

ARTICLE 1

TITLE, AUTHORITY, AND PURPOSE

100 **SHORT TITLE**

This Ordinance shall be known and may be cited as the "Milton Borough Zoning Ordinance" and is intended to serve as a comprehensive revision to the Milton Borough Zoning Ordinance originally enacted by Milton Borough Council as Ordinance 625 on September 27, 1971 and amended by Ordinance 945 on December 17, 1986.

101 **AUTHORITY**

Section 601 of the PA Municipalities Planning Code (P.L. 1329, Act 170, as reenacted December 21, 1988, and as subsequently amended) provides that the governing body of a municipality may implement comprehensive plans or accomplish any of the purposes of the Planning Code by enacting a zoning ordinance.

The Council of Milton Borough, Northumberland County, PA, under the authority cited above, does hereby ordain that this Zoning Ordinance was enacted in order to promote and protect the health, safety, morals, and general welfare of the residents of the Borough.

102 **GENERAL PURPOSES**

The zoning regulations and districts herein set forth were developed in accordance with an overall program for the Borough, with consideration being given to the character of the area, the municipality's various parts, and the suitability of the various parts for particular uses and structures. As such, the regulations were designed to:

A. promote, protect and facilitate:

- \* the public health, safety, morals, and the general welfare;
- \* coordinated and practical community development and proper density of population;
- \* emergency management preparedness and operations, airports and national defense facilities;
- \* the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as
- \* preservation of the natural, scenic and historic values in the environment and

- preservation of forests, wetlands, aquifers and floodplains;
- B. prevent the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life, or property from fire, flood, panic or other dangers;
  - C. provide for the use of land within the municipality for residential housing of various dwelling types;
  - D. accommodate reasonable overall community growth and provide opportunities for development of a variety of residential dwelling types and nonresidential uses; and
  - E. facilitate appropriate development of the Borough, protect the tax base, and encourage economy in public expenditures.

### **103 COMMUNITY DEVELOPMENT OBJECTIVES**

This Ordinance provides a legal basis and framework for future development in Milton Borough. Its provisions were guided by the policy recommendations set forth in the Borough's Comprehensive Plan of 1996, adopted by Borough Council on August 14, 1996. More specifically, this Ordinance is intended to:

- A. create a pattern of land uses which are compatible and harmonious, where a suitable environment can be created for residential, commercial and industrial functions. (The protection of present and future residential areas is a prime concern, as well as the preservation and protection of lands which are considered desirable and suitable for commercial and industrial uses.);
- B. maintain a density of population which can feasibly be served by the streets and other public facilities which exist or can be reasonably provided by the Borough;
- C. direct the types of development and the intensity of development in such a manner as will not place an unreasonable burden on the capacity of local streets and other public facilities;
- D. preserve the character, appearance and integrity of the community for future generations; and
- E. encourage the growth and development of the Borough, including the extension of commercial and manufacturing activities.

### **104 DISCLAIMER OF MUNICIPAL LIABILITY**

This Ordinance is not intended to create nor assume liability on the part of Milton Borough or any officer or employee thereof for any fire, flood, or other damage that may result from reliance on this Ordinance or from any administrative decisions

lawfully made thereunder. These regulations shall not guarantee a specific level of protection for any construction. The applicant shall in all cases rely on accepted engineering methods and/or any municipal or statewide building codes when designing or constructing structures approved pursuant to these regulations.

**105 CONFLICT WITH OTHER LAWS**

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes stated herein. Where the provisions of this Ordinance impose greater restriction than those of any other statute, ordinance, or regulation in effect in Milton Borough, the provisions of this Ordinance shall prevail, except where noted otherwise. Where however, the provisions of any other statute, ordinance, or regulation in effect in Milton Borough impose greater restriction than those of this Ordinance, the provisions of such statute, ordinance, or regulation shall prevail. (See also Section 1202 D.)