

TOWNSHIP OF OHIO
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 189

AN ORDINANCE TO AMEND ORDINANCE NO. 103, THE ZONING ORDINANCE OF THE TOWNSHIP OF OHIO, ADOPTED APRIL 20, 1978, TO DESIGNATE IT CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF OHIO AND TO MAKE CERTAIN REVISIONS THEREIN.

WHEREAS, the Township of Ohio has undertaken the codification of its ordinances into a comprehensive Code, designated the Code of the Township of Ohio, and

WHEREAS, the Code has been organized into numbered chapters, Articles and sections using a uniform system of numbering, and

WHEREAS, the codifiers have designated Ordinance No. 103 as Chapter 132 Zoning, of the Code of the Township of Ohio, NOW
THEREFORE

BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Ohio, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

Section 1: Ordinance No. 103 of the Township of Ohio adopted April 20, 1978 is hereby designated Chapter 132, Zoning, of the Code of the Township of Ohio, and the system of Article and section numbering employed by the codifiers, General Code Publishers Corp., is hereby adopted and approved, including the transfer of former Article 1200, Definitions of Ordinance No. 103, to Art. II, Definitions of Chapter 132.

Section 2: Section 132-9A (original Section 206.1) is amended to insert "lawfully" into the first sentence, so that it will read: "Any use of building or land lawfully existing at the effective date of this amended chapter

may be continued even though such use does not conform to the provisions hereof."

Section 3: Section 132-23J (original Section 602.10) is amended to change from thirty (30) days to sixty (60) days the time after a public hearing for a decision of the Supervisors to be made.

Section 4: Section 132-23J (original Section 602.10) is amended to change from thirty (30) days to forty-five (45) days the time after an application is filed for the Supervisors to render a decision and communicate it to the developer.

Section 5: In Section 132-25, Enforcement and amendment (original Section 604), original Subsection 604.2, Penalties, is deleted, it being the intent of the Supervisors for the penalties in §§ 132-47 and 13248 (original Sections 806 and 807) to apply to violations of Article VII, Planned Residential Development (original Article 600).

Section 6: Section 132-47 (original Section 806, Violations and penalties) is amended to conform to the current provisions of 53 P.S. § 10617.2, Enforcement remedies, to provide as follows:

§ 132-47. Violations and penalties.

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding before a District Justice commenced by the township, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the township as a result thereof. If the defendant neither pays nor timely appeals the judgment, the township may enforce the 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 chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth

day following the date of the determination of a violation, and thereafter each day that a violation continues shall constitute a separate violation.

Section 7: Section 132-48 (original Section 807, Violations - remedies) is amended to conform to the current provisions of 53 P.S. § 10617, Causes of action, to provide as follows:

§132-48. Remedies for property owners.

On case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this chapter, the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the township, or an aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute an appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors. No such action may be maintained until such notice has been given.

Section 8: Ordinance No. 153 adopted April 3, 1989, to establish a moratorium on the erection of signs and billboards shall remain in effect during the period provided for therein.

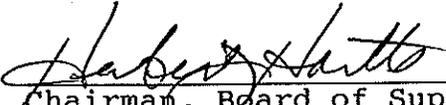
Section 9: Any ordinance or part of ordinance conflicting with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED into law by the Board of Supervisors of the Township of Ohio, County of Allegheny, Commonwealth of Pennsylvania, at a regular meeting held on the 3rd day of January, 1994.

ATTEST:


Secretary

TOWNSHIP OF OHIO:


Chairman, Board of Supervisors

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