

**SALEM TOWNSHIP
ORDINANCE NUMBER 3 OF 2016**

AN ORDINANCE OF SALEM TOWNSHIP, LUZERNE COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE SALEM TOWNSHIP ZONING ORDINANCE OF MARCH 28, 1995, AS AMENDED, BY ADDING DEFINED TERMS AND AMENDING FORESTRY ACTIVITIES IN VARIOUS SECTIONS OF THE ZONING ORDINANCE; AND BY AMENDING SUPPLEMENTAL REGULATIONS FOR FORESTRY ACTIVITIES.

BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Sale Township, Luzerne County, Commonwealth of Pennsylvania, by the authority granted the Board in §601 of the Pennsylvania Municipalities Planning Code, Act of 1968 P.L. 805, No. 247, as amended, that the Zoning Ordinance of Salem Township is hereby amended as follows:

SECTION 1.

Article 2, Definitions, Section 202, Definition of Terms, is hereby amended to include the following terms which shall read as follows:

FORESTRY

The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes which does not involve land development.

TIMBER HARVESTING

That part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products. Also known as tree harvesting or logging.

SECTION 2.

Article 5, Zoning District Regulations, Section 501.1, Permitted Uses in A-1 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 3.

Article 5, Zoning District Regulations, Section 501.1, Permitted Uses in A-1 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 4.

Article 5, Zoning District Regulations, Section 501.3, Conditional Uses in A-1 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 5.

Article 5, Zoning District Regulations, Section 502.1, Permitted Uses in R-1 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 6.

Article 5, Zoning District Regulations, Section 502.1, Permitted Uses in R-1 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 7.

Article 5, Zoning District Regulations, Section 502.3, Conditional Uses in R-1 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 8.

Article 5, Zoning District Regulations, Section 503.1, Permitted Uses in R-2 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 9.

Article 5, Zoning District Regulations, Section 503.1, Permitted Uses in R-1 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 10.

Article 5, Zoning District Regulations, Section 503.3, Conditional Uses in R-2 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 11.

Article 5, Zoning District Regulations, Section 504.1, Permitted Uses in R-4 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 12.

Article 5, Zoning District Regulations, Section 504.1, Permitted Uses in R-3 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 13.

Article 5, Zoning District Regulations, Section 504.3, Conditional Uses in R-3 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 14

Article 5, Zoning District Regulations, Section 505.1, Permitted Uses in B-2 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 15.

Article 5, Zoning District Regulations, Section 505.1, Permitted Uses in B-2 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 16

Article 5, Zoning District Regulations, Section 505.3, Conditional Uses in B-2 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 17.

Article 5, Zoning District Regulations, Section 506.1, Permitted Uses in B-3 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 18.

Article 5, Zoning District Regulations, Section 506.1, Permitted Uses in B-3 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 19.

Article 5, Zoning District Regulations, Section 506.3, Conditional Uses in B-3 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 20.

Article 5, Zoning District Regulations, Section 507.1, Permitted Uses in I-1 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 21.

Article 5, Zoning District Regulations, Section 507.1, Permitted Uses in I-1 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 22.

Article 5, Zoning District Regulations, Section 507.3, Conditional Uses in I-1 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 23.

Article 5, Zoning District Regulations, Section 508.1, Permitted Uses in I-2 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 24.

Article 5, Zoning District Regulations, Section 508.1, Permitted Uses in I-2 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 25.

Article 5, Zoning District Regulations, Section 508.3, Conditional Uses in I-2 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 26.

Article 5, Zoning District Regulations, Section 509.1, Permitted Uses in C-1 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 27.

Article 5, Zoning District Regulations, Section 509.1, Permitted Uses in C-1 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 28.

Article 5, Zoning District Regulations, Section 509.3, Conditional Uses in C-1 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 29.

Article 5, Zoning District Regulations, Section 510.1, Permitted Uses in I-3 Districts is hereby amended, to delete the term “Forestry Activities that encompass less than two (2) acres in area”.

SECTION 30.

Article 5, Zoning District Regulations, Section 510.1, Permitted Uses in I-3 Districts is hereby amended, to include the term “Timber Harvesting/Forestry.”

SECTION 31.

Article 5, Zoning District Regulations, Section 503.3, Conditional Uses in I-3 Districts is hereby amended, to delete the term “Forestry Activities that equal or exceed two (2) acres in area”.

SECTION 32.

Article 6, Conditional Uses, Section 605.14 is hereby deleted.

SECTION 33.

Article 8, Supplemental Regulations, Section 802.32 is hereby deleted.

SECTION 34.

Article 8, Supplemental Regulations, Section 802.32 is hereby added as follows:

Forestry activities shall be conducted in accordance with the following requirements, conditions and/or approvals:

- A. A zoning permit shall be obtained from the Salem Township Zoning Officer prior to harvesting or otherwise removing trees.
- B. Prior to the issuance of a zoning permit an Erosion and Sedimentation Control Plan shall be submitted by the Applicant to the Luzerne County Conservation District for review, recommendation and approval and a copy shall be submitted to the Salem Township Zoning Officer with the application.
- C. An applicant shall provide a forestry plan prepared by a professional forester that describes best management practices and demonstrates compliance with the Penn State College of Agricultural Sciences publication entitled “Best Management Practices for Pennsylvania Forests” with the application.
- D. Any proposed clear-cutting must be set forth in the Timber Harvesting Plan along with an explanation of the site conditions and the reasons and goals for employing the clear-cutting method.
- E. Any timber harvesting proposed on slopes of 15% or greater must provide an explanation of the Erosion and Sediment Control best management practices to be employed on the slopes, the reasons for harvesting on the slopes, and method for retrieving the logs that are felled on the slopes.
- F. A Timber Harvesting Plan proposing to engage in clear cutting with the 100 year floodway or near other water sources shall include a description of the best management practices required for the activity under both an Erosion and Sediment Control Plan and pursuant to the Dam Safety and Waterway Management regulations and best practices manual for timber harvesting operations.
- G. Prior to the issuance of a zoning permit a Highway Occupancy Permit (Township or State) shall be obtained and a copy shall be submitted to the Salem Township Zoning Officer with the application.

SECTION 35.

SEVERABILITY: If any article, section, subsection, paragraph, sentence or phrase of this Ordinance is for any reason declared to be invalid, illegal or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

SECTION 36.

REPEALING PROVISION: All other ordinances, or parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed.

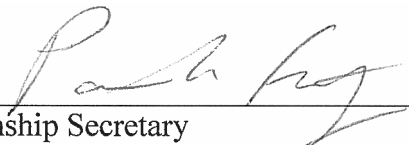
SECTION 37

EFFECTIVE DATE: This Ordinance shall become effective from the date of its approval and adoption as provided by law.

ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF SALEM TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA, THIS 13th DAY OF December, 2016

ATTEST:

SUPERVISORS:


Township Secretary

