

ARTICLE XXXIV
Amendments

§ 180.125. Amendment procedure.

This chapter and the district boundaries as shown on the Zoning Map may from time to time be amended, supplemented, changed, modified or repealed by proceeding in the following manner:

180.125.1. Any request to amend, supplement, change, modify or repeal this chapter shall be initiated by submitting a petition to the BOROUGH COMMISSION drawn in conformity with the COMMISSION'S requirements.

180.125.2. After consideration of the petition by the COMMISSION and submission to the BOROUGH COUNCIL, which shall be not later than sixty (60) days after receipt thereof, the COUNCIL shall fix by resolution the time and place of a public hearing on the proposed amendment, supplement, change, modification or repeal. If the COMMISSION fails to present the petition to COUNCIL within the sixty-day period, said petition will automatically be presented before COUNCIL with or without the recommendations of the COMMISSION.

180.125.3. The BOROUGH COUNCIL shall then cause a notice to be published stating the general nature of the application for change or amendment once a week for two (2) successive weeks in the official newspaper of the BOROUGH, the first publication of such notice to be at least fifteen (15) days prior to the date fixed for such hearing.

180.125.4. A written notice of the application for change and the time and place of the hearing thereon shall be mailed or delivered to the COMMISSION of the BOROUGH, and notification of the proposed change shall be posted in and adjacent to any areas affected.

180.125.5. At the time and place stated in the resolution, COUNCIL shall hold a public hearing, at which time the parties in interest and the citizens of the BOROUGH shall have an opportunity to be heard.

§ 180.126. Petition for zoning change; hearing.

Whenever the owners of fifty per cent (50%) or more of the STREET or road frontage in any area wherein a change, amendment, supplement, modification or repeal of zoning regulations is sought shall present to the BOROUGH COUNCIL a petition duly signed by them requesting an amendment, supplement, change, modification or repeal of the regulations prescribed for such area or of the Zoning Map of such area, it shall be the duty of the BOROUGH COUNCIL to hold a public hearing thereon and cause notice thereof to be given in the manner prescribed in the foregoing section.

§ 180.127. Recommendations of COMMISSION.

Each proposed amendment, supplement, change, modification or repeal shall be submitted to the COMMISSION at least fifteen (15) days prior to the holding of any public hearing thereon, and it shall be the duty of the COMMISSION to advise the BOROUGH COUNCIL in writing of any recommendations with respect thereto which it may consider appropriate. Such written advice shall be given at or before the public hearing and a copy or copies thereof shall be made available at such public hearing by the BOROUGH COUNCIL for public examination; provided, however, that the validity of any action by the BOROUGH COUNCIL shall in no way be affected by any failure of the COMMISSION to submit recommendations in accordance with the provisions of this section, and this section shall not be construed as imposing any obligation on the BOROUGH COUNCIL to accept or reject any recommendations of the COMMISSION.

§ 180.128. Protest against change or amendment.

In case of protest against any such change, amendment, supplement, modification or repeal, signed by the owners of thirty-three and one-third per cent (33 1/3%) or more either of the area of the LOTS included in such proposed change, amendment, supplement, modification or repeal or of those immediately adjacent in the rear thereof extending one hundred (100) feet therefrom, or of those directly opposite thereto extending one hundred (100) feet from the STREET frontage of such opposite LOTS, such amendment shall not become effective except by the favorable vote of two-thirds (2/3) of all members of COUNCIL.