

**BOROUGH OF CHAMBERSBURG  
FRANKLIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022-\_\_**

**AN ORDINANCE OF THE BOROUGH OF CHAMBERSBURG, FRANKLIN COUNTY,  
PENNSYLVANIA, AMENDING VARIOUS SECTIONS OF CHAPTER 300 OF THE  
CODE OF THE BOROUGH OF CHAMBERSBURG, ENTITLED “ZONING”**

**WHEREAS**, the Pennsylvania Borough Code, 8 Pa. C.S. §§ 101-3501, (the “Borough Code”) at Section 1202(5) empowers the Borough to promulgate regulations as may be necessary for the health, morals, general welfare, comfort, and safety of the Borough and its citizens; and

**WHEREAS**, the Borough Code at Section 1202(21) empowers the Borough to plan for and regulate the development of the Borough by utilizing powers delegated by the Pennsylvania Municipalities Planning Code and other applicable laws by adopting zoning regulations; and

**WHEREAS**, the Town Council of the Borough of Chambersburg, Franklin County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of the Borough to amend various sections of Chapter 300 of the Code of the Borough of Chambersburg, entitled “Zoning”;

**NOW THEREFORE BE IT ENACTED AND ORDAINED**, the Mayor and Town Council for the Borough of Chambersburg, Franklin County, Pennsylvania, hereby amends Chapter 300, “Zoning”, of the Code of the Borough of Chambersburg as provided herein.

**SECTION 1.** Section 300-133(A) of Chapter 300 of the Code, entitled “General Exceptions” shall be amended to replace the entirety thereof with the following:

- A. Use and dimensional exceptions; Borough utilities and Borough uses exempt. The provisions of this chapter shall not be construed to limit or interfere with the construction, installation, operation and maintenance of any use, structure, building, or appurtenance located on real property owned or leased by the Borough, or in which the Borough has an interest, whether by easement, license, or otherwise, including, but not limited to Borough utilities, public works, general governmental services, recreation, and public safety.

**SECTION 2.** Section 300-138.4 of Chapter 300 of the Code, entitled “Subdivision of semidetached dwellings” shall be retitled and amended to replace the entirety thereof with the following:

Section 300-138.4 Subdivision of attached dwellings, semidetached dwellings and accessory structures.

The Zoning Hearing Board may authorize as a special exception of the subdivision of any attached dwelling, semidetached dwelling and accessory structure existing at the

effective date of this chapter in any zoning district, except manufacturing, subject to the following requirements:

- A. Nonconformities for height, lot area, lot width, lot coverage and yard regulations shall be described to the Board.
- B. Nonconformities for off-street parking shall be described to the Board, however, compliance with the off-street parking requirements must be gained where applicable or the most de minimis variance must be granted.
- C. The party wall dividing dwelling units shall be extended from the top of the existing ceiling to the bottom of the existing roof. Such extension shall be designed to minimize fire spread in the attic area and shall be construed of a material having a minimum fire rating of one hour.
- D. Where not separate, electric, gas, water and sanitary sewer service lines must be separated in compliance with all applicable codes for each dwelling prior to submission of a subdivision plan.

**SECTION 3. REPEALER:** All provisions of previous ordinances of the Borough of Chambersburg, or parts thereof, which are contrary or inconsistent to this Ordinance, are expressly repealed.

**SECTION 4. SAVINGS CLAUSE:** In all other respects, Chapter 300 of the Code of the Borough of Chambersburg shall remain as previously enacted and ordained.

**SECTION 5. SEVERABILITY:** The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

**SECTION 6. EFFECTIVE DATE:** This Ordinance shall take effect immediately.

**ENACTED, ORDAINED, AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

Attest: \_\_\_\_\_

\_\_\_\_\_  
Allen B. Coffman,  
Town Council President

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Kenneth Hock, Mayor