

CARROLL VALLEY BOROUGH  
ADAMS COUNTY, PENNSYLVANIA

Ordinance No. 3-2023

AN ORDINANCE OF THE BOROUGH OF CARROLL VALLEY AMENDING CHAPTER 27 OF THE BOROUGH OF CARROLL VALLEY CODE OF ORDINANCES TO: MODIFY REGULATIONS PERTAINING TO (i) THE PARKING AND STORAGE OF CERTAIN VEHICLES AND ITEMS; AND (ii) HOME-BASED BUSINESSES; REAFFIRM CHAPTER 27 AS AMENDED; AND SET FORTH AN EFFECTIVE DATE.

**WHEREAS**, Article VI of the Pennsylvania Municipalities Planning Code (“MPC”) entitled ‘Zoning’ 53 P.S. §10601 et seq., authorizes the Borough to enact, amend and repeal Zoning Ordinances within the Borough; and

**WHEREAS**, Section 609 of the MPC, 53 P.S. §10609, sets forth the procedures for zoning ordinance amendments; and

**WHEREAS**, the Borough of Carroll Valley Zoning Ordinance, codified as Chapter 27 of the Borough of Carroll Valley Code of Ordinances, was amended on May 10, 2022 (the “Zoning Ordinance”); and

**WHEREAS**, Borough Council for the Carroll Valley Borough deems it to be in the best interest and general welfare of the citizens and residents of the Borough to update and amend certain provisions of the Zoning Ordinance.

**NOW THEREFORE BE IT ENACTED AND ORDAINED**, by the Council of the Borough of Carroll Valley, Adams County, Pennsylvania, that the Zoning Ordinance is hereby amended as follows:

**SECTION 1.** Article II, Section 201 of Chapter 27 of the Borough of Carroll Valley Code of Ordinances (hereinafter “Code of Ordinances” is hereby amended by adding and/or supplementing the following definitions.

BOAT - any water vessel designed to carry persons and/or property upon water, propelled by engine, oars or sail.

HARD SURFACE - asphalt, concrete, or compacted crushed stone or gravel, granular material or aggregate with an asphaltic or cement binder having a minimum overall depth of 6 inches, or any other permanent type of surfacing which prevents the raising of dust or loose particles, or the infiltration of contaminants into the groundwater.

NO-IMPACT HOME-BASED BUSINESS – A business or commercial activity administered or conducted as an accessory use which is clearly secondary to and within the residential dwelling and which involves (i) no customer, client, or patient traffic, whether vehicular or pedestrian, (ii) no pickup, delivery or removal functions to or from the premises, (iii) and/or no storage or staging of commercial products, materials, or equipment, in excess of those normally associated with the residential use.

RECREATIONAL VEHICLE - a vehicular-type unit primarily designed for recreational

camping or travel use with its own motive power, commonly referred to as RV's, Recreational Vehicles, and motor homes.

TRAILER - any vehicles or devices manufactured, designed, marketed, or used to be coupled to or drawn by a licensed and registered motor vehicle.

TRAVEL TRAILER – any vehicles or devices manufactured, designed, marketed, or used to be coupled to or drawn by a licensed and registered motor vehicle, intended primarily for recreational camping or travel use. These units include but are not limited to travel, fifth-wheel, and folding trailers, and truck campers.

SECTION 2. Article XIV, Section 1415 of Chapter 27 of the Code of Ordinances is hereby amended by replacing §27-1415 (C) (2) with the following:

2. Travel trailers, boats, and trailers may be parked on a property in accordance with the following requirements:
  - a. The storage of three (3) such vehicles shall be permitted. Such vehicle(s) is permitted to be parked in any yard as long as no portion of the vehicle (including tongue) is located within any public right-of-way, on or above any public sidewalk or easement, or within the building setback distances as specified for accessory structures in the respective zoning district where the subject property is located.
  - b. The storage of a fourth travel trailer, boat, or trailer shall be permitted if the gross lot size is equal to or greater than two (2) acres, as derived from a recorded deed and/ or recorded subdivision plan. The additional vehicle shall be permitted in any yard, and no portion of the vehicle (including tongue) shall be located within any public right-of-way, on or above any public sidewalk or easement, or within the building setback distances as specified for accessory structures in the respective zoning district where the subject property is located.
  - c. All areas used for storage shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. Storage of such vehicle shall not exempt the property owner from any property maintenance requirement of this Ordinance or any other Borough ordinance.
  - d. All vehicles shall maintain valid registration and inspection and prevent the leakage of fuels and/or lubricants into the ground.

**SECTION 3. REPEALER.**

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as same affects this Ordinance.

**SECTION 4. SEVERABILITY.**

In any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Carroll Valley Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall become effective upon the earliest date provided by law.

ORDAINED AND ENACTED as an Ordinance of the Borough of Carroll Valley this \_\_\_\_ day of \_\_\_\_\_ 2023.

**BOROUGH OF CARROLL VALLEY,  
ADAMS COUNTY, PENNSYLVANIA**

**ATTEST:**

\_\_\_\_\_  
Richard Mathews, Council President

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Gayle R. Marthers, Borough Secretary

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Ronald J. Harris, Mayor