

ORDINANCE NO. 572

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AMENDING ORDINANCE NO. 375, THE REVISED ZONING ORDINANCE OF THE BOROUGH OF MONROEVILLE.

BE IT ORDAINED by the Borough of Monroeville, in Council assembled, that Ordinance No. 375, known as the Revised Zoning Ordinance of the Borough of Monroeville, enacted December 13, 1962, and thereafter from time to time subsequently amended, is hereby further amended as follows:

Section 1. Section 202 of said Ordinance No. 375 is hereby amended by adding thereto under the list of definitions after the defined word "Court" the following additional definition:

DRIVE-IN RESTAURANT: An establishment where refreshments, meals or prepared foods may be obtained by the public; where customers thereof customarily arrive at the premises via motor vehicle; and where less than ninety (90%) per cent of the persons served consume the food or drink served to them within the main building on the premises. This definition shall include, inter alia, such enterprises as drive-in ice cream or custard stands, hot or cold drink or sandwich establishments, and the like. It shall not include enterprises selling canned or bottled beverages, dairy stores, or grocery stores, where such beverages or food products are sold in their original closed containers. Where more than twenty-five (25%) per cent of the gross business of any establishment is covered under this definition, such establishment shall be considered a drive-in restaurant for purposes of this Ordinance.

Section 2. Section 901 of said Ordinance No. 375 is hereby amended by changing under the list of permitted uses in a "C2" Community Business District, item 901-29 to read as follows:

Restaurant and bar (with or without dancing and live entertainment), but not including drive-in restaurants.

Section 3. Section 901-32 of said Ordinance No. 375, listing conditional uses permitted in a "C2" Community Business District, is further amended by adding thereto sub-section g, as follows:

Drive-in restaurant, subject to the general conditions set forth in Section 1501 and the specific conditions set forth in Section 1501-17.

Section 4. Section 1501 of said Ordinance No. 375 pertaining to conditional uses is hereby amended by adding thereto Section 1501-17, as follows:

Drive-in restaurant in "C2" Districts, provided:

(a) The main building on the premises, or the portion of the main building uses for drive-in restaurant purposes where such main building includes other types of business establishments, shall be a completely enclosed structure containing not less than two thousand five hundred (2,500) square feet of first floor area.

(b) Included within and as part of said main building shall be a separate room with direct exterior access for storage of garbage, rubbish and trash.

(c) No garbage, rubbish or trash shall be maintained or stored or allowed to accumulate on the premises, either indoors or outdoors, except in the special room provided therefor in the main building and excepting waste paper cans of a size and design to be approved by the Monroeville Zoning Administrator. Such waste paper cans to be used outdoors shall be attractively designed, with firm fitting tops and not more than thirty-two (32) gallon size, and shall be emptied not less often than once per day.

(d) No ground signs or free standing signs shall be erected, placed or located on the premises. Only signs attached to the main building shall be permitted, provided, however, that they shall not project closer to an adjacent street or highway than the building set back line.

(e) All exterior wiring shall be underground.

(f) The main building shall have indoor seating capacity for not less than seventy-five (75) customers.

(g) Parking area shall have space for not less than fifty (50) customer vehicles and shall meet all other parking requirements of the Monroeville Zoning Ordinance.

(h) All parking and driveway areas shall be continuously maintained in either concrete or asphalt laid over a base of crushed stone compacted to a depth of no less than six (6) inches, or such other surfacing of an equivalent or superior character, if the same is first approved by the Monroeville Zoning Administrator. In addition, poured concrete curbs not less than six (6) inches in height shall be installed where necessary to prevent vehicle encroachment onto required yards or adjacent landscaped areas.

(i) Any exterior lighting structures shall be located either at ground level or at points not less than forty (40) feet from the nearest street right-of-way line. Such exterior lighting structures shall be decorative and shall be so arranged as to prevent lighting glare cast upon adjacent streets or lots.

(j) All required yards, as well as all other areas within the zoning lot that are not otherwise paved or built upon, shall be properly planted, landscaped and maintained.

Section 5. Article XIII of said Ordinance No. 375 is hereby amended by adding thereto the following additional sections:

Section 1301-9. Outdoor storage of garbage, rubbish, trash, refuse, junk or discarded articles is prohibited in every zoning district, except that garbage and rubbish stored in appropriate containers originating from and stored upon one and two family residence zoning lots, is permitted, provided, that such garbage and rubbish is removed from the premises not less often than bi-weekly.

Section 1301-10. Every building in every zoning district, except one, two and multiple family residence buildings, shall contain a separate room or area, totally enclosed, within and as part of the main building, and

having a concrete floor, to be used for the storage of garbage, rubbish, trash, refuse, junk and discarded articles. Multiple family residence buildings may contain such rooms or areas, or, in the alternative, may have erected on the same zoning lot a separate, totally enclosed, structure, with roof and concrete floor and designed consistent with the main building, for the storage of such articles. The size of such room, area, or separate structure, shall be sufficient to accommodate the maximum volume of such discarded articles originating from the main and accessory buildings and the zoning lot where situated. The size and location of such trash room area or separate structure shall be subject to the approval of the Monroeville Planning Commission as part of the site plan review.

Section 6. Any ordinance or part of ordinance in conflict with any of the provisions of this ordinance is hereby repealed insofar as the same affects this ordinance.

ORDAINED AND ENACTED this 9th day of May, 1967.

BOROUGH OF MONROEVILLE

ATTEST:

By S/ Frank A. Witt  
President of Council

S/ Carrol F. Pickens  
Secretary

EXAMINED AND APPROVED this 12th day of May, 1967.

S/ John J. Duncan  
Mayor