

ORDINANCE NO. 2013-11-1

**AN ORDINANCE OF THE BOROUGH OF RED LION, YORK COUNTY,
PENNSYLVANIA, AMENDING RED LION BOROUGH CODE OF ORDINANCES,
CHAPTER 27 (ZONING)**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Borough of Red Lion, and it is hereby enacted and ordained, in lawful session assembly, that the Red Lion Borough Zoning Ordinance as set forth in the Code of Ordinances of the Borough of Red Lion, Chapter 27 (Zoning) is hereby amended as follows:

SECTION 1. Chapter 27 (Zoning) Part 2 (Terminology). The following new definitions are added to section §27-203:

Massage Therapy, Certified. A use involving the performance of massages by a person licensed by the Pennsylvania State Board of Massage Therapy. This use shall be considered a type of "personal service business."

No-impact home-based business - a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- (8) The business may not involve any illegal activity.

SECTION 2. Chapter 27 (Zoning) Part 2 (Terminology). The following definitions are amended in section §27-203:

Adult facility—an establishment open to the general public or a private club open to members which is used and occupied for one or more of the following activities:

- (1) **Adult bookstore**—an establishment in which 20 percent or more of the occupied sales or display area offers for sale, for rent or lease, for loan or for view upon the premises, of pictures, photographs, drawings, prints, images, sculpture, still film, motion-picture film, videotape or similar visual representations distinguished or characterized by an emphasis on sexual conduct or

sexually explicit nudity, or books, pamphlets, magazines, printed matter, or sound recordings containing explicit and detailed descriptions or narrative accounts distinguished or characterized by an emphasis on sexual conduct, or which offers sexual devices for sale.

(2) Adult theater—a building, or a room within a building, used for presenting motion-picture film, videotape, or similar visual representation of materials distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

(3) Adult cabaret—an establishment, club, tavern, restaurant, theater, or hall which features live entertainment distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

(4) Adult massage parlor—an establishment whose business is the administration of massage to the anatomy of patrons, regardless of whether the same includes sexual conduct.

(5) Body piercing establishment - an establishment which, as one of its principal business purposes, offers body piercing services. "Body piercing services" shall refer to the process of breaching the skin or mucus membrane of a human for the purpose of inserting an object therein or there through including, but not limited to, jewelry for cosmetic purposes. This definition shall not apply to ear piercing.

(6) Tattoo parlor - an establishment which, as one of its principal business purposes, offers tattooing services. "Tattooing services" shall refer to the method of placing designs, letters, scrolls, figures, symbols, graphics or any other marks upon or under the skin of a human with ink or any other substance, resulting in the coloration of the skin by the aid of needles or any other instrument designed to touch or puncture the skin. This definition shall not apply to medical doctors or doctors of veterinary medicine in performance of their professional duties.

Building—any structure on a lot having a roof, intended for the shelter, housing or enclosure of persons, animals or chattels. (See "structure.")

(1) Detached building—a building which has no party wall.

(2) Semidetached building—a building which has only one party wall in common.

(3) Attached building—a building which has two or more party walls in common.

Carport—a freestanding accessory structure not totally enclosed which is primarily designed or used for parking automobiles (must meet setbacks), a carport that is attached to the principal structure must meet all requirements pertaining thereto, including lot coverage.

Multi-use building—two or more independent nonresidential uses, or any combination of residential dwelling units and one or more nonresidential use, all uses of which are permitted in the zone and which are established within a single principal building, provided that the regulations established in this Chapter for each individual use are satisfied, i.e., parking and special exception standards. The principal building itself, however, shall be considered as a single use for purposes of access, lot area, sign regulation, lot width and setback requirements, and such provisions shall not be cumulative for the individual uses established within the building.

Personal service business—personal service businesses shall include barber and beauty shops; certified massage therapists; self-service laundry and dry-cleaning establishments; laundromats; electronics repair; repair shops for home appliances, tools, bicycles, guns, locks, shoes, and watches; tailor and dressmaking shops; or any other establishment of similar nature providing personalized service to customers.

SECTION 3. Chapter 27(Zoning) Part 4 (Accessory Uses and Structures). Section §27-401(3.) shall be amended with the following:

3. Fences and Walls. In an R-O, R-T, or C Zone, no fence or wall (except a retaining wall or a wall of a building permitted under the terms of this Chapter) shall be erected to a height of more than 4 feet in a front yard area and more than 6 feet in the side or rear yard area. In an I Zone, no fence may exceed 8 feet in height in any yard area. [Ord. 987-3]

A. Fences may be located up to, but not on, the lot line.

B. No electric fence or fence with electrical induction shall be permitted as a property line perimeter fence, unless sensor activated, nor shall any barbed wire be permitted on any fence unless the barbed wire is at least 6 feet from ground level.

C. A clear sight triangle must be maintained at all street intersections.

SECTION 4. Chapter 27(Zoning) Part 4 (Minimum Habitable Floor Area). Section §27-408(B) shall be amended with the following:

B. For each two-family dwelling, semidetached, attached, or multi-family dwelling and for each two-family or multi-family conversion:

(1) One bedroom: 500 square feet per dwelling unit.

(2) Two bedroom: 650 square feet per dwelling unit.

(3) Three bedrooms: 800 square feet per dwelling unit.

(4) Each bedroom over three add 150 square feet per dwelling unit.

SECTION 5. Chapter 27 (Zoning) Part 6 (Standards for Special Exception Uses). Section §27-604 is replaced in its entirety with:

Multi-Use Building

In the BC or C Zone, and subject to the requirements of that zone, except as herein modified and provided:

A. Dwelling units are permitted as an accessory use in the same building with a principal commercial use which is permitted in the Commercial or Borough-Center Zone.

B. A separate entrance must be provided for the residential use.

C. Lot area shall be 6,000 square feet, minimum.

D. Lot width shall be 60 feet, minimum.

E. A minimum of 400 square feet of open area must be provided for each dwelling unit.

F. All parking, habitable floor area and other applicable requirements of this Chapter and of the Uniform Construction Code shall be satisfied in addition to those required for the commercial use.

SECTION 6. Chapter 27 (Zoning) Part 7 (Administration and Enforcement). Section §27-701(1.) (Permits) is amended with the following:

1. Zoning Permits. Where required to meet the provisions of this Chapter for the erection, enlargement, addition, placement, moving, or demolition of any structure including patios, walkways, driveways and similar structures, a zoning permit must be obtained from the Zoning Officer. A zoning permit expires 6 months from the date of issuance unless the work specified in the application shall have been begun within that time.

A. The permit application must be accompanied by a site plan showing, as necessary to demonstrate conformity to this Chapter:

(1) Lot: the location and dimensions of the lot.

(2) Streets: names and widths of abutting streets and highways.

(3) Structures and yards: locations, dimensions, and uses of existing and proposed structures and yards on the lot and, as practical, of any existing structures within 100 feet of the proposed structure but off the lot.
(4) Improvements: proposed off-street parking and location areas, access drives and walks; proposed sewage disposal system. For lots less than ½ acre, the site plan must be at the scale of 1 inch equals 20 feet; for larger lots, the site plan must be at a scale of 1 inch equals 40 feet. The North point must be shown on all site plans.

SECTION 7. Chapter 27(Zoning) Part 3 (Zone Regulations). Section §27-305(6.) (Building Height) is amended with the following:

6. Building Height. The building height limit for a principal building shall be three and a half stories, but not more than 40 feet. The height limit for an accessory building shall be two stories, but not over 25 feet.

SECTION 8 Chapter 27(Zoning) Part 3 (Zone Regulations). Section §27-307(6.) (Building Height) is amended with the following:

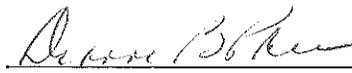
6. Building Height. The building height limit for a principal building shall not more than 75 feet. The height limit for an accessory building shall be two stories, but not over 25 feet.

SECTION 9. This Ordinance shall be effective five (5) days after adoption.

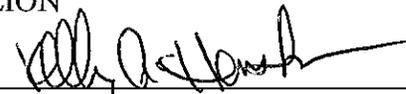
SECTION 10. Any Ordinance conflicting or inconsistent with this Ordinance is repealed to the extent of such conflict or inconsistency.

ENACTED AND ORDAINED, this 11th day of November, 2013, by the Borough Council of the Borough of Red Lion.

ATTEST:

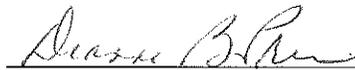

Borough Secretary

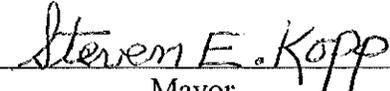
BOROUGH COUNCIL OF THE BOROUGH OF
RED LION

By: 
Borough Council President

APPROVED, this 11th day of November 2013, by the Mayor of the Borough of Red Lion.

ATTEST:


Borough Secretary


Mayor

ORDINANCE NO. 2013 – 11-2

AN ORDINANCE OF RED LION BOROUGH, YORK COUNTY, PENNSYLVANIA, AMENDING THE RED LION BOROUGH CODE OF ORDINANCES, CHAPTER 27 (ZONING), TO PERMIT A MUNICIPAL TAX COLLECTOR HOME OFFICE

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of Red Lion Borough, York County, Pennsylvania, as follows:

SECTION 1. Chapter 27 (Zoning) Part 2 (Terminology) of the Red Lion Borough Code of Ordinances shall be amended to include the following Section:

Section §27-203. Definitions.

Municipal Tax Collector home office – The home office of the elected Tax Collector for the Borough of Red Lion. The home office must meet all the relevant requirements of a home occupation as listed in Section §27-624.

SECTION 2. Chapter 27 (Zoning) Part 3 (Zone Regulations) of the Red Lion Borough Code of Ordinances shall be amended to include the addition of the following subsections:

a. Section §27-303. Residential-Outlying Zone (R-O).

2. Uses by Right. The following principal uses are permitted by right in the R-O Zone:

G. Municipal Tax Collector home office

b. Section §27-304. Residential-Town Zone (R-T).

2. Uses by Right. The following principal uses are permitted by right in the R-T Zone:

K. Municipal Tax Collector home office

c. Section §27-305. Commercial Zone (C).

2. Uses by Right, The following principal uses are permitted by right in the C Zone:

L. Municipal Tax Collector home office

d. Section §27-306. Borough Center Zone (BC).

2. Uses by Right. The following principal uses are permitted by right in the BC Zone:

L. Municipal Tax Collector home office

e. Section §27-307. Industrial Zone (I).

2. Uses by Right. The following principal uses are permitted by right in the I Zone:

P. Municipal Tax Collector home office

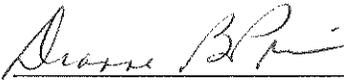
SECTION 3. This Ordinance shall be effective five (5) days after adoption.

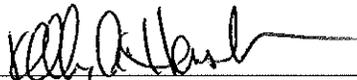
SECTION 4. Any Ordinance conflicting or inconsistent with this Ordinance is repealed to the extent of such conflict or inconsistency.

ENACTED AND ORDAINED, this 11th day of November, 2013, by the Borough Council of the Borough of Red Lion.

ATTEST:

BOROUGH COUNCIL OF THE BOROUGH OF RED LION

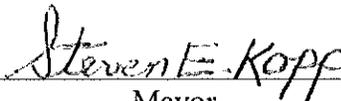

Borough Secretary

By: 
Borough Council President

APPROVED, this 11th day of November, 2013, by the Mayor of the Borough of Red Lion.

ATTEST:


Borough Secretary


Mayor

ORDINANCE NO. 2013-12-3

**BOROUGH OF RED LION
YORK COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF RED LION, YORK COUNTY, PENNSYLVANIA, IMPOSING A 4.20 MILL TAX FOR GENERAL REVENUE PURPOSES UPON ALL REAL PROPERTY SITUATE WITHIN THE BOROUGH FOR CALENDAR YEAR 2013, PROVIDING FOR A DISCOUNT IF PAID WITHIN TWO MONTHS OF THE DATE OF THE TAX NOTICE, PROVIDING A PENALTY FOR FAILURE TO MAKE PAYMENT WITHIN FOUR MONTHS OF THE DATE OF THE TAX NOTICE, AUTHORIZING THE TAX COLLECTOR OF THE BOROUGH TO ISSUE TAX CERTIFICATIONS AND TO CHARGE A FEE FOR THE ISSUANCE OF THE SAME, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 1302(a) of the Borough Code [53 P.S. § 46302 (a)] authorizes the council of the borough, by ordinance, to levy and collect annually a tax not to exceed thirty (30) mills for general borough purposes; and

WHEREAS, Section 1310 of the Borough Code [53 P.S. § 46310] requires the council of the borough to annually adopt an ordinance levying the tax for the fiscal year; and

WHEREAS, the borough council deems it to be in the best interests of the citizens of Red Lion Borough to enact an ordinance imposing a 4.20 mill tax for general revenue purposes upon all real property situate within the borough; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Council of the Borough of Red Lion, and it is hereby enacted and ordained, in lawful session assembled, as follows:

SECTION 1. REAL ESTATE TAX LEVY. A tax for general borough purposes is hereby levied upon all real property situate within the Borough of Red Lion, York County, Pennsylvania, for the calendar year 2014 at the rate of 4.20 mills on the dollar on the valuation thereof assessed for county purposes.

SECTION 2, DISCOUNT. All taxpayers subject to the payment of the tax imposed by Section 1., above, shall be entitled to a discount of two percent (2%) from the amount of such tax upon making payment of the whole amount thereof within two (2) months after the date of the notice.

SECTION 3. PENALTY. All taxpayers who shall fail to make payment of the whole amount of the tax imposed by Section 1., above, for four (4) months after the date of the tax notice, shall be charged a penalty of ten percent (10%) of the whole amount thereof.

SECTION 4. PREPARATION OF DUPLICATES. The proper officers of the Borough are hereby authorized and directed to prepare and issue proper duplicates of taxes assessed and deliver the same to the tax collector of the Borough of Red Lion, York County, Pennsylvania.

SECTION 5. TAX COLLECTOR CERTIFICATION. The tax collector of the borough is hereby authorized to issue a certification concerning the status of taxes imposed under this ordinance to any person requesting the same, and is authorized to charge a fee in the amount of Twenty Dollars (\$20.00) for the certification.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon enactment and approval.

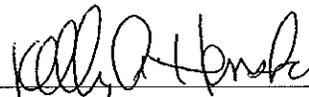
ENACTED AND ORDAINED, this 9th day of December, 2013, by the Borough Council of the Borough of Red Lion

ATTEST:



Borough Secretary

BOROUGH COUNCIL OF THE
BOROUGH OF RED LION:

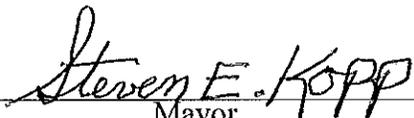
By: 

Borough Council President

APPROVED, this 9th day of December, 2013, by the Mayor of the Borough of Red Lion
ATTEST:



Borough Secretary



Mayor

ORDINANCE NO. 2013-12-4

AN ORDINANCE OF RED LION BOROUGH, YORK COUNTY, PENNSYLVANIA,
AMENDING CHAPTER 10 (HEALTH AND SAFETY) PART 3 B. (ANIMAL NUISANCES)

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of Red Lion Borough, York County, Pennsylvania, as follows:

SECTION 1. Chapter 10 (Health and Safety) Part 3 B. (Animal Nuisances) of the Red Lion Borough Code of Ordinances shall be amended to include the following Section:

§10-311A. Dog or Cat Feces Deposited Upon Private Property Prohibited

It shall be unlawful for the owner of a property to allow dog or cat feces to accumulate on their property to the degree that it becomes a public health nuisance or hazard due to odor or attraction of flies, vectors or vermin. In such cases where dog or cat feces are permitted to accumulate on private property by the owner, the Code Enforcement Officer may, upon complaint or at his own initiative, conduct an investigation, after which the accumulation may be declared a public health hazard or nuisance and the owner shall be ordered to remove and dispose of the accumulated feces in a sanitary manner. The order to remove such accumulated feces shall be given personally to the owner or shall be sent by registered mail and the owner shall be given a period of 5 days from the date of receipt of the order to clean the property and remove the accumulated feces.

SECTION 2. Chapter 10 (Health and Safety) Part 3 B.(Animal Nuisances) Section §10-312 Unrestrained Pets Prohibited, of the Red Lion Borough Code of Ordinances shall be amended to read:

§10-312. Unrestrained Pets Prohibited.

It shall be unlawful for the owner of a dog, cat, or other pet to cause or allow any pet to be upon any public street, alley, sidewalk, park, playground, or any other public area within the Borough unless it is accompanied by a person to whom it shall be tethered or restrained by a leash or other suitable restraint.

SECTION 3. This Ordinance shall be effective five (5) days after adoption.

SECTION 4. Any Ordinance conflicting or inconsistent with this Ordinance is repealed to the extent of such conflict or inconsistency.

ENACTED AND ORDAINED, this 9th day of December 2013, by the Borough Council of the Borough of Red Lion

ATTEST:

BOROUGH COUNCIL OF THE BOROUGH OF
RED LION:

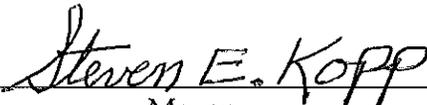

Borough Secretary

By: 
Borough Council ~~Vice~~ President

APPROVED, this 9th day of December 2013, by the Mayor of the Borough of Red Lion

ATTEST:


Borough Secretary


Mayor