

**BRADFORD TOWNSHIP  
(McKEAN COUNTY, PENNSYLVANIA)**

**ORDINANCE NO. 2012-12-02**

**AMENDMENT TO ZONING ORDINANCE CHAPTER 27-1998**

AMENDING THE ZONING ORDINANCE OF THE TOWNSHIP OF BRADFORD, PENNSYLVANIA, NO. 1983-2, AS MAY BE AMENDED, OF THE TOWNSHIP OF BRADFORD, MCKEAN COUNTY, BY AMENDING SECTION 240 OF THE ORDINANCE, ENTITLED R-8 RESIDENCE DISTRICTS, TO INCLUDE RESIDENTIAL DRUG AND ALCOHOL TREATMENT FACILITIES AS PERMITTED USES WITHIN R-8 RESIDENCE DISTRICTS, WHICH SHALL HAVE THE EFFECT OF ALSO INCLUDING RESIDENTIAL DRUG AND ALCOHOL TREATMENT FACILITIES AS PERMITTED USES WITHIN CN NEIGHBORHOOD COMMERCIAL DISTRICTS, C-1 BUSINESS DISTRICTS, C-2 GENERAL COMMERCIAL DISTRICTS AND M-2 LIGHT MANUFACTURING DISTRICTS; AND BY AMENDING SECTION 1110, ENTITLED DEFINITIONS, TO INCLUDE A DEFINITION OF RESIDENTIAL DRUG AND ALCOHOL TREATMENT FACILITIES; PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the Bradford Township Zoning Hearing Board, in the matter of In Re: Variance Application and Substantive Validity Challenge of Allegany Valley Management, issued an Order on September 28, 2016, finding that a portion of the Zoning Ordinance of the Township of Bradford, Pennsylvania, No. 1983-2 (the "Ordinance") to be invalid to the extent that it does not permit residential drug and alcohol treatment facilities to exist in any district; and

WHEREAS, the Bradford Township Zoning Hearing Board also recommended an amendment to the Ordinance which would allow drug and alcohol treatment services as a permitted use in R-8 Residence Districts, CN – Neighborhood Commercial Districts, C-1 Business Districts, C-2 General Commercial Districts and M-2 Light Manufacturing Districts (the "Proposed Amendment"); and

WHEREAS, the Board of Supervisors of Bradford Township, McKean County, Pennsylvania (the "Township") has determined that it is in the best interests of the Township to amend the Ordinance to give legal effect to the Proposed Amendment; and

WHEREAS, the Board of Supervisors has determined that amendment of section 240 of the Ordinance to include residential drug and alcohol treatment facilities as a permitted use within R-8 Residence Districts will have the effect of including residential drug and alcohol treatment

facilities as a permitted use within CN – Neighborhood Commercial Districts, C-1 Business Districts, C-2 General Commercial Districts and M-2 Light Manufacturing Districts.

NOW, THEREFORE, this 12<sup>th</sup> day of December, 2016, BE IT ORDAINED AND ENACTED by the Board of Supervisors, McKean County, Pennsylvania, the following:

**Section 1. Recitals.** That the above recitals are incorporated as if more fully set forth herein.

**Section 2. Amendment of Section 240 of the Ordinance.** That section 240 of the Ordinance, entitled R-8 Residence Districts, be amended, in applicable part, through the inclusion of the underlined terms, and the deletion of the terms struck out, as follows:

§240. R-8 Residence Districts. It is the purpose of this district to accommodate high density development of primarily residential usage, but recognize some nonresidential uses not detrimental to high density residential usage when properly controlled. It is composed of areas of the Township where such developments are not located. The regulations for these districts are intended to protect and stabilize the prevailing characteristics and to offer diversity in land use necessary for a viable community.

1. Permitted Uses and Structures.

A. Principal Uses –

- (1) any use permitted and regulated in the R-6 District.
- (2) multi-family dwellings and dwelling groups.
- (3) residential drug and alcohol treatment facilities

C. Uses by Special Exception – [Ord. 1-89]

(9) the following uses : ~~provided they are not used primarily for mental patients, drug or alcohol addicts or for penal or correctional purposes.~~

**Section 3. Amendment of Section 1110 of the Ordinance.** That section 1110 of the Ordinance, entitled Definitions, be amended, in applicable part, through the inclusion of a definition of the term “residential drug and alcohol treatment facilities” and the placement of such term in the correct alphabetical order, as follows:

RESIDENTIAL DRUG AND ALCOHOL TREATMENT FACILITIES – those facilities as regulated by the Commonwealth of Pennsylvania, and as regulated pursuant to Title 28, Part V of the Pennsylvania Code, or successor regulations.

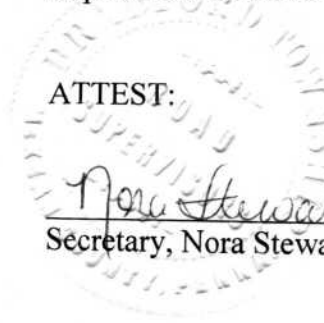
**Section 4. Repealer.** All Ordinances and parts of ordinances inconsistent herewith are hereby repealed.

**Section 5. Severability.** If any sentence, clause, section, or amendment of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or amendments of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Bradford Township, McKean County, Pennsylvania, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or amendment thereof not been included herein.

**Section 6. Effective Date.** This Ordinance shall become effective five (5) days after enactment.

DULY ORDAINED AND ENACTED, on the date first indicated above, by the Board of Supervisors of the Township of Bradford, McKean County, in lawful session duly assembled.

ATTEST:

  
Nora Stewart  
Secretary, Nora Stewart

BRADFORD TOWNSHIP SUPERVISORS

James Erwin  
James Erwin

Gayle E Bauer  
Gayle Bauer

Steven S. Mascho  
Steven Mascho

**SECRETARY CERTIFICATE**

I hereby certify that the above is a true copy of the Bradford Township, McKean County, Pennsylvania, Ordinance No. 2012-12-02, adopted by the Board of Supervisors on December 12, 2016, and as advertised in the *Bradford Era* on December 2, 2016.

Nora Stewart  
Nora Stewart, Secretary

