

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 5 –2003

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 8-90, KNOWN AS THE MIDDLESEX TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, TO PROVIDE FOR THE MERGER BY DEED OF LOT ADDITIONS CREATED BY SUBDIVISION AND SPECIFYING SIGNATURE BLOCK APPROVAL LANGUAGE FOR PLANS AND AMENDING ORDINANCE 3-89 KNOWN AS THE MIDDLESEX TOWNSHIP ZONING ORDINANCE, ARTICLE XV, SECTION 15.01 WITH RESPECT TO THE EXPANSION OF NON-CONFORMING USES.

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 III, Section 306 of the Middlesex Township Subdivision and Land Development Ordinance is hereby amended to include new Section 306.c as follows:

- c. In any subdivision creating a lot addition (including a side lot addition), the lot addition shall be required to be merged by deed into the tract to which it is being added and any future proposal to subdivide any portion of the tracts so merged shall be in accordance with all requirements of the Pennsylvania Municipalities Planning Code (or any successor code or authority), this Subdivision and Land Development Ordinance and the Middlesex Township Zoning Ordinance. A copy of the proposed deed of merger shall be submitted to the Township for review and approval as a condition of plan approval and the requirements and conditions provided above shall appear as a note on the subdivision plan.

SECTION 2: Article V, Section 501.ff(2) of the Middlesex Township Subdivision and Land Development Ordinance is hereby amended to provide as follows:

(2) Board of Township Supervisors. The signature block shall appear as follows:

**MIDDLESEX TOWNSHIP BOARD OF SUPERVISORS
PLAN APPROVAL CERTIFICATION**

This Plan approved or conditionally approved the _____ day of _____ 200____
by the MIDDLESEX TOWNSHIP BOARD OF SUPERVISORS
All conditions, if any, imposed with respect to such approval have been met on
this _____ day of _____ 200____

Chairman, Board of Supervisors

Township Secretary

SECTION 3: Article XV, Section 15.01 is hereby amended as follows:

- A. The reference in Section 15.01.C to Section 10.6 is hereby changed to Section 15.06.
- B. Section 15.01.C.1.c. is hereby amended to provide in its entirety as follows:
 - c. The proposed alteration, extension or expansion shall not exceed 25 percent of the gross floor area occupied by the nonconforming use as determined at the time the use became nonconforming. With respect to the nonconforming use of open land (i.e. a nonconforming use not within a structure), the proposed alteration, extension or expansion shall not exceed 25 percent of the land area occupied by the nonconforming use as determined at the time the use became nonconforming. Under no circumstances shall a nonconforming use be permitted to be altered, extended or expanded, whether one or more times, by special exception, in excess of 25 percent of the gross floor area or land area occupied by the nonconforming use as determined at the time the use became nonconforming.

SECTION 4: Except only as amended, modified and changed herein, the Middlesex Township Subdivision and Land Development Ordinance and the Middlesex Township Zoning Ordinance as originally enacted and as previously amended shall remain in all other respects in full force and effect.

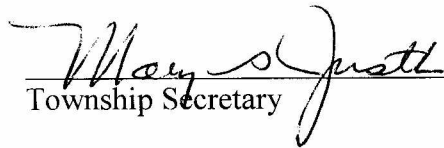
SECTION 5: If any section, sub-section, provision, regulation, limitation, restriction, sentence clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this, the Middlesex Township Subdivision and Land Development Ordinance 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, the Middlesex Township Subdivision and Land Development Ordinance 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 or 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.

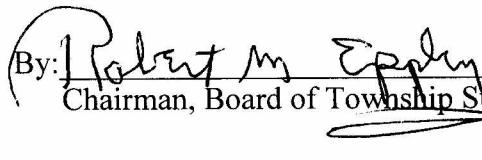
SECTION 6: This Ordinance shall become effective in accordance with applicable law.

ORDAINED AND ENACTED this 1st day of October, 2003.

ATTEST:

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township Supervisors

(SEAL)