

**ARTICLE I
GENERAL PROVISIONS**

Section 100. Title.

This Ordinance shall be known and cited as the "Pocono Township Zoning Ordinance."

Section 101. Purpose.

This Ordinance is hereby adopted in accordance with the requirements of the Municipalities Planning Code, Act 247, as amended, and the objectives of the municipality's Comprehensive Plan designed to regulate the location, height, bulk and size of buildings and other structures; the relation of such buildings or structures to thoroughfares and their intersections and interchanges to transportation arteries, to natural bodies of water and steep slopes, to public buildings and public grounds, to airports and heliports, to historic buildings and places and to floodplains; the percentage of lots that may be occupied; the size and use of yards, courts and other open spaces; the density and distribution of population; the uses of buildings and structures and the uses of land for trade, industry, residences, and other purposes; to conserve the value of existing buildings and uses and to encourage continued use and development of land within the municipality; to establish districts and regulations pertaining to the use of land generally as well as specifically within certain districts; to establish a Zoning Hearing Board with power to determine and vary the application of the regulations hereby established in harmony with their general purpose and intent; providing for the enforcement of provisions herein and imposing penalties for their violations; all for the purpose of promoting the health, morals, safety and general welfare of the inhabitants of the municipality.

Section 102. Statement of Community Development Objectives.

This Ordinance is a comprehensive rezoning that replaces Pocono Township Zoning Ordinance No. 16 and is hereby enacted to implement the community development objectives contained in the municipality's Comprehensive Plan. Such objectives are incorporated herein by reference.

Section 103. Interpretation.

A. The provisions of this Ordinance shall be the minimum requirements for the promotion of the health, safety, morals and general welfare. Except where specifically provided to the contrary, it is not intended to interfere with or abrogate or annul other rules, regulations or ordinances, provided that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height or bulk of a building or requires larger open spaces, the provisions of this Ordinance shall prevail.

B. Interpretation standards. Any list of permitted or prohibited uses shall not be deemed to be an exhaustive list but has been included for the purposes of clarity and emphasis and to illustrate, by example, uses which are desirable (permitted, special exception, conditional uses). Whenever the Zoning Hearing Board makes an interpretation of this Ordinance, then, unless other standards are in this Ordinance, the decision shall be made so that the results will not be contrary to the spirit and purpose of this Ordinance or injurious to the surrounding neighborhood.

Section 104. Scope.

From and after the effective date of this Ordinance, the use of all land and every building in Pocono Township shall be in conformity with the provisions of this Ordinance. Any legally existing structure or use not in conformity with the regulations herein prescribed shall be regarded as nonconforming. Such use may be continued, extended or changed, but only in conformity with the provisions of this Ordinance.

Section 105. Effect of Ordinance.

Following the effective date of this Ordinance:

A. No structure shall be erected, constructed, razed, moved, altered, rebuilt or enlarged; and no use of a structure or land or water area shall be established or changed for any purpose nor in any manner except in conformance with all regulations, requirements and controls and after issuance of a zoning permit as specified in this Ordinance, except as hereinafter provided.

B. No structure hereafter constructed, erected, rebuilt, enlarged or altered; nor any use of land or water areas established under a zoning permit shall be occupied or used in whole or in part for any use whatsoever and no change of use of any structure or land or water area shall hereafter be made until an occupancy permit or change of use permit has been issued by the Zoning Officer, indicating that the structure or use complies with the provisions of this Ordinance.

