

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 309

AN ORDINANCE OF WASHINGTON TOWNSHIP, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ARTICLE 8 OF THE WASHINGTON TOWNSHIP ZONING ORDINANCE OF 1982, AS AMENDED.

WHEREAS, Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601, et seq., authorizes Washington Township, Northampton County to enact, amend, and repeal Zoning Ordinances within the Township;

WHEREAS, the Board of Supervisors of Washington Township, Northampton County determined it is necessary to amend and modify the provisions of the Zoning Ordinance regarding administration of the zoning ordinance; and

WHEREAS, the Board of Supervisors of the Township desires to amend various sections of Article 8 of the Zoning Ordinance.

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

SECTION 1. Amendments, Deletions, and Additions

Any language to be deleted from the Zoning Ordinance by this amendment shall be shown with text ~~struck through~~. Any language to be added to the Zoning Ordinance shall be shown as **bolded text**.

SECTION 2. Amendment of Section 8.1.F.

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.1.F. is hereby amended as follows:

- F. If the Zoning Officer finds that the action of the applicant is in accordance with the Zoning Permit and any other required permits, the ~~the~~**Zoning Officer** shall issue an Occupancy Permit allowing the premises to be occupied.

SECTION 3. Addition of new subsection (c) to Section 8.2.A.2.c. Types of Uses

The Washington Township Zoning Ordinance of 1982, Article 8, Definitions, Section 8.2.A.2.c is hereby amended to add "Uses not specifically regulated" as follows:

- c. **Uses not specifically regulated.** If a use clearly is not listed as permitted, as a conditional use, or as a special exception use by this Ordinance within any Zoning District, the use is prohibited in the Township except that the Zoning Hearing Board may permit such use as a special exception use. After a review by the Planning Commission, the Zoning Hearing Board may permit such use if the applicant proves that all of the following to the satisfaction of the Zoning Hearing Board:
 - i. The proposed use would be no more intensive with respect to external impacts and nuisances than uses that are permitted in the district;
 - ii. The proposed use would be closely similar in impacts and character to uses permitted in that district;
 - iii. that the proposed use would be compatible with the purposes of the district;
 - iv. that the use can meet the general criteria listed in Section 3.13 D;
 - v. The use is not specifically prohibited in that district; and
 - vi. The use will not create a significant public safety hazard, including fire, toxic or explosive hazards; that traffic from the proposed use will be accommodated in a safe and efficient manner; the use will follow adequate and professionally accepted engineering methods to manage storm water; and that the use shall be suitable for the site, considering the impacts upon non-man-made steep slopes, mature woodland, wetlands, floodplains, springs and other important natural features.

SECTION 4. Amendment of Section 8.2.A.3.b

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.2.A.3.b. is hereby amended as follows:

- b. All applications for a Zoning Permit shall include a plot plan drawn to scale showing the location and dimensions of the lot area and of the proposed uses of buildings and/or land. The Zoning Officer or the Zoning Hearing Board may require any additional information which he-~~they~~either deems necessary to properly evaluate the application for the purpose of determining its conformity with this Ordinance.

SECTION 5. Amendment of Section 8.3.A. Appointment of Zoning Officer

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.3.A is hereby amended as follows:

1. The Zoning Officer shall be appointed by the Board of Supervisors, ~~shall be a resident of the Township and shall not hold elective office.~~
2. ~~The residency requirement of this section may be waived, at the discretion of the Board of Supervisors, if the Township enters into an agreement with any other municipality to appoint one common Zoning Officer or staff.~~
3. The Zoning Officer or staff shall continue to serve the Township until such time as the Township Supervisors declares otherwise.

SECTION 6. Amendment of Section 8.4.C. Removal of Zoning Hearing Board Member.

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.4.C is hereby amended as follows:

1. Any Board member may be removed for **malfeasance, misfeasance or nonfeasance in office or for other** just cause by a majority vote of the Board of Supervisors, if the member has received fifteen (15) days' **advance** notice of the intent to take such a vote.
2. A hearing shall be held in connection with the vote if the member ~~so requests it in writing~~ **shall request it in writing.**

SECTION 7. Amendment of Section 8.4.F.1.b. Appeal from the Zoning Officer

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.4.C.F.1.b is hereby amended as follows:

- b. All appeals which allege that the Zoning Officer has made an error shall be filed directly with the Secretary of the Zoning Hearing Board within ~~sixty~~ **thirty (30)** days of the Zoning Officer's alleged error.

SECTION 8. Amendment of Section 8.5.J. Notice of Decision.

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.5.J. is hereby amended to add a new subsection (2) and renumber the existing subsections (2) and (3):

2. **A copy of the final decision or a copy of the findings (when no decision is called for), shall be delivered to the Board of Supervisors in such manner as directed by the Board of Supervisors not later than the day following the date of decision.**

SECTION 9. Amendment of Section 8.10.B. Enforcement Penalties.

The Washington Township Zoning Ordinance of 1982, Article 8, General Procedure, Section 8.10.B. is hereby amended as follows:

B. Enforcement Penalties.

Any person, partnership or corporation who or which shall violates or permits a violation of any provision of this Ordinance shall, upon conviction thereof in a summary proceeding being found liable in a civil enforcement proceeding, be sentenced to pay a fine of not less than one-hundred dollars (\$100) nor more than five-hundred dollars (\$500), plus court costs, reasonable attorney's fees incurred, and any and all other remedies permitted by the Pennsylvania Municipalities Planning Code. In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than sixty (60) days. Each day that a violation is continued shall constitute a separate offense. All fines collected for the violation of zoning ordinances shall be paid over to the Township. 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 ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the municipality whose ordinance has been violated.

SECTION 10. Severability.

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining

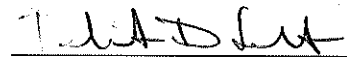
provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board that the remainder of the Ordinance shall remain in full force and effect.

SECTION 11. Effective Date.

This Ordinance will be effective immediately upon its enactment.


ORDAINED AND ENACTED by the Board of Supervisors of the Township of Washington, County of Northampton, Commonwealth of Pennsylvania, into an Ordinance this 8th day of April 2026.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS




Robert Smith, Chairman

Carl Tolino, Vice Chairman



R. Justin Huratiak

ATTEST:

By: 

Sharon Cifuentes
Township Secretary/Treasurer