

FRANKLIN TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA

ORDINANCE No. 2009-001

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF FRANKLIN TOWNSHIP, IN THE COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, TO AMEND THE PERMITTED USES AS DEFINED IN AN A-1 ZONE OF THE ZONING ORDINANCE TO INCLUDE A "PRIVATE/QUASI-PUBLIC RECREATIONAL FACILITY."

WHEREAS, after consideration of the advisability of allowing "private/quasi-public recreational facilities" as a permitted use, and after a public hearing to consider the issue, and consideration of all comments, testimony, and information provided to the Board of Supervisors by the public, the Planning Commission, and the Luzerne County Planning Commission, the Board of Supervisors has determined it is in the public interest to amend and modify Part 501.1-PERMITTED USES, of SECTION 501-A-1 AGRICULTURAL DISTRICT of ARTICLE 5-ZONING DISTRICT REGULATIONS, to include a "private/quasi-public recreational facility" as a permitted use.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Franklin, and it is hereby enacted and ordained as follows:

Section 1. Franklin Township Zoning Ordinance, Amended July 5, 1999, is hereby amended by adding "Private/quasi-public recreational facility" to Part 501.1-PERMITTED USES, of SECTION 501-A-1 AGRICULTURAL DISTRICT of ARTICLE 5-ZONING DISTRICT REGULATIONS.

Section 2. The definitional provision of the Zoning Ordinance, Amended July 5, 1999, SECTION 202-DEFINITION OF TERMS, of ARTICLE 2-DEFINITIONS, shall be amended to include and define a "private/quasi-public recreational facility" as:

" a recreational facility operated not for profit and open to its members, guests and other not for profit organizations and occasionally opens its facility to the public for limited purposes, including but not limited to camping, retreat and recreational programs and activities. Other similar activities only after the Property Owner has received a Special Exception in accordance with the procedures set forth in the Ordinance."

Section 3. All other sections, parts and provisions of the Ordinance and the remainder of the Zoning Ordinance of Franklin Township shall remain in full force and effect as previously enacted and amended.

Section 4. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall remain in full force and effect.

Section 5. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Franklin Township as provided by law.

Duly ORDAINED and ENACTED this 2nd day of March, 2009 by the Board of Supervisors of Franklin Township, Luzerne County, Pennsylvania, in lawful session duly assembled.

ATTEST

Franklin Township, Luzerne County, PA

Richard A. Melvin, Secretary

Fred W. Dymond III, Chairman