice T. Buell, City Clerk