

ARTICLE III
TITLE AND PURPOSE

§ 345-3. Title.

A new chapter:

- A. Dividing the Borough of Macungie, Lehigh County, Pennsylvania into districts with varying regulations;
- B. Permitting, prohibiting, regulating and determining the uses of land, watercourses and other bodies of water, the size, height, bulk, location, erection, construction, repair, expansion, razing, removal and use of structures, the areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as yards and other open areas to be left unoccupied;
- C. Establishing the maximum density and intensity of uses;
- D. Providing for the administration and enforcement of this chapter in accordance with the Pennsylvania Municipalities Planning Code, including provisions for special exceptions and variances to be administered by a Zoning Hearing Board; and
- E. Establishing provisions for the protection of certain natural features.

§ 345-4. Short Title.

This chapter shall be known and may be cited as “The Macungie Borough Zoning Ordinance of 2001”.

§ 345-5. Declaration of Purpose.

This chapter is adopted for the purpose of promoting the public health, safety, morals and the general welfare of the community, and to further the following related and more specific objectives:

- A. To guide and regulate the orderly growth, development and redevelopment of the Borough, in accordance with the statement of community planning objectives contained on Page 55 of the report entitled, A Comprehensive Plan, Borough of Macungie, dated April 1966.
- B. To protect the established character and the social and economic well being of both private and public property.
- C. To promote, in the public interest, the utilization of land for the purposes for which it is most appropriate.

- D. To secure safety from fire, panic and other dangers, and to provide adequate light, air and convenience of access.
- E. To prevent overcrowding of land or buildings, and to avoid undue concentration of population.
- F. To lessen and, where possible, to prevent traffic congestion on public streets and highways.
- G. To conserve the value of buildings and to enhance the value of land throughout the Borough.

§ 345-6. Severability.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this chapter shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this chapter and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

§ 345-7. Procedural defects in enactment.

Allegations that this chapter or any amendment hereto was enacted in a procedurally defective manner shall be appealed as provided in State law and be filed not later than 30 days after the intended effective date of this chapter or amendment hereto.

§ 345-8. Repealer.

The Macungie Borough Zoning Ordinance of 1992 and all amendments thereto are hereby repealed. This chapter does not repeal provisions of other laws or ordinances except those specifically or implicitly repealed by this chapter.

§ 345-9. Enactment.

Under the authority conferred by the Pennsylvania Municipalities Planning Code, as amended, the Borough Council of Macungie Borough hereby enacts and ordains into this chapter, the attached document this date of November 19, 2001. This chapter shall become effective upon the date of its adoption.

Date of Planning Commission Public Meeting: September 18, 2001

Date of Borough Council Public Hearing: November 19, 2001