
ARTICLE 1

TITLE, PURPOSE AND JURISDICTION

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Section 100 Title

An ordinance regulating the location, height, bulk, erection, construction, alteration, razing, and size of structures; the percentage of lot which may be occupied; the size of yards, courts and other open spaces; the density and distribution of population; the intensity of land use or bodies of water for commerce, industry, residence, recreation, public activities or other purposes; the uses of land for agriculture, water supply, conservation, soil conservation, forestry or other purposes; the protection of natural features; the protection of historic resources; and providing for the administration, enforcement and amendment of this ordinance in accordance with the provisions of the Pennsylvania Municipalities Planning Code as amended.

Section 101 Short Title

This Ordinance shall be known as the “Freeport Borough Zoning Ordinance.”

Section 102 Community Development Objectives

This Ordinance is enacted in accordance with the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) to implement the following community objectives and purposes.

- A. To ensure a safe and efficient transportation network for pedestrians and vehicles.
- B. To support the existing nonresidential development and minimize the conflicts between the nonresidential activities and surrounding residential areas through the implementation of use regulations, opportunities for reuse, nuisance standards, and standards on intensity and location.
- C. To provide adequate parking for residences and businesses.
- D. To regulate signs in a way that protects the Borough’s historic appearance and aesthetics while providing adequate information to patrons of the commercial areas.

- E. To promote, protect, and facilitate all of the following: the public health, safety, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations; the provision of adequate light and air; access to incident solar energy; police protection; vehicle parking and loading space; transportation, water, sewerage, schools, recreational facilities, public grounds; the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
- F. To regulate the bulk, scale, and dimensions of land uses to be consistent with the historic development pattern of Freeport Borough.
- G. To prevent overcrowding of land, blight, danger and congestion in travel and transportation, and loss of health, life or property from fire, flood, panic or other dangers.
- H. To provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile home parks, and mobile homes.

Section 103 Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.

- A. This Ordinance does not repeal, abrogate, annul or in any way impair, or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance, or any private restrictions placed upon property by covenant, deed or other private agreement unless repugnant hereto.
- B. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Ordinance shall control. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than this Ordinance, the provisions of such statute, ordinance, or regulation shall control.

Section 104 Severability

It is hereby declared to be the intent of the Borough Council that:

- A. If a court of competent jurisdiction declares any provision, clause, sentence, or word of this Ordinance to be invalid or ineffective, in whole or in part, such decision shall be limited to those provisions that are expressly stated to be invalid or ineffective. All other provisions of this Ordinance shall continue to be separately and fully effective.

- B. If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any lot, building or other structure, or tract of land, to be invalid or ineffective, in whole or in part, such decision shall be limited to the person, property, or situation immediately involved in the controversy. The application of any such provision to other persons, property or situations shall not be affected.