

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE BOROUGH OF MANORVILLE, ARMSTRONG COUNTY, PENNSYLVANIA, ESTABLISHING DEVELOPMENT CONTROLS DURING THE PENDING ADOPTION OF A ZONING ORDINANCE CURRENTLY BEING DRAFTED BY MANORVILLE BOROUGH, WHICH CREATES RESIDENTIAL EXCLUSION PROVISIONS, BUSINESS STANDARDS FOR ALL COMMERCIAL AND NON-RESIDENTIAL AREAS; ESTABLISHES PROHIBITED ACTIVITIES TO ENSURE PUBLIC SAFETY; PROVIDES FOR ENFORCEMENT AND ESTABLISHES AN EFFECTIVE DATE.

Section 1 Purpose

Pending the adoption of a zoning ordinance which is currently being drafted by The Borough of Manorville pursuant to the Pennsylvania Municipalities Planning code in order to protect the public health, safety and welfare and to insure that pending the adoption of the zoning ordinance that the residential, business and commercial areas are developed in such a way as to be compatible with the draft zoning ordinance.

Section 2. Definitions

For purposes of this ordinance, the following words and phrases shall have the meanings indicated. Where terms are not defined herein, they shall be interpreted according to their ordinary and customary usage.

"Commercial Activity" Any activity, operation, or enterprise conducted for profit or business purposes, including but not limited to retail sales, service establishments, entertainment venues, industrial operations, professional offices, and any other non-residential use of a property.

"Customer-Accessible Floor Area" The portion of a building or structure accessible to customers, clients, or the general public, including sales floors, waiting areas, service counters, and public rooms. This term excludes employee-only areas, storage rooms, mechanical rooms, and restrooms.

"Glare" Direct or reflected light visible from adjacent properties or public right-of-way that causes visual discomfort or distraction.

"Noise" Any sound exceeding the decibel limits established in this Ordinance, measured at the property line using an ANSI-certified sound level meter set to the A-weighted scale (dBA).

"Vibration" Any oscillatory motion of the ground, a structure, or a portion thereof that is perceptible without instruments by a person of normal sensitivity at any property line.

"Odor" Any gaseous or vaporous emission detectable by a person of normal sensitivity at the property line.

"Particulate Matter" Any airborne solid or liquid material, including dust, smoke, soot, fumes, or mists.

"Outdoor Storage" The placement, keeping, or accumulation of materials, goods, equipment, machinery, vehicles, waste, or supplies outside of a fully enclosed building for more than twenty-four (24) hours.

"Heavy Truck" Any motor vehicle with a gross vehicle weight rating (GVWR) of 10,000 pounds or greater.

"Public Entrance" Any doorway or access point intended for use by customers or the general public.

"Loitering" Remaining idle in one location without apparent lawful purpose or failing to leave after being directed to do so by the property owner or operator.

"Enclosed Viewing Booth" Any room, booth, or partitioned area designed to isolate a customer or restrict visibility from the main sales floor.

"Opaque Screening" A solid fence, wall, or barrier at least eight (8) feet in height that fully blocks visibility.

"Property Line" The boundary line of a lot or parcel as recorded in Armstrong County property records.

"Public Right-of-Way" Any street, sidewalk, alley, or publicly owned accessway open for public travel.

"Operator" Any person or entity responsible for the management or operation of a commercial activity.

"Person of Normal Sensitivity" A hypothetical individual with average sensory perception used to determine detectability of noise, vibration, odor, or emissions.

Section 2 Permit Requirements

Any individual who intends to establish a new business, commercial venture or a non-residential activity, change or expand an existing business, commercial venture or non-residential activity must apply for a permit on a form to be established by the borough council and file it with the borough secretary and pay any filing fee established by the borough council. The permit will be reviewed by the individual or entity appointed by the borough council. Following review, the application is to be approved and the permit issued or denied. Should the application be denied the applicant shall have the right to have the application review by the full borough council at any regular meeting.

Section 3. Residential Area of Water Street

Any permit for a new business, commercial venture or a non-residential activity or expansion of the same within the existing residential area fronting on Water Street shall be subject to the following:

1. No new business commercial venture or non-residential activity may be established unless the person or individual appointed by the borough council or the borough council determines the use is compatible with the residential character of Water Street.
2. Only residential uses and low-impact home occupations are to be permitted.
3. Any new business, commercial venture or non-residential activity that conflicts with the pending zoning ordinance that is being drafted by the borough shall be denied.
4. The issuance of any permit for a new business, commercial venture or non-residential activity may be conditioned, limited, or denied to preserve the essential character of the neighborhood.

Section 4. Standards for Review

All application for a permit for a new business, commercial venture or non-residential activity or expansion of the same shall be reviewed by the individual or entity appointed by the borough council or by the entire borough council in light of the following:

1. Compatibility with surrounding residential uses and essential character of the neighborhood.
2. Noise, lighting, odor, and operational impacts.

3. Traffic generation and parking impacts.
4. Public safety considerations.
5. Consistency with the pending zoning ordinance being drafted.
6. Preservation of the residential character of Water Street.

Additional standards to be considered as part of any application review:

Noise Standards

A. No commercial activity shall generate noise exceeding:

1. Sixty-five (65) dBA at any property line between 7:00 AM and 7:00 PM;
2. Fifty-five (55) dBA at any property line between 7:00 PM and 7:00 AM.

B. Noise limits apply to all mechanical equipment, customer activity; •music; deliveries, and operational sounds.

Vibration Standards

A. No commercial activity shall cause perceptible vibration at any property line. B. Vibration is perceptible if detectable without instruments by a person of normal sensitivity.

Section 5. Odor, Smoke, and Particulate Emissions

A. No commercial activity shall emit smoke, fumes, vapors, odors, or particulate matter detectable beyond the property line. B. Ventilation systems must prevent emissions from being detectable outdoors.

Hours of Operation

A. No commercial activity open to the public shall operate between 11:00 PM and 6:00 AM. B. Deliveries, waste removal, and outdoor maintenance are prohibited between 9:00 PM and 7:00 AM.

Lighting and Glare

A. Exterior lighting must be fully shielded to prevent glare visible from adjacent properties or public rights-of-way. B. Entrances and parking areas must maintain a minimum illumination of 2.0 foot-candles. C. Flashing, pulsating, or moving lights are prohibited.

Parking and Traffic Requirements

- A. Commercial activities must provide one off-street parking space per one hundred fifty (150) square feet of customer-accessible floor area. B. On-street parking may not count toward required parking. C. No commercial activity may generate more than three (3) heavy-truck trips per day. D. Loading and unloading must occur entirely on private property.

Loitering and Exterior Conduct

- A. No commercial activity shall permit loitering on the premises. B. "No Loitering" signage must be posted at all public entrances. C. The operator is responsible for enforcement.

Window and Visibility Standards

No merchandise, signage, or interior activities may be visible from any public right-of-way.

Windows must remain clear and unobstructed. Private Rooms and Enclosed Areas

No enclosed viewing booths, private rooms, or partitioned areas may be operated unless fully visible from the main sales floor. B. All customer areas must remain visible from the primary entrance.

Security Requirements

- A. Commercial activities with enclosed customer areas must maintain continuous video surveillance.
- B. Footage must be retained for thirty (30) days and provided to law enforcement upon request.

Waste Management and Property Maintenance

- A. Businesses must maintain sidewalks and public areas within one hundred (100) feet free of litter or debris. B. Outdoor disposal of glass or metal containers is prohibited between 7:00 PM and 8:00 AM. C. Outdoor storage is prohibited unless screened by opaque fencing at least eight (8) feet high.

Section 5. Duration

The terms and conditions of this Ordinance shall remain in effect during the period that there is a pending zoning ordinance. Should there cease to be a pending zoning ordinance or should the draft zoning ordinance not be adopted within twelve (12) months from the enactment date of this ordinance this ordinance shall terminate.

Section 6. Enforcement.

Any person, firm, or corporation who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than Five Hundred (\$500.00) Dollars. Each day that a violation of this Ordinance continues shall constitute a separate offense. In addition, a cease-and-desist order maybe issued by the borough or any permit issued by the borough maybe revoked.

Section 7. Severability

If any provision of this Ordinance is held invalid, the remaining provisions shall remain in full force and effect.

Section 8. Repealer

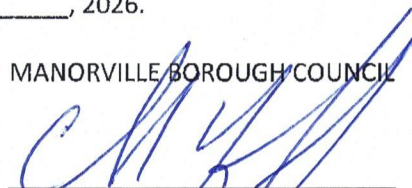
Any ordinance or portions of ordinance that are inconsistent with the provisions of this ordinance are repealed.

Section 9. Effective Date

This Ordinance shall take effect immediately upon adoption.

ORDAINED AND ENACTED at a regular monthly meeting of the Manorville Borough Council held on the 18th day of August, 2026.

MANORVILLE BOROUGH COUNCIL

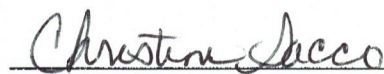


President



Robert Ramer

ATTEST:



Christine Iacco
Secretary
(SEAL)



Robert Ramer

Daniel W. Cornman

APPROVED/VETOED this 18th day of August, 2026

Linda Cornman
Mayor

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