

ARTICLE II
Definitions and Word Usage

§ 150-4. Word usage.

- A. Word usage. Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this Article.
- B. Language interpretation. In this chapter, when not inconsistent with the context:
 - (1) Words in the present tense imply also the future tense.
 - (2) The singular includes the plural.
 - (3) The male gender includes the female gender.
 - (4) The word "person" includes a partnership or corporation, as well as an individual.
 - (5) The term "shall" or "must" is always mandatory.

§ 150-5. Definitions.

The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this chapter:

ACCESS DRIVE - An improved cartway designed and constructed to provide for vehicular movement between a public road and a tract of land containing any use other than one (1) single-family dwelling unit.

ACCESSORY STRUCTURE – A structure associated with an accessory use, including but not limited to swimming pools, patios, decks, antennas, tennis courts, garages, utility sheds, etc. [Added 6-28-2001 by Ord. No. 01-03]

ADULT EDUCATION - The offering of part-time academic and nonacademic courses to adults.

ADULT REGULATED FACILITY - An establishment open to the general public, except persons under the age of eighteen (18) years, where more than twenty percent (20%) of the occupied area of the facility is used for one (1) or more of the following purposes:

- A. **ADULT BOOK STORE** - An establishment which offers for sale, for rent, for lease, for view on the premises or for loan pictures, photographs, drawings, sculptures, motion-picture film or similar visual representation of sexual conduct or sexual excitement, or books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative

accounts of sexual conduct or sexual excitement, or offers for sale devices, equipment, stimulants or other materials for use in sexual excitement.

B. - An establishment in which there is offered for view picture film or similar visual representation of sexual conduct or -rated movies" or "peep shows" or the alent thereof.

C. - An establishment, club, restaurant, theater or hall which features similar entertainers exhibiting specified anatomical areas or specified sexual activiti

ADULT MASSAGE PARLOR or ADULT MASSAGE STUDIO A commercial establishment whose business emphasis is the administration of

- A public thoroughfare which affor abutting property and is not intended for general traffic circulation.

ALTERATIONS -

the total floor area or an enlargement, whether by extending on a side or by increasing in

- As applied to a building structure in the Historic that is visible from a roadway, or an enlargement, whether by extending on a face or by

- Any change in the supporting members of a building e, such as bearing walls, columns, beams or girders.

ALTERNATIVE THERAPY OFFICE –

who has (1) graduated from a massage school that is accredited and licensed as a private school by the Commonwealth of Pennsyl

successful completion of a program of at least 500 hours of supervised instruction in massage or 200 hours of supervised instruction in reflexology and (2) holds and

ional Certification Board of Therapeutic

Massage and Bodywork or its successor or a national certification program maintaining

[Added 6- -2001 by Ord. No. 01 03]

AMUSEMENT ARCADE -

use amusement devices or games of skill or chance (e.g., pinball machines, video games,

not meant to include the use of no more than two (2) games or devices as an accessory use associated with another principal use.

ANIMAL HOSPITALS - Any establishment offering veterinary services. "Animal hospitals" can treat all types of animals and can include outdoor and overnight boarding of animals.

AUTOMOBILE FILLING STATION - Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sales of motor vehicle accessories at retail only, and which may or may not include vehicles but not including major repairing, body and fender work, painting, vehicular sales or rental or automatic car washes.

AUTOMOBILE PARTS STORE - Any building used for the retail storage and sales of automobile parts. No outdoor storage of parts is permitted.

AUTOMOBILE SALES - Any building or land devoted to the retail sales of passenger vehicles, including accessory service and repair facilities if conducted within a wholly enclosed building.

AUTOMOBILE SERVICE AND REPAIR - The retail repair, servicing, maintenance and reconstruction of passenger vehicles but not including car washes per se.

BASEMENT - A story having part but not more than one-half ($1/2$) of its height below the average level of the adjoining ground.

BED-AND-BREAKFAST - An owner-occupied single-family detached dwelling where between one (1) and five (5) rooms are rented to overnight guests on a daily basis for periods of less than one (1) week. Breakfast may be offered only to registered overnight guests.

BILLBOARDS - Any freestanding sign used as an advertisement for a business not located upon the same lot.

BUILDING - Any structure or edifice designed or intended for use as an enclosure, a shelter or for protection of person, animals or property.

- A. **DETACHED** - A building which has no party wall.
- B. **SEMIDETACHED** - A building which has only one (1) party wall in common.
- C. **ATTACHED** - A building which has two or more party walls in common.

BUILDING AREA - The total area of outside dimensions on a horizontal plane at ground level of the principal building and all accessory buildings.

- A percentage which, when multiplied by the

- The total
level to the highest point of the roof.

CAMPGROUND -
located or established, intended and maintained for occupation by transients in
recreational vehicles or tents.

CAMPSITE A plot of ground within a campground intended for occupation by a
recreational vehicle or tent.

CELLAR A story having more than one-
of the adjoining ground.

CEMETERY Land used or intended to be used for the burial of the deceased, including
columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction
[Added 6- -2001 by Ord. No. 01 03]

CHURCH AND RELATED USES A building, structure or group of buildings or
structures, including accessory uses, designed or intended for public worship. This
-related educational and/or day
care facilities.

CLUB WAREHOUSE STORE -
goods, both durable and nondurable, as a combination of wholesale and retail trade, based
wholly on a cooperative membership basis and not open to the general public.
12- -1993 by Ord. No.93 15]

COMMERCIAL RECREATION OR ENTERTMNMMENT FACILITY -
operated as a gainful business, open to the public, for the purpose of public recreation or
entertainment, including but not limited to bowling alleys, motion picture theaters, health
-related uses or

- An educational facility operated as a gainful business
is offered to those enrolled. The range of
curriculums can include all levels of academic instruction, business and technical
-twirling and musical training. "Commercial schools"
occupations nor day-
"Commercial schools" shall not include vocational and/or mechanical trade schools as
defined in this chapter. Nursery schools shall be considered "commercial schools" if they

COMMUNICATIONS ANTENNA - Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communication signals, including, without limitation, omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence-mounted satellite dishes or television antennas or amateur radio equipment, including, without limitation, ham or citizen band radio antennas. **[Added 4-9-1998 by Ord. No.98-06]**

COMMUNICATIONS EQUIPMENT BUILDING - An unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 250 square feet. **[Added 4-9-1998 by Ord. No.98-06]**

COMMUNICATIONS TOWER - A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennas. **[Added 4-9-1998 by Ord. No.98-06]**

DAY CARE - The offering of care or supervision over minors in lieu of care or supervision by family members. This definition does not include the offering of overnight accommodations.

DAY CARE, COMMERCIAL - A day-care facility licensed by the Commonwealth of Pennsylvania.

DAY CARE, FAMILY - A day-care facility certified by the Commonwealth of Pennsylvania and offering care or supervision to fewer than four different minors during any calendar day.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, streets and other paving utilities, filling, grading, excavation, mining, dredging or drilling operations and/or the subdivision of land.

DISTANCE BETWEEN BUILDINGS - The required distance between facings or buildings walls, measured at the narrowest point.

DOMESTIC PETS - The noncommercial keeping of no more than four adult nonfarm animals, that are locally available for purchase as pets, as an accessory use to a primary residential use.

DRIVEWAY - An improved cartway designed and constructed to provide vehicular movement between a public road and a tract of land serving one (1) single-family dwelling unit.

- Any building or portion thereof designed and used exclusively for boarding, rooming and lodging houses, institutional houses, tourist courts and the like, permanently affixed to a completely enclosed foundation constructed of currently accepted materials that shall be an entire perimeter wall and extend from below the line to the first floor of the building. Such foundation shall be constructed to provide sufficient structural integrity to prevent the building from heaving, shifting or settling and shall be properly connected to approved and permanently designed sewer, water, electrical and other utility systems.

A. SINGLE- - A freestanding building containing one (1) and one (1) rear yard; in the case of a corner lot, the building will have two (2) family detached dwellings" if in addition to the requirements listed for all home is securely anchored to the permanent foundation and all of the apparatuses used to transport the unit shall be removed, "dwellings." Modular homes can be considered "single-dwellings" so long as they comply with the general requirements of a "dwelling."

B. DUPLEX (TWO- -FAMILY SEMIDETACHED) A freestanding building containing two (2) dwelling units for two (2) families -by side or over and-

MULTIPLE FAMILY - units, at least one (1) of which must be located above or below the remaining units.

D. TOWNHOUSE - dwelling units arranged in a side by-common party walls.

DWELLING UNIT - by not more than one (1) family and having separate cooking and sanitary facilities.

EASEMENT A limited right- -use granted in private land for public or quasi public purpose.

FAMILY -17 1992 by Ord. No. 92- Any one (1) or more of the following:

A. A single individual occupying a dwelling unit.

- B. Two (2) or more persons related by blood, marriage or adoption occupying a dwelling unit.
- C. Not more than three (3) unrelated persons occupying a dwelling unit.
- D. Not more than eight (8) related or unrelated persons who are the functional equivalent of a family in that they live together, participate in such activities as meal planning, shopping, meal preparation and the cleaning of their dwelling unit together and who are part of a community based residential home which qualifies as a community living arrangement licensed by the Pennsylvania Department of Public Welfare or other appropriate federal or state agency having jurisdiction, where the persons occupying the home are handicapped persons under the terms of the Fair Housing Amendments Act of 1988 and where the operator of the home provides room and board, personal care, rehabilitative services and supervision in a family environment. The presence of staff persons in a home meeting this definition shall not disqualify the group of persons occupying the dwelling unit as a "family."

FARM - Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry or dairy products, including necessary. farm structures and the storage of equipment customarily incidental to the primary use.

FARM OCCUPATION - An accessory use to the primary agricultural use of a property in which residents engage in a secondary occupation conducted on the farm.

FINANCIAL INSTITUTION - A bank, savings and loan association, credit union, finance or loan company, etc.

FLOODPLAIN - The area inundated by the regulatory flood as described in the West Manchester Township Floodplain Management Ordinance.²

FLOOR AREA, GROSS - The sum of the floor areas of a building as measured to the outside surfaces of exterior walls and including all areas intended and designed for the conduct of a business or use but not including any floor space intended and designed for accessory heating and ventilating equipment.

FLOOR AREA, GROSS LEASABLE - The sum of the floor areas designed for the tenants' occupancy and use. It is all that area on which tenants pay rent, including sales areas and integral stock areas.

² Editor's Note: See Ch. 75, Flood Damage Prevention.

FLOOR AREA, HABITABLE The sum of the floor areas of a dwelling unit as
ured to the outside surfaces of exterior walls and including all rooms used for
hallways and stairways but not including cellars, basements or attics or service rooms or
as, such as utility rooms, nor unheated areas such as enclosed porches.

with accepted silvicultural principles, through developing, cultivating, harvesting,
d selling trees for commercial purposes, which does not involve any land
[Added 6 28 2001 by Ord. No. 01 03]

with adjoining public street right of way (existing or
highway.

FUNERAL HOME A building devoted to the care, embalming, and holding of services
act [Added 6 28 2001 by Ord. No. 01 03]

A. The right of way width required for the expansion of existing streets to

B. A right of way established to provide future access to or through und
land.

with a program to provide a supportive living arrangement for up to five (5) individuals
er vision due to some

"group home" shall not include a community based residential home which qualifies as a
Department of Public

persons occupying the home are handicapped persons under the terms of the Fair
[Added 6 10 1993 by Ord. No. 93 07]

H
wastewater treatment plant, sludge from a water supply treatment plant or air pollution

gaseous
or agricultural operations and from community activities, or any combination of the
above, which, because of its quantity, concentration or physical, chemical or infectious
haracteristics, may:

- A. Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or
- B. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, exposed of or otherwise managed.

HAZARDOUS WASTE FACILITY - Any structure, group of structures, aboveground or underground storage tanks or any other area or buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than the normal transportation time through the township.

HEIGHT OF A COMMUNICATIONS TOWER - The vertical distance measured from the ground level to the highest point on the communications tower, including antennas mounted on the tower. In the case of a tower mounted on a slope, height shall be measured from the lowest point where the tower contacts the slope to the highest point on the tower. **[Added 4-9-1998 by Ord. No.98-06]**

HORSE BOARDING STABLES OR RIDING SCHOOLS – Any commercial operation or other operation involving the boarding, breeding, or training of one or more horses and/or riders. Such use may include an enclosed or open arena, dressing rooms, and the like. **[Added 6-28-2001 by Ord. No. 01-03]**

HOSPITAL - A place for the diagnosis, treatment or other care of humans and having facilities for inpatient care.

JUNKYARD - Any establishment or place, on public or private property, where a person stores or accumulates wrecked, abandoned, inoperable or junked motor vehicles, machinery or equipment or scrap metal or materials for the purpose of salvaging parts therefrom for use or resale or the destruction of the same for resale as scrap. Any tract of land used for such purposes, regardless of ownership, shall be considered a separate "junkyard." (An "inoperable motor vehicle" is a vehicle intended to be self-propelled that shall not be operable under its own power for any reason or a vehicle that does not have a valid current registration plate or that has a certificate of inspection which is more than 60 days beyond its expiration date.)

KENNEL - Any lot on which animals (except livestock, horses or poultry) are kept, boarded, raised, bred, treated or trained for a fee, whether in special buildings or runways or not, including but not limited to dog or cat "kennels."

LAND DEVELOPMENT:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

- (1) A group of two (2) or more buildings.

- (2) The division or allocation of land or space between or among two (2) or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
- (3) The establishment of any new commercial or industrial facility; or
- (4) The expansion of any commercial or industrial facility in excess of twenty percent (20%) of the existing operation.

B. A subdivision of land.

LANDOWNER - The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such opinion 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 shall be deemed to be a "landowner" for the purposes of this chapter.

LIQUOR (STATE) STORES - A retail facility offering the retail sales of packaged liquor products.

LOADING SPACE - An off-street space or area suitable for the loading or unloading of goods and having direct usable access to a street or alley by means of an access drive.

LOT - A parcel of land considered as a unit for a principal use and/or from the standpoint of ownership. It may be vacant, devoted to a certain use, occupied by a structure or occupied by a group of structures that are united by a common interest or use.

LOT AREA - The area contained within the property lines of individual parcels of land, excluding any area within a street right-of-way, but including the area of any easement.

LOT COVERAGE (MAXIMUM) - A percentage which, when multiplied by the lot area, will determine the permitted area which may be covered with an impervious surface (e.g., buildings, driveways, parking area, sidewalks).

LOT DEPTH - The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the "depth" shall be measured from the street right-of-way line of the street of address to the directly opposite property line.

LOT WIDTH - The horizontal distance measured between side property lines. On corner lots, "lot width" shall be measured between the right-of-way line for the nonaddress street and the directly opposite property line. Unless otherwise specified, "lot width" shall be measured at the street right-of-way line. **[Amended 3-24-1988 by Ord. No. 88-02]**

MASSAGE PARLOR - An establishment whose business emphasis is the administration of nonsexually oriented massage to patrons by employees.

MEDICAL CLINIC - Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to people on an outpatient basis.

METHADONE TREATMENT FACILITY – A facility licensed by the Department of Health to use the drug methadone in the treatment, maintenance, or detoxification of persons. [Added 6-28-2001 by Ord. No. 01-03]

MINIWAREHOUSE – A building or series of buildings divided into separate storage units for personal property and/or property associated with some business or other organization. The storage units within a miniwarehouse shall be used solely for dead storage and no non-storage uses shall be permitted. Outdoor storage of motor vehicles, recreational vehicles, boats and similar items may also be permitted as part of a miniwarehouse. [Added 6-28-2001 by Ord. No. 01-03]

MOBILE HOME - A transportable, single-family dwelling intended for permanent occupancy, an office or place of assembly contained in one (1) unit or in two (2) or more units, designed to be joined into one (1) 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 constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home which is leased by the park owner to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK - A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two (2) or more mobile home lots.

MOTEL or HOTEL - A building or group of buildings for the accommodation of transient guest, chiefly motorists, containing guest rooms for rent.

NIGHTCLUB - Any building used for on-site consumption of alcoholic or nonalcoholic beverages where live entertainment is offered. For the purposes of this definition, "live entertainment" is meant to include the use of disc jockeys for the purposes of supplying musical entertainment. "Nightclubs" may also provide for the on-site consumption of food. Additionally, "nightclubs" can offer the retail sale of carry-out beer and wine as an accessory use. This is meant to include an "under 21" club which features entertainment.

NONCONFORMITY - A use, structure, lot or dimension in conflict with the regulations of this chapter existing on the effective date of this chapter or existing at any subsequent

amendment of this chapter or created by variance. Specifically, the following types of "nonconformities" are distinguished:

- A. **NONCONFORMING STRUCTURE** - A structure or part of a structure manifestly not designed to comply with the applicable use provisions in this chapter or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this chapter or amendment or prior to the application of this chapter or amendment to its location by reason of annexation. Such "nonconforming structures" include but are not limited to nonconforming signs.
- B. **NONCONFORMING USE** - A use, whether of land or of a structure, which does not comply with the applicable use provisions in this chapter or any amendment theretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this chapter or amendment or prior to the application of this chapter or amendment to its location by reason of annexation.
- C. **DIMENSIONAL NONCONFORMITY** - A lot or structure which is nonconforming because it is not in compliance with the extent-of-use or dimensional regulations of this chapter.

NONPROFIT SCHOOL - A facility licensed by the Pennsylvania Department of Education for the purposes of providing education that is not operated as a gainful business.

NURSING, REST OR RETIREMENT HOMES - Facilities designed for housing, boarding and dining associated with some level of nursing care.

OFFICE, BUSINESS - An office used in the management, control or administration of another business activity.

OFFICE, PROFESSIONAL - An office in which a primary service is offered to the client/patron. Such uses shall not involve the retail purchase of goods, and personal service businesses are specifically excluded.

OPEN SPACE RESIDENTIAL DEVELOPMENT - A residential development on a limited portion of a parcel of land with the remaining land area being consolidated into perpetual common open space areas. [**Added 6-27-1991 by Ord. No. 91-03**]

PARKING LOT - An open lot where passenger vehicles may be stored for short-term daily or overnight off-street parking.

PARKING SPACE - An off-street space available for the parking of one (1) motor vehicle and having direct, usable access to a street or alley.

PARKS, PRIVATE - A recreational facility owned or operated by a nonpublic agency and not conducted as a private gainful business.

PARKS, PUBLIC AND/OR NONPROFIT - Those facilities designed and used for recreation purposes by the general public that are owned and operated by a government or governmental agency/authority or are operated on a nonprofit basis. This definition is meant to include the widest range of recreational activities, excluding adult entertainment uses.

PERSONAL SERVICE BUSINESS - A business, such as a barber shop, beauty parlor, laundry and dry-cleaning service, self-service laundromat, shoe repair or tailor's shop, photographer's studio, travel agency and ticket agency or similar enterprise, providing personalized service to customers.

PRIVATE CLUB – An incorporated membership club or unincorporated association catering exclusively to members and their guests, not conducted primarily as a business enterprise. **[Added 6-28-2001 by Ord. No. 01-03]**

PRIVATE USE ANTENNA - Any device used for the transmission or reception of radio, television or other wireless communication signals, which device is used noncommercially in conjunction with a private residence. This definition shall include private residence-mounted satellite dishes or television antennas or amateur radio equipment, including, without limitation, ham or citizen band radio antennas. **[Added 4-9-1998 by Ord. No. 98-06]**

PUBLIC - Owned, operated or controlled by a governmental agency (federal, state or local, including a corporation created by law for the performance of certain specialized governmental functions, and the Board of Education).

PUBLIC SEWER - A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Resources. Such systems are capable of serving multiple users.

PUBLIC UTILITY - Those uses governed by the Pennsylvania Public Utilities Commission or use operated by a township authority.

PUBLIC UTILITY TRANSMISSION TOWER - A structure owned and operated by a public utility electric company regulated by the Pennsylvania Public Utilities Commission, designed and used to support overhead electricity transmission lines. **[Added 4-9-1998 by Ord. No.98-06]**

PUBLIC WATER - A municipal water supply system or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Resources. Such systems are capable of serving multiple users.

QUARRYING - The searching for or removal of rock, soil or mineral from the earth by excavating, stripping, mining, leveling or any other process but exclusive of excavations or grading involved in the construction of a building; also includes any processing operations in connection with the activities above. Permitted quarry operations must comply with all current applicable state regulations.

RECYCLING PLANT – A facility for the collection, temporary storage, and processing of recyclable materials for the purpose of marketing that material for use as a raw material in a manufacturing process or reuse as consumer products. **[Added 6-28-2001 by Ord. No. 01-03]**

RESTAURANT - An establishment that serves prepared food primarily on nondisposable tableware but can provide for incidental carry-out service so long as the area used for carry-out service does not exceed 5% of the total patron seating area nor 80 square feet, whichever is less.

RESTAURANT, DRIVE-THROUGH OR FAST-FOOD -An establishment that serves prepared food generally packaged in paper wrappers and/or disposable plates and containers. Such food can be consumed either on or off of the site. Caterers shall be included in this definition.

RETAIL STORE - Those stores and shops whose primary activities involve the retail sale of amusements and games; antiques; art; books; beverages; carpets and rugs; ceramics and glass; confections; drugs; dry goods; flowers; packaged food; furniture; gifts; garden supplies; hobbies; hardware; household appliances; household pets and supplies; leather goods; musical supplies and equipment; notions; paint; periodicals; photographs and photographic equipment; radio, television and sound equipment; sporting and camping goods; stationery; tobacco; toys; and wearing apparel. However, this term shall not include adult book stores, taverns, restaurants or caterers.

RIGHT-OF-WAY - A corridor of land owned publicly for purposes of maintaining primary vehicular and pedestrian access to abutting properties, including but not limited to roads, streets, highways and sidewalks. Abutting property owners are prohibited from encroaching across the right-of-way line. (See also "street line.")

SETBACK - The required horizontal distance between a setback line and a property or street line.

- A. **SETBACK, FRONT** - The distance between the street line and the front setback line projected the full width of the lot; commonly called "front yard."
- B. **SETBACK, REAR** - The distance between the rear lot line and the rear setback line projected the full width of the lot; commonly called "rear yard."
- C. **SETBACK, SIDE** - The distance between the side lot line and the side setback line projected from the front yard to the rear yard; commonly called "side yard."

SETBACK LINE - A line within a property and parallel to a property or street line which delineates the required minimum distance between a structure and that property or street line. Where a principal use is not totally enclosed within a structure, any area of the property devoted to the principal use shall conform to the setbacks for the zone. **[Amended 3-24-1988 by Ord. No.88-02].**

SHOPPING CENTER - A group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking provided on the property as an integral part of the unit.

SIGN - A device for visual communication that is used to bring the subject to the attention of the public but not including lettering or symbols that are an integral part of another structure or flags or other insignia of any government, fraternal or similar organization.

- A. SIGN, ADVERTISING - A structure designed for directing attention to a business commodity, service or entertainment conducted, sold or offered elsewhere than upon the same lot, such as billboards.
- B. SIGN, ATTACHED - A "sign" which is attached to a building or other structure and extends beyond the line of a building or structure or beyond the surface of that portion of the building or structure to which it is attached.
- C. SIGN, DIRECTIONAL - A "sign" which directs people to a community, an event of public interest, public uses and buildings, uses and buildings of service and charitable organizations, provided that no advertising matter other than identifying name or symbol shall be contained on "signs" of this type.
- D. SIGN, FREESTANDING - A "sign" supported by uprights or braces placed upon the ground and not attached to a building.

SOLAR ENERGY UNIT - Any equipment used for the collecting of, converting of or storage of solar energy or the resulting converted electrical or mechanical energy.

SOLID WASTE - Garbage, refuse and other discarded materials, including but not limited to solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrement nor hazardous waste materials as defined in the Code of Federal Regulations, Title 40, Chapter 1, Part 261, dated July 1, 1984, or as amended.

SPECIFIED ANATOMICAL AREAS:

- A. Less than completely and opaquely covered:
 - (1) Human genitals and pubic regions.

(2) Buttocks.

(3) Female breasts below a point immediately above the top of the areola.

B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES:

A. Human genitals in a state of sexual stimulation or arousal.

B. Acts of human masturbation, sexual intercourse or sodomy.

C. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

STORY - That portion of a building, excluding basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between any floor and the ceiling next above it.

STORY, HALF - A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor.

STREET - Includes a street, avenue, boulevard, road, highway, freeway, lane, alley, viaduct and any other dedicated and adopted public right-of-way used or intended to be used by vehicular traffic or pedestrians.

STREET GRADE - The officially established grade of the street upon which a lot fronts or, in its absence, the established grade of other street upon which the lot abuts at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the "street grade."

STREET LINE (RIGHT-OF-WAY LINE) - A line defining the edge of a street right-of-way and separating the street from abutting property or lots. The "street line" shall be the same as the legal "right-of-way line" currently in existence. However, where a future right-of-way width for a township owned road or street has been established by the West Manchester Township Comprehensive Plan, then that width shall determine the location of the "street line."

STRUCTURE - Any man-made object, including buildings, having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

A. **STRUCTURE, ACCESSORY** A structure associated with an accessory use, including but not limited to swimming pools, patios, antennas, tennis courts, garages, utility shed, etc.

B. STRUCTURE, PRINCIPAL - A structure associated with a primary use.

SUBSTANTIAL IMPROVEMENT - Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the fair market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the structure commences, whether or not that alteration affects the external dimension of the structure.

SWIMMING POOL - Any reasonably permanent pool, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1 1/2) feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

TAVERN - An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. "Taverns" may also serve food, but no live entertainment shall be permitted.

TOURIST HOME – A dwelling in which meals or lodging or both are provided or offered to transient guests for compensation. [Added 6-28-2001 by Ord. No. 01-03]

TRUCKING OR MOTOR FREIGHT TERMINAL – Any property which is the origin and/or destination point of short- and long-distance hauling and/or is used for the purpose of storing, transferring, loading, and unloading in addition to truck parking. [Added 6-28-2001 by Ord. No. 01-03]

USE - The specific purpose for which land or a structure is designed, arranged, intended, occupied or maintained.

- A. USE, ACCESSORY - A "use,, customarily incidental and subordinate to the principal use or building and located on the same lot with this principal use or building.
- B. USE, PRINCIPAL - The main or primary "use" of property or structures, measured in terms of net floor area or, where no net floor area exists, measured in terms of net land area.

VARIANCE - A modification of any provision of this chapter granted by the Zoning Hearing Board.

VETERINARIAN'S OFFICE - A building used primarily for the treatment, by a veterinarian, of small domestic animals, such as dogs, cats, rabbits and birds or fowl. No outdoor boarding of animals is permitted.

VOCATIONAL/MECHANICAL TRADE SCHOOL An educational use that offers in the following occupations:

B. Engine repairs.

D. Woodworking.

F. Plumbing.

H. Other similar trades.

energy to mechanical or electrical energy.

as a tower, used to support the hub and/or rotor blades, etc.

tted structures and the property lines.

the principal structure.

principal structure. On corner and reverse f
be considered that area between the principal structure and the property line

C. YARD, SIDE The area(s) between a principal structure and any side lot
"side yard" shall be considered those areas between
street.