

ORDINANCE NO. 154-2015

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, AMENDING THE CENTRE TOWNSHIP ZONING ORDINANCE OF NOVEMBER 2004, AS AMENDED AUGUST 2006 BY ORDINANCE NO. 20-2006, BY (1) AMENDING IN ITS ENTIRETY ARTICLE III, SECTION 304, ENTITLED "INTERPRETATION OF DISTRICT BOUNDARIES"; (2) SUPPLEMENTING ARTICLE III BY ADDING NEW SECTION 308 ENTITLED "LOT SUBJECT TO AGRICULTURAL CONSERVATION EASEMENT"; AND (3) SUPPLEMENTING ARTICLE IV, SECTION 400, BY ADDING A NEW SECTION 400.14 ENTITLED "MULTIPLE ZONING DISTRICTS AFFECTING A LOT SUBJECT TO AGRICULTURAL CONSERVATION EASEMENT"

BE IT ENACTED by the Board of Supervisors of the Township of Centre, Berks County, Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. Section 304, entitled "Interpretation of District Boundaries" of Article III, entitled "Establishment of Districts", of the Centre Township Zoning Ordinance of November 2004, as amended (the "Zoning Ordinance"), is hereby amended in its entirety so as to hereafter read as follows:

Section 304. INTERPRETATION OF DISTRICT BOUNDARIES:

- A. Where uncertainty exists with respect to the boundaries of the district as indicated on the Zoning Maps, the following rules shall apply:
1. Where district boundaries are indicated as approximately coinciding with the center lines of streets, highways, railroad lines, or streams, such centerlines shall be construed to be such boundaries.
 2. Where district boundaries are so indicated that they approximately coincide with lot lines, such lot lines shall be construed to be said boundaries; or where district boundaries are extensions of lots lines or lots lines shall be said district boundaries.
 3. Where district boundaries are so indicated that they are approximately parallel to center lines of streets or highways, such district boundaries shall be construed as being parallel thereto and such distance therefrom as indicated on the Zoning District Maps.
 4. Where district boundaries divide a lot, the boundaries are deemed to be lines which connect two identifiable points.

B. If a property is subject to a perpetual, agricultural or conservation easement, the applicable zoning regulation shall be determined in accordance with Section 308, entitled "Lot Subject to Agricultural Conservation Easement" of Article III, entitled "Establishment of Districts", of the Centre Township Zoning Ordinance.

Section 2. Article III, entitled "Establishment of Districts", of the Centre Township Zoning Ordinance is hereby supplemented by adding thereto the following new Section 308, entitled "Lot Subject to Agricultural Conservation Easement":

Section 308. LOT SUBJECT TO AGRICULTURAL CONSERVATION EASEMENT. If a property is subject to a perpetual, agricultural or conservation easement, and the property is located in whole or in part in a zoning district that is other than an agricultural zoning district, the non-agricultural zoning district zoning regulations shall not apply and the property shall be reviewed for zoning purposes as if the property is located entirely in the agricultural zoning district.

Section 3. Section 400, entitled "AP – Effective Agricultural Preservation District" of Article IV, entitled "District Regulations", of the Centre Township Zoning Ordinance is hereby supplemented by adding thereto the following new Section 400.14, entitled "Multiple Zoning Districts Affecting a Lot Subject to Agricultural Conservation Easement":

Section 400.14. MULTIPLE ZONING DISTRICTS AFFECTING A LOT SUBJECT TO AGRICULTURAL CONSERVATION EASEMENT. If a property is subject to a perpetual, agricultural or conservation easement, the applicable zoning regulation shall be determined in accordance with Section 308, entitled "Lot Subject to Agricultural Conservation Easement" of Article III, entitled "Establishment of Districts", of the Centre Township Zoning Ordinance.

Section 4. Severability. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

Section 5. Repealer. All ordinances or parts of ordinances which are inconstitence herewith are hereby repealed insofar as they are inconsistent with the provisions hereof.

Section 6. Effective Date. This Ordinance shall become effective five (5) days from the date of enactment hereof.

DULY ENACTED AND ORDAINED this 21 day of September, 2015.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF CENTRE,
BERKS COUNTY, PENNSYLVANIA

By: _____
Chairman

By: [Signature]
Supervisor

By: [Signature]
Supervisor

Attest:

[Signature]
Secretary

[SEAL]

