

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 4 -01

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX,
CUMBERLAND COUNTY, PENNSYLVANIA AMENDING
ORDINANCE NO. 3-89 ENACTED JUNE 30, 1989, KNOWN
AS THE "MIDDLESEX TOWNSHIP ZONING ORDINANCE"
BY PERMITTING FORESTRY IN ALL ZONING DISTRICTS
OF MIDDLESEX TOWNSHIP, AMENDING CERTAIN
NOTICE REQUIREMENTS WITH RESPECT TO ZONING
ORDINANCE AMENDMENTS AND HEARINGS WITH
RESPECT THERETO AND ADDING TERMS AND
DEFINITIONS

BE IT HEREBY ENACTED AND ORDAINED, and it is hereby enacted by the Board of
Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania
as follows:

SECTION 1: Article II, Section 2.03 of the Middlesex Township Zoning Ordinance is hereby
amended to include the following additional terms.

Forestry: The management of forests and timberlands when practiced in accordance
with accepted silvicultural principles, through developing, cultivating, harvesting,
transporting and selling trees for commercial purposes, which does not involve any
land development.

Timbering: The act of engaging in timber harvesting.

Timber Harvesting: The process of cutting down and/or removing trees for the purpose
of sale or processing into commercial wood products.

SECTION II: The following Articles and Sections of the Middlesex Township Zoning

Ordinance are hereby amended as follows:

- A. Article V, OS – Conservation/Open Space Districts, Section 5.02 is hereby amended to include the following additional permitted use:

F. Forestry (See Section 14.53)

- B. Article VI, RF – Residential Farm Districts, Section 6.02 is hereby amended to include the following additional permitted use:

I. Forestry (See Section 14.53)

- C. Article VII, RC – Residential Country Districts, Section 7.02 is hereby amended to include the following additional permitted use:

H. Forestry (See Section 14.53)

- D. Article VIII, RS – Residential Suburban Districts, Section 8.02 is hereby amended to include the following additional permitted use:

I. Forestry (See Section 14.53)

- E. Article IX, VC – Village Center Districts, Section 9.02 is hereby amended to include the following additional permitted use:

K. Forestry (See Section 14.53)

- F. Article X, CH – Commercial Highway Districts, Section 10.03 is hereby amended to include the following additional permitted use:

N. Forestry (See Section 14.53)

- G. Article XI, LI– Light Industrial Districts, Section 11.03. is hereby amended to include the following additional permitted use:

14. Forestry (See Section 14.53)

- H. Article XII, IG– Industrial General Districts, Section 12.03 is hereby amended to include the following additional permitted use:

18. Forestry (See Section 14.53)

SECTION III: Article XIV, Supplementary Regulations, is hereby amended to include the following additional Section:

SECTION 14.53 – Forestry; Timber Harvesting

A. The harvesting of trees, which is a component of forestry, shall be governed by the provisions of this Section. The provisions of this Section however shall not apply to the harvesting of trees for personal use by a property owner and his or her family.

A person who intends to undertake timber harvesting activities on land located within the Township shall provide the Township with written notice at least seven (7) days prior to the date that such activities are to commence. Such notice must be sent to the Township Secretary and shall include the following:

1. A copy of the Erosion and Sedimentation Control Plan (as required by Chapter 102, Erosion Control Rules and Regulations issued under Act of June 22, 1937, P.L. 1987 (Clean Streams Law); and
2. The following information shall also be submitted to the extent that such information is not clearly indicated within the submitted copy of the Erosion and Sedimentation Control Plan:
 - a. Location of the land;
 - b. Owner of the land;
 - c. Person timbering;
 - d. Timbering schedule;
 - e. Number of acres to be timbered;
 - f. Estimated number of board feet to be timbered;
 - g. Type of timbering: selective, cutting or clear cut;
 - h. Method of transport; and
 - i. Identification of transport route through the Township.

SECTION 4: Article XIX, Amendments, Section 19.02G. is hereby amended in its entirety to provide as follows:

- G. Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice. Notice shall be given by publication of the notice in a newspaper of general circulation in the Township. Said notice shall be published once each week for two successive weeks. The first publication shall not be more than thirty days and the second publication not less than seven days from the date of the hearing.

In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.

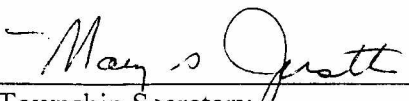
SECTION 5: If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect or impair the validity of this or the Middlesex Township Zoning Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this or the Middlesex Township Zoning Ordinance. The Board of Township Supervisors hereby declares that it would have adopted this Ordinance and each section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

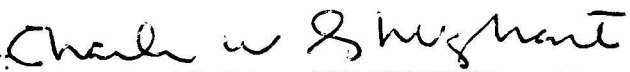
SECTION 6: This Ordinance shall become effective in accordance with applicable law.

ORDAINED AND ENACTED this 11th day of July, 2001.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township
Supervisors

(Seal)