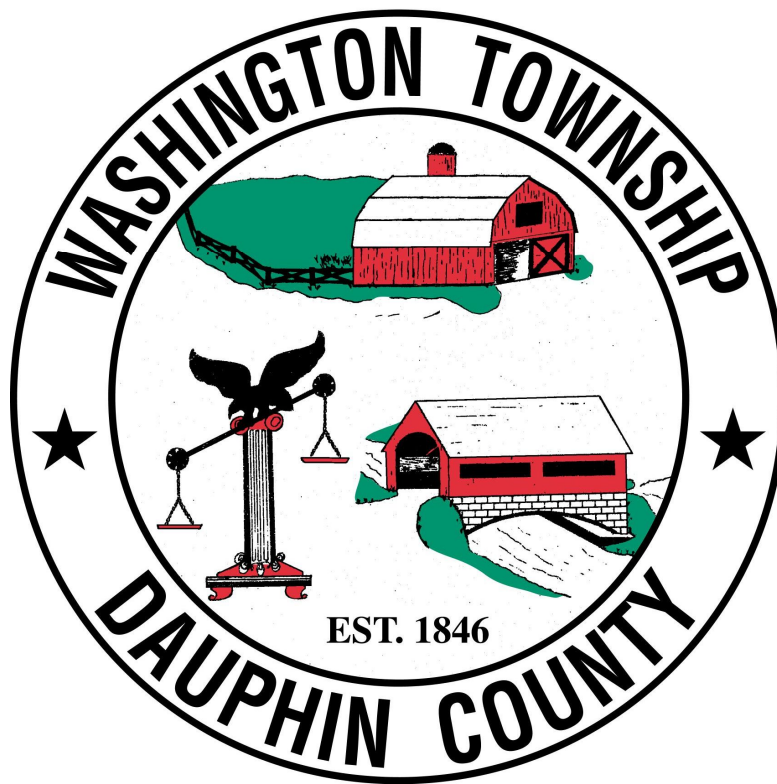


CODE OF THE TOWNSHIP OF WASHINGTON

**DAUPHIN COUNTY
PENNSYLVANIA**



Adopted July 16, 1996

Codified October 2005

Revised Through September 20, 2016

CODE OF ORDINANCES
of
WASHINGTON TOWNSHIP
Dauphin County, Pennsylvania

Published by Authority of the Township

Adopted October 4, 2005

Revised Through September 20, 2016

GENERAL CODE
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This Code was originally published March 30, 2006, by General Code.

Revised Through:

10/16/2007

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10/18/2011

9/20/2016

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FOREWORD

History

This comprises the codification of the ordinances of the Township of Washington. The Township was originally incorporated as a Township in 1846 from parts of Mifflin Township.

The Code of Ordinances of the Township of Washington was published by General Code Publishers, and adopted by the Township Board of Supervisors on October 4, 2005, by Ord. No. 2005-02.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Township contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or “one time” nature, (3) the Key to the disposition of each ordinance ever enacted by the Township, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Key to disposition indicates what action has been taken by the Township Board of Supervisors with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Key. The Key is a cross reference to the original ordinance books of the Township, and to the location within the Code of each ordinance by number.

ORDINANCE 2005-02

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF WASHINGTON, DAUPHIN COUNTY, PENNSYLVANIA: CONSOLIDATING, REVISING, AMENDING, AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Board of Supervisors hereby ordains:

Section 1. Adoption.

The “Code of Ordinances, Washington Township,” as prepared and published for the said Township, is hereby adopted as a consolidation, codification and revision of the ordinances of the Township. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Township organized as follows:

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Key to the Disposition of All Ordinances

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Township shall be authoritative.

Section 2. Citation and Effective Date.

The codification referred to in Section 1 of this ordinance shall be known and cited officially as the “Township of Washington Code of Ordinances,” and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause.

The provisions of the Township of Washington Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Township of Washington Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation and Revision.

As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. Consolidations

Chapter, Part, Section	Subject	Ordinance No.
15, Entire Chapter	Motor Vehicles and Traffic	77-8, 79-10, 85-6, 85-9, 85-10, 85-11, 85-18, 86-102, 87-101, 97-17

B. Revisions

Chapter, Part, Section	Subject	Ordinance No.
		None

Section 5. New Enactments, Amendments and Repeals.

As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

A. New Enactments

Chapter, Part, Section	Subject
1, 7, §1-711	Open Records Policy

B. Amendments

Chapter, Part, Section	Subject	Ordinance No.
1, 5, §1-501	Resident Access Policy	Res. 96-17
1, 7, §1-701	Procedures to Address Complaints	Res. 04-45
7, 1, §7-103	Definitions	77-19
7, 1, §7-104	The Washington Township Authority Air Pollution Officer	77-19, §IV
7, 1, §7-105	Regulations	77-19
8, 2, §8-202	Issuance of Building Permit	96-1
8, 2, §8-203	Application Procedures and Requirements	96-1
8, 4, §8-401	General	96-1
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24, 2, §24-212	Enforcement and Remedies	84-18

C. Repeals

Chapter, Part, Section	Subject
	None

Section 6. Adoption of Standard Codes by Reference.

As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

Chapter, Part, Section	Short Title
	None

Section 7. Land Use Amendments.

The Washington Township Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made paet hereof by reference hereto as is fully set out at length herein, with deletions shown by strike-through and additions shown by underline, all of which is briefly summarized hereinafter.

A. New Provisions. The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Chapter, Part, Section	Subject
22, 1, §22-109	Water Supply
22, 3, §22-308	Recording of Plats and Deeds
22, 10, §22-1003	Preventive Remedies
22, 10, §22-1004	Enforcement Remedies; Jurisdiction
27, 12, §27-1227	No-Impact Home- Based Business
27, 19, §27-1901	Zoning Map Amendments

B. Revised Provisions. The following provisions of the Code are revised, the text of which indicates deletions by strike-through and additions by underline, and are summarized as follows:

Chapter, Part, Section	Subject	Ordinance No.
22, 2, §22-202	Specific Terms	91-12

22, 3, §22-305	Preliminary Plat Specifications	91-12
22, 3, §22-306	Final Plat Procedure	91-12
22, 3, §22-307	Final Plat Specifications	91-12
22, 4, §22-405	Erosion & Sediment	91-12
22, 5, §22-504	Sewers and Water	91-12
22, 6, §22-601	General	91-12
22, 6, §22-602	Design Standards	91-12
22, 6, §22-603	Improvement and Construction Requirements	91-12
22, 6, §22-604	Fees	91-12
22, 6, §22-606	Enforcement, Severability and Amendments	91-12
22, 7, §22-702	Plat Requirements and Processing Procedure	91-12
22, 7, §22-703	Design Standards	91-12
22, 7, §22-705	Fees and Permits	91-12
22, 10, §22-1001	Administration and Enforcement	91-12
27, 2, §27-202	Interpretation of Definitions	96-2; 00-01; 02-04; 03-02
27, 5, §27-502	Permitted Uses	96-2; 00-01
27, 6, §27-602	Permitted Uses	96-2; 00-01
27, 9, §27-907A	Flood Hazard Area Regulations	96-2; 00-01

C. Repealed Provisions. The following provisions of the Code are repealed, the text of which indicates deletions by strike-through, and are as follows:

Chapter, Part, Section	Subject	Ordinance No.
	None	

Section 8. Procedural Changes. The following minor procedural changes have been made to existing Township ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Second Class Township Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 9. Amending the Code of Ordinances.

The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

A. Amendment or Revision – “Chapter____,Part____, Section____,Subsection___ is hereby amended [revised] to read as follows...”

B. Additions – “Chapter____,Part____,Section____,Subsection___is hereby amended by the addition of the following...”

C. Repeal – “Chapter_____,Part____,Section____,Subsection___is hereby repealed in its entirety.”

Section 10. Responsibility for Code of Ordinances.

It shall be the responsibility of the Township Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Township of Washington Code of Ordinances and shall be available for public inspection.

Section 11. Penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Township of Washington. Whosoever shall violate this Section shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs or, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

Section 12. Severability of Parts of Codification.

It is hereby declared to be the intention of the Board of Supervisors that the Chapters, Parts, Sections, Paragraphs, Sentences, Clauses and Phases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction that invalidity shall not affect any of the remaining Chapters, Parts, Sections, Paragraphs, Sentences, Clauses or Phases of this codification.

ENACTED AND ORDAINED THIS 4TH day of October 2005.

TOWNSHIP OF WASHINGTON

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PART 1
PLANNING COMMISSION**§ 1-101. Creation. [Ord. 99-1, 6/15/1999, § 1]**

That the Board of Supervisors of the Township of Washington, Dauphin County hereby signifies its intention and desire to organize a Planning Commission under the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of July 31, 1968, reenacted and amended by Act 170 of December 21, 1988, P.L. 1329.

§ 1-102. Membership. [Ord. 99-1, 6/15/1999, § 2]

The Planning Commission shall consist of five members, all of whom shall be citizens of the Township of Washington, Dauphin County. The term of office of the members shall be four years and shall expire on December 31 or until a successor is appointed, except that the terms of the members first appointed shall be set forth in § 1-103. In the event of vacancies, the Board of Supervisors shall appoint a member to fill the unexpired term.

§ 1-103. Members of the Planning Commission. [Ord. 99-1, 6/15/1999, § 3]

The names, addresses and terms of office of the initial members of the Planning Commission are as follows:

[Here followed the names, addresses and terms of office of the first members of the Planning Commission.]

§ 1-104. Duties. [Ord. 99-1, 6/15/1999, § 4]

1. The Planning Commission shall, at the request of the Board of Supervisors, have the power and shall be required to:
 - A. Prepare the Comprehensive Plan for the development of the Township as set forth in the Municipal Planning Code and present it for the consideration of the Board of Supervisors.
 - B. Maintain and keep on file records of its actions. All records and files of the Planning Commission shall be in the possession of the Board of Supervisors.
2. The Planning Commission, at the request of the Board of Supervisors may:
 - A. Make recommendations to the Board of Supervisors concerning the adoption or amendment of an official map.
 - B. Prepare and present to the Board of Supervisors of the Township a zoning ordinance and make recommendations to the Board of Supervisors on proposed amendments to it.

- C. Prepare, recommend and administer subdivision and land development and planned residential development regulations.
- D. Prepare and present to the Board of Supervisors of the Township a building code and a housing code and make recommendations concerning proposed amendments thereto.
- E. Do such other acts or make studies as may be necessary to fulfill the duties and obligations imposed by the Municipal Planning Code.
- F. Prepare and present to the Board of Supervisors of the Township an environmental study.
- G. Submit to the Board of Supervisors of a Township a recommended capital improvements program.
- H. Prepare and present to the Board of Supervisors of the Township a water survey, which shall be consistent with the State water plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
- I. Promote public interest in, and understanding of, the Comprehensive Plan and planning.
- J. Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
- K. Hold public hearings and meetings.
- L. Present testimony before any board.
- M. Require from other departments and agencies of the Township such available information as relates to the work of the planning agency.
- N. In the performance of its functions, enter upon any land to make examinations and land surveys with the consent of the owner.
- O. Prepare and present to the Board of Supervisors a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the Township.
- P. Review the Zoning Ordinance [Chapter 27], Subdivision and Land Development Ordinance [Chapter 22], official map, provisions for planned residential development and such other ordinances and regulations governing the development of land no less frequently than it reviews the Comprehensive Plan.

§ 1-105. Funds. [Ord. 99-1, 6/15/1999, § 5]

The Planning Commission may, with the consent of the Board of Supervisors, accept and utilize any funds, personnel or other assistance made available by the County, the Commonwealth, or the Federal government or any of their agencies or from private sources. The Board of Supervisors may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with the governmental procedures of the Township.

PART 2

MUNICIPAL AUTHORITIES

A. Washington Township Authority.

§ 1-201. Formation of Authority. [Ord. 90-2, 7/1/1990]

Be it ordained and enacted into law by the Washington Township Board of Supervisors that a Municipal Authority be formed under the name Washington Township Authority, under the provisions of the Municipality Authorities Act of 1945, as amended and supplemented, 53 Pa.C.S.A. § 301 et seq. The substance of the Articles of Incorporation for the Municipal Authority are as follows:

ARTICLES OF INCORPORATION FOR A MUNICIPAL AUTHORITY

1. The name of the Authority is "Washington Township Authority."
2. The Authority is formed under the Municipality Authorities Act of 1945, as supplemented and amended, 53 Pa.C.S.A. § 301 et seq.
3. There is no other Authority in existence for the incorporating municipality which is the Township of Washington, Dauphin County, Pennsylvania, under the Municipality Authorities Act of 1945 or under the Act approved June 28, 1935.
4. The name of the incorporating municipality is Washington Township, Dauphin County, Pennsylvania, P.O. Box 131, Elizabethville, Pennsylvania, 17023.
5. The names and addresses of the Township Supervisors for the Washington Township are as follows:
[Here followed the names and addresses of the Supervisors of the Township at the time of incorporation.]
6. The names and addresses and their respective terms of office for the first members of the Washington Township Authority are:
[Here followed the names, addresses and terms of the first members of the Board of the Authority.]

B. Elizabethville Area Authority.

§ 1-211. Desire and Intention to Organize Joint Municipal Authority. [Ord. 91-1, 2/19/1991, § 1]

The Board of Supervisors of this Township signifies its intention and desire to organize an Authority jointly with the Borough of Elizabethville, of Dauphin County, Pennsylvania under provisions of the Pennsylvania Municipality Authorities Act of 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented (the "Act"), for the purposes of exercising any and all powers conferred by the Act.

§ 1-212. Articles of Incorporation. [Ord. 91-1, 2/19/1991, § 2]

The Chairman of the Board of Supervisors and the Secretary, respectively, of this Township, are authorized and directed to execute, in behalf of this Township, Articles of Incorporation for such Authority in substantially the following form:

ARTICLES OF INCORPORATION

TO: THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

In compliance with requirements of the Act of Assembly approved May 2, 1945, P.L. 382, known as the "Municipality Authorities Act 1945," as amended and supplemented, and pursuant to ordinances duly enacted by the municipal authorities of the Borough of Elizabethville and the Township of Washington, both situate in Dauphin County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize an Authority, jointly, under provisions of said Act, said incorporating municipalities certify:

1. The name of the Authority is "Elizabethville Area Authority" (proposed Authority).
2. The Authority is formed under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945."
3. No other Authority has been organized under the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945," or under the Act of Assembly approved June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for an incorporating municipality.
4. The names of the incorporating municipalities are:
 - A. Borough of Elizabethville, Dauphin County, Pennsylvania
 - B. Township of Washington, Dauphin County, Pennsylvania.
5. The names and addresses of all the municipal authorities of said incorporating municipalities are:

[Here followed the names and addresses of the governing bodies of the incorporating municipalities at the time of incorporation.]
6. The members of the Board of the Elizabethville Area Authority shall be seven in number, with five members being appointed by the Borough of Elizabethville and two members being appointed by the Township of Washington.
7. The names, addresses and terms of office of the first members of the Board of "Proposed Authority," each of whom is a citizen of the incorporating municipality by which he is appointed, are as follows:

[Here followed the names, addresses and terms of the first members of the Board of the Authority.]

§ 1-213. Notice of the Substance of This Part. [Ord. 91-1, 2/19/1991, § 3]

The Secretary of this Township, acting jointly with appropriate officers of the Borough of Elizabethville and the Township of Washington, is authorized and directed to cause notice of the substance of this Part, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such Articles of Incorporation, to be published as required by the Act.

§ 1-214. Filing of Articles of Incorporation. [Ord. 91-1, 2/19/1991, § 4]

The Secretary of this Township, acting jointly with appropriate officers of the Borough of Elizabethville and the Township of Washington, is authorized and directed to cause such Articles of Incorporation, together with necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania and do all other acts necessary or appropriate to effect the incorporation of the Elizabethville Area Authority, including payment of the required filing fees.

§ 1-215. Member of the Board of Authority. [Ord. 91-1, 2/19/1991, § 5]

The following named persons are appointed the first members to represent this Township on the Board of such Authority for the following terms of office:

[Here followed the names, addresses and terms of the first members of the Board of Authority from this Township.]

§ 1-216. Enactment of This Part. [Ord. 91-1, 2/19/1991, § 6]

The enactment of this Part is deemed necessary for the benefit of an preservation of the public health, peace, comfort and general welfare of citizens of this Township and will increase the prosperity of citizens of this Township.

PART 3

BOARD OF SUPERVISORS

§ 1-301. Amount of Compensation. [Ord. 95-4, 11/8/1995, § 1]

The compensation to be paid the members of the Washington Township Board of Supervisors shall be \$50 per meeting; provided, however, that in no event shall such compensation exceed \$1,875 per year per member.

PART 4

TAX COLLECTOR

§ 1-401. Compensation. [Res. 89-5, 2/14/1989; as amended by Res. 2008-28, 8/19/2008; and by Res. 2013-38, 2/5/2013]

The annual compensation for the elected Tax Collector of Washington Township shall be \$3,500. The compensation set forth herein shall be paid monthly and is in lieu of all other compensation paid by the Township to the elected Tax Collector under any other resolution. This Part shall become effective January 1, 2014.

PART 5

RECREATION BOARD

§ 1-501. Creation of Recreation Board. [Ord. 04-05, 7/6/2004, Art. I, §§ 1 — 2]

1. The Board of Supervisors of Washing Township, Dauphin County, does hereby create a Recreation Board to supervise, regulate, equip and maintain Township funded recreation programs and facilities.
2. The Recreation Board has only those powers specifically delegated to it by the Board of Supervisors.

§ 1-502. Members of the Recreation Board. [Ord. 04-05, 7/6/2004, Art. II, §§ 1 — 7]

1. The Recreation Board created and established by this Part shall consist of five persons.
2. Members of the Recreation Board shall be residents of Washington Township, Dauphin County.
3. The members shall be appointed by the Board of Supervisors and shall serve for terms of five years or until their successors are appointed; except that the members first appointed shall be appointed so that the terms of not more than two members shall expire annually.
4. Members shall serve without pay, but may be reimbursed by the Township for all expenses incurred in performing their duties.
5. All persons appointed as members of the Recreation Board shall serve their full terms unless voluntarily resigned or removed by the Board of Supervisors for dereliction or neglect of duty.
6. Vacancies occurring other than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments.
7. The members of the Recreation Board shall elect a Chairman and Secretary and select all other necessary officers to serve for a period of one year.

§ 1-503. Powers of the Recreation Board. [Ord. 04-05, 7/6/2004, Art. III, § 1; as amended by Ord. 2007-01, 10/16/2007, § 1]

1. The Recreation Board may adopt rules and regulations for the conduct of all business within its jurisdiction and exercise powers and functions concerning parks and recreation facilities as may be delegated to it by the Board of Supervisors including, but not limited to, the following:

- A. Supervise, regulate, equip and maintain Township funded recreation programs and facilities in the Township.
 - B. Prepare and present to the Board of Supervisors a study on areas within the Township identified as having a need for additional recreation facilities.
 - C. Maintain and keep on file records of its actions which shall at all times be subject to the inspection of the Board of Supervisors and shall become a part of the records of the same.
 - D. Prepare and present an annual report to the Board of Supervisors, including an analysis of the adequacy and effectiveness of community recreation areas, facilities and leadership.
2. For expenditures of funds for recreational purposes by the Recreation Board pursuant to this section, the Recreation Board is authorized to spend up to \$4,000 of funds budgeted for recreational purposes without being required to obtain approval of the Board of Supervisors. Any expenditures by the Recreation Board of funds budgeted for recreational purposes over \$4,000 must be approved by the Board of Supervisors. On a quarterly basis, the Recreation Board shall report the amount of expenditures made pursuant to this section to the Board of Supervisors.

PART 6

POLICIES AND PROCEDURES

A. Procedure to Address Complaints From Citizens of the Township.**§ 1-601. Procedure to Address Complaints. [Res. 04-05, 12/12/7/2004; as amended by Ord. 2005-02, 10/4/2005]**

1. Complaints or questions for consideration by the Board of Supervisors must be submitted to the Supervisors through the Township on a form approved by the Township.
2. All complaints and/or questions to be addressed by the Board of Supervisors must be in writing and signed by the person submitting the complaint or question.
3. The complaint form will be distributed to all Board members prior to the next public meeting after the date the complaint form was received by the Township.
4. The Board of Supervisors will review the complaint form and approve the appointment of a Supervisor to investigate the complaint, if it deems necessary.
5. The Supervisor appointed to investigate the complaint shall conduct an investigation and submit a written report of his/her findings of the investigation to the full Board of Supervisors within 30 days from the date of the appointment.
6. At the next public meeting following the submission of the report of findings of the investigation, the Board of Supervisors will review the findings to determine what action, if any, is required.
7. If the complaint involves an employee of the Township, the findings of the investigation shall be reviewed in an executive session.
8. Any action taken against an employee of the Township based upon an investigation of a complaint against the employee shall be made in open session.
9. The Board of Supervisors will maintain the confidentiality of any privileged employee records.
10. After investigation of a complaint against an employee, if the Board of Supervisors determines that the employee is to be suspended without pay or dismissed, the employee shall be given notice of the decision of the Board of Supervisors and shall be provided with an opportunity to appear before the

Board within five days from the date of the decision of the Board of Supervisors for a full due process hearing.

11. The Board of Supervisors shall respond, in writing, to all properly submitted complaints after the complaint has been investigated and a decision regarding the complaint has been made by the Board of Supervisors.
12. This Part shall be effective immediately.

B. Open Records Policy.

§ 1-611. Open Records Law, Policy and Fee Schedule. [Ord. 2005-02, 10/4/2005; as amended by Res. 2008-32, 12/16/2008]

1. Open Records Officer. Washington Township hereby designates the appointed Township Secretary as the Open Records Officer.
2. General. All documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building during regular established business hours, with the exception of weekends and holidays.
3. Requests. Requests shall be made in writing to the Township Open Records Officer on a form provided by the Township. (See attached form.¹)
4. Fee Structure:

Record Type	Fee
Copies (A photocopy is either a single-sided copy or 1 side of a double-sided black-and-white copy of a standard 8.5" x 11" page.)	\$0.20 per page
Certification of a record	\$1 per record, not per page Certification fees do not include notarization fees.
Specialized documents: for example but not limited to blueprints, color copies, nonstandard-sized documents	Actual cost
Facsimile/microfiche/other media	Actual cost
Redaction fee	No redaction fee may be imposed.

¹Editor's Note: Said form is on file in the Township offices.

Record Type**Fee**

Conversion to paper

If a record is only maintained electronically or in other nonpaper media, refer to the fee for copies.

If mailing is requested, the cost of postage will be charged. The Township shall require prepayment if the total fees are estimated to exceed \$100.

5. Response. The Township shall make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original Township documents while taking reasonable measure to protect Township documents from the possibility of theft, damage, and/or modification. The Open Records Officer shall review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request to access public records, the Open Records Officer shall respond to such requests in writing consistent with Act 3 of 2008, the Right-to-Know Law.
6. Contact Information for Appeals. If a written request is denied or deemed denied, the requester may file an appeal in writing to [Mail: Office of Open Records, Commonwealth Keystone Building, 400 North Street, Plaza Level, Harrisburg, PA, 17120-0225; Phone: (717) 346-9903; Web site: openrecords.state.pa.us; e-mail: openrecords@state.pa.us].
7. Appeals Process. The appeal shall be filed within 15 business days of the mailing date of the Township's response or within 15 business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the records is a public record and shall address any grounds stated by the Township for delaying or denying the request.
8. Effective Date. This Part shall become effective on January 1, 2009.

CHAPTER 2

ANIMALS

(Reserved to accommodate future enactments)

CHAPTER 3

BICYCLES

(Reserved to accommodate future enactments)

CHAPTER 4

BUILDINGS

PART 1

PROHIBITING DANGEROUS STRUCTURES

- §4-101. Definitions**
- §4-102. Dangerous Buildings Declared Nuisances**
- §4-103. Standards for Repair, Vacation or Demolition**
- §4-104. Duties of the Board of Supervisors**
- §4-105. Hearings**
- §4-106. Removal of Notice Prohibited**
- §4-107. Emergency Cases**
- §4-108. Abatement by Washington Township**
- §4-109. Penalties**

PART 1

PROHIBITING DANGEROUS STRUCTURES

§4-101. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

BUILDING — an independent structure having a roof supported by columns or walls resting on its own foundation and includes dwelling, garage, barn, stable, shed, green house, mobile home, plant, factory, warehouse, school or similar structure.

DANGEROUS BUILDING — all buildings or structures which have any or all of the following defects shall be deemed dangerous buildings:

- A. Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- B. Those which have been damaged by fire, wind or other causes so as to be dangerous to life, safety or the general health and welfare of the occupants or the public.
- C. Those which are so damaged, dilapidated, decayed, unsafe, unsanitary, vermin infested or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or general welfare of those living therein.
- D. Those which have parts thereof which are so attached that they may fall and injure property or members of the public.
- E. Those which lack illumination, ventilation or sanitation facilities or because of another condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the occupants or the public.
- F. Those which because of their location are unsanitary or otherwise dangerous to the health or safety of the occupants or the public.

DWELLING — any building which is wholly or partly used or intended to be used for living or sleeping by human occupants.

DWELLING UNIT — any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living or sleeping by human occupants.

BUILDINGS

EXTERMINATION — control and elimination of insects, rodents or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods.

GARBAGE — animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

INFESTATION — presence, within or around a dwelling, of any insects, rodents or other pests.

OWNER — a person who, alone or jointly or severally with others:

- A. Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof.
- B. Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner or as executor, executrix, administrator, administratrix or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Part and with rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

PERSON — any individual, firm, corporation, association or partnership or other legal entity.

PROPERTY — a piece, parcel, lot or tract of land.

RUBBISH — combustible and noncombustible waste materials, except garbage, including residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust.

STRUCTURE — anything constructed or erected with a fixed or ascertainable location on the ground or in water, whether or not affixed to the ground or anchored in the water, including buildings, walls, fences, platforms, docks, wharves, billboards, signs and walks.

- 2. Whenever the words “dwelling,” “dwelling unit” or “premises” are used in this Part, they shall be construed as though they were followed by the words “or any part thereof.”

(Ord. 93-3, 3/16/1993, §1)

§4-102. Dangerous Buildings Declared Nuisances.

All dangerous buildings within the terms of §4-101 of this Part are hereby declared to be public nuisances and shall be repaired, vacated or demolished as herein provided.

(Ord. 93-3, 3/16/1993, §2)

§4-103. Standards for Repair, Vacation or Demolition.

The following standards shall be followed in substance by the Board of Supervisors of Washington Township in ordering repair, vacation or demolition:

- A. If the dangerous building can reasonably be repaired so that it will no longer exist in violation of the terms of this part, it shall be ordered to be repaired.
- B. If the dangerous building is in such condition as to make it dangerous to the health, safety or general welfare of its occupants or the public and is so placarded it shall be ordered to be vacated within such length of time, not exceeding 30 days, as is reasonable.
- C. No dwelling or dwelling unit which has been placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by, the Board of Supervisors. The Board of Supervisors shall remove such placard whenever the defect or defects upon which the placarding action were based have been eliminated.
- D. If a dangerous building is 50% or more damaged or decayed or deteriorated from its original condition, if a dangerous building cannot be repaired so that it will no longer exist in violation of the terms of this Part or if a dangerous building is a fire hazard existing or erected in violation of the terms of this Part or any ordinance of Washington Township or statute of the Commonwealth of Pennsylvania, it shall be ordered to be demolished; provided, the cost of repairs to rectify or remove the conditions constituting the nuisance exceed 50% of the market value of the building at the time demolition is proposed.

(Ord. 93-3, 3/16/1993, §3)

§4-104. Duties of the Board of Supervisors.

Whenever an inspection discloses that a dwelling, building or structure has become a public nuisance, the Supervisors shall issue a written notice to the person or persons responsible therefor. The notice:

- A. Shall be in writing.

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- B. Shall include a statement of the reasons it is being issued.
- C. Shall state a reasonable time to rectify the conditions constituting the nuisance or to remove and demolish the dwelling, building or structure.
- D. Shall be served upon the owner, or his agent or the occupant, as the case may require.
 - (1) Except in emergency cases and where the owner, occupant, lessee or mortgagee is absent from Washington Township, all notices shall be deemed to be properly served upon the owner, occupant or other person having an interest in the dangerous building, if a copy thereof is posted in a conspicuous place in or about the structure affected by the notice or if he is served with such notice by any other method authorized or required under the laws of the Commonwealth.
 - (2) Except in emergency cases, in all other cases where the owner, occupant, lessee or mortgagee is absent from Washington Township, all notices or orders provided for herein shall be sent by registered mail to the owner, occupant and all other persons having an interest in the building, as shown by the records of the County Recorder of Deeds, to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the dangerous building to which it relates. Such mailing and posting shall be deemed adequate service.
- E. May contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Part and with the rules and regulations adopted pursuant thereto.

(Ord. 93-3, 3/16/1993, §4)

§4-105. Hearings.

1. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this part, may request and shall be granted a hearing on the matter before the Washington Township Board of Supervisors; provided, that such person shall file with the Secretary a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within 10 days after the day the notice was served. Upon receipt of such petition, the Secretary shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 30 days after the day on which the petition was filed.

2. After such hearing the Board of Supervisors shall sustain, modify or withdraw the notice. If the Board of Supervisors sustains or modifies such notice it shall be deemed to be an order. Any notice served pursuant to this part shall automatically become an order if a written petition for a hearing is not filed with the Township within 10 days after such notice is served.
3. Any aggrieved party may appeal the final order to the Court of Common Pleas in accordance with the provisions of the Judicial Code, 42 Pa.C.S.A. §101 et seq..

(Ord. 93-3, 3/16/1993, §5)

§4-106. Removal of Notice Prohibited.

No person shall remove or deface the notice of dangerous building, except as provided in §4-103(C).

(Ord. 93-3, 3/16/1993, §6)

§4-107. Emergency Cases.

Whenever the Board of Supervisors finds that an emergency exists which requires immediate action to protect the public health it may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as is necessary to meet the emergency. Notwithstanding the other provisions of this Part, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Board of Supervisors shall be afforded a hearing as soon as possible. After such hearing, depending on the findings as to whether the provisions of this Part have been complied with, the Board of Supervisors shall continue such order in effect, or modify or revoke it. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided herein for other cases.

(Ord. 93-3, 3/16/1993, §7)

§4-108. Abatement by Washington Township.

If the owner, occupant, mortgagee or lessee fails to comply with the order of the Board of Supervisors within the time specified in the notice issued by him and no petition for a hearing is filed within 10 days thereafter, or following a hearing by the Board of Supervisors where the order is sustained thereby, the Board of Supervisors shall cause such building or structure to be repaired, vacated or demolished, as determined by the Board of Supervisors in accordance with the standards hereinbefore provided. Washington Township may collect the cost of such repair, vacation or demolition, together with a penalty of 10% of such cost, in a manner provided by law. Or Washington Township may

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seek injunctive relief in a court of competent jurisdiction pursuant to the Rules of Civil Procedure.

(Ord. 93-3, 3/16/1993, §8)

§4-109. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 93-3, 3/16/1993, §9; as amended by A.O.

CHAPTER 5
CODE ENFORCEMENT

PART 1

PENNSYLVANIA CONSTRUCTION CODE

§5-101. Adoption of Pennsylvania Construction Code

PART 1

PENNSYLVANIA CONSTRUCTION CODE

§5-101. Adoption of Pennsylvania Construction Code.

1. This Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999, 35 P.S. §§7210.101 – 7210.1103, as amended from time to time, and its regulations.
2. The Uniform Construction Code, contained in 34 Pa. Code, Chapter 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Municipal Building Code of this Township.
3. Administration and enforcement of the Code within this Township shall be undertaken in any of the following ways as determined by the Board of Supervisors of this Township, from time to time, by resolution:
 - A. By the designation of an employee of the Township to serve as the municipal code official to act on behalf of the Township.
 - B. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Township.
 - C. By agreement with one or more other municipalities for the joint administration and enforcement of this Act through an intermunicipal agreement.
 - D. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Township.
 - E. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous use structures.
4. A Board of Appeals shall be established by resolution of the Board of Supervisors of this Township in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action of the participating municipalities.
5. Prior or Existing Building Codes.
 - A. All building code ordinances or portions of ordinances which were adopted by this Township on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such

CODE ENFORCEMENT

time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

- B. All building code ordinances or portions of ordinances which are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
 - C. All relevant ordinances, regulations and policies of this Township not governed by the Code shall remain in full force and effect.
- 6. Fees assessable by the Township for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the Board of Supervisors by resolution, from time to time.
 - 7. This Part shall be effective July 8, 2004.
 - 8. If any Section, subsection, sentence or clause of this Part is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Part.

(Ord. 04-04, 6/15/2004)

CHAPTER 6

CONDUCT

(Reserved to accommodate future enactments)

CHAPTER 7
FIRE PREVENTION AND FIRE PROTECTION

PART 1

AIR POLLUTION CONTROL

- §7-101. Short Title**
- §7-102. Policy**
- §7-103. Definitions**
- §7-104. Washington Township Air Pollution Control Officer**
- §7-105. Regulations**
- §7-106. Penalties**

PART 2

INSTALLATION OF SMOKE DETECTORS

- §7-201. Definitions**
- §7-202. Smoke Detectors Required in Dwelling Units**
- §7-203. Alarm Requirements**
- §7-204. Time of Installation**
- §7-205. Penalties**

PART 3

FALSE FIRE ALARMS

- §7-301. Short Title**
- §7-302. Definitions**
- §7-303. False Alarms Prohibited**
- §7-304. Enforcement**
- §7-305. False Alarm Service Fees**
- §7-306. Penalties and Remedies for Violations**
- §7-307. Severability**
- §7-308. Repealer**
- §7-309. When Effective**

PART 1

AIR POLLUTION CONTROL

§7-101. Short Title.

This Part shall be known and may be cited as the “Washington Township Air Pollution Control Ordinance of 1977.”

(Ord. 77-19, 12/12/1977, §I)

§7-102. Policy.

Whereas pollution of the air is detrimental to the health, comfort, living conditions, welfare and safety of the citizens of Washington Township, it is here declared to be the policy of Washington Township to safeguard the citizens of Washington Township from air pollution caused by open burning.

(Ord. 77-19, 12/12/1977, §II)

§7-103. Definitions.

The following words, terms and phrases, when used in this Part, unless the context clearly indicates otherwise, shall have the following meanings respectively ascribed to them:

AIR CONTAMINANT — smoke, dust, fumes, gas, odor, mist, vapor, pollen or any combination thereof.

BOARD — the Board of Supervisors of Washington Township, Dauphin County, Pennsylvania.

DEPARTMENT OF ENVIRONMENTAL PROTECTION — the Department of Environmental Protection of the Commonwealth of Pennsylvania.

FLUE — any duct, passage, stack, chimney or conduit permitting air contaminants to be emitted into the outdoor atmosphere.

ODOR — that property of a substance which affects the sense of smell.

OPEN BURNING — any fire wherein air contaminants are emitted to the outdoor atmosphere and are not directed thereto solely through a flue.

PERSON — any individual, public or private corporation for profit or not for profit, partnership, association, syndicate, company, firm, trust, political subdivision,

FIRE PREVENTION AND FIRE PROTECTION

municipality, district or other entity recognized by law as the subject of rights and duties, including any governmental agency.

REFUSE — all materials which are discarded as useless.

(Ord. 77-19, 12/12/1977, §III; as amended by Ord. 2005-02, 10/4/2005)

§7-104. Washington Township Air Pollution Control Officer.

1. Authorized Position. The Washington Township Board of Supervisors hereby appoints or designates the Zoning/Code Enforcement Officer, together with such assistants as may be deemed necessary, to carry out the provisions of this Part and shall provide funds for the salary and expenses thereof.
2. Qualifications. The qualifications and experience as established by the Washington Township Board of Supervisors shall be based upon the level of experience required to enforce this Part.
3. Duties. The Washington Township Air Pollution Control Officer shall have the powers and duties to:
 - A. Enforce the provisions of this Part.
 - B. Receive and initiate complaints of violations of this Part.
 - C. Enter and inspect any building, property, premises or place for the purpose of investigating an actual or suspected source of open burning or for the purpose of ascertaining the compliance or noncompliance with this Part.
 - D. Have access to and require information pertinent to any matter under investigation.
 - E. Send written notice of any violation of this Part to the person(s) responsible for the violation.
 - F. Attend meetings of the Washington Township Board of Supervisors and file written reports of the violations of this Part.
 - G. Institute prosecution or other legal action for violation of this Part or any rules and regulations adopted hereunder, or the Pennsylvania Air Pollution Control Act or regulations adopted under that statute.
 - H. Institute an action in equity, with the approval of the Solicitor of Washington Township, for an injunction to restrain violations of this Part.

(Ord. 77-19, 12/12/1977, §IV)

§7-105. Regulations.

1. Except as provided in Subsection 2 of this section, no person shall cause, allow or permit any open burning for any purpose.
2. The prohibition of open burning contained in Subsection 1 of this section shall not apply to:
 - A. Any fire set to prevent or abate a fire hazard, when approved by the Department of Environmental Protection and when set by or under the supervision of a public officer. The prior approval of the Department of Environmental Protection shall not be required in an emergency situation such that there is insufficient time to obtain such approval, provided that the Department of Environmental Protection is notified as soon as is feasible thereafter.
 - B. Any fire set for the purpose of instructing personnel of fire fighting, when prior approval, in writing, is issued by the Department of Environmental Protection.
 - C. Any fire set for the prevention and control of disease or pests, when prior approval, in writing, is issued by the Department of Environmental Protection.
 - D. Any fire set for the purpose of burning domestic refuse, when the fire is on the premises of any structure occupied solely as a dwelling by two families or less and when such refuse results from the normal occupancy of said structure. This exception does not include refuse generated from any commercial enterprise.
3. Notwithstanding anything contained in this Part, no person shall cause, suffer or permit any open burning operation whatsoever if said open burning operation is contrary to 25 Pa. Code, Chapter 129, §129.4, Rules and Regulations of the Department of Environmental Protection, or any other statute or rule or regulation of any state agency.
4. No person shall in any manner hinder, delay, obstruct, resist, prevent or in any way interfere with the Air Pollution Control Officer or his assistants in the performance of their duty hereunder or refuse such personnel, after proper identification, entrance at reasonable hours to any premises.

(Ord. 77-19, 12/12/1977, §V; as amended by Ord. 2005-02, 10/4/2005)

FIRE PREVENTION AND FIRE PROTECTION

§7-106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$25 for a first violation or \$50 for a second and subsequent violation nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 77-19, 12/12/1977, §VI; as amended by Ord. 2005-02, 10/4/2005)

PART 2

INSTALLATION OF SMOKE DETECTORS

§7-201. Definitions.

For purposes of this Part, the following words shall have the following meanings:

DWELLING UNIT — a structure, or portion thereof, or building, or portion thereof, arranged for the use of one or more individuals living together as a housekeeping unit on a permanent, temporary or transient basis, which may or may not include sanitary facilities or facilities for preparation, storage or serving of food.

OWNER — any person who, alone or jointly or severally with other persons, has legal title to any premises. This includes any person who has charge, care or control over any premises as:

- A. An agent, officer, fiduciary or employee of the owners.
- B. The committee, conservator or legal guardian of an owner who is incompetent, a minor or otherwise under a disability.
- C. A trustee, elected or appointed, or a person required by law to act as a trustee other than a trustee under a deed of trust to secure the payment of money.
- D. An executor, administrator, receiver, fiduciary, officer appointed by any court, attorney-in-fact or other similar representative of the owner or his or her estate. This does not include a lessee, a sublessee or other person who merely has the right to occupy or possess a premises.

SMOKE DETECTOR — a device which detects visible or invisible particles of combustion and is capable of providing a suitable audible alarm of at least 85 decibels at 10 feet, either ionization or photoelectric type.

(Ord. 93-2, 3/16/1993, §1)

§7-202. Smoke Detectors Required in Dwelling Units.

In each dwelling unit or individual apartment within buildings used as a multiple dwelling, there shall be provided by the owner of the real estate a minimum of one smoke detector sensing device which has received Underwriters' Laboratories approval.

(Ord. 93-2, 3/16/1993, §2)

FIRE PREVENTION AND FIRE PROTECTION

§7-203. Alarm Requirements.

Said smoke detector sensing device shall provide an alarm suitable to warn occupants within individual dwelling units in the event of fire.

(Ord. 93-2, 3/16/1993, §3)

§7-204. Time of Installation.

The smoke detector sensing device shall be installed as above in all multiple dwellings and in all other buildings within Washington Township within 60 days from the adoption of this Part.

(Ord. 93-2, 3/16/1993, §4)

§7-205. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 93-2, 3/16/1993, §5)

PART 3

FALSE FIRE ALARMS

§7-301. Short Title.

This Part 3 shall be known and may be cited as the “Washington Township False Fire Alarm Ordinance.”

(Ord. 2011-01, 1/18/2011)

§7-302. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Part 3:

FALSE ALARM – Negligence of said property owner, lessee, or any person; any signal activated by an automatic protection device; any audible alarm; or any other kind of direct or indirect signal given to which police, fire department, or emergency response agencies respond. Excluded are an attempted illegal entry; burglary; intrusion; fire; medical or other similar emergency; weather extremes; utility interruptions; or a person reasonably believing a fire to be taking place which activates a protection device.

(Ord. 2011-01, 1/18/2011)

§7-303. False Alarms Prohibited.

It shall be unlawful for the property owner, lessee, or any person occupying or otherwise on any premises within Washington Township to make or cause to be made a false fire alarm directly or indirectly to any fire department or emergency response agency responding to alarms within Washington Township.

(Ord. 2011-01, 1/18/2011)

§7-304. Enforcement.

The Washington Township Board of Supervisors hereby appoints or designates the Zoning/Codes Enforcement Officer of Washington Township to enforce this Part 3, together with such assistants approved by the Board of Supervisors as may be deemed necessary. The Zoning/Codes Enforcement Officer shall send written notice of any violation of this part to the person(s) responsible for the violation. The owner or manager of the premises protected by an alarm system shall ensure that all alarm systems are inspected and

FIRE PREVENTION AND FIRE PROTECTION

tested at least once per year and that all alarm systems are periodically maintained per manufacturer's specifications.

(Ord. 2011-01, 1/18/2011)

§7-305. False Alarm Service Fees.

1. The status of a false alarm is to be determined by the police, fire department, or other affected emergency response agency.
2. Service fees for false alarms which call for a response from the police, fire department, or emergency response agencies shall be assessed a response charge in each calendar year by Washington Township. The amount of the fee to be charged is to be established by separate resolution by the Washington Township Board of Supervisors and shall be paid within 30 days of billing.
3. Upon notification of a false alarm, a written report shall be submitted within 14 days by the person(s) responsible to the Zoning/Codes Enforcement Officer and shall contain what steps have been taken to eliminate future false alarms.

(Ord. 2011-01, 1/18/2011)

§7-306. Penalties and Remedies for Violations.

1. Any person, whether as principal or agent, who violates this Part 3 or assists or abets its violation shall, upon conviction thereof before any Magisterial District Judge, be sentenced to pay a fine of not less \$100 nor more than \$1,000, together with the costs of prosecution, and in default of payment of said fine and costs, shall be committed to undergo imprisonment of not more than 30 days. Each violation shall constitute a separate offense, for which a summary conviction may be sought.
2. In the event that a violation of this Part 3 occurs, in addition to such other remedies as may be available under existing law, Washington Township may institute an action in equity to prevent, restrain, correct, abate or enjoin such violation.

(Ord. 2011-01, 1/18/2011)

§7-307. Severability.

If any section or clause of this Part 3 shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

(Ord. 2011-01, 1/18/2011)

§7-308. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this Part 3 are hereby repealed to the extent of such inconsistency.

(Ord. 2011-01, 1/18/2011)

§7-309. When Effective.

This Part 3 shall become effective five days after its adoption.

(Ord. 2011-01, 1/18/2011)

CHAPTER 8
FLOODPLAINS

PART 1
STATUTORY AUTHORIZATION

§ 8-101. Authority.

PART 2
GENERAL PROVISIONS

- § 8-201. Intent.
- § 8-202. Permit Required Prior to Construction or Development;
Exception.
- § 8-203. Abrogation and Greater Restrictions.
- § 8-204. Severability.
- § 8-205. Warning and Disclaimer of Liability.

PART 3
ADMINISTRATION

- § 8-301. Designation of Floodplain Administrator.
- § 8-302. Permits Required.
- § 8-303. Duties and Responsibilities of Floodplain Administrator.
- § 8-304. Application Procedures and Requirements.
- § 8-305. Review by County Conservation District.
- § 8-306. Review of Application by Others.
- § 8-307. Changes.
- § 8-308. Placards.
- § 8-309. Start of Construction.
- § 8-310. Enforcement.
- § 8-311. Appeals.

PART 4
IDENTIFICATION OF FLOODPLAIN AREAS

§ 8-401. Identification.

- § 8-402. Description and Special Requirements of Identified Floodplain Areas.
- § 8-403. Changes in Identification of Area.
- § 8-404. Boundary Disputes.
- § 8-405. Jurisdictional Boundary Changes.

PART 5

TECHNICAL PROVISIONS

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PART 1

STATUTORY AUTHORIZATION

§ 8-101. Authority. [Ord. 2012-01, 7/3/2012]

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978,¹ delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Supervisors of the Washington Township do hereby order as follows.

¹Editor's Note: See 32 P.S. § 679.101 et seq.

PART 2
GENERAL PROVISIONS

§ 8-201. Intent. [Ord. 2012-01, 7/3/2012]

1. The intent of this chapter is to:
 - A. Promote the general health, welfare, and safety of the community.
 - B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
 - C. Minimize danger to public health by protecting water supply and natural drainage.
 - D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
 - E. Comply with federal and state floodplain management requirements.

§ 8-202. Permit Required Prior to Construction or Development; Exception. [Ord. 2012-01, 7/3/2012]

1. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Township of Washington unless a permit has been obtained from the Floodplain Administrator.
2. A permit shall not be required for minor repairs to existing buildings or structures.

§ 8-203. Abrogation and Greater Restrictions. [Ord. 2012-01, 7/3/2012]

This chapter supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this chapter, the more restrictive shall apply.

§ 8-204. Severability. [Ord. 2012-01, 7/3/2012]

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the chapter, which shall remain in full force and effect, and for this purpose the provisions of this chapter are hereby declared to be severable.

PART 3
ADMINISTRATION

§ 8-301. Designation of Floodplain Administrator. [Ord. 2012-01, 7/3/2012]

The Building Permit Officer within the municipality is hereby appointed to administer and enforce this chapter and is referred to herein as the "Floodplain Administrator."

§ 8-302. Permits Required. [Ord. 2012-01, 7/3/2012]

A permit shall be required before any construction or development is undertaken within any area of the Township of Washington.

§ 8-303. Duties and Responsibilities of Floodplain Administrator. [Ord. 2012-01, 7/3/2012]

1. The Floodplain Administrator shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this chapter and all other applicable codes and ordinances.
2. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended);² the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended);³ the Pennsylvania Clean Streams Act (Act 1937-394, as amended);⁴ and the U.S. Clean Water Act, Section 404, 33 U.S.C. § 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any development permit, the Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss issues can be addressed before the permit is issued.
4. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.
5. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in

²Editor's Note: See 35 P.S. § 750.1 et seq.

³Editor's Note: See 32 P.S. § 693.1 et seq.

⁴Editor's Note: See 35 P.S. § 691.1 et seq.

the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this chapter.

6. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the permit and report such fact to the Supervisors for whatever action they consider necessary.
7. The Floodplain Administrator shall maintain all records associated with the requirements of this chapter, including, but not limited to, permitting, inspection and enforcement.
8. The Floodplain Administrator shall consider the requirements of the 34 Pa. Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

§ 8-304. Application Procedures and Requirements. [Ord. 2012-01, 7/3/2012]

1. Application for such a permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the Township of Washington. Such application shall contain the following:
 - A. Name and address of applicant.
 - B. Name and address of owner of land on which proposed construction is to occur.
 - C. Name and address of contractor.
 - D. Site location, including address.
 - E. Listing of other permits required.
 - F. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred, where appropriate.
 - G. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
2. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
 - A. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances.

- B. All utilities and facilities, such as sewer, gas, electrical and water systems, are located and constructed to minimize or eliminate flood damage.
 - C. Adequate drainage is provided so as to reduce exposure to flood hazards.
 - D. Structures will be anchored to prevent flotation, collapse, or lateral movement.
 - E. Building materials are flood-resistant.
 - F. Appropriate practices that minimize flood damage have been used.
 - G. Electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
3. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
- A. A completed permit application form.
 - B. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 - (1) North arrow, scale, and date;
 - (2) Topographic contour lines, if available;
 - (3) The location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
 - (4) The location of all existing streets, drives, and other accessways; and
 - (5) The location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water, including direction and velocities.
 - C. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - (1) The proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
 - (2) The elevation of the base flood;

- (3) Supplemental information as may be necessary under 34 Pa. Code, the 2009 IBC or the 2009 IRC.

D. The following data and documentation:

- (1) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood.
- (2) Detailed information concerning any proposed floodproofing measures and corresponding elevations.
- (3) Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an AE Area/District without floodway (See § 8-402, Subsection 1B) when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot at any point.
- (4) A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development.
- (5) Detailed information needed to determine compliance with § 8-503, Subsection 1F, Storage, and § 8-504, Development Which May Endanger Human Life, including:
 - (a) The amount, location and purpose of any materials or substances referred to in §§ 8-503, Subsection 1F, and 8-504 which are intended to be used, produced, stored or otherwise maintained on site.
 - (b) A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in § 8-504 during a base flood.
- (6) The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
- (7) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.

4. Applications for permits shall be accompanied by a fee, payable to the municipality, based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator.

§ 8-305. Review by County Conservation District. [Ord. 2012-01, 7/3/2012]

A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the Floodplain Administrator to the County Conservation District for review and comment prior to the issuance of a permit. The recommendations of the Conservation District shall be considered by the Floodplain Administrator for possible incorporation into the proposed plan.

§ 8-306. Review of Application by Others. [Ord. 2012-01, 7/3/2012]

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g., Planning Commission, Municipal Engineer, etc.) for review and comment.

§ 8-307. Changes. [Ord. 2012-01, 7/3/2012]

After the issuance of a permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to Floodplain Administrator for consideration.

§ 8-308. Placards. [Ord. 2012-01, 7/3/2012]

In addition to the permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the permit and the date of its issuance and shall be signed by the Floodplain Administrator.

§ 8-309. Start of Construction. [Ord. 2012-01, 7/3/2012]

1. Work on the proposed construction or development shall begin within 180 days after the date of issuance and shall be completed within 12 months after the date of issuance of the permit, or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. The "actual start of construction" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include

the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

2. Time extensions shall be granted only if a written request is submitted by the applicant which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request.

§ 8-310. Enforcement. [Ord. 2012-01, 7/3/2012]

1. Notices. Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this chapter, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:
 - A. Be in writing;
 - B. Include a statement of the reasons for its issuance;
 - C. Allow a reasonable time, not to exceed a period of 30 days, for the performance of any act it requires;
 - D. Be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this state;
 - E. Contain an outline of remedial actions which, if taken, will effect compliance with the provisions of this chapter.
2. Penalties. Any person who fails to comply with any or all of the requirements or provisions of this chapter or who fails or refuses to comply with any notice, order or direction of the Floodplain Administrator or any other authorized employee of the municipality shall be guilty of a misdemeanor and upon conviction shall pay a fine to the Township of Washington of not less than \$25 nor more than \$600 plus costs of prosecution. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this chapter. The imposition of a fine or penalty for any violation of, or noncompliance with, this chapter shall not excuse the violation or noncompliance or permit it to continue, and all such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or

relocated, in noncompliance with this chapter may be declared by the Township Supervisors to be a public nuisance and abatable as such.

§ 8-311. Appeals. [Ord. 2012-01, 7/3/2012]

1. Any person aggrieved by any action or decision of the Floodplain Administrator concerning the administration of the provisions of this chapter may appeal to the Township Supervisors. Such appeal must be filed, in writing, within 30 days after the decision, determination or action of the Floodplain Administrator.
2. Upon receipt of such appeal, the Township Supervisors shall set a time and place, within not less than 10 or not more than 30 days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties.
3. Any person aggrieved by any decision of the Township Supervisors may seek relief therefrom by appeal to court, as provided by the laws of this state, including the Pennsylvania Flood Plain Management Act.⁵

⁵Editor's Note: See 32 P.S. § 679.101 et seq.

PART 4

IDENTIFICATION OF FLOODPLAIN AREAS

§ 8-401. Identification. [Ord. 2012-01, 7/3/2012]

1. The identified floodplain area shall be:
 - A. Any areas of Township of Washington classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated August 2, 2012, and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study; and
 - B. Any community-identified flood hazard areas.
2. The above-referenced FIS and FIRMs, and any subsequent revisions and amendments, are hereby adopted by the Township of Washington and declared to be a part of this chapter.

§ 8-402. Description and Special Requirements of Identified Floodplain Areas. [Ord. 2012-01, 7/3/2012]

1. The identified floodplain area shall consist of the following specific areas:
 - A. The Floodway Area/District shall be those areas identified as floodway on the FIRM as well as those floodway areas which have been identified in other available studies or sources of information for those special floodplain areas where no floodway has been identified in the FIS. The floodway represents the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one foot at any point.
 - (1) Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 - (2) No new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection regional office.

- B. The AE Area/District without floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA and for which base flood elevations have been provided in the FIS but no floodway has been delineated.
- (1) In AE Area/District without floodway, no new development shall be permitted unless it can be demonstrated that the cumulative effect of all past and projected development will not increase the BFE by more than one foot.
 - (2) No permit shall be granted for any construction, development, use, or activity within any AE Area/District without floodway unless it is demonstrated that the cumulative effect of the proposed development would not, together with all other existing and anticipated development, increase the BFE more than one foot at any point.
- C. Community-identified flood hazard areas shall be those areas where the Township of Washington has identified local flood hazard or ponding areas, as delineated and adopted on a "Local Flood Hazard Map" using the best available topographic data and locally derived information such as flood of record, historic high water marks, soils or approximate study methodologies.
- D. A Area/District.
- (1) The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one-percent annual chance flood elevations have been provided. For these areas, elevation and floodway information from other federal, state, or other acceptable sources shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.
 - (2) In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.
- E. The Shallow Flooding Area/District shall be those areas identified as Zones AO and AH on the FIRM and in the FIS. These areas are subject to inundation by one-percent-annual-chance shallow flooding

where average depths are between one and three feet. In Zones AO and AH, drainage paths shall be established to guide floodwaters around and away from structures on slopes.

§ 8-403. Changes in Identification of Area. [Ord. 2012-01, 7/3/2012]

The identified floodplain area may be revised or modified by the Township Supervisors where studies or information provided by a qualified agency or person document the need for such revision. However, prior to any such change, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six months after the date such information becomes available, a community shall notify FEMA of the changes by submitting technical or scientific data.

§ 8-404. Boundary Disputes. [Ord. 2012-01, 7/3/2012]

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Township of Washington Planning Commission, and any party aggrieved by this decision or determination may appeal to the Board of Supervisors. The burden of proof shall be on the appellant.

§ 8-405. Jurisdictional Boundary Changes. [Ord. 2012-01, 7/3/2012]

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in 44 CFR 60.3.

PART 5
TECHNICAL PROVISIONS

§ 8-501. General. [Ord. 2012-01, 7/3/2012]

1. Alteration or Relocation of Watercourse.
 - A. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protection regional office.
 - B. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood-carrying capacity of the watercourse in any way.
 - C. In addition, FEMA and the Pennsylvania Department of Community and Economic Development shall be notified prior to any alteration or relocation of any watercourse.
2. Technical or scientific data shall be submitted by the applicant to FEMA for a letter of map revision (LOMR) as soon as practicable but within six months of any new construction, development, or other activity resulting in changes in the BFE. The situations when a LOMR or a conditional letter of map revision (CLOMR) are required are:
 - A. Any development that causes a rise in the base flood elevations within the floodway; or
 - B. Any development occurring in Zones A1-30 and Zone AE without a designated floodway which will cause a rise of more than one foot in the base flood elevation; or
 - C. Alteration or relocation of a stream (including but not limited to installing culverts and bridges).
3. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this chapter and any other applicable codes, ordinances and regulations.
4. Within any identified floodplain area (See § 8-402), no new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse.

§ 8-502. Elevation and Floodproofing Requirements. [Ord. 2012-01, 7/3/2012]**1. Residential Structures.**

- A. In AE, A1-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
- B. In A Zones, where there are no base flood elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with § 8-402, Subsection 1D, of this chapter.
- C. In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.
- D. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 Pa. Code (Chapters 401 through 405, as amended) shall be utilized.

2. Nonresidential Structures.

- A. In AE, A1-30 and AH Zones, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
 - (1) Is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water; and
 - (2) Has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- B. In A Zones, where no base flood elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with § 8-402, Subsection 1D, of this chapter.
- C. In AO Zones, any new construction or substantial improvement shall have its lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.

- D. Any nonresidential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations," published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above-referenced standards.
 - E. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 Pa. Code (Chapters 401 through 405, as amended) shall be utilized.
3. Space Below Lowest Floor.
- A. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
 - B. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - (2) The bottom of all openings shall be no higher than one foot above grade.
 - (3) Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
4. Historic Structures. See the definition of "substantial improvement" in § 8-902 for requirements for the substantial improvement of any historic structures.
5. Accessory Structures. Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

- A. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
- B. Floor area shall not exceed 200 square feet.
- C. The structure will have a low damage potential.
- D. The structure will be located on the site so as to cause the least obstruction to the flow of floodwaters.
- E. Power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
- F. Permanently affixed utility equipment and appliances, such as furnaces, heaters, washers, dryers, etc., are prohibited.
- G. Sanitary facilities are prohibited.
- H. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - (2) The bottom of all openings shall be no higher than one foot above grade.
 - (3) Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

§ 8-503. Design and Construction Standards. [Ord. 2012-01, 7/3/2012]

- 1. The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:
 - A. Fill.
 - (1) If fill is used, it shall:
 - (a) Extend laterally at least 15 feet beyond the building line from all points;
 - (b) Consist of soil or small rock materials only; sanitary landfills shall not be permitted;

- (c) Be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - (d) Be no steeper than one vertical to two horizontal, feet unless substantiated data justifying steeper slopes are submitted to and approved by the Floodplain Administrator; and
 - (e) Be used to the extent to which it does not adversely affect adjacent properties.
- B. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall ensure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
- C. Water and Sanitary Sewer Facilities and Systems.
 - (1) All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of floodwaters.
 - (2) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
 - (3) No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
 - (4) The design and construction provisions of the UCC and FEMA No. 348, "Protecting Building Utilities From Flood Damages," and the "International Private Sewage Disposal Code" shall be utilized.
- D. Other Utilities. All other utilities, such as gas lines, electrical and telephone systems, shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
- E. Streets. The finished elevation of all new streets shall be no more than one foot below the regulatory flood elevation.
- F. Storage. All materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal, or plant life, and not listed in § 8-504, Development Which May Endanger Human

Life, shall be stored at or above the regulatory flood elevation or floodproofed to the maximum extent possible.

- G. Placement of Buildings and Structures. All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
- H. Anchoring.
 - (1) All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 - (2) All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.
- I. Floors, Walls and Ceilings.
 - (1) Wood flooring used at or below the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without causing structural damage to the building.
 - (2) Plywood used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
 - (3) Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are water-resistant and will withstand inundation.
 - (4) Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other water-resistant material.
- J. Paints and Adhesives.
 - (1) Paints and other finishes used at or below the regulatory flood elevation shall be of marine or water-resistant quality.
 - (2) Adhesives used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.
 - (3) All wooden components (doors, trim, cabinets, etc.) used at or below the regulatory flood elevation shall be finished with a marine or water-resistant paint or other finished material.
- K. Electrical Components.

- (1) Electrical distribution panels shall be at least three feet above the base flood elevation.
 - (2) Separate electrical circuits shall serve lower levels and shall be dropped from above.
- L. Equipment. Water heaters, furnaces, air-conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the regulatory flood elevation.
- M. Fuel Supply Systems. All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the system and discharges from the system into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.
- N. Uniform Construction Code Coordination. The standards and specifications contained 34 Pa. Code (Chapters 401 through 405, as amended) and not limited to the following provisions shall apply to the above and other sections and subsections of this chapter, to the extent that they are more restrictive and supplement the requirements of this chapter.
 - (1) International Building Code (IBC) 2009 or the latest edition thereof: Sections 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.
 - (2) International Residential Building Code (IRC) 2009 or the latest edition thereof: Sections R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

§ 8-504. Development Which May Endanger Human Life. [Ord. 2012-01, 7/3/2012]

1. In accordance with the Pennsylvania Flood Plain Management Act,⁶ and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances; or will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or will involve the production, storage, or use of any amount of radioactive substances shall be subject to the provisions of this section, in addition to all other applicable provisions. The following is a list of materials and substances that are considered dangerous to human life:
 - A. Acetone.

⁶Editor's Note: See 32 P.S. § 679.101 et seq.

- B. Ammonia.
 - C. Benzene.
 - D. Calcium carbide.
 - E. Carbon disulfide.
 - F. Celluloid.
 - G. Chlorine.
 - H. Hydrochloric acid.
 - I. Hydrocyanic acid.
 - J. Magnesium.
 - K. Nitric acid and oxides of nitrogen.
 - L. Petroleum products (gasoline, fuel oil, etc.).
 - M. Phosphorus.
 - N. Potassium.
 - O. Sodium.
 - P. Sulfur and sulfur products.
 - Q. Pesticides (including insecticides, fungicides, and rodenticides).
 - R. Radioactive substances, insofar as such substances are not otherwise regulated.
- 2. Within any floodway area, any structure of the kind described in Subsection 1, above, shall be prohibited.
 - 3. Within any identified floodplain area, any new or substantially improved structure of the kind described in Subsection 1, above, shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
 - 4. New or substantially improved structures within identified floodplain areas.
 - A. Where permitted within any identified floodplain area, any new or substantially improved structure of the kind described in Subsection 1, above, shall be:
 - (1) Elevated, or in the case of a nonresidential structure, elevated or designed, and constructed to remain completely dry up to at least 1 1/2 feet above base flood elevation,

- (2) Designed to prevent pollution from the structure or activity during the course of a base flood.
- B. Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972, as amended March 1992), or with some other equivalent watertight standard.

§ 8-505. Special Requirements for Subdivisions. [Ord. 2012-01, 7/3/2012]

All subdivision proposals and development proposals containing at least 50 lots or at least five acres, whichever is the lesser, in identified floodplain areas where base flood elevation data are not available shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a conditional letter of map revision or letter of map revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

§ 8-506. Special Requirements for Manufactured Homes. [Ord. 2012-01, 7/3/2012]

1. Within any identified floodplain areas, manufactured homes shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
2. Where permitted within any identified floodplain area, all manufactured homes, and any improvements thereto, shall be:
 - A. Placed on a permanent foundation.
 - B. Elevated so that the lowest floor of the manufactured home is at least 1 1/2 feet above base flood elevation.
 - C. Anchored to resist flotation, collapse, or lateral movement.
3. Installation of manufactured homes shall be done in accordance with the manufacturer's installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2009 International Residential Building Code or the U.S. Department of Housing and Urban Development's "Permanent Foundations for Manufactured Housing," 1984 Edition, draft or latest revision thereto, and 34 Pa. Code Chapters 401 through 405 shall apply.
4. Consideration shall be given to the installation requirements of the 2009 IBC and the 2009 IRC, or the most recent revisions thereto, and 34 Pa. Code, as amended, where appropriate and/or applicable to units where the

manufacturer's standards for anchoring cannot be provided or were not established for the proposed unit's installation.

§ 8-507. Special Requirements for Recreational Vehicles. [Ord. 2012-01, 7/3/2012]

1. Recreational vehicles in Zones A, A1-30, AH and AE must either:
 - A. Be on the site for fewer than 180 consecutive days;
 - B. Be fully licensed and ready for highway use; or
 - C. Meet the permit requirements for manufactured homes in § 8-506.

PART 6

SPECIAL PERMIT ACTIVITIES

§ 8-601. General. [Ord. 2012-01, 7/3/2012]

1. In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act,⁷ the following activities shall be prohibited within any identified floodplain area unless a special permit has been issued by the Township of Washington:
 - A. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
 - (1) Hospitals.
 - (2) Nursing homes.
 - (3) Jails or prisons.
 - B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

§ 8-602. Application Requirements for Special Permits. [Ord. 2012-01, 7/3/2012]

1. Applicants for special permits shall provide five copies of the following items:
 - A. A written request, including a completed permit application form.
 - B. A small scale map showing the vicinity in which the proposed site is located.
 - C. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 - (1) North arrow, scale and date;
 - (2) Topography based upon the North American Vertical Datum (NAVD) of 1988, showing existing and proposed contours at intervals of two feet;
 - (3) All property and lot lines, including dimensions, and the size of the site expressed in acres or square feet;

⁷Editor's Note: See 32 P.S. § 679.101 et seq.

- (4) The location of all existing streets, drives, other accessways, and parking areas, with information concerning widths, pavement types and construction, and elevations;
 - (5) The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting, or affected by, the proposed activity or development;
 - (6) The location of the floodplain boundary line, information and spot elevations concerning the base flood elevation, and information concerning the flow of water, including direction and velocities;
 - (7) The location of all proposed buildings, structures, utilities, and any other improvements; and
 - (8) Any other information which the municipality considers necessary for adequate review of the application.
- D. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale, showing the following:
- (1) Sufficiently detailed architectural or engineering drawings, including floor plans, sections, and exterior building elevations, as appropriate;
 - (2) For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;
 - (3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood;
 - (4) Detailed information concerning any proposed floodproofing measures;
 - (5) Cross-section drawings for all proposed streets, drives, other accessways, and parking areas, showing all rights-of-way and pavement widths;
 - (6) Profile drawings for all proposed streets, drives, and vehicular accessways, including existing and proposed grades; and
 - (7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.

E. The following data and documentation:

- (1) Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;
- (2) Certification from a registered professional engineer, architect, or landscape architect that the proposed construction has been adequately designed to protect against damage from the base flood;
- (3) A statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person, which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a base flood, including a statement concerning the effects such pollution may have on human life;
- (4) A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on base flood elevation and flows;
- (5) A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the base flood elevation and the effects such materials and debris may have on base flood elevation and flows;
- (6) The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development";
- (7) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control;
- (8) Any other applicable permits, such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under Section 302 of Act 1978-166;⁸ and

⁸Editor's Note: See 32 P.S. § 679.302.

- (9) An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a base flood.

§ 8-603. Application Review Procedures. [Ord. 2012-01, 7/3/2012]

1. Upon receipt of an application for a special permit by the Township of Washington, the following procedures shall apply in addition to those of Part 3:
 - A. Within three working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to the Township of Washington Planning Commission and Township of Washington Engineer for review and comment.
 - B. If an application is received that is incomplete, the Township of Washington shall notify the applicant in writing, stating in what respect the application is deficient.
 - C. If the Township of Washington decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
 - D. If the Township of Washington approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development, by registered or certified mail, within five working days after the date of approval.
 - E. Before issuing the special permit, the Township of Washington shall allow the Department of Community and Economic Development 30 days, after receipt of the notification by the Department, to review the application and decision made by the Township of Washington.
 - F. If the Township of Washington does not receive any communication from the Department of Community and Economic Development during the thirty-day review period, it may issue a special permit to the applicant.
 - G. If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the Township of Washington and the applicant, in writing, of the reasons for the disapproval, and the Township of Washington shall not issue the special permit.

§ 8-604. Special Technical Requirements. [Ord. 2012-01, 7/3/2012]

1. In addition to the requirements of Part 5 of this chapter, the following minimum requirements shall also apply to any proposed development requiring a special permit. If there is any conflict between any of the following requirements and those in Part 5 of this chapter or in any other code, ordinance, or regulation, the more restrictive provision shall apply.
2. No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
 - A. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located, and constructed so that:
 - (1) The structure will survive inundation by waters of the base flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the BFE.
 - (2) The lowest floor (including basement) will be elevated to at least 1 1/2 feet above base flood elevation.
 - (3) The occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the base flood.
 - B. Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.
3. All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township of Washington and the Department of Community and Economic Development.

PART 7

EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

§ 8-701. Existing Structures. [Ord. 2012-01, 7/3/2012]

The provisions of this chapter do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of § 8-702 shall apply.

§ 8-702. Improvements. [Ord. 2012-01, 7/3/2012]

1. The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:
 - A. No expansion or enlargement of an existing structure shall be allowed within any Floodway Area/District that would cause any increase in BFE.
 - B. No expansion or enlargement of an existing structure shall be allowed within AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one foot at any point.
 - C. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of 50% or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this chapter.
 - D. The above activity shall also address the requirements of 34 Pa. Code, as amended, and the 2009 IBC and the 2009 IRC.
 - E. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than 50% of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
 - F. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this chapter.

PART 8
VARIANCES

§ 8-801. General. [Ord. 2012-01, 7/3/2012]

If compliance with any of the requirements of this chapter would result in an exceptional hardship to a prospective builder, developer or landowner, the Township of Washington may, upon request, grant relief from the strict application of the requirements.

§ 8-802. Variance Procedures and Conditions. [Ord. 2012-01, 7/3/2012]

1. Requests for variances shall be considered by the Township of Washington in accordance with the procedures contained in § 8-311 and the following:
 - A. No variance shall be granted for any construction, development, use, or activity within any Floodway Area/District that would cause any increase in the BFE.
 - B. No variance shall be granted for any construction, development, use, or activity within any AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one foot at any point.
 - C. Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by special permit (Part 6) or to development which may endanger human life (§ 8-504).
 - D. If granted, a variance shall involve only the least modification necessary to provide relief.
 - E. In granting any variance, the Township of Washington shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this chapter.
 - F. Whenever a variance is granted, the Township of Washington shall notify the applicant in writing that:
 - (1) The granting of the variance may result in increased premium rates for flood insurance.
 - (2) Such variances may increase the risks to life and property.
 - G. In reviewing any request for a variance, the Township of Washington shall consider, at a minimum, the following:

- (1) That there is good and sufficient cause.
 - (2) That failure to grant the variance would result in exceptional hardship to the applicant.
 - (3) That the granting of the variance will:
 - (a) Neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense; nor
 - (b) Create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- H. A complete record of all variance requests and related actions shall be maintained by the Township of Washington. In addition, a report of all variances granted during the year shall be included in the annual report to FEMA.
2. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-percent annual chance flood.

PART 9

DEFINITIONS

§ 8-901. Interpretation. [Ord. 2012-01, 7/3/2012]

Unless specifically defined below, words and phrases used in this chapter shall be interpreted so as to give this chapter its most reasonable application.

§ 8-902. Specific Definitions. [Ord. 2012-01, 7/3/2012]

1. As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY USE OR STRUCTURE — A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

BASE FLOOD — A flood which has a one-percent chance of being equaled or exceeded in any given year (also called the "one-hundred-year flood" or "one-percent annual chance flood").

BASE FLOOD DISCHARGE — The volume of water resulting from a base flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).

BASE FLOOD ELEVATION (BFE) — The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, and A1-30 that indicates the water surface elevation resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year.

BASEMENT — Any area of the building having its floor below ground level on all sides.

BUILDING — A combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be

affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXISTING STRUCTURE — A structure for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing structure" may also be referred to as "existing construction."

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION — The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD — A temporary inundation of normally dry land areas.

FLOOD INSURANCE RATE MAP (FIRM) — The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) — The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

FLOODPLAIN AREA — A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOODPROOFING — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

HIGHEST ADJACENT GRADE — The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURES — Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR — The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood-resistant, partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable nonelevation design requirements of this chapter.

MANUFACTURED HOME — A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational vehicles and other similar vehicles which are placed on a site for more than 180 consecutive days.

MANUFACTURED HOME PARK OR SUBDIVISION — A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MINOR REPAIR — The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement of or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping,

electric wiring or mechanical or other work affecting public health or general safety.

NEW CONSTRUCTION — Structures for which the start of construction commenced on or after August 2, 2012, and includes any subsequent improvements to such structures. Any construction started after December 17, 1987, and before August 2, 2012, is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

NEW MANUFACTURED HOME PARK OR SUBDIVISION — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

PERSON — An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

POST-FIRM STRUCTURE — A structure for which construction or substantial improvement occurred after December 31, 1974, or on or after the community's initial Flood Insurance Rate Map (FIRM) dated December 17, 1987, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.

PRE-FIRM STRUCTURE — A structure for which construction or substantial improvement occurred on or before December 31, 1974, or before the community's initial Flood Insurance Rate Map (FIRM) dated December 17, 1987, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.

RECREATIONAL VEHICLE — A vehicle which is:

- A. Built on a single chassis;
- B. Not more than 400 square feet, measured at the largest horizontal projections;
- C. Designed to be self-propelled or permanently towable by a light-duty truck;
- D. Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOOD ELEVATION — The base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of 1 1/2 feet.

REPETITIVE LOSS — Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25% of the market value of the structure before the damages occurred.

SPECIAL FLOOD HAZARD AREA (SFHA) — An area in the floodplain subject to a one-percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or AH.

SPECIAL PERMIT — A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of, a floodplain.

START OF CONSTRUCTION — Includes substantial improvement and other proposed new development and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE — A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

SUBDIVISION — The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees,

transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBSTANTIAL DAMAGE — Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT —

- A. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage or repetitive loss, regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
- B. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this chapter must comply with all ordinance requirements that do not preclude the structure's continued designation as an historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

UNIFORM CONSTRUCTION CODE (UCC) — The statewide building code adopted by the Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities, whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, the code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the state floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

VIOLATION — The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3(b)(5),

(c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

PART 10

ENACTMENT

§ 8-1001. Effective Date. [Ord. 2012-01, 7/3/2012]

This chapter shall be effective on August 2, 2012, and shall remain in force until modified, amended or rescinded by the Township of Washington, Dauphin County, Pennsylvania.

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PART 1
GENERAL PROVISIONS

§9-101. Short Title.

This chapter shall be known and may be cited as the “Washington Township Stormwater Management Ordinance.”

(Ord. 2010-03, 12/7/2010)

§9-102. Statement of Findings.

The governing body of Washington Township finds that:

- A. Inadequate management of accelerated stormwater runoff resulting from development throughout a watershed increases flood flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of existing streams and storm sewers, greatly increases the cost of public facilities to convey and manage stormwater, undermines floodplain management and flood-reduction efforts in upstream and downstream communities, reduces groundwater recharge, threatens public health and safety, and increases non-point-source pollution of water resources.
- B. A comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, welfare, and the protection of the people of Washington Township and all the people of the commonwealth, their resources, and the environment.
- C. Inadequate planning and management of stormwater runoff resulting from land development and redevelopment throughout a watershed can also harm surface water resources by changing the natural hydrologic patterns; accelerating stream flows (which increase scour and erosion of streambeds and stream banks, thereby elevating sedimentation); destroying aquatic habitats; and elevating aquatic pollutant concentrations and loadings such as sediments, nutrients, heavy metals, and pathogens. Groundwater resources are also impacted through loss of recharge.
- D. Stormwater is an important water resource which provides groundwater recharge for water supplies and base flow of streams, which also protects and maintains surface water quality.
- E. Public education on the control of pollution from stormwater is an essential component in successfully addressing stormwater issues.

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- F. Federal and state regulations require certain municipalities to implement a program of stormwater controls. These municipalities are required to obtain a permit for stormwater discharges from their separate storm sewer systems under the National Pollutant Discharge Elimination System (NPDES).
- G. Nonstormwater discharges to municipal separate storm sewer systems can contribute to pollution of waters of the commonwealth.

(Ord. 2010-03, 12/7/2010)

§9-103. Purpose.

The purpose of this chapter is to promote health, safety, and welfare within Washington Township, Dauphin County, by minimizing the harms and maximizing the benefits described in §9-102 of this chapter through provisions intended to:

- A. Meet legal water quality requirements under state law, including regulations at 25 Pa. Code, Chapter 93, to protect, maintain, reclaim, and restore the existing and designated uses of the waters of the commonwealth.
- B. Manage accelerated runoff and erosion and sedimentation problems close to their source, by regulating activities that cause these problems.
- C. Preserve the natural drainage systems to the maximum extent practicable.
- D. Maintain groundwater recharge, to prevent degradation of surface water and groundwater quality, and to otherwise protect water resources.
- E. Maintain existing flows and quality of streams and watercourses.
- F. Preserve and restore the flood-carrying capacity of streams and prevent scour and erosion of stream banks and streambeds.
- G. Manage stormwater impacts close to the runoff source, with a minimum of structures and a maximum use of natural processes.
- H. Provide procedures, performance standards, and design criteria for stormwater planning and management.
- I. Provide proper operations and maintenance of all temporary and permanent stormwater management facilities and best management practices (BMPs) that are constructed and implemented.
- J. Provide standards to meet the NPDES permit requirements.

(Ord. 2010-03, 12/7/2010)

§9-104. Statutory Authority.

1. Primary Authority. The municipality is empowered to regulate these activities by the authority of the Act of October 4, 1978, P.L. 864 (Act 167), 32 P.S. §680.1 et seq., as amended, the “Storm Water Management Act,” and the Second Class Township Code, 53 P.S. §65101 et seq., as amended.
2. Secondary Authority. The municipality also is empowered to regulate land use activities that affect runoff by the authority of the Act of July 31, 1968, P.L. 805, No. 247, the Pennsylvania Municipalities Planning Code, as amended.¹

(Ord. 2010-03, 12/7/2010)

§9-105. Applicability.

1. This chapter shall apply to all areas of Washington Township, any regulated activity within Washington Township, and all stormwater runoff entering into Washington Township’s separate storm sewer system from lands within the boundaries of Washington Township.
2. Earth-disturbance activities and associated stormwater management controls are also regulated under existing state law and implementing regulations. This chapter shall operate in coordination with those parallel requirements; the requirements of this chapter shall be no less restrictive in meeting the purposes of this chapter than state law.
3. “Regulated activities” are any earth-disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff. “Regulated activities” include but are not limited to the following listed items:
 - A. Earth-disturbance activities.
 - B. Land development.
 - C. Subdivision.
 - D. Construction of new or additional impervious or semipervious surfaces.
 - E. Construction of new buildings or additions to existing buildings.
 - F. Diversion or piping of any natural or man-made stream channel.
 - G. Installation of stormwater management facilities or appurtenances thereto.

¹ Editor’s Note: See 53 P.S. § 10101 et seq.

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H. Installation of stormwater BMPs.

4. See §9-302 of this chapter for exemption/modification criteria.

(Ord. 2010-03, 12/7/2010)

§9-106. Repealer.

Any ordinance, ordinance provision(s), or regulation of Washington Township inconsistent with any of the provision(s) of this chapter is hereby repealed to the extent of the inconsistency only.

(Ord. 2010-03, 12/7/2010)

§9-107. Severability.

In the event that a court of competent jurisdiction declares any section(s) or provision(s) of this chapter invalid, such decision shall not affect the validity of any of the remaining section(s) or provision(s) of this chapter.

(Ord. 2010-03, 12/7/2010)

§9-108. Compatibility With Other Requirements.

Approvals issued and actions taken pursuant to this chapter do not relieve the applicant of the responsibility to comply with or to secure required permits or approvals for activities regulated by any other applicable codes, laws, rules, statutes, or ordinances. To the extent that this chapter imposes more-rigorous or more-stringent requirements for stormwater management, the specific requirements contained in this chapter shall be followed.

(Ord. 2010-03, 12/7/2010)

§9-109. Duty of Persons Engaged in the Development of Land.

Notwithstanding any provision(s) of this chapter, including exemptions, any landowner or any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement such measures as are reasonably necessary to prevent injury to health, safety, or other property. Such measures also shall include actions as are required to manage the rate, volume, direction, and quality of resulting stormwater runoff in a manner which otherwise adequately protects health, property, and water quality.

(Ord. 2010-03, 12/7/2010)

PART 2

DEFINITIONS

§9-201. Definition of Terms.

1. For the purpose of this chapter, certain terms and words used herein shall be interpreted as follows:
 - A. Words used in the present tense include the future tense; the singular number includes the plural; and the plural number includes the singular; words of masculine gender include feminine gender; and words of feminine gender include masculine gender.
 - B. The word “includes” or “including” shall not limit the term to the specific example but is intended to extend its meaning to all other instances of like kind and character.
 - C. The word “person” includes an individual, firm, association, organization, partnership, trust, company, corporation, or any other similar entity.
 - D. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.
 - E. The words “used or occupied” include the words “intended, designed, maintained, or arranged to be used, occupied or maintained.”
2. As used in this chapter, the following terms shall have the meanings indicated:

ACCELERATED EROSION — The removal of the surface of the land through the combined action of human activity and natural processes at a rate greater than would occur because of the natural process alone.

AGRICULTURAL ACTIVITIES — Activities associated with agriculture, such as agricultural cultivation, agricultural operation, and animal heavy-use areas. This includes the work of producing crops, tillage, land clearing, plowing, disking, harrowing, planting, harvesting crops, or pasturing and raising of livestock and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

ALTERATION — As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

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APPLICANT — A landowner, developer, or other person who has filed an application for approval to engage in any regulated activities at a project site within Washington Township.

BEST MANAGEMENT PRACTICES (BMPs) — Activities, facilities, designs, measures or procedures used to manage stormwater impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge and to otherwise meet the purposes of this chapter. Stormwater BMPs are commonly grouped into one of two broad categories or measures: “nonstructural” or “structural.” “Nonstructural BMPs” are measures referred to as operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff, whereas “structural BMPs” are measures that consist of a physical device or practice that is installed to capture and treat stormwater runoff. Structural BMPs include but are not limited to a wide variety of practices and devices, from large-scale wet ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low-impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural stormwater BMPs are permanent appurtenances to the project site.

BMP MANUAL — The Pennsylvania Stormwater Best Management Practices Manual, as published by the Department of Environmental Protection, Bureau of Watershed Management, Document Number 363-0300-002, effective date December 30, 2006, and as revised.

CHANNEL EROSION — The widening, deepening, and headward cutting of small channels and waterways, due to erosion caused by moderate to large floods.

CISTERN — An underground reservoir or tank used for storing rainwater.

CONSERVATION DISTRICT — The Dauphin County Conservation District (DCCD). The Dauphin County Conservation District has the authority under a delegation agreement executed with the Department of Environmental Protection to administer and enforce all or a portion of the regulations promulgated under 25 Pa. Code, Chapter 102.

CULVERT — A structure, with appurtenant works, that carries a stream and/or stormwater runoff under or through an embankment or fill.

DAM — An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semifluid, or a refuse bank, fill or structure for highway, railroad or other purposes which does or may impound water or another fluid or semifluid.

DESIGNEE — The agent of Washington Township and/or agent of the governing body involved with the administration, review or enforcement of any provisions of this chapter by contract or memorandum of understanding.

DESIGN STORM — The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., a twenty-five-year storm) and duration (e.g., 24 hours), used in the design and evaluation of storm-water management systems. Also see “return period.”

DETENTION BASIN — An impoundment structure designed to manage storm-water runoff by temporarily storing the runoff and releasing it at a predetermined rate.

DETENTION VOLUME — The volume of runoff that is captured and released during or after a storm event into waters of the commonwealth at a controlled rate.

DEVELOPER — A person, partnership, association, corporation, or other entity, or any responsible person therein or agent thereof, that undertakes any regulated activity of this chapter.

DEVELOPMENT SITE (SITE) — The specific tract of land for which a regulated activity is proposed. Also see “project site.”

DISTURBED AREA — An unstabilized land area where an earth-disturbance activity is occurring or has occurred.

DOWNSLOPE PROPERTY LINE — That portion of the property line of the lot, tract, or parcels of land being developed located such that all overland or piped flow from the site would be directed toward it.

DRAINAGE CONVEYANCE FACILITY — A stormwater management facility designed to convey stormwater runoff, and shall include streams, channels, swales, pipes, conduits, culverts, storm sewers, etc.

DRAINAGE EASEMENT — A right granted by a landowner to a grantee, allowing the use of private land for stormwater management, drainage, or conveyance purposes.

DRAINAGEWAY — Any natural or artificial watercourse, trench, ditch, pipe, swale, channel, or similar depression into which surface water flows.

EARTH-DISTURBANCE ACTIVITY — A construction or other human activity which disturbs the surface of the land, including but not limited to clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, timber harvesting activities, road maintenance activities, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

EROSION — The movement of soil particles by the action of water, wind, ice, or other natural forces.

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EROSION AND SEDIMENT POLLUTION CONTROL PLAN — A plan which is designed to minimize accelerated erosion and sedimentation.

EXCEPTIONAL-VALUE WATERS — Surface waters of high quality, which satisfy Pa. Code, Title 25, Environmental Protection, Chapter 93, Water Quality Standards, §93.4b(b) (relating to antidegradation).

EXISTING CONDITIONS — The initial condition of a project site prior to the proposed construction. If the initial condition of the site is not forested or undeveloped land, the land use shall be considered as “meadow,” unless the natural land cover is documented to generate lower Curve Numbers or Rational “C” coefficients, such as forested lands.

FEMA — The Federal Emergency Management Agency.

FLOOD — A general but temporary condition of partial or complete inundation of normally dry land areas from the overflow of streams, rivers, and other waters of the commonwealth.

FLOOD FRINGE — The remaining portions of the one-hundred-year floodplain outside of the floodway boundary.

FLOODPLAIN — Any land area susceptible to inundation by water from any natural source or delineated by applicable Department of Housing and Urban Development, Federal Insurance Administration, Flood Hazard Boundary Maps as being a special flood hazard area. Included are lands adjoining a river or stream that have been or may be inundated by a one-hundred-year flood. Also included are areas that comprise Group 13 soils, as listed in Appendix A of the Pennsylvania Department of Environmental Protection (PADEP) Technical Manual for Sewage Enforcement Officers (as amended or replaced from time to time by PADEP).

FLOODWAY — The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the one-hundred-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the one-hundred-year frequency floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

FOREST MANAGEMENT/TIMBER OPERATIONS — Planning and activities necessary for the management of forestland. These include timber inventory and preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation and reforestation.

FREEBOARD — A vertical distance between the elevation of the design high water and the top of a dam, levee, tank, basin, or diversion ridge. The space is required as a safety margin in a pond or basin.

GRADE — A slope, usually of a road, channel or natural ground, specified in percent, and shown on plans as specified herein.

(TO) GRADE — To finish the surface of a roadbed, top of embankment or bottom of excavation.

GROUNDWATER RECHARGE — Replenishment of existing natural underground water supplies.

HEC-HMS MODEL CALIBRATED (Hydrologic Engineering Center Hydrologic Modeling System) — A computer-based hydrologic modeling technique adapted to the watersheds in Dauphin County for the Act 167 Plan. The model has been calibrated by adjusting key model input parameters.

HIGH-QUALITY WATERS — Surface water having quality which exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water by satisfying Pa. Code, Title 25, Environmental Protection, Chapter 93, Water Quality Standards, §93.4b(a).

HYDROLOGIC SOIL GROUP (HSG) — Infiltration rates of soils vary widely and are affected by subsurface permeability as well as surface intake rates. Soils are classified into one of four HSGs (A, B, C, and D) according to their minimum infiltration rate, which is obtained for bare soil after prolonged wetting. The Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture defines the four groups and provides a list of most of the soils in the United States and their group classification. The soils in the area of interest may be identified from a soil survey report from the local NRCS office or the Dauphin County Conservation District.

IMPERVIOUS SURFACE (IMPERVIOUS AREA) — A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include but are not limited to: roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, and any new streets and sidewalks. Decks, parking areas, and driveway areas are not counted as impervious areas if they do not prevent infiltration. Any surface area proposed to initially be gravel or crushed stone shall be assumed to be impervious, unless designed as an infiltration BMP.

INFILTRATION STRUCTURES — A structure designed to direct runoff into the ground (e.g., french drains, seepage pits, seepage trench, etc.).

INLET — A surface connection to a closed drain; a structure at the diversion end of a conduit; the upstream end of any structure through which water may flow.

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KARST — A type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, steep-sided hills, underground drainage and caves. Karst is formed on carbonate rocks, such as limestone or dolomites, and sometimes gypsum.

LAND DEVELOPMENT (DEVELOPMENT) —

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more buildings; or
 - (2) The division or allocation of land or space between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
- B. Any subdivision of land.
- C. Development in accordance with Section 503(1.1) of the Pennsylvania Municipalities Planning Code.¹

LIMIT OF DISTURBANCE — A line provided on the SWM site plan that indicates the total area to be disturbed during a proposed earth-disturbance activity.

MAIN STEM (MAIN CHANNEL) — Any stream segment or other runoff-conveyance facility used as a reach in the Dauphin County Act 167 watershed hydrologic model(s).

MANNING EQUATION (MANNING FORMULA) — A method for calculation of velocity of flow (e.g., feet per second) and flow rate (e.g., cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. “Open channels” may include closed conduits so long as the flow is not under pressure.

MUNICIPALITY — Washington Township, Dauphin County, Pennsylvania.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) — The federal government’s system for issuance of permits under the Clean Water Act, which is delegated to PADEP in Pennsylvania.

NOAA ATLAS 14 — The Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, United States Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, Hydrometeorological Design Studies Center, Silver Spring, Maryland (2004). NOAA’s Atlas 14 can be accessed at Internet address: <http://hdsc.nws.noaa.gov/hdsc/pfds/>.

¹ Editor’s Note: See 53 P.S. § 10503.

NON-POINT-SOURCE POLLUTION — Pollution that enters a water body from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

NRCS — The Natural Resources Conservation Service [previously the Soil Conservation Service (SCS)].

OPEN CHANNEL — A drainage element in which stormwater flows with an open surface. Open channels include but shall not be limited to natural and man-made drainageways, swales, streams, ditches, canals, and pipes not under pressure.

OUTFALL —

- A. A point where water flows from a conduit, stream, or drain; or
- B. A “point source,” as described in 40 CFR 122.2, at the point where the municipality’s storm sewer system discharges to surface waters of the commonwealth.

OUTLET — Points of water disposal from a stream, river, lake, tidewater, or artificial drain.

PADEP — The Pennsylvania Department of Environmental Protection.

PARKING LOT STORAGE — Involves the use of impervious parking areas as temporary impoundments with controlled release rates during rainstorms.

PEAK DISCHARGE — The maximum rate of stormwater runoff from a specific storm event.

PERSON — An individual, partnership, public or private association or corporation, or a governmental unit, public utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

PERVIOUS AREA — Any area not defined as impervious.

PIPE — A culvert, closed conduit, or similar structure (including appurtenances) that conveys stormwater.

PLANNING COMMISSION — The Planning Commission of Washington Township.

POINT SOURCE — Any discernible, confined, or discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, or conduit from which stormwater is or may be discharged, as defined in state regulations at 25 Pa. Code §92.1.

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PROBABLE MAXIMUM FLOOD (PMF) — The flood that may be expected from the most-severe combination of critical meteorological and hydrologic conditions that are reasonably possible in any area. The PMF is derived from the probable maximum precipitation (PMP) as determined on the basis of data obtained from the National Oceanographic and Atmospheric Administration (NOAA).

PROJECT SITE — The specific area of land where any regulated activities in the municipality are planned, conducted, or maintained.

QUALIFIED PROFESSIONAL — Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by this chapter.

RATIONAL FORMULA — A rainfall-runoff relation used to estimate peak flow.

REDEVELOPMENT — Earth-disturbance activities on land which has previously been developed.

REGULATED ACTIVITIES — Any earth-disturbance activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff.

REGULATED EARTH-DISTURBANCE ACTIVITY — Activity involving earth disturbance subject to regulation under 25 Pa. Code, Chapter 92, Chapter 102, or the Clean Streams Law.

RELEASE RATE — The percentage of predevelopment peak rate of runoff from a site or subwatershed area to which the postdevelopment peak rate of runoff must be reduced to protect downstream areas.

RELEASE RATE DISTRICT — Those subwatershed areas in which postdevelopment flows must be reduced to a certain percentage of predevelopment flows as required to meet the plan requirements and the goals of Act 167.

RETENTION VOLUME/REMOVED RUNOFF — The volume of runoff that is captured and not released directly into the surface waters of this commonwealth during or after a storm event.

RETURN PERIOD — The average interval, in years, within which a storm event of a given magnitude can be expected to recur. For example, the probability of a twenty-five-year storm occurring in any one given year is 0.04 (i.e., a four-percent chance).

RIPARIAN BUFFER — A vegetated area, bordering perennial and intermittent streams and wetlands, that serves as a protective filter to help protect streams and wetlands from the impacts of adjacent land uses.

RISER — A vertical pipe extending from the bottom of a pond that is used to control the discharge rate from the pond for a specified design storm.

ROAD MAINTENANCE — Earth-disturbance activities within the existing road right-of-way, such as grading and repairing existing unpaved road surfaces, cutting road banks, cleaning or clearing drainage ditches, and other similar activities. Road maintenance activities that do not disturb the subbase of a paved road, such as milling and pavement overlays, are not considered earth-disturbance activities.

ROOFTOP DETENTION — Temporary ponding and gradual release of stormwater falling directly onto flat roof surfaces by incorporating controlled-flow roof drains into building designs.

RUNOFF — Any part of precipitation that flows over the land surface.

RUNOFF CAPTURE VOLUME — The volume of runoff that is captured (retained) and not released into surface waters of the commonwealth during or after a storm event.

SEDIMENT — Soils or other materials transported by surface water as a product of erosion.

SEDIMENTATION — The process by which mineral or organic matter is accumulated or deposited by the movement of water.

SEDIMENT BASIN — A barrier, dam, or detention basin located and designed to retain rock, sand, gravel, silt, or other material transported by stormwater runoff.

SEDIMENT POLLUTION — The placement, discharge, or any other introduction of sediment into waters of the commonwealth occurring from the failure to properly design, construct, implement or maintain control measures and control facilities in accordance with the requirements of this chapter.

SEEPAGE PIT/SEEPAGE TRENCH — An area of excavated earth filled with loose stone or similar coarse material, into which surface water is directed for infiltration into the ground.

SEPARATE STORM SEWER SYSTEM — A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) primarily used for collecting and conveying stormwater runoff.

SHEET FLOW — Runoff that flows over the ground surface as a thin, even layer, not concentrated in a channel.

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SOIL-COVER-COMPLEX METHOD — A method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called Curve Number (CN).

SPILLWAY (EMERGENCY) — A depression in the embankment of a pond or basin, or other overflow structure, that is used to pass peak discharges greater than the maximum design storm controlled by the pond or basin.

STATE WATER QUALITY REQUIREMENTS — The regulatory requirements to protect, maintain, reclaim, and restore water quality under Title 25 of the Pennsylvania Code and the Clean Streams Law, including but not limited to:

- A. Each stream segment in Pennsylvania has a designated use, such as “cold water fishery” or “potable water supply,” which is listed in Chapter 93. These uses must be protected and maintained, under state regulations.
- B. “Existing uses” are those attained as of November 1975, regardless of whether they have been designated in Chapter 93. Earth-disturbance activities must be designed to protect and maintain existing uses and maintain the level of water quality necessary to protect those uses in all streams and to protect and maintain water quality in special protection streams.
- C. Water quality involves the chemical, biological, and physical characteristics of surface water bodies. After earth-disturbance activities are complete, these characteristics can be impacted by addition of pollutants such as sediment, and changes in habitat through increased flow volumes and/or rates as a result of changes in land surface area from those activities. Therefore, permanent discharges to surface waters must be managed to protect the stream bank, streambed, and structural integrity of the waterway, to prevent these impacts.
- D. Protection and maintenance of water quality in special protection streams pursuant to 25 Pa. Code, Chapter 93.

STORAGE INDICATION METHOD — A reservoir routing procedure based on solution of the continuity equation (inflow minus outflow equals the change in storage), with outflow defined as a function of storage volume and depth.

STORM FREQUENCY — The number of times that a given storm event occurs or is exceeded on the average in a stated period of years. See also “return period.”

STORM SEWER — A system of pipes and/or open channels that convey intercepted runoff and stormwater from other sources but excludes domestic sewage and industrial wastes.

STORMWATER — Drainage runoff from the surface of the land resulting from precipitation, snow, or ice melt.

STORMWATER HOTSPOT — A land use or activity that generates higher concentrations of hydrocarbons, trace metals, or toxicants than are found in typical stormwater runoff.

STORMWATER MANAGEMENT FACILITIES — Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include but are not limited to detention basins, wet ponds, open channels, storm sewers, pipes and infiltration facilities.

STORMWATER MANAGEMENT PLAN — The Dauphin County Stormwater Management Plan for managing stormwater runoff in Dauphin County as required by the Act of October 4, 1978, P.L. 864, (Act 167) and known as the “Storm Water Management Act.”

STORMWATER MANAGEMENT SITE PLAN (SWM SITE PLAN) — The plan prepared by the applicant or his representative indicating how stormwater runoff will be managed at the project site in accordance with this chapter.

STREAM ENCLOSURE — A bridge, culvert, or other structure in excess of 100 feet in length, upstream to downstream, which encloses regulated waters of the commonwealth.

SUBDIVISION — The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwellings, shall be exempt from the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247.

SUBWATERSHED AREA — The smallest drainage unit of a watershed for which stormwater management criteria have been established in the stormwater management plan.

SWALE — A low-lying stretch of land that gathers or carries surface water runoff.

TIMBER OPERATIONS — See “forest management.”

TIME OF CONCENTRATION (T_c) — The time for surface runoff to travel from the hydraulically most-distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

USDA — The United States Department of Agriculture.

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WATERCOURSE — A channel or conveyance of surface water, such as a stream or creek, having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATERSHED — A region or area drained by a river, watercourse, or other surface water, whether natural or artificial.

WATERS OF THE COMMONWEALTH — Rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth of Pennsylvania.

WETLAND — Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. (The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and a wetland area designated by a river basin commission. This definition is used by the United States Environmental Protection Agency and the United States Army Corps of Engineers.)

(Ord. 2010-03, 12/7/2010)

PART 3

STORMWATER MANAGEMENT STANDARDS

§9-301. General Requirements.

1. For all regulated activities, unless specifically exempted in §9-302:
 - A. Preparation and implementation of an approved SWM site plan is required.
 - B. No regulated activities shall commence until the municipality issues written approval of an SWM site plan, which demonstrates compliance with the requirements of this chapter.
 - C. The SWM site plan shall demonstrate that adequate capacity will be provided to meet the volume and rate control requirements, as described under §§9-303 and 9-304 of this chapter.
 - D. The SWM site plan approved by the municipality shall be on site throughout the duration of the regulated activities.
2. For all regulated earth-disturbance activities, erosion and sediment control BMPs shall be designed, implemented, operated, and maintained during the regulated earth-disturbance activities (e.g., during construction) to meet the purposes and requirements of this chapter and to meet all requirements under Title 25 of the Pennsylvania Code (including but not limited to Chapter 102, Erosion and Sediment Control) and the Clean Streams Law. Various BMPs and their design standards are listed in the Erosion and Sediment Pollution Control Program Manual (E&S Manual), No. 363-2134-008 (April 15, 2000), as amended and updated.
3. For all regulated activities, stormwater BMPs shall be designed, installed, implemented, operated, and maintained to meet the purposes and requirements of this chapter and to meet all requirements under Title 25 of the Pennsylvania Code and the Clean Streams Law, conform to the state water quality requirements, and meet all requirements under the Storm Water Management Act and any more-stringent requirements as determined by the municipality.
4. The municipality may, after consultation with PADEP and/or DCCD, approve measures for meeting the state water quality requirements other than those in this chapter, provided that they meet the minimum requirements of, and do not conflict with, state law, including but not limited to the Clean Streams Law.
5. Measures for Protection and Meeting Water Quality Goals.
 - A. All regulated activities shall include, to the maximum extent practicable, measures to:

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- (1) Protect health, safety, and property.
 - (2) Meet the water quality goals of this chapter by implementing measures to:
 - (a) Minimize disturbance to floodplains, wetlands, natural slopes, existing native vegetation and woodlands.
 - (b) Create, maintain, or extend riparian buffers and protect existing forested buffers.
 - (c) Provide trees and woodlands adjacent to impervious areas whenever feasible.
 - (d) Minimize the creation of impervious surfaces and the degradation of waters of the commonwealth and promote groundwater recharge.
 - (e) Protect natural systems and processes (drainageways, vegetation, soils, and sensitive areas) and maintain, as much as possible, the natural hydrologic regime.
 - (f) Incorporate natural site elements (wetlands, stream corridors, mature forests) as design elements.
 - (g) Avoid erosive flow conditions in natural flow pathways.
 - (h) Minimize soil disturbance and soil compaction.
 - (i) Minimize thermal impacts to waters of the commonwealth.
 - (j) Disconnect impervious surfaces by directing runoff to pervious areas wherever possible and decentralize and manage stormwater at its source.
 - B. Applicants are encouraged to incorporate the techniques for low-impact development practices described in the Pennsylvania Stormwater Best Management Practices Manual (BMP Manual) to reduce the costs of complying with the requirements of this chapter and the state water quality requirements.
6. Impervious Areas.
- A. The measurement of impervious areas shall include all of the impervious areas in the total proposed development, even if development is to take place in stages.

- B. For development taking place in stages, the entire development plan must be used in determining conformance with this chapter.
 - C. For projects that add impervious area to a developed parcel, the new impervious area is subject to the requirements of this chapter; and any existing impervious area that is within the new proposed limit of disturbance is also subject to the requirements of this chapter.
7. If diffused flow is proposed to be concentrated and discharged onto adjacent property, the applicant must document that adequate downstream conveyance facilities exist to safely transport the concentrated discharge or otherwise prove that no erosion, sedimentation, flooding, or other harm will result from the concentrated discharge.
- A. The applicant must provide an executed easement for newly concentrated flow across adjacent properties.
8. Stormwater drainage systems shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by stormwater management facilities or open channels consistent with this chapter.
9. Where watercourses traverse a development site, drainage easements (with a minimum width of 20 feet) shall be provided conforming to the line of such watercourses. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations that may adversely affect the flow of stormwater within any portion of the easement. Also, maintenance, including mowing of vegetation within the easement, may be required, except as approved by the appropriate governing authority.
10. When it can be shown that, due to topographic conditions, natural drainageways on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainageways. Work within natural drainageways shall be subject to approval by PADEP under regulations at 25 Pa. Code, Chapter 105, through the joint permit application process or, where deemed appropriate by PADEP, through the general permit process.
11. Any stormwater management facilities or any facilities that constitute water obstructions (e.g., culverts, bridges, outfalls, or stream enclosures, etc.) that are regulated by this chapter, that will be located in or adjacent to waters of the commonwealth (including wetlands), shall be subject to approval by PADEP under regulations at 25 Pa. Code, Chapter 105, through the joint permit application process or, where deemed appropriate by PADEP, the general permit process. When there is a question whether wetlands may be involved, it is the responsibility of the applicant or his agent to show that the land in question cannot be classified as wetlands; otherwise, approval to work in the area must be obtained from PADEP.

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12. Should any stormwater management facility require a dam safety permit under PADEP Chapter 105, the facility shall be designed in accordance with Chapter 105 and meet the regulations of Chapter 105 concerning dam safety which may be required to pass storms larger than the one-hundred-year event.
13. Any stormwater management facilities regulated by this chapter that will be located on or discharged onto state highway rights-of-way shall be subject to approval by the Pennsylvania Department of Transportation (PennDOT).
14. When stormwater management facilities are proposed within 1,000 feet of a downstream municipality, the stormwater analysis shall be submitted to the downstream municipality's engineer for review and comment.
15. Minimization of impervious surfaces and infiltration of runoff through seepage beds, infiltration trenches, etc., are encouraged, where soil conditions and geology permit, to reduce the size or eliminate the need for detention facilities.
16. Infiltration BMPs should be dispersed throughout the site, made as shallow as practicable, and located to maximize use of natural on-site infiltration features while still meeting the other requirements of this chapter.
17. The design of facilities over karst shall include an evaluation and implementation of measures to minimize adverse effects.
18. Roof drains shall not be connected to streets, sanitary or storm sewers, or roadside ditches in order to promote overland flow and infiltration/percolation of stormwater where it is advantageous to do so. When it is more advantageous to connect directly to streets or storm sewers, then the municipality shall permit it on a case-by-case basis.

(Ord. 2010-03, 12/7/2010)

§9-302. Exemptions/Modifications.

1. Under no circumstance shall the applicant be exempt from implementing such measures as necessary to:
 - A. Meet state water quality standards and requirements.
 - B. Protect health, safety, and property.
 - C. Meet special requirements for high-quality (HQ) and exceptional-value (EV) watersheds.
2. The applicant must demonstrate that the following BMPs are being utilized to the maximum extent practicable to receive consideration for the exemptions:

- A. Design around and limit disturbance of floodplains, wetlands, natural slopes over 15%, existing native vegetation, and other sensitive and special-value features.
 - B. Maintain riparian and forested buffers.
 - C. Limit grading and maintain nonerosive flow conditions in natural flow paths.
 - D. Maintain existing tree canopies near impervious areas.
 - E. Minimize soil disturbance and reclaim disturbed areas with topsoil and vegetation.
 - F. Direct runoff to pervious areas.
3. The applicant must demonstrate that the proposed development/additional impervious area will not adversely impact the following:
- A. Capacities of existing drainageways and storm sewer systems.
 - B. Velocities and erosion.
 - C. Quality of runoff if direct discharge is proposed.
 - D. Existing known problem areas.
 - E. Safe conveyance of the additional runoff.
 - F. Downstream property owners.
4. An applicant proposing regulated activities, after demonstrating compliance with §9-302, Subsections 1, 2 and 3, may be exempted from various requirements of this chapter according to the following table:

**New Impervious Area* (Since the Date of Adoption of this chapter)
(square footage)**

0–1,000

1,000–5,000

> 5,000

Applicant Must Submit to the Municipality

—

Volume controls and SWM site plan and report

Rate controls, volume controls, SWM site plan and report and record drawings

NOTES:

- * Gravel in the existing condition shall be considered pervious, and proposed gravel shall be considered impervious.

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5. The purpose of this section is to ensure consistency of stormwater management planning between local ordinances and NPDES permitting (when required) and to ensure that the applicant has a single and clear set of stormwater management standards to which the applicant is subject. The municipality may accept alternative stormwater management controls, provided that:
 - A. The applicant, in consultation with the municipality, PADEP and/or DCCD, states that meeting the requirements of the volume controls or rate controls of this chapter is not possible or creates an undue hardship.
 - B. The alternative stormwater management controls, proposed by the applicant, are documented to be acceptable to the municipality, PADEP and/or DCCD for NPDES requirements pertaining to postconstruction stormwater management requirements.
 - C. The alternative stormwater management controls are in compliance with all other sections of this chapter, including but not limited to §9-301, Subsection 4, and §9-302, Subsections 1, 2 and 3.
6. Forest management and timber operations are exempt from rate and volume control requirements and SWM site plan preparation requirement of this chapter, provided that the activities are performed according to the requirements of 25 Pa. Code, Chapter 102. It should be noted that temporary roadways are not exempt.
7. Agricultural activities are exempt from the requirements of this chapter, provided that the activities are performed according to the requirements of 25 Pa. Code, Chapter 102.
8. Linear roadway improvement projects that create additional impervious area are not exempt from the requirements of this chapter. However, alternative stormwater management strategies may be applied, at the joint approval of the municipality and the Dauphin County Conservation District (if an NPDES permit is required), when site limitations (such as limited right-of-way) and constraints (as shown and provided by the applicant) preclude the ability of the applicant to meet the enforcement of the stormwater management standards in this chapter. All strategies must be consistent with PADEP's regulations, including NPDES requirements.
9. The municipality may, after an applicant has demonstrated compliance with §9-302, Subsections 1, 2 and 3, grant a modification of the requirements of one or more provisions of this chapter if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this chapter is observed.

- A. All requests for a modification shall be in writing and shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved, and the minimum modification necessary.

(Ord. 2010-03, 12/7/2010)

§9-303. Volume Controls.

1. The low-impact development practices provided in the BMP Manual and in Appendix B of this chapter¹ shall be utilized for all regulated activities to the maximum extent practicable.
2. Stormwater runoff volume controls shall be implemented using the Design Storm Method or the Simplified Method. For regulated activities equal to or less than one acre, this chapter establishes no preference for either method; therefore, the applicant may select either method on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology, and other factors.
 - A. The Design Storm Method (CG-1 in the BMP Manual) is applicable to any size regulated activity. This method requires detailed modeling based on site conditions.
 - (1) Do not increase the postdevelopment total runoff volume when compared to the predevelopment total runoff volume for the two-year/twenty-four-hour storm event.
 - (2) For hydrologic modeling purposes:
 - (a) Existing nonforested pervious areas must be considered meadow (good condition) for predevelopment hydrologic calculations.
 - (b) Twenty percent of existing impervious area, when present on the proposed project site, and contained within the new proposed limit of disturbance, shall be considered meadow (good condition) for predevelopment hydrologic calculations for redevelopment.
 - B. The Simplified Method (CG-2 in the BMP Manual) is independent of site conditions and should be used if the Design Storm Method is not followed. This method is not applicable to regulated activities greater than one acre. For new impervious surfaces:

¹ Editor's Note: Appendix B is included at the end of this chapter.

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- (1) Stormwater facilities shall capture at least the first two inches of runoff from all new impervious surfaces.
 - (2) At least the first one inch of runoff from new impervious surfaces shall be permanently removed from the runoff flow, i.e., it shall not be released into surface waters of the commonwealth. Removal options include reuse, evaporation, transpiration, and infiltration.
 - (3) Wherever possible, infiltration facilities should be designed to accommodate infiltration of the entire permanently removed runoff; however, in all cases at least the first 0.5 inch of the permanently removed runoff should be infiltrated.
3. All applicable worksheets from Chapter 8 of the BMP Manual must be used when establishing volume controls.
4. Actual field infiltration tests at the location of the proposed elevation of the stormwater BMPs are required when 5,000 square feet or greater of new impervious surface is added. Infiltration tests shall be conducted in accordance with the BMP Manual. The municipality shall be notified 24 hours prior to infiltration tests being conducted as to provide an opportunity for the municipality to witness the tests.

(Ord. 2010-03, 12/7/2010)

§9-304. Rate Controls.

1. Lands contained within Dauphin County that have not had release rates established under an approved Act 167 stormwater management plan:
 - A. Postdevelopment discharge rates shall not exceed the predevelopment discharge rates for the one-year, two-year, ten-year, twenty-five-year, fifty-year, and one-hundred-year storms.
2. Lands contained within Dauphin County that have had release rates established under an approved Act 167 stormwater management plan:
 - A. Postdevelopment discharge rates shall not exceed the predevelopment discharge rates for the one-year, fifty-year, and one-hundred-year storms.
 - B. For the two-year, ten-year, and twenty-five-year storms, the postdevelopment peak discharge rates shall be in accordance with the approved release rate map for the individual watershed.

(Ord. 2010-03, 12/7/2010)

PART 4

EROSION AND SEDIMENTATION STANDARDS

§9-401. Erosion and Sedimentation Requirements During Earth-Disturbance Activities.

1. The applicant shall meet requirements as contained in 25 Pa. Code, Chapters 92 and 102, as required and applicable, as follows:
 - A. The implementation and maintenance of erosion and sediment control BMPs.
 - B. Development of written plans.
 - C. Submission of plans for approval.
 - D. Obtaining erosion and sediment control and NPDES permits.
 - E. Maintaining plans and permits on site.
2. Evidence of any necessary plan or permit approval for earth-disturbance activities from PADEP or the Dauphin County Conservation District must be provided to the municipality.
3. A copy of the approved erosion and sediment control plan and any other permit, as required by PADEP or the Dauphin County Conservation District, shall be available at the project site at all times if required under Chapter 102.
4. Construction of temporary roadways (e.g., for utility construction, timber harvesting, etc.) shall comply with all applicable standards for erosion and sedimentation control and stream crossing regulations under 25 Pa. Code, Chapters 102 and 105. The erosion and sedimentation control plan shall be submitted to the Dauphin County Conservation District for approval and shall address the following, as applicable:
 - A. Design of the roadway system, including haul roads, skid roads, landing areas, trails, and storage and staging areas.
 - B. Runoff control structures (e.g., diversions, culverts, detention ponds, etc.).
 - C. Stream crossings for both perennial and intermittent streams.
 - D. Access to public roadways, including design of rock construction entrance for mud and debris control.

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- E. A remediation plan for restoring the disturbed area through regrading, top-soil placement, reseeding, and other stabilization techniques, as required.
- 5. Additional erosion and sedimentation control design standards and criteria that must be applied where infiltration BMPs are proposed include the following:
 - A. Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase, as to maintain their maximum infiltration capacity.
 - B. Infiltration BMPs shall be protected from receiving sediment-laden runoff.
 - C. The source of protection for infiltration BMPs shall be identified (i.e., orange construction fence surrounding the perimeter of the BMP).

(Ord. 2010-03, 12/7/2010)

§9-402. Total Maximum Daily Load (TMDL) Requirements.

- 1. Agricultural activities contributory to a watershed within Dauphin County containing an established non-point-source (agricultural) TMDL shall be conducted in compliance with Chapter 102 (Erosion and Sediment Pollution Control), Chapter 91, §91.36 (General Provisions related to Manure Management), and Act 38 (Nutrient Management).
- 2. As of the date of the establishment of this chapter, non-point-source (agricultural) TMDLs are established in the following watersheds (refer to the Dauphin County Act 167 Plan for stream reaches with established TMDLs):
 - A. Conewago Creek watershed.
 - B. Unnamed tributary to Bow Creek watershed.
 - C. Wiconisco Creek watershed.
 - D. Little Wiconisco Creek.
- 3. This section shall apply also to agricultural activities conducted in watersheds where TMDLs are established in the future.

(Ord. 2010-03, 12/7/2010)

PART 5
DESIGN CRITERIA

§9-501. Design Criteria for Stormwater Management and Drainage Facilities.

1. General Design Guidelines.
 - A. Stormwater shall not be transferred from one watershed to another, unless:
 - (1) The watersheds are subwatersheds of a common watershed which join together within the perimeter of the property;
 - (2) The effect of the transfer does not alter the peak rate discharge onto adjacent lands; or
 - (3) Easements from the affected landowner(s) are provided.
 - B. Consideration shall be given to the relationship of the subject property to the drainage pattern of the watershed. A concentrated discharge of stormwater to an adjacent property shall be within an existing watercourse or confined in an easement or returned to a predevelopment flow type condition.
 - C. Stormwater BMPs and recharge facilities are encouraged (e.g., rooftop storage, drywells, cisterns, recreation area ponding, diversion structures, porous pavements, holding tanks, infiltration systems, stream channel storage, in-line storage in storm sewers, and grading patterns). They shall be located, designed, and constructed in accordance with the latest technical guidance published by PADEP, provided that they are accompanied by detailed engineering plans and performance capabilities and supporting site-specific soils, geology, runoff and groundwater and infiltration rate data to verify proposed designs. Additional guidance from other sources may be accepted at the discretion of the Municipal Engineer (a preapplication meeting is suggested).
 - D. All existing and natural watercourses, channels, drainage systems and areas of surface water concentration shall be maintained in their existing condition unless an alteration is approved by the appropriate regulatory agency.
 - E. No outlet structure from a stormwater management facility, or swale, shall discharge directly onto a municipal or state roadway.
 - F. The invert of all stormwater management facilities and underground infiltration/storage facilities shall be located a minimum of two feet above the seasonal high-groundwater table or other soil limiting zone. The invert of

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stormwater facilities may be lowered if adequate subsurface drainage, which does not alter the existing water table level, is provided.

- G. Any stormwater management facility may be required to be fenced with a minimum four-foot-high fence of material acceptable to the municipality. Gates with a minimum opening of 10 feet shall be provided for access.
 - H. Stormwater management facilities excavated to carbonate rock must either be fitted with an impervious clay liner, or be overexcavated four feet and re-filled with a suitable material mix. Suitable backfill material is subject to the approval of the Municipal Engineer.
 - I. The type, location, and number of landscaping and planting specifications shall be provided for all stormwater management facilities and be specific for each type of facility.
2. Stormwater Management Facilities (with a depth of water equal to or greater than three feet, measured from the lowest point inside a facility to the crest of the emergency spillway).
- A. Any stormwater management facility designed to store runoff and requiring a berm or earthen embankment shall be designed to provide an emergency spillway to handle a peak rate of stormwater runoff up to and including the one-hundred-year postdevelopment flow, with a blocked primary outlet structure. The height of embankment must be set as to provide a minimum one foot of freeboard through the spillway, above the maximum water surface elevation, computed when the spillway functions for the one-hundred-year postdevelopment inflow, with a blocked outlet structure. The primary outflow structure must be designed to pass all design storms (up to and including the one-hundred-year event) without discharging through the emergency spillway. The maximum water depth within any stormwater management facility shall be no greater than eight feet when functioning through the primary outlet structure.
 - B. Emergency spillways shall be armored to prevent erosion during the one-hundred-year postdevelopment flow, with blocked primary outlet structure. Synthetic liners or riprap may be used, and calculations sufficient to support proposed armor must be provided. An earthen plug must be used to accurately control the spillway invert if riprap is the proposed armoring material. Emergency spillway armor must extend up the sides of the spillway, and continue at full width to a minimum of 10 feet past the toe of the slope.
 - C. A stormwater management facility berm cross section must be at least five feet wide at the top and eight feet wide through the emergency spillway. For fill embankments, the side slopes shall be no steeper than 3:1 on the inside of the facility and 2:1 on the outside of the facility. For cut slopes, the side slopes shall be no steeper than 2:1.

- D. A cutoff and key trench of impervious material shall be provided under all embankments four feet or greater in height.
- E. Soils used for the construction of stormwater management facilities shall have low-erodibility factors ("K" factors) (refer to E&S Manual) and be identified on the SWM site plan.
- F. Trash racks must be provided to prevent clogging of primary outflow structure stages for all orifices equivalent to 12 inches or smaller in diameter.
- G. Antiseep collars must be provided on all outflow culverts in accordance with the methodology contained in the latest edition of the E&S Manual. An increase in seepage length of 15% must be used in accordance with the requirements for permanent antiseep collars.
- H. Conventional, non-BMP stormwater management facilities (i.e., dry detention basins) must empty over a period of time not less than 24 hours and not more than 72 hours from the end of the facility's inflow hydrograph. Infiltration tests performed at the facility locations and proposed basin bottom depths, in accordance with the BMP Manual, must support time-to-empty calculations if infiltration is a factor in the sizing of the stormwater management facility.
- I. Impervious low-flow channels are not permitted within stormwater management facilities to promote water quality and groundwater recharge for frequent storm events. Facilities designed as water quality/infiltration BMPs may have a bottom slope of zero. Minimal-maintenance, saturation-tolerant vegetation must be provided in basins designed as water quality/infiltration BMPs. Conventional, non-BMP stormwater management facilities must have a minimum slope of 1% extending radially out from the primary outlet structure. Water storage below the lowest outlet structure stage (i.e., dead storage) is permitted in stormwater management facilities designed as water quality/infiltration BMPs.
- J. Stormwater management facilities' bottom elevations must be greater than adjacent floodplain elevations (FEMA or HEC-RAS analysis). If no floodplain is defined, bottom elevations must be higher than existing ground elevations 50 feet from the top of the stream bank in the facilities' vicinity.
- K. Basin outflow culverts discharging into floodplains must account for tailwater. Tailwater corresponding to the one-hundred-year floodplain elevation may be used for all design storms, or the applicant may elect to determine flood elevations of the adjacent watercourse for each design storm. The floodplain is assumed to be 50 feet from the top of the stream bank in areas where a floodplain is not designated or where no other evidence is provided.

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- L. Exceptions to these requirements may be made at the discretion of the municipality for BMPs that retain or detain water but are of a much smaller scale than traditional stormwater management facilities.
3. Storm Sewer Facilities.
- A. Storm sewers must be able to convey postdevelopment runoff from a ten-year design storm without surcharging inlets where appropriate. When connecting to an existing storm sewer system, the applicant must demonstrate that the proposed system will not exacerbate any existing stormwater problems and that adequate downstream capacity exists.
 - B. A minimum pipe size of 15 inches in diameter shall be used in all roadway systems (public or private) proposed for construction. Pipes shall be designed to provide a minimum velocity of 2 1/2 feet per second when flowing full, but in all cases the slope shall be no less than 0.5%. Arch pipe of equivalent cross-sectional area may be substituted in lieu of circular pipe where cover or utility conflict conditions exist.
 - C. In proposed curbed roadway sections, the maximum encroachment of water on the roadway pavement shall not exceed half of a through travel lane or one inch less than the depth of curb during the ten-year design storm of five minutes' duration. Gutter depth shall be verified by inlet capture/capacity calculations that account for road slope and opening area. The maximum distance between inlets in curbed roadway sections shall be no more than 600 feet, however access to underground pipes shall be provided every 300 feet.
 - D. Standard Type "C" inlets with eight-inch hoods shall be used along vertical concrete curbed roadway networks. Type "C" inlets with ten-inch hoods that provide a two-inch sump condition may be used with approval of the Municipal Engineer when roadway longitudinal slopes are 1.0% or less.
 - E. For inlets containing a change in pipe size, the elevation for the crown of the pipes shall be the same, or the smaller pipe's crown shall be at a higher elevation.
 - F. All inlets shall provide a minimum two-inch drop between the lowest inlet pipe invert elevation and the outlet pipe invert elevation.
 - G. On curbed sections, a double inlet shall be placed at the low point of sag vertical curves, or an inlet shall be placed at the low point and on each side of the low point at a distance not to exceed 100 feet, or at an elevation not to exceed 0.2 foot above the low point.
 - H. At all roadway low points, swales and easements shall be provided behind the curb or swale and through adjacent properties to channelize and direct any overflow of stormwater runoff away from dwellings and structures.

- I. Inlets shall be placed so drainage cannot cross intersections or street center lines.
- J. All inlets in paved areas shall have heavy-duty bicycle-safe grating consistent with PennDOT Publication 72M. A note to this effect shall be added to the SWM site plan or inlet details therein.
- K. Inlets must be sized to accept the specified pipe sizes without knocking out any of the inlet corners. All pipes entering or exiting inlets shall be cut flush with the inlet wall. A note to this effect shall be added to the SWM site plan or inlet details therein.
- L. Inlets shall have weep holes covered with geotextile fabric placed at appropriate elevations to completely drain the sub grade prior to placing the base and surface course on roadways.
- M. Inlets, junction boxes, or manholes greater than five feet in depth shall be equipped with ladder rungs and shall be detailed on the SWM site plan.
- N. Inlets shall not have a sump condition in the bottom (unless designed as a water quality BMP). Pipes shall be flush with the bottom of the box, or concrete channels shall be poured.
- O. Inlets, manholes, pipes, and culverts shall be constructed in accordance with the specifications set forth in PennDOT's Publication 408, latest edition, and as detailed in PennDOT's Publication 72M, Standards for Roadway Construction (RC), latest edition, or as approved by the Municipal Engineer. All material and construction details (inlets, manholes, pipe trenches, etc.) must be shown on the SWM site plan and a note added that all construction must be in accordance with PennDOT's Publication 408 and PennDOT's Publication 72M, latest edition. A note shall be added to the plan stating that all frames, concrete top units, and grade adjustment rings shall be set in a bed of full mortar according to Publication 408.
- P. Accessible drainage structures shall be located on continuous storm sewer systems at all vertical dislocations, at all locations where a transition in storm sewer pipe sizing is required, at all vertical and horizontal angle points exceeding 5°, and at all points of convergence of two or more storm sewer pipes.
- Q. All storm drainage piping (equal to or greater than 12 inches) discharging to the ground surface shall be provided with either reinforced concrete headwalls and end sections or plastic and metal pipe end sections compatible with the pipe size involved in accordance with PennDOT Publication 408 and Publication 72M.

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- R. Outlet protection shall be provided at all surface discharge points with storm drainage piping (equal to or greater than 12 inches) in order to minimize erosion consistent with the E&S Manual.
 - S. Pavement base drain shall be provided at all low points in cut areas, toe-of-slope areas, and other areas as dictated by proven engineering principles and design judgment. All base drain shall be in accordance with PennDOT Publication 408.
4. Swale Conveyance Facilities.
- A. Swales must be able to convey postdevelopment runoff from a ten-year design storm with six inches of freeboard to the top of the swale.
 - B. Swales shall have side slopes no steeper than 3:1.
 - C. All swales shall be designed, labeled on the SWM site plan, and details provided to adequately construct and maintain the design dimension of the swales.
 - D. Swales shall be designed for stability using velocity or shear criteria. Velocity criteria may be used for channels with a slope of less than 10%. Shear criteria may be used for all swales. Documentation must be provided to support velocity and/or shear limitations used in calculations.
 - E. Where swale bends occur, the computed velocities or shear stresses shall be multiplied by the following factor for the purpose of designing swale erosion protection:
 - (1) 1.75: when the swale bend is 30° to 60°.
 - (2) 2.00: when the swale bend is 60° to 90°.
 - (3) 2.50: when the swale bend is 90° or greater.
 - F. Swales must be designed for both temporary and permanent conditions in accordance with the latest E&S Manual.

(Ord. 2010-03, 12/7/2010)

§9-502. Calculation Methodology.

- 1. All calculations shall be consistent with the guidelines set forth in the BMP Manual.
- 2. Stormwater runoff from all development sites shall be calculated using either the Rational Method or a Soil-Cover-Complex methodology. Methods shall be selected

by the qualified professional based on the individual limitations and suitability of each method for a particular site.

3. Rainfall Values.

- A. Rational Method. The Pennsylvania Department of Transportation Drainage Manual, Intensity-Duration-Frequency Curves, Publication 584, Chapter 7A, latest edition, shall be used in conjunction with the appropriate time of concentration and return period.
- B. Soil-Cover-Complex Method. The Soil Conservation Service Type II, twenty-four-hour rainfall distribution shall be used in conjunction with rainfall depths from NOAA Atlas 14 or consistent with the following table.

Return Interval (year)	24-hour Rainfall Total (inches)
1	2.40
2	2.90
10	4.36
25	5.43
50	6.38
100	7.48

4. Peak Flow Rates.

- A. Rational Method: may be used for drainage areas up to 20 acres. Extreme caution should be used by the qualified professional if the watershed has more than one main drainage channel, if the watershed is divided so that hydrologic properties are significantly different in one versus the other, if the time of concentration exceeds 60 minutes, or if stormwater runoff volume is an important factor. The combination of Rational Method hydrographs based on timing shall be prohibited.

(1) The use of the Modified Rational Method to design stormwater management facilities must be approved by the Municipal Engineer.

- B. Soil-Cover-Complex Method: may be used for drainage areas greater than 20 acres. This method is recommended for design of stormwater management facilities and where stormwater runoff volume must be taken into consideration.
- C. For comparison of peak flow rates, flows shall be rounded to 0.1 of a cubic foot per second (cfs).

5. Runoff Coefficients.

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- A. Rational Method: use Table C-1 (Appendix C).¹
 - B. Soil-Cover-Complex Method: use Table C-2 (Appendix C).²
 - C. For the purposes of predevelopment peak flow rate and volume determination, existing nonforested pervious area conditions shall be considered as “meadow” (good condition).
 - D. For the purposes of predevelopment peak flow rate and volume determination, 20% of existing impervious area, when present on the project site and contained within the new proposed limit of disturbance, shall be considered “meadow” (good condition) for predevelopment hydrologic calculations for redevelopment.
6. Design Storm.
- A. All drainage facilities (inlets, pipes, and swales) shall be designed to safely convey the ten-year storm.
 - B. All stormwater management facilities shall be verified by routing the proposed one-year, two-year, ten-year, twenty-five-year, fifty-year, and one-hundred-year hydrographs through the facility using the Storage Indication (Modified Puls) Method. The design storm hydrograph shall be computed using a calculation method that produces a full hydrograph.
 - C. The stormwater management and drainage system shall be designed to safely convey the postdevelopment one-hundred-year storm event to stormwater detention facilities, for the purpose of meeting peak rate control.
 - D. All structures (culverts or bridges) proposed to convey runoff under a municipal road shall be designed to pass the fifty-year design storm with a minimum one foot of freeboard measured below the lowest point along the top of the roadway.
 - E. All designs within state or federal rights-of-way or that fall under the design criteria of any higher authority must meet the requirements of that agency in addition to meeting the minimum requirements of this chapter.
7. Time of Concentration.
- A. Time of concentration shall be computed using the NRCS Segmental Method, as described in TR-55 (SCS 1986 or most current update). The length of sheet flow shall be limited to 100 feet. The Manning’s “n” Roughness Coefficient for TR-55 sheet flow can be found in Table C-4 (Appendix C). Time of

¹ Editor’s Note: Appendix C is included at the end of this chapter.

² Editor’s Note: Appendix C is included at the end of this chapter.

concentration for channel and pipe flow shall be computed using Manning's equation.

- B. For sites with insignificant channelized flow and less than 20% impervious coverage, the time of concentration may be computed using the NRCS equation for lag time:

Time of Concentration = $T_c = [(T_{lag}/.6) * 60]$ (minutes)

$$T_{lag} = L^{0.8} \frac{(S+1)^{0.7}}{1900\sqrt{Y}}$$

Where:

T_{lag} = Lag time (hours).
 L = Hydraulic length of watershed (feet).
 Y = Average overland slope of watershed (percent).
 S = Maximum retention in watershed as defined by: $S = [(1000/CN) - 10]$.
 CN = NRCS Curve Number for watershed as defined by the NRCS Loss Method.

- C. Additionally, the following provisions shall apply to calculations for time of concentration:

- (1) The postdevelopment time of concentration shall never be greater than the predevelopment time of concentration for any watershed or subwatershed.
- (2) The minimum time of concentration for any watershed shall be five minutes.
- (3) The designer may choose to assume a five-minute time of concentration for any postdevelopment watershed or subwatershed without providing any computations.
- (4) The designer must provide computations for all predevelopment time-of-concentration paths. A five-minute time of concentration cannot be assumed for predevelopment.
- (5) Undetained fringe areas (areas that are not tributary to a stormwater facility but where a reasonable effort has been made to convey runoff from all new impervious coverage to best management practices) may be assumed to represent the predevelopment conditions for the purpose of time-of-concentration calculations.

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8. Drainage areas tributary to sinkholes or closed depressions in areas underlain by limestone or carbonate geologic features shall be excluded from the modeled point of analysis defining predevelopment flows. If left undisturbed during construction activities, areas draining to closed depressions may also be removed from peak runoff rates in the postdevelopment analysis. New, additional contributing runoff shall not be directed to existing sinkholes or closed depressions.
9. Where uniform flow is anticipated, Manning's equation shall be used for hydraulic computations and to determine the capacity of open channels, pipes, and storm sewers. Manning's equation should not be used for analysis of pipes under pressure flow or for analysis of culverts. Manning's "n" values shall be obtained from Table C-3 (Appendix C).¹ Inlet control shall be checked at all inlet boxes to ensure the headwater depth during the ten-year design event is contained below the top of grate for each inlet box.
10. The municipality may approve the use of any generally accepted full hydrograph approximation technique that shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.
11. The municipality has the authority to require that computed existing runoff rates be reconciled with field observations, conditions and site history. If the designer can substantiate, through actual physical calibration, that more-appropriate runoff and time-of-concentration values should be utilized at a particular site, then appropriate variations may be made upon review and approval of the municipality.

(Ord. 2010-03, 12/7/2010)

¹ Editor's Note: Appendix C is included at the end of this chapter.

PART 6

SWM SITE PLAN AND REPORT REQUIREMENTS

§9-601. General Requirements.

For any of the activities regulated by this chapter and not eligible for the exemptions provided in §9-302, the final approval of subdivision and/or land development plans, the issuance of any building or occupancy permit, or the commencement of any land-disturbance activity may not proceed until the applicant has received written approval of an SWM site plan from the municipality.

(Ord. 2010-03, 12/7/2010)

§9-602. SWM Site Plan and Report Contents.

1. The SWM site plan and SWM site report shall consist of all applicable calculations, maps, and plans. All SWM site plan materials shall be submitted to the municipality in a format that is clear, concise, legible, neat and well organized; otherwise, the SWM site plan shall be rejected.
2. Appropriate sections from the Municipal Subdivision and Land Development Ordinance,¹ and other applicable local ordinances, shall be followed in preparing the SWM site plan.
 - A. The SWM site plan shall include (but not limited to):
 - (1) Plans no larger than 24 x 36 inch sheets and in a form that meets the requirements for recording in the office of the Recorder of Deeds of Dauphin County.
 - (2) The name of the development; the name and location address of the property site; the name, address, and telephone number of the applicant/owner of the property; and the name, address, telephone number, e-mail address, and engineering seal of the individual preparing the SWM site plan.
 - (3) The date of submission and dates of all revisions.
 - (4) A graphical and written scale on all drawings and maps.
 - (5) A North arrow on all drawings and maps.
 - (6) A location map at a minimum scale of one inch equals 1,000 feet.

¹ Editor's Note: See Ch. 22, Subdivision and Land Development.

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- (7) A metes and bounds description of the entire tract perimeter.
- (8) Existing and final contours at intervals of two feet.
- (9) Existing water bodies within the project area, including streams, lakes, ponds, field-delineated wetlands or other bodies of water, sink-holes, flood hazard boundaries (FEMA-delineated floodplains and floodways), areas of natural vegetation to be preserved, the total extent of the upstream area draining through the site, and overland drainage paths.
- (10) The location of all existing and proposed utilities, on-lot wastewater facilities, water supply wells, sanitary sewers, and waterlines on and within 50 feet of property lines.
- (11) A key map showing all existing man-made features beyond the property boundary that may be affected by the project.
- (12) Soil names and boundaries, with identification of the hydraulic soil group classification.
- (13) The proposed limit of disturbance line and associated proposed disturbed acres.
- (14) Proposed structures, roads, paved areas, and buildings, including plans and profiles of roads and paved areas and floor elevations of buildings.
- (15) Horizontal alignment, vertical profiles, and cross sections of all open channels, pipes, swales and other BMPs.
- (16) The location and clear identification of the nature of permanent stormwater BMPs.
- (17) The location of all erosion and sedimentation control facilities.
- (18) A minimum twenty-foot-wide access easement around all stormwater management facilities that would provide ingress to and egress from a public right-of-way. In lieu of providing an easement to the public right-of-way, a note may be added to the plan granting the municipality or its designees access to all easements via the nearest public right-of-way.
- (19) Construction details for all drainage and stormwater BMPs.
- (20) Construction details of any improvements made to sinkholes.

- (21) Identification of short-term and long-term ownership, operations, and maintenance responsibilities.
- (22) Notes and Statements:
 - (a) A statement, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without prior approval by the municipality.
 - (b) A statement referencing the operation and maintenance (O&M) agreement and stating that the O&M agreement is part of the SWM site plan.
 - (c) A note indicating that record drawings will be provided for all stormwater management facilities prior to occupancy or the release of financial security.
 - (d) The following signature block for the qualified professional preparing the SWM site plan:

“I, _____, hereby certify that the stormwater management plan meets all design standards and criteria of the Washington Township Stormwater Management Ordinance.”

B. The SWM site report shall include (but not be limited to):

- (1) The name of the development; the name and location address of the property site; the name, address, and telephone number of the applicant/owner of the property; and the name, address, telephone number, e-mail address, and engineering seal of the individual preparing the SWM site report.
- (2) A project description narrative, including an expected project time schedule.
- (3) A location map showing the project site and its location relative to release rate districts.
- (4) Drainage area maps for all watersheds and inlets, depicting the time-of-concentration paths.
- (5) A detailed description of the existing site conditions. A detailed site evaluation shall be completed for projects proposed in areas of carbonate geology or karst topography, and other environmentally sensitive areas such as brownfields.

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- (6) Complete hydrologic, hydraulic and structural computations, calculations, assumptions, and criteria for the design of all stormwater BMPs.
 - (7) A description of, justification for, and actual field results for infiltration testing with respect to the type of test and test location for the design of infiltration BMPs.
 - (8) Calculations showing the total drainage area and impervious area loading rates to each BMP.
 - (9) The effect of the project (in terms of runoff volumes, water quality, and peak flows) on surrounding properties and aquatic features and on any existing municipal stormwater collection system that may receive runoff from the project site.
 - (10) A description of the proposed changes to the land surface and vegetative cover, including the type and amount of impervious area to be added.
 - (11) All applicable worksheets from Chapter 8 of the BMP Manual when establishing volume controls.
 - (12) Identification of short-term and long-term ownership, operation, and maintenance responsibilities, as well as schedules and costs for inspection and maintenance activities, for each permanent stormwater or drainage BMP, including provisions for permanent access or maintenance easements.
- C. Supplemental information to be provided prior to recording of the SWM site plan, as applicable:
- (1) A signed and executed operations and maintenance agreement (Appendix A).¹
 - (2) Signed and executed easements, as required for all on-site and off-site work.
 - (3) An erosion and sedimentation control plan and approval letter from the Dauphin County Conservation District.
 - (4) An NPDES permit.
 - (5) Permits from PADEP and ACOE.
 - (6) A geologic assessment.

¹ Editor's Note: Appendix A is included at the end of this chapter.

- (7) A wetland delineation report.
- (8) A highway occupancy permit from PennDOT when utilization of a PennDOT storm drainage system is proposed or when proposed facilities would encroach onto a PennDOT right-of-way.

(Ord. 2010-03, 12/7/2010)

§9-603. SWM Site Plan and Report Submission.

- 1. The applicant shall submit the SWM site plan and report for the regulated activity.
- 2. Three copies of the SWM site plan and report shall be submitted to the municipality and may be distributed as follows:
 - A. Two copies for the municipality, accompanied by the requisite municipal review fee, as specified in this chapter.
 - B. One copy for the Municipal Engineer.
- 3. Additional copies shall be submitted as requested by the municipality, Tri-County Regional Planning Commission, Dauphin County Conservation District or PADEP.

(Ord. 2010-03, 12/7/2010)

§9-604. SWM Site Plan and Report Review.

- 1. The municipality shall require receipt of a complete SWM site plan and report as specified in this chapter. The municipality shall review the SWM site plan and report for consistency with the purposes, requirements, and intent of this chapter.
- 2. The municipality shall not approve any SWM site plan and report that is deficient in meeting the requirements of this chapter. At its sole discretion and in accordance with this article, when an SWM site plan and report is found to be deficient, the municipality may disapprove the submission and require a resubmission; or in the case of minor deficiencies, the municipality may accept submission of modifications.
- 3. The municipality shall notify the applicant, in writing, within 45 calendar days, whether the SWM site plan and report is approved or disapproved if the SWM site plan and report is not part of a subdivision or land development plan. If the SWM site plan and report involves a subdivision or land development plan, the timing

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shall following the subdivision and land development process according to the Municipalities Planning Code.¹

4. The Municipal Building Permit Office shall not issue a building permit for any regulated activity if the SWM site plan and report has been found to be inconsistent with this chapter, as determined by the municipality. All required permits from PADEP must be obtained prior to issuance of a building permit.

(Ord. 2010-03, 12/7/2010)

§9-605. Modification of Plans.

A modification to a submitted SWM site plan and report for a development site that involves a change in stormwater management facilities or techniques, or that involves the relocation or redesign of stormwater management facilities, or that is necessary because soil or other conditions are not as stated on the SWM site plan, as determined by the municipality, shall require a resubmission of the modified SWM site plan in accordance with this chapter.

(Ord. 2010-03, 12/7/2010)

§9-606. Resubmission of Disapproved SWM Site Plan and Report.

A disapproved SWM site plan and report may be resubmitted, with the revisions addressing the municipality's concerns documented in writing, to the municipality in accordance with this chapter. The applicable municipal review fee must accompany a resubmission of a disapproved SWM site plan and report.

(Ord. 2010-03, 12/7/2010)

§9-607. Authorization to Construct; Term of Validity.

The municipality's approval of an SWM site plan and report authorizes the regulated activities contained in the SWM site plan for a maximum term of validity of five years following the date of approval. The municipality may specify a term of validity shorter than five years in the approval for any specific SWM site plan. Terms of validity shall commence on the date the municipality signs the approval for an SWM site plan. If stormwater management facilities included in the approved SWM site plan have not been constructed, or if a record drawing of these facilities has not been approved within this time, then the municipality may consider the SWM site plan disapproved and may revoke any and all permits or approvals.

(Ord. 2010-03, 12/7/2010)

¹ Editor's Note: See 53 P.S. §10101 et seq.

§9-608. Record Drawings, Completion Certificate and Final Inspection.

1. The applicant shall be responsible for providing record drawings of all stormwater BMPs included in the approved SWM site plan. The record drawings and an explanation of any discrepancies with the approved SWM site plan shall be submitted to the municipality.
2. The record drawings shall include a certification of completion signed by a qualified professional verifying that all permanent stormwater BMPs have been constructed according to the approved SWM site plan and report.
3. After receipt of the record drawings and certification of completion, the municipality may conduct a final inspection.

(Ord. 2010-03, 12/7/2010)

PART 7
EASEMENTS

§9-701. Easements.

1. Easements shall be established to accommodate the existence of drainageways.
2. Easements shall be established for all on-site stormwater management or drainage facilities, including but not limited to detention facilities (above- or below ground), infiltration facilities, all stormwater BMPs, drainage swales, and drainage facilities (inlets, manholes, pipes, etc.).
3. Easements are required for all areas used for off-site stormwater control.
4. All easements shall be a minimum of 20 feet wide.
5. Easements shall provide ingress to and egress from a public right-of-way. In lieu of providing an easement to the public right-of-way, a note may be added to the plan granting the municipality or its designees access to all easements via the nearest public right-of-way.
6. Where possible, easements shall be centered on side and/or rear lot lines.
7. The following note shall be placed on the recorded plan: "Nothing shall be planted or placed within the easement which would adversely affect the function of the easement or conflict with any conditions associated with such easement."
8. A note shall be placed on the SWM site plan identifying the party responsible for assuring the continued functionality and required maintenance of any easement.

(Ord. 2010-03, 12/7/2010)

PART 8

MAINTENANCE RESPONSIBILITIES

§9-801. Financial Guaranty.

1. The applicant shall provide a financial guaranty to the municipality for the timely installation and proper construction of all stormwater management controls as required by the approved SWM site plan and this chapter, equal to 110% of the full construction cost of the required controls in accordance with the Municipalities Planning Code.¹
2. At the completion of the project and as a prerequisite for the release of the financial guaranty, the applicant shall:
 - A. Provide a certification of completion from an engineer, architect, surveyor or other qualified professional, verifying that all permanent facilities have been constructed according to the SWM site plan and report and approved revisions thereto.
 - B. Provide a set of record drawings.
 - C. Request a final inspection from the municipality to certify compliance with this chapter, after receipt of the certification of completion and record drawings by the municipality.

(Ord. 2010-03, 12/7/2010)

§9-802. Maintenance Responsibilities.

1. The SWM site plan and report for the project site shall describe the future operation and maintenance responsibilities. The operation and maintenance description shall outline required routine maintenance actions and schedules necessary to ensure proper operation of the stormwater control facilities.
2. The SWM site plan and report for the project site shall establish responsibilities for the continuing operation and maintenance of all proposed stormwater control facilities, consistent with the following principles:
 - A. If a development consists of structures or lots that are to be separately owned and in which streets, sewers, and other public improvements are to be dedicated to the municipality, stormwater control facilities/BMPs may also be dedicated to and maintained by the municipality.

¹ Editor's Note: See 53 P.S. §10101 et seq.

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- B. If a development site is to be maintained in a single ownership or if sewers and other public improvements are to be privately owned and maintained, then the ownership and maintenance of stormwater control facilities/BMPs shall be the responsibility of the owner or private management entity.
 - C. Facilities, areas, or structures used as stormwater BMPs shall be enumerated as permanent real estate appurtenances and recorded as deed restrictions or easements that run with the land.
 - D. The SWM site plan and operation and maintenance (O&M) agreement shall be recorded as a restrictive deed covenant that runs with the land.
 - E. The municipality may take enforcement actions against an applicant for failure to satisfy any provision of this chapter.
- 3. The municipality, upon recommendation of the Municipal Engineer, shall make the final determination on the continuing maintenance responsibilities prior to final approval of the SWM site plan and report. The municipality may require a dedication of such facilities as part of the requirements for approval of the SWM site plan. Such a requirement is not an indication that the municipality will accept the facilities. The municipality reserves the right to accept or reject the ownership and operating responsibility for any portion of the stormwater management controls.
 - 4. If the municipality accepts ownership of stormwater BMPs, the municipality may, at its discretion, require a fee from the applicant to the municipality to offset the future cost of inspections, operations, and maintenance.
 - 5. It shall be unlawful to alter or remove any permanent stormwater BMP required by an approved SWM site plan or to allow the property to remain in a condition which does not conform to an approved SWM site plan, unless the municipality grants an exception in writing.

(Ord. 2010-03, 12/7/2010)

§9-803. Maintenance Agreement for Privately Owned Stormwater Facilities.

- 1. Prior to final approval of the SWM site plan and report, the applicant shall sign the operation and maintenance (O&M) agreement (Appendix A)¹ covering all stormwater control facilities that are to be privately owned. The operation and maintenance (O&M) agreement shall be recorded with the SWM site plan and made a part thereof.
- 2. Other items may be included in the operation and maintenance (O&M) agreement where determined necessary to guarantee the satisfactory operation and maintenance.

¹ Editor's Note: Appendix A is included at the end of this chapter.

nance of all BMP facilities. The operation and maintenance (O&M) agreement shall be subject to the review and approval of the municipality and the Municipal Solicitor.

3. The owner is responsible for operation and maintenance of the stormwater BMPs. If the owner fails to adhere to the operation and maintenance (O&M) agreement, the municipality may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

(Ord. 2010-03, 12/7/2010)

PART 9

INSPECTIONS

§9-901. Schedule of Inspections.

1. PADEP or its designees normally ensure compliance with any permits issued, including those for stormwater management. In addition to PADEP compliance programs, the municipality or its municipal assignee may inspect all phases of the installation of temporary or permanent stormwater management facilities.
2. During any stage of earth-disturbance activities, if the municipality determines that the temporary or permanent stormwater management facilities are not being installed in accordance with the approved SWM site plan, the municipality shall revoke any existing permits or approvals until a revised SWM site plan is submitted and approved as specified in this chapter.
3. Stormwater BMPs shall be inspected by the landowner, or the landowner's designee, according to the inspection schedule described on the SWM site plan for each BMP.
 - A. The municipality may require copies of the inspection reports, in a form as stipulated by the municipality.
 - B. If such inspections are not conducted or inspection reports are not submitted as scheduled, the municipality, or its designee, may conduct such inspections and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.
 - (1) Prior to conducting such inspections, the municipality shall inform the owner of its intent to conduct such inspections. The owner shall be given 30 days to conduct required inspections and submit the required inspection reports to the municipality.

(Ord. 2010-03, 12/7/2010)

§9-902. Right of Entry.

1. Upon presentation of proper credentials, duly authorized representatives of the municipality may enter at reasonable times upon any property within the municipality to inspect the implementation, condition, or operations and maintenance of the stormwater BMPs in regard to any aspect governed by this chapter.
2. Stormwater BMP owners and operators shall allow persons working on behalf of the municipality ready access to all parts of the premises for the purposes of determining compliance with this chapter.

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3. Persons working on behalf of the municipality shall have the right to temporarily locate on any stormwater BMP in the municipality such devices as are necessary to conduct monitoring and/or sampling of the discharges from such stormwater BMP.
4. Unreasonable delay in allowing the municipality access to a stormwater BMP is a violation of this chapter.

(Ord. 2010-03, 12/7/2010)

PART 10
ENFORCEMENT AND PENALTIES

§9-1001. Failure to Comply; Notification.

1. In the event that a person fails to comply with the requirements of this chapter or an approved SWM site plan or fails to conform to the requirements of any permit or approval issued hereunder, the municipality shall provide written notification, via certified mail, of the violation to the landowner indicated on the O&M agreement. Such notification shall set forth the nature of the violation(s) and establish a time limit for correction of these violation(s).
2. Failure to comply within the time specified shall subject such person to the penalty provisions of this chapter. All such penalties shall be deemed cumulative and shall not prevent the municipality from pursuing any and all other remedies. It shall be the responsibility of the owner of the real property on which any regulated activity is proposed to occur, is occurring, or has occurred to comply with the terms and conditions of this chapter.

(Ord. 2010-03, 12/7/2010)

§9-1002. Enforcement.

1. The municipal governing body is hereby authorized and directed to enforce all of the provisions of this chapter. The approved SWM site plan shall be on file at the project site throughout the duration of the construction activity. The municipality or its designee may make periodic inspections during construction.
2. Adherence to Approved SWM Site Plan.
 - A. It shall be unlawful for any person, firm, or corporation to undertake any regulated activity on any property except as provided for by an approved SWM site plan and pursuant to the requirements of this chapter.
 - B. It shall be unlawful to alter or remove any control structure required by the SWM site plan pursuant to this chapter.
 - C. It shall be unlawful to allow a property to remain in a condition that does not conform to an approved SWM site plan.

(Ord. 2010-03, 12/7/2010)

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§9-1003. Declaration of Public Nuisance; Continuing Violations.

1. A violation of any provision of this chapter is hereby deemed a public nuisance.
2. Each day that a violation continues shall constitute a separate violation.

(Ord. 2010-03, 12/7/2010)

§9-1004. Suspension and Revocation.

1. Any approval or permit issued by the municipality may be suspended or revoked for:
 - A. Noncompliance with or failure to implement any provision of the approved SWM site plan or operation and maintenance (O&M) agreement.
 - B. A violation of any provision of this chapter or any other applicable law, ordinance, rule or regulation relating to the regulated activity.
 - C. The creation of any condition or the commission of any act, during the regulated activity, which constitutes or creates a hazard or nuisance, pollution, or which endangers the life or property of others.
2. A suspended approval or permit may be reinstated by the municipality when:
 - A. The municipality or its designee has inspected and approved the corrections to the violation(s) that caused the suspension.
 - B. The municipality is satisfied that the violation(s) has (have) been corrected.
3. An approval that has been revoked by the municipality cannot be reinstated. The applicant may apply for a new approval under the provisions of this chapter.

(Ord. 2010-03, 12/7/2010)

§9-1005. Violations and Penalties.

1. Anyone violating the provisions of this chapter shall be guilty of a summary offense and, upon conviction, shall be subject to a fine of not more than \$500 for each violation, recoverable with costs. Each day that the violation continues shall be a separate offense, and penalties shall be cumulative.
2. In addition, the municipality, through its Solicitor, may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this chapter. Any court of competent jurisdiction shall have the

right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

(Ord. 2010-03, 12/7/2010)

§9-1006. Appeals.

1. Any person aggrieved by any action of the municipality or its designee relevant to the provisions of this chapter may appeal to the municipality within 30 days of that action.
2. Any person aggrieved by any decision of the municipality relevant to the provisions of this chapter may appeal to the Dauphin County Court of Common Pleas within 30 days of the municipality's decision.

(Ord. 2010-03, 12/7/2010)

PART 11
PROHIBITIONS

§9-1101. Prohibited Discharges and Connections.

1. Any drain (including indoor drains and sinks) or conveyance, whether on the surface or underground, that allows any nonstormwater discharge, including sewage, process wastewater, and wash water, to enter the municipality's separate storm sewer system or waters of the commonwealth is prohibited.
2. Any drain or conveyance connected from a commercial or industrial land use to the municipality's separate storm sewer system, which has not been documented in plans, maps, or equivalent records, and approved by the municipality, is prohibited.
3. No person shall allow, or cause to allow, discharges into the municipality's separate storm sewer system or into surface waters of the commonwealth which are not composed entirely of stormwater, except:
 - A. As provided in Subsection 4 below; and
 - B. Discharges allowed under a state or federal permit.
4. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of the commonwealth:
 - A. Discharges from fire-fighting activities.
 - B. Potable water sources, including dechlorinated waterline and fire hydrant flushings.
 - C. Irrigation drainage.
 - D. Air-conditioning condensate.
 - E. Springs.
 - F. Water from crawl space pumps.
 - G. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used.
 - H. Flows from riparian habitats and wetlands.
 - I. Uncontaminated water from foundations or from footing drains.

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- J. Lawn watering.
 - K. Dechlorinated swimming pool discharges.
 - L. Uncontaminated groundwater.
 - M. Water from individual residential car washing.
 - N. Routine external building washdown (which does not use detergents or other compounds).
- 5. In the event that the municipality or PADEP determines that any of the discharges identified in Subsection 4 significantly contribute to pollution of waters of the commonwealth, or is so notified by PADEP, the municipality will notify the responsible person(s) to cease the discharge.
 - 6. Upon notice provided by the municipality or PADEP under Subsection 5, the discharger will have a reasonable time, as determined by the municipality or PADEP, to cease the discharge, consistent with the degree of pollution caused by the discharge.
 - 7. Nothing in this section shall affect a discharger's responsibilities under commonwealth law.

(Ord. 2010-03, 12/7/2010)

§9-1102. Roof Drains and Sump Pumps.

Roof drains and sump pumps shall discharge to infiltration areas, vegetative BMPs, or pervious areas to the maximum extent practicable.

(Ord. 2010-03, 12/7/2010)

§9-1103. Alteration of BMPs.

- 1. No person shall modify, remove, fill, landscape, or alter any existing stormwater BMP, facilities, areas, or structures, unless it is part of an approved maintenance program, without the written approval of the municipality.
- 2. No person shall place any structure, fill, landscaping, or vegetation into a stormwater BMP, facilities, areas, structures, or within a drainage easement, which would limit or alter the functioning of the BMP, without the written approval of the municipality.

(Ord. 2010-03, 12/7/2010)

PART 12
FEES AND EXPENSES

§9-1201. Municipal Review Fee.

The fee required by this chapter is the municipal review fee. The municipal review fee shall be established by the municipality to defray review costs incurred by the municipality and the Municipal Engineer. The applicant shall pay all fees.

(Ord. 2010-03, 12/7/2010)

§9-1202. Expenses Covered by Fees.

The fees required by this chapter shall, at a minimum, cover:

- A. Administrative and clerical costs.
- B. Review of the SWM site plan and report by the municipality.
- C. Preconstruction meetings.
- D. Inspection of stormwater management facilities/BMPs and drainage improvements during construction.
- E. Final inspection upon completion of the stormwater management facilities/BMPs and drainage improvements presented in the SWM site plan.
- F. Any additional work required to enforce any permit provisions regulated by this chapter, correct violations, and assure proper completion of stipulated remedial actions.

(Ord. 2010-03, 12/7/2010)

§9-1203. Recording of Approved SWM Site Plan and Related Agreements.

1. The owner of any land upon which permanent BMPs will be placed, constructed, or implemented, as described in the SWM site plan, shall record the following documents in the office of the Recorder of Deeds of Dauphin County within 90 days of approval of the SWM site plan by the municipality:
 - A. The SWM site plan.

STORMWATER MANAGEMENT

- B. The operations and maintenance (O&M) agreement (Appendix A).¹
 - C. Easements under §9-701.
2. The municipality may suspend or revoke any approvals granted for the project site upon discovery of the failure of the owner to comply with this section.

(Ord. 2010-03, 12/7/2010)

¹ Editor's Note: Appendix A is included at the end of this chapter.

STORMWATER MANAGEMENT

9 Attachment 1

Township of Washington

APPENDIX A – OPERATION AND MAINTENANCE AGREEMENT

OPERATION AND MAINTENANCE (O&M) AGREEMENT **STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES (SWM BMPs)**

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between _____, (hereinafter the "Landowner"), and _____, Dauphin County, Pennsylvania, (hereinafter "Municipality");

WITNESSETH

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of Dauphin County, Pennsylvania, Deed Book _____ at Page _____, (hereinafter "Property").

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the SWM Site Plan approved by the Municipality (hereinafter referred to as the "Plan") for the property identified herein, which is attached hereto as Appendix A and made part hereof, as approved by the Municipality, provides for management of stormwater within the confines of the Property through the use of BMPs; and

WHEREAS, the Municipality, and the Landowner, his successors and assigns, agree that the health, safety, and welfare of the residents of the Municipality and the protection and maintenance of water quality require that on-site SWM BMPs be constructed and maintained on the Property; and

WHEREAS, the Municipality requires, through the implementation of the SWM Site Plan, that stormwater BMPs as required by said Plan and the Municipal Stormwater Management Ordinance be constructed and adequately operated and maintained by the Landowner, successors and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Landowner shall construct the BMPs in accordance with the plans and specifications identified in the SWM Site Plan.
2. The Landowner shall operate and maintain the BMPs as shown on the Plan in good working order in accordance with the specific maintenance requirements noted on the approved SWM Site Plan.
3. The Landowner hereby grants permission to the Municipality, its authorized agents, and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMPs whenever necessary. Whenever possible, the Municipality shall notify the Landowner prior to entering the property.
4. In the event the Landowner fails to operate and maintain the BMPs per paragraph 2, the Municipality or its representatives may enter upon the property and take whatever action is deemed necessary to maintain said BMPs. It is expressly understood and agreed that the Municipality is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Municipality. The Landowner may be subjected to the Penalties Section of the applicable Ordinance.
5. In the event the Municipality, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the

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Landowner shall reimburse the Municipality for all expenses (direct and indirect) incurred within ten (10) days of receipt of invoice from the Municipality.

6. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMPs by the Landowner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
7. The Landowner, its executors, administrators, assigns, and other successors in interests, shall release the Municipality from all damages, accidents, casualties, occurrences or claims which might arise or be asserted against said employees and representatives from the construction, presence, existence, or maintenance of the BMPs by the Landowner or Municipality.
8. The Municipality may inspect the BMPs whenever necessary to ensure their continued functioning.

This Agreement shall be recorded at the Office of the Recorder of Deeds of Dauphin County, Pennsylvania, and shall constitute a covenant running with the Property and/or equitable servitude, and shall be binding on the Landowner, his administrators, executors, assigns, heirs and any other successors in interests, in perpetuity.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For the Municipality:

For the Landowner:

ATTEST:

_____ (City, Borough, Township)

County of Dauphin, Pennsylvania

I, _____, a Notary Public in and for the County and State aforesaid, whose commission expires on the _____ day of _____, 20____, do hereby certify that _____ whose name(s) is/are signed to the foregoing Agreement bearing date of the _____ day of _____, 20____, has acknowledged the same before me in my said County and State.

GIVEN UNDER MY HAND THIS _____ day of _____, 20____.

NOTARY PUBLIC

(SEAL)

STORMWATER MANAGEMENT

9 Attachment 2

Township of Washington

APPENDIX B - LOW-IMPACT DEVELOPMENT PRACTICES

LOW-IMPACT DEVELOPMENT PRACTICES ALTERNATIVE APPROACHES FOR MANAGING STORMWATER RUNOFF

Natural hydrologic conditions may be altered radically by poorly planned development practices, such as introducing unneeded impervious surfaces, destroying existing drainage swales, constructing unnecessary storm sewers, and changing local topography. A traditional drainage approach of development has been to remove runoff from a site as quickly as possible and capture it in a detention basin. This approach leads ultimately to the degradation of water quality, as well as expenditure of additional resources for detaining and managing concentrated runoff at some downstream location.

The recommended alternative approach is to promote practices that will minimize post-development runoff rates and volumes, which will minimize needs for artificial conveyance and storage facilities. To simulate pre-development hydrologic conditions, forced infiltration is often necessary to offset the loss of infiltration by creation of impervious surfaces. The ability of the ground to infiltrate runoff depends upon the soil types and its conditions.

Preserving natural hydrologic conditions requires careful alternative site design considerations. Site design practices include preserving natural drainage features, minimizing impervious surface area, reducing the hydraulic connectivity of impervious surfaces, and protecting natural depression storage. A well-designed site will contain a mix of all those features. The following describes various techniques to achieve the alternative approaches:

- ♦ **Preserving Natural Drainage Features.** Protecting natural drainage features, particularly vegetated drainage swales and channels, is desirable because of their ability to infiltrate and attenuate flows and to filter pollutants. However, this objective is often not accomplished in land development. In fact, commonly held drainage philosophy encourages just the opposite pattern - streets and adjacent storm sewers typically are located in the natural headwater valleys and swales, thereby replacing natural drainage functions with a completely impervious system. As a result, runoff and pollutants generated from impervious surfaces flow directly into storm sewers with no opportunity for attenuation, infiltration, or filtration. Developments designed to fit site topography also minimize the amount of grading on site.
- ♦ **Protecting Natural Depression Storage Areas.** Depressional storage areas have no surface outlet, or drain very slowly following a storm event. They can be commonly seen as ponded areas in farm fields during the wet season or after large runoff events. Traditional development practices eliminate these depressions by filling or draining, thereby obliterating their ability to reduce surface runoff volumes and trap pollutants. The volume and release-rate characteristics of depressions should be protected in the design of the development site. The depressions can be

protected by simply avoiding the depression or by incorporating its storage as additional capacity in required detention facilities.

- ◆ **Avoiding Introduction of Impervious Areas.** Careful site planning should consider reducing impervious coverage to the maximum extent possible. Building footprints, sidewalks, driveways, and other features producing impervious surfaces should be evaluated to minimize impacts on runoff.
- ◆ **Reducing the Hydraulic Connectivity of Impervious Surfaces.** Impervious surfaces are significantly less of a problem if they are not directly connected to an impervious conveyance system (such as storm sewer). Two basic ways to reduce hydraulic connectivity are: routing of roof runoff over lawns; and reducing the use of storm sewers. Site grading should promote increasing travel time of stormwater runoff and should help reduce concentration of runoff to a single point in the development.
- ◆ **Routing Roof Runoff Over Lawns.** Roof runoff can be easily routed over lawns in most site designs. The practice discourages direct connections of downspouts to storm sewers or parking lots. The practice also discourages sloping driveways and parking lots to the street. The routing of roof drains and crowning the driveway to allow runoff to discharge to pervious areas is desirable as the pervious area essentially acts as a filter strip.
- ◆ **Reducing the Use of Storm Sewers.** By reducing the use of storm sewers for draining streets, parking lots, and backyards, the potential for accelerating runoff from the development can be greatly reduced. The practice requires greater use of swales and may not be practical for some development sites, especially if there are concerns for areas that do not drain in a “reasonable” time. The practice requires educating local citizens and public works officials, who expect runoff to disappear shortly after a rainfall event.
- ◆ **Reducing Street Widths.** Street widths can be reduced by either eliminating on-street parking or by reducing cartway widths. Municipal planners and traffic designers should encourage narrower neighborhood streets, which ultimately could lower maintenance and maintenance related costs.
- ◆ **Limiting Sidewalks to One Side of the Street.** A sidewalk on one side of the street may suffice in low-traffic neighborhoods. The lost sidewalk could be replaced with bicycle/recreational trails that follow back-of-lot lines. Where appropriate, backyard trails should be constructed using pervious materials.
- ◆ **Using Permeable Paving Materials.** These materials include permeable interlocking concrete paving blocks or porous bituminous concrete. Such materials should be considered as alternatives to conventional pavement surfaces, especially for low use surfaces such as driveways, overflow parking lots, and emergency access roads.

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- ◆ **Reducing Building Setbacks.** Reducing building setbacks reduces driveway and entry walks and is most readily accomplished along low-traffic streets where traffic noise is not a problem.
- ◆ **Constructing Cluster Developments.** Cluster developments can also reduce the amount of impervious area for a given number of lots. The biggest savings is in street length, which also will reduce costs of the development. Cluster development “clusters” the construction activity onto less-sensitive areas without substantially affecting the gross density of development.

In summary, careful consideration of the existing topography and implementation of a combination of the above mentioned techniques may avoid construction of costly stormwater control measures. Other benefits include: reduced potential of downstream flooding, reduced water quality degradation of receiving streams and water bodies, enhancement of aesthetics, and reduction of development costs. Beneficial results include: more stable baseflows in receiving streams, improved groundwater recharge, reduced flood flows, reduced pollutant loads, and reduced costs for conveyance and storage.

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9 Attachment 3

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APPENDIX C - STORMWATER MANAGEMENT DESIGN CRITERIA

TABLE C-1 - RATIONAL METHOD RUNOFF COEFFICIENTS

Hydrologic Soil Group and Slope Range

Land Use	A			B			C			D		
	0 to 2%	2 to 6%	6+%	0 to 2%	2 to 6%	6+%	0 to 2%	2 to 6%	6+%	0 to 2%	2 to 6%	6+%
Cultivated Land	0.08 ^a 0.14 ^b	0.13 0.18	0.16 0.22	0.11 0.16	0.15 0.21	0.21 0.28	0.14 0.20	0.19 0.25	0.26 0.34	0.18 0.24	0.23 0.29	0.31 0.41
Pasture	0.12 0.15	0.20 0.25	0.30 0.37	0.18 0.23	0.28 0.34	0.37 0.45	0.24 0.30	0.34 0.42	0.44 0.52	0.30 0.37	0.40 0.50	0.50 0.62
Meadow	0.10 0.14	0.16 0.22	0.25 0.30	0.14 0.20	0.22 0.28	0.30 0.37	0.20 0.26	0.28 0.35	0.36 0.44	0.24 0.30	0.30 0.40	0.40 0.50
Forest	0.05 0.08	0.08 0.11	0.11 0.14	0.08 0.10	0.11 0.14	0.14 0.18	0.10 0.12	0.13 0.16	0.16 0.20	0.12 0.15	0.16 0.20	0.20 0.25
Residential 1/8 acre	0.25 0.33	0.28 0.37	0.31 0.40	0.27 0.35	0.30 0.39	0.35 0.44	0.30 0.38	0.33 0.42	0.38 0.49	0.33 0.41	0.36 0.45	0.42 0.54
Residential 1/4 acre	0.22 0.30	0.26 0.34	0.29 0.37	0.24 0.33	0.29 0.37	0.33 0.42	0.27 0.36	0.31 0.40	0.36 0.47	0.30 0.38	0.34 0.42	0.40 0.52
Residential 1/3 acre	0.19 0.28	0.23 0.32	0.26 0.35	0.22 0.30	0.26 0.35	0.30 0.39	0.25 0.33	0.29 0.38	0.34 0.45	0.28 0.36	0.32 0.40	0.39 0.50
Residential 1/2 acre	0.16 0.25	0.20 0.29	0.24 0.32	0.19 0.28	0.23 0.32	0.28 0.36	0.22 0.31	0.27 0.35	0.32 0.42	0.26 0.34	0.30 0.38	0.37 0.48
Residential 1 acre	0.14 0.22	0.19 0.26	0.22 0.29	0.17 0.24	0.21 0.28	0.26 0.34	0.20 0.28	0.25 0.32	0.31 0.40	0.24 0.31	0.29 0.35	0.35 0.46
Industrial	0.67 0.85	0.68 0.85	0.68 0.86	0.68 0.85	0.68 0.86	0.69 0.86	0.68 0.86	0.69 0.86	0.69 0.87	0.69 0.86	0.69 0.86	0.70 0.88
Commercial	0.71 0.88	0.71 0.88	0.72 0.89	0.71 0.89	0.72 0.89	0.72 0.89	0.72 0.89	0.72 0.89	0.72 0.90	0.72 0.89	0.72 0.89	0.72 0.90
Streets	0.70 0.76	0.71 0.77	0.72 0.79	0.71 0.80	0.72 0.82	0.74 0.84	0.72 0.84	0.73 0.85	0.76 0.89	0.73 0.89	0.75 0.91	0.78 0.95
Open Space	0.05 0.11	0.10 0.16	0.14 0.20	0.08 0.14	0.13 0.19	0.19 0.26	0.12 0.18	0.17 0.23	0.24 0.32	0.16 0.22	0.21 0.27	0.28 0.39
Parking	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97	0.85 0.95	0.86 0.96	0.87 0.97

NOTES:

^a Runoff coefficients for storm recurrence intervals less than 25 years.

^b Runoff coefficients for storm recurrence intervals of 25 years or more.

Source: Rawls, W.J., S.L. Long, and R.H. McCuen, 1981. Comparison of Urban Flood Frequency Procedures.

Preliminary Draft Report prepared for the Soil Conservation Service, Beltsville, Maryland.

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TABLE C-2 - RUNOFF CURVE NUMBERS (FROM NRCS (SCS) TR-55)

Runoff Curve Numbers for Urban Areas					
Cover Description		Curve Numbers for Hydrologic Soil Groups			
Cover Type and Hydrologic Condition	Average Percent Impervious Area	A	B	C	D
<i>Fully Developed Urban Areas (Vegetation Established)</i>					
Open Space (lawns, parks, golf courses, etc):					
Poor Condition (grass cover < 50%)		68	79	86	89
Fair Condition (grass cover 50% to 75%)		49	69	79	84
Good Condition (grass cover > 75%)		39	61	74	80
Impervious Areas:					
Paved Parking Lots, Roofs, Driveways, etc.		98	98	98	98
Streets and Roads:					
Paved: Curbed and Storm Sewers		98	98	98	98
Paved: Open Ditches		83	89	92	93
Gravel		76	85	89	91
Dirt		72	82	87	89
Urban Districts:					
Commercial and Business	85%	89	92	94	95
Industrial	72%	81	88	91	93
Residential Districts by Average Lot Size:					
1/8 Acres or less	65%	77	85	90	92
1/4 Acre	38%	61	75	83	87
1/3 Acre	30%	57	72	81	86
1/2 Acre	25%	54	70	80	85
1 Acre	20%	51	68	79	84
2 Acres	12%	46	65	77	82

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Runoff Curve Numbers for Cultivated Agricultural Lands						
Cover Description			Curve Numbers for Hydrologic Soil Groups			
Cover Type	Treatment	Hydrologic Condition	A	B	C	D
Fallow	Bare Soil	--	77	86	91	94
	Crop Residue Cover (CR)	Poor	76	85	90	93
		Good	74	83	88	90
Row Crops	Straight Row (SR)	Poor	72	81	88	91
		Good	67	78	85	89
	SR + CR	Poor	71	80	87	90
		Good	64	75	82	85
	Contoured (C)	Poor	70	79	84	88
		Good	65	75	82	86
	C + CR	Poor	69	78	83	87
		Good	64	74	81	85
	Contoured & Terraced (C & T)	Poor	66	74	80	82
		Good	62	71	78	81
	C & T + CR	Poor	65	73	79	81
		Good	61	70	77	80
Small Grain	SR	Poor	65	76	84	88
		Good	63	75	83	87
	SR + CR	Poor	64	75	83	86
		Good	60	72	80	84
	C	Poor	63	74	82	85
		Good	61	73	81	84
	C + CR	Poor	62	73	81	84
		Good	60	72	80	83
	C & T	Poor	61	72	79	82
		Good	59	70	78	81
	C & T + CR	Poor	60	71	78	81
		Good	58	69	77	80
Close Seeded or Broadcast Legumes Or Rotation Meadow	SR	Poor	66	77	85	89
		Good	58	72	81	85
	C	Poor	64	75	83	85
		Good	55	69	78	83
	C & T	Poor	63	73	80	83
		Good	51	67	76	80

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Runoff Curve Numbers for Other Agricultural Lands					
Cover Description		Curve Numbers for Hydrologic Soil Groups			
Cover Type	Hydrologic Condition	A	B	C	D
Pasture, Grassland, or Range – Continuous Forage for Grazing	Poor	68	79	86	89
	Fair	49	69	79	84
	Good	39	61	74	80
Meadow – Continuous Grass, Protected from Grazing and Generally Mowed for Hay	--	30	58	71	78
Brush – Brush, Weed, Grass Mixture with brush the major element	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	30	48	65	73
Woods – Grass Combination (orchard or tree farm)	Poor	57	73	82	86
	Fair	43	65	76	82
	Good	32	58	72	79
Woods	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	30	55	70	77
Farmsteads – Buildings, Lanes, Driveways and Surrounding Lots.	--	59	74	82	86

STORMWATER MANAGEMENT

TABLE C-3 – MANNING’S EQUATION “n” ROUGHNESS COEFFICIENTS

Description	Manning's "n"
Smooth-Wall Plastic Pipe	0.011
Concrete Pipe	0.012
Smooth-Lined Corrugated Metal Pipe	0.012
Corrugated Plastic Pipe	0.024
Annular Corrugated Steel And Aluminum Alloy Pipe (Plain or Polymer Coated)	
68 mm × 13 mm (2 2/3 in × 1/2 in) Corrugations	0.024
75 mm × 25 mm (3 in × 1 in) Corrugations	0.027
125 mm × 25 mm (5 in × 1 in) Corrugations	0.025
150 mm × 50 mm (6 in × 2 in) Corrugations	0.033
Helically Corrugated Steel And Aluminum Alloy Pipe (Plain or Polymer Coated)	
75 mm × 25 mm (3 in × 1 in), 125 mm × 25 mm (5 in × 1 in), or 150 mm × 50 mm (6 in × 2 in) Corrugations	0.024
Helically Corrugated Steel And Aluminum Alloy Pipe (Plain or Polymer Coated)	
68 mm × 13 mm (2 2/3 in × 1/2 in) Corrugations	
a. Lower Coefficients*	
450 mm (18 in) Diameter	0.014
600 mm (24 in) Diameter	0.016
900 mm (36 in) Diameter	0.019
1200 mm (48 in) Diameter	0.020
1500 mm (60 in) Diameter or larger	0.021
b. Higher Coefficients**	0.024
Annular or Helically Corrugated Steel or Aluminum Alloy Pipe Arches or Other Non- Circular Metal Conduit (Plain or Polymer Coated)	0.024
Vitrified Clay Pipe	0.012
Ductile Iron Pipe	0.013
Asphalt Pavement	0.015
Concrete Pavement	0.014
Grass Medians	0.050
Grass – Residential	0.030
Earth	0.020
Gravel	0.030
Rock	0.035
Cultivated Areas	0.030 - 0.050
Dense Brush	0.070 - 0.140
Heavy Timber (Little undergrowth)	0.100 - 0.150
Heavy Timber (with underbrush)	0.40
Streams:	
Some Grass And Weeds (Little or no brush)	0.030 - 0.035
Dense Growth of Weeds	0.035 - 0.050
Some Weeds (Heavy brush on banks)	0.050 - 0.070

Notes:

* Use the lower coefficient if any one of the following conditions apply:

- a. A storm pipe longer than 20 diameters, which directly or indirectly connects to an inlet or manhole, located in swales adjacent to shoulders in cut areas, shoulders in cut areas or depressed medians.
- b. A storm pipe which is specially designed to perform under pressure.

** Use the higher coefficient if any one of the following conditions apply:

- a. A storm pipe which directly or indirectly connects to an inlet or manhole located in highway pavement sections or adjacent to curb or concrete median barrier.
- b. A storm pipe which is shorter than 20 diameters long.
- c. A storm pipe which is partly lined helically corrugated metal pipe.

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TABLE C-4 – MANNING’S EQUATION “n” ROUGHNESS COEFFICIENTS FOR TR-55 TIME OF CONCENTRATION CALCULATIONS (SHEET FLOW)

Surface Description	Manning's “n” ¹
Smooth Surfaces (Concrete, Asphalt, Gravel, or Bare Soil)	0.011
Fallow (No Residue)	0.050
Cultivated Soils:	
Residue Cover (less than or equal to 20%)	0.060
Residue Cover (greater than 20%)	0.170
Grass:	
Short Grass Prairie	0.150
Dense Grasses ²	0.240
Bermudagrass	0.410
Range (Natural)	0.130
Woods: ³	
Light Underbrush	0.400
Dense Underbrush	0.800

Notes:

¹ The “n” values are a composite of information compiled by Engman (1986).

² Includes species such as weeping lovegrass, bluegrass, buffalo grass, blue grama grass, and native grass mixtures.

³ When selecting “n”, consider cover to a height of about 0.1 feet. This is the only part of the plant cover that will obstruct sheet flow.

CHAPTER 10
HEALTH AND SAFETY

PART 1
ANTI-NUISANCE ACT

- §10-101. Title**
- §10-102. Description**
- §10-103. Definitions**
- §10-104. Nuisances Declared Illegal**
- §10-105. Written Notice to Violators Required**
- §10-106. Penalty for Violation**

PART 1
ANTI-NUISANCE ACT

§10-101. Title.

This Part shall be known and may be cited as the “Washington Township Anti-Nuisance Act.”

(Ord. 03-01, 8/5/2003)

§10-102. Description.

1. Prohibiting nuisances, storing or accumulating abandoned or junked motor vehicles, junk material, abandoned or unoccupied buildings or parts of building in a state of dilapidation or disrepair on private or public property within the Township, providing for the removal thereof on public or private grounds after notice to the owners to do so and, in default thereof, to collect the costs of such removal by the Township and prescribing penalties for violation.
2. Whereas, the Board of Supervisors of Washington Township, Dauphin County, Pennsylvania deem it to be in the best interests and general welfare of the citizens and the residents of this Township to prohibit the unreasonable, unwarrantable or unlawful use of private or public property which causes injury, damage, hurt, inconvenience, annoyance or discomfort to others in the legitimate enjoyment of their rights of person or property; and whereas, Act 60 of 1995 (53 P.S. §66529) authorizes the Townships of the Second Class to prohibit nuisances, to remove same and to impose penalties therefore.

(Ord. 03-01, 8/5/2003)

§10-103. Definitions.

For the purpose of this Part the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number and the word “shall” is always mandatory and not merely directory:

ABANDONED or JUNKED MOTOR VEHICLES — any vehicle in non-serviceable condition or without having both a current inspection sticker and current registration plate.

BOARD — Board of Supervisors of Washington Township, Dauphin County, Pennsylvania.

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CODES ENFORCEMENT OFFICER — the person(s) appointed by the Board of Supervisors to enforce the Code of the Township.

NUISANCE — the unreasonable, unwarrantable or unlawful use of public or private property which causes injury, damage, hurt, inconvenience, annoyance or discomfort to any person or resident in the legitimate enjoyment of his reasonable rights of a person or property.

OWNER — a person owning, leasing, occupying or having charge of any premises within the Township.

PERSON — any individual, public or private corporation for profit or not for profit, partnership, association, syndicate, company, firm, trust, political subdivision, municipality, district or other entity recognized by law as the subject of rights and duties, including any governmental agency or any organization of any kind.

TOWNSHIP — the Township of Washington, which is located within the confines of Dauphin County, Pennsylvania.

VEGETATION — any grass, weed or vegetation whatsoever, which is not edible or planted for some useful, legal or ornamental purpose.

YARD — an area of ground around a residential structure planted with grass.

(Ord. 03-01, 8/5/2003)

§10-104. Nuisances Declared Illegal.

Nuisances including, but not limited to the following, are hereby declared to be illegal:

A. Storing or accumulating the following:

(1) Garbage, Ashes, Refuse or Rubbish.

(a) Garbage. Wastes resulting from the handling, preparation, cooking and consumption of food, wastes from the handling, storage and sale of produce. It shall be unlawful to place or permit to remain anywhere in the Township any garbage or other material subject to decay other than leaves or grass, excepting in a tightly covered container, excepting that a mulch heap is permitted, which is properly maintained for gardening purposes and does not materially disturb or annoy person of ordinary sensibilities in the neighborhood. It shall be unlawful for any individual, firm or corporation to store more than 14 days of garbage, as defined by this Part, which may pose a potential health and safety problem to the community.

- (b) Refuse/Rubbish. Combustible trash, including paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, leaves, wood furniture, bedding. Noncombustible trash including metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste, street rubbish, including street sweeping, dirt, catch basin dirt, contents of letter receptacles. Provided, refuse shall not include earth and wastes from building operations, nor shall it include leaves, cornstalks, stubble or other vegetable material generated in the course of harvesting agricultural crops. It shall be unlawful to cause or permit to accumulate any dust, ashes or trash of such a material that can be blown away by the wind anywhere in the Township, excepting in a covered container.
 - (c) Ashes. Residue from fire used for cooking and for heating buildings.
 - (2) Junk material including, but not limited to, tires, appliances and all forms of waste and refuse of any type of materials, including scrap metal, glass, industrial waste and other salvageable materials, unless for resale.
- B. Storing or accumulating abandoned or junked motor vehicles or equipment in the Residential (R-1), Residential) (R-2), Village (V), Commercial (C), Industrial (LI) and Conservation (C) Zoned Districts as set in the Washington Township Zoning Ordinance [Chapter 27], as amended. Except auto repair businesses, which are allowed to have no more than five such vehicles on their property.
- C. Storing or accumulating abandoned or junked motor vehicles or equipment which creates an attractive nuisance or is otherwise detrimental to the health, welfare, safety or morals of the surrounding community in the Agricultural (A) and Floodplain Management (F) Zoned Districts as set in the Washington Township Zoning Ordinance [Chapter 27], as amended. Except auto repair businesses, which are allowed to have no more than five such vehicles on their property.
- D. Draining or flowing, or allowing to drain or flow, by pipe or other channel, whether natural or artificial, any foul or offensive water or drainage from sinks, bathtubs, washstands, lavatories, water closets, swimming pools, privies or cesspools of any kind or nature whatsoever, or any foul or offense water or foul or offensive drainage of any kind, from property along any public highway, road, street, avenue, lane or alley, or from any property into or upon any adjoining property.
- E. Permitting or allowing any well or cistern to be, or remain, uncovered.

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- F. Interfering with the flow of a stream, creek or other waterway, by means of dam construction or otherwise, or removing the embankment of a stream so as to alter the natural flow of the stream.
- G. Defacing Public or Private Property. It shall be unlawful for any person, partnership, corporation or agent acting independently or under the direction of the principal to deface any private or public buildings, structures, signs, banners or vehicles within the Township. Examples of defacing shall include, but not be limited to, the following examples:
 - (1) Application of paint, ink and dyes.
 - (2) Affixing of any printed materials, such as signs or posters.
 - (3) Destruction or removal.
 - (4) Defacing in any manner.
- H. Merchandise and Advertising Matter. For any person to distribute or throw upon doorsteps, into doorways, vestibules, yards, enclosures or anywhere in the Township, samples of merchandise of any character whatsoever; or for any person to distribute, throw upon doorsteps, into doorways, vestibules, place upon doorknobs or fences, cast into yards or anywhere else, handbills, advertising and printed matter of any nature whatsoever without prior authorization by the Codes Enforcement Officer or the Township Board of Supervisors in accordance with Chapter 13, Licenses, Permits and General Business Regulations, Part 1, Transient Retail Businesses, as amended.
- I. Lights. No lights, incandescent, strobe, sodium or mercury vapor shall spot, flood or otherwise shine so as to impede the safe movement of traffic upon the streets, highways or traffic ways within the Township of Washington. No lights, incandescent, strobe, sodium or mercury vapor shall spot, flood or otherwise shine upon the private property of another so as to annoy, disturb or otherwise prevent another person from enjoying the privacy of their own property.
- J. Pushing, shoveling or otherwise depositing snow upon the cartway or traveled portion of any public highway, road or street which is maintained by the Township or by the Commonwealth of Pennsylvania, and allowing same to remain thereon.
- K. Depositing In, or Obstructing Streets, Streams, Etc. For any person to throw, spread or deposit on any of the streets, roads, lanes, alleys, court or any watercourse or gutter within the Township limits, and permit it to remain there, any mud, dirt, coat, wood, brick, stone, mulch, gravel, clay, sand, rubbish, animal carcass, fish, shellfish, ashes, paper, glass, tires, cans or offal of any kind or any other refuse or offensive matter whatsoever.

- L. No person shall permit any animals, including dogs, cats, cattle, horse, mule, sheep, goat, geese, ducks or swine to roam or be at large upon the streets, lanes or alleys in the Township.
- M. No person shall own, occupy or keep ground or other premises in such a condition to be offensive and a nuisance to the neighborhood, or to create a health or safety risk to the children and citizens of the Township.

(Ord. 03-01, 8/5/2003)

§10-105. Written Notice to Violators Required.

Whenever a condition constituting a nuisance is permitted or maintained, the Codes Enforcement Officer shall cause written notice to be served upon the owner in one of the following manners:

- A. By making personal delivery of the notice to the owners.
- B. By handing a copy of the notice at the residence of the owner to an adult member of the family with which he resides, but if no adult member of the family is found, then to an adult person in charge of such residence.
- C. By fixing a copy of the notice to the door at the entrance of the premises in violation.
- D. By mailing a copy of the notice to the last known address of the owner by certified mail.
- E. By publishing a copy of the notice in a local newspaper of general circulation within Dauphin County, Pennsylvania, once a week for three successive weeks. Such notice shall set forth in what respect such condition constitutes a nuisance, whether removal is necessary and required by the Township or whether the situation can be corrected by repairs, alterations or by fencing or boarding, or in some way confining and limiting the nuisance. Such notice shall require the owner to commence action in accordance with the terms thereof within a maximum of 20 days and thereafter, to comply fully with its terms with reasonable dispatch, with all material to be supplied and work to be done at the owner's expense; however, if the circumstances require immediate corrective measures, such notice shall require the owner to immediately comply with the terms thereof.

(Ord. 03-01, 8/5/2003)

§10-106. Penalty for Violation.

HEALTH AND SAFETY

This Part regulates building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution and shall be enforced pursuant to 53 P.S. §566601(c.1)(2).

- A. Enforcement thereof shall be by an action before a magisterial district judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required under Pa.R.Crim.P. No. 83(c) (relating to trial and summary cases). The Board of Supervisors hereby set a criminal fine not to exceed the amount of \$1,000 per violation and the costs of prosecution and, in default of payment of such fine and costs of prosecution, to undergo imprisonment of not more than 90 days; provided, further, that each day's continuance of a violation shall constitute a separate event.
- B. The Codes Enforcement Officer or the Board of Supervisors may direct the removal, repair or alterations, as the case may be, to be done by the Township and to certify the costs thereof to the Township Solicitor, the cost of such removal, repairs or alterations shall be a lien upon such premises from the time of such removal, cutting, repairs and alterations which date shall be determined by the certificate of the person doing such work and filed with the Codes Enforcement Officer or the Township Secretary.
- C. The Township, by means of a complaint in equity, may compel the owner of the premises to comply with the terms of any notice of violation or seek any such other relief as any such court of competent jurisdiction is empowered to afford.

(Ord. 03-01, 8/5/2003)

CHAPTER 11

HOUSING

PART 1

STATUS OF OCCUPANCY OF RENTAL PROPERTIES

- §11-101. Owner Responsibilities**
- §11-102. Notification of Unreported Units**
- §11-103. Notification of Changes in Occupancy**
- §11-104. Penalty**

PART 1

STATUS OF OCCUPANCY OF RENTAL PROPERTIES

§11-101. Owner Responsibilities.

Each and every owner (or owners) of any and all apartment buildings, mobile home parks or of any and all other residential rental or leased properties situate within the Township of Washington is required on or before February 1, 1988, to submit to the Township on forms provided by the Township, the number of parcels or units, including location, then being leased or available for lease, the name or names and mailing addresses and employer's name of all renters or lessees over the age of 18 years occupying said rental units or parcels.

(Ord. 87-103, 10/29/1987, §I)

§11-102. Notification of Unreported Units.

The property owner (or owners) is further required to notify the said Township of the availability of any theretofore unreported parcels or units as set forth above and any change in occupancy of parcels or units of said rental property providing the name or names, mailing addresses and employer of any and all new residents over the age of 18 years within 60 days of the occurrence.

(Ord. 87-103, 10/29/1987, §II)

§11-103. Notification of Changes in Occupancy.

After the initial report of occupancy pursuant to §§11-101 and 11-102 hereof is made, the property owner need only submit a report in the event that there has been a change in availability of rental units or parcels or a change in occupancy of the rental unit or parcel.

(Ord. 87-103, 10/29/1987, §III)

§11-104. Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. For

HOUSING

the purposes of this Part, the failure to submit the required report for each apartment building, mobile home park or other rental or lease property shall be a separate offense.

(Ord. 87-103, 10/29/1987, §IV)

CHAPTER 12

LIBRARIES

(Reserved to accommodate future enactments)

CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

PART 1

SUBSTANCE PARAPHERNALIA PROHIBITION

- §13-101. Short Title**
- §13-102. Preface**
- §13-103. Authority**
- §13-104. Definitions**
- §13-105. Conduct Prohibited**
- §13-106. Violations and Penalties**

PART 2

TRANSIENT RETAIL BUSINESS

- §13-201. Definitions**
- §13-202. License Required; Conditions of Issuance; Fee**
- §13-203. Exceptions**
- §13-204. License Application**
- §13-205. Issuance of License; Custody, Display and Exhibit**
- §13-206. Prohibited Acts**
- §13-207. Supervision; Records and Reports**
- §13-208. Denial, Suspension and Revocation of License; Appeal**
- §13-209. Penalties**

PART 1

SUBSTANCE PARAPHERNALIA PROHIBITION

§13-101. Short Title.

This Part shall be known as the “Washington Township Substance Paraphernalia Prohibition Ordinance.”

(Ord. 80-20, 11/10/1980, §1)

§13-102. Preface.

The people and citizens of the Township of Washington, and their duly elected government body, are aware that businesses exist in our nation that market and advertise for sale and sell paraphernalia that are utilized by our residents in the introduction into their bodies of prohibited controlled substances and that this business is not effectively controlled, regulated or prohibited. The aforesaid government body believes that this industry panders to our youth, encourages them physically to utilize controlled substances and in this way, encourages such persons in the illegal use of controlled substances. The referred to government body believes that such use of controlled substances is harmful to the user thereof and poses a clear, present and substantial danger to the health and welfare of the person who utilize such substances. Therefore, in answer to these factors, this Part is passed to promote the health, safety and public welfare of the citizens and inhabitants of the Township of Washington.

(Ord. 80-20, 11/10/1980, §2)

§13-103. Authority.

This Part and the objectives leading to its enactment are authorized by the following provisions of the Second Class Township Code:

A. 53 P.S. §66527. [A.O.]

B. 53 P.S. §66601. [A.O.]

(Ord. 80-20, 11/10/1980, §3; as amended by A.O.)

§13-104. Definitions.

DRUG PARAPHERNALIA — all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, produc-

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

ing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of the Controlled Substance, Drug Device and Cosmetic Act. It includes, but is not limited to:

- A. Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
- B. Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.
- C. Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.
- D. Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
- E. Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances.
- F. Diluents and adulterants such as quinine hydrochloride, mannitol, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances.
- G. Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.
- H. Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances.
- I. Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances.
- J. Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.
- K. Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.
- L. Objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:

- (1) Metal, wooden, acrylic, glass, stone plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls.
- (2) Water pipes.
- (3) Carburetion tubes and devices.
- (4) Smoking and carburetion masks.
- (5) Roach clips: meaning objects used to hold burning material, such as a marijuana cigarette, that has become too short to be held in the hand.
- (6) Miniature cocaine spoons and cocaine vials.
- (7) Chamber pipes.
- (8) Carburetor pipes.
- (9) Electric pipes.
- (10) Air driven pipes.
- (11) Chillums.
- (12) Bongs.
- (13) Ice pipes or chillers.

(Ord. 80-20, 11/10/1980, §4)

§13-105. Conduct Prohibited.

1. It is a violation of the Part for any person to deliver by sale or gift or manufacture with intent to deliver, by sale or gift, drug paraphernalia, knowing or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this Part.
2. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication any advertisement, knowing or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

(Ord. 80-20, 11/10/1980, §5)

§13-106. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 80-20, 11/10/1980, §6; as amended by A.O.

PART 2

TRANSIENT RETAIL BUSINESS

§13-201. Definitions.

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

LEGAL HOLIDAY — New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas.

PERSON — any natural person, partnership, association, corporation or other legal entity.

TRANSIENT RETAIL BUSINESS –

- A. Engaging in peddling, soliciting or taking orders, either by sample or otherwise, for any goods, wares or merchandise upon any street, alley, sidewalk or public ground, or from house to house, within Washington Township.
 - B. Selling, soliciting or taking orders for any goods, wares or merchandise from a fixed location within Washington Township, on a temporary basis, which shall include, but not be limited to, such activities conducted at the time of special occasions or celebrations, for seasonal purposes or for yearly holidays.
2. The singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

(Ord. 93-1, 3/16/1993, §1)

§13-202. License Required; Conditions of Issuance; Fee.

No person shall engage in any transient retail business within Washington Township without first having obtained from the Township a license, for which a fee which shall be for the use of Washington Township, shall be charged, established pursuant to a resolution of the Washington Township Board of Supervisors.

(Ord. 93-1, 3/16/1993, §2)

§13-203. Exceptions.

1. No license shall be charged:

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- A. To farmers selling their own produce.
 - B. For the sale of goods, wares and merchandise, donated by the owners thereof, the proceeds whereof are to be applied to any charitable or philanthropic purpose.
 - C. To any manufacturer or producer in the sale of bread and bakery products, meat and meat products or milk and milk products.
 - D. To children under the age of 18 years who take orders for and deliver newspapers, greeting cards, candy, bakery products, and the like, or who represent the Boy Scouts or Girl Scouts or similar organizations.
 - E. To the seeking or taking of orders by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania.
 - F. To any person who has complied with the provisions of the Solicitation of Funds for Charitable Purposes Act, 10 P.S. §160-1 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.
 - G. For taking orders for merchandise, by sample, from dealers or merchants for individuals or companies who pay a license or business privilege tax at their chief place of business.
 - H. As it applies to religious proselytizing, anonymous political speech and the distribution of handbills will not be required to obtain a permit. [A.O.]
2. But all persons exempted hereby from the payment of the license fee shall be required to register with the Township and obtain a license without fee; provided, any person dealing in one or more of the above mentioned exempted categories, and dealing with other goods, wares or merchandise not so exempted, shall be subject to the payment of the license fee fixed by this Section for his activities in connection with the sale of goods, wares and merchandise not in such exempted categories. Provided, further, the Township may similarly exempt from payment of the license fee, but not from registering with him, persons working without compensation and selling goods, wares or merchandise for the sole benefit of a nonprofit corporation. Provided, further, every license issued under the provisions of this Section shall be issued on an individual basis to any person or persons engaging in such business; every individual shall obtain a separate license, issued to him in his name, and the license fee hereby imposed shall be applicable to every such individual license, except that a representative of a charitable organization may obtain licenses for the applicants.

(Ord. 93-1, 3/16/1993, §3; as amended by A.O.

§13-204. License Application.

Every person desiring a license under this Part shall first make application to the Township for such license. He shall, when making such application, exhibit a valid license from any State or County officer, if such license is also required. He shall also exhibit his vehicle operator's license to the Township who may make a photocopy of the same. The applicant shall state:

- A. His criminal record, if any.
- B. Name and address of the person by whom he is employed.
- C. Type of goods, wares and merchandise he wishes to deal with in such transient retail business.
- D. Length of time for which license is to be issued.
- E. Type and license number of the vehicle to be used, if any.

(Ord. 93-1, 3/16/1993, §4)

§13-205. Issuance of License; Custody, Display and Exhibit.

Upon receipt of such application and the prescribed fee, the Township, if they shall find such application in order, shall issue the license required under this Part. Such license shall contain the information required to be given on the application therefor. Every license holder shall carry such license upon his person if engaged in transient retail business from house to house or upon any of the streets, alleys, sidewalks or public grounds or shall display such license at the location where he shall engage in such business if doing so at a fixed location. He shall exhibit such license, upon request, to all police officers, municipal officials and citizens or residents of Washington Township.

(Ord. 93-1, 3/16/1993, §5)

§13-206. Prohibited Acts.

No person in any transient retail business shall:

- A. Sell any product or type of product not mentioned in his license.
- B. Hawk or cry his wares upon any of the streets, alleys, sidewalks or public grounds in Washington Township.
- C. When operating from a vehicle, stop or park such vehicles upon any of the streets or alleys in Washington Township for longer than necessary in order to sell therefrom to person residing or working in the immediate vicinity.

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

- D. Park any vehicle upon any of the streets or alleys in Washington Township for the purpose of sorting, rearranging or cleaning any of his goods, wares or merchandise or of disposing of any carton, wrapping material or stock, wares or foodstuffs which have become unsalable through handling, age or otherwise.
- E. Engage in any business activity, except by prior appointment, at any time on a Sunday or legal holiday or at any time before 9:00 a.m. or after 9:00 p.m. on any day of the week other than a Sunday or legal holiday.

(Ord. 93-1, 3/16/1993, §6)

§13-207. Supervision; Records and Reports.

The Township shall supervise the activities of all persons holding licenses under this Part. The Township shall keep a record of all licenses issued hereunder.

(Ord. 93-1, 3/16/1993, §7)

§13-208. Denial, Suspension and Revocation of License; Appeal.

The Township is hereby authorized to deny, suspend or revoke any license issued under this part when they deem such denial, suspension or revocation to be beneficial to the public health, safety or morals, or for violation for any provision of this Part or for giving false information upon any application for license hereunder. Appeals from any suspension, revocation or denial of a license may be made to the Washington Township Board of Supervisors at any time within 10 days after such suspension, revocation or denial and a hearing shall be held within 30 days of the petition of appeal. No part of a license fee shall be refunded to any person whose license shall have been suspended or revoked.

(Ord. 93-1, 3/16/1993, §8)

§13-209. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 93-1, 3/16/1993, §9; as amended by A.O.

CHAPTER 14

MOBILE HOMES AND MOBILE HOME PARKS

(Reserved to accommodate future enactments)

CHAPTER 15
MOTOR VEHICLES AND TRAFFIC

PART 1

GENERAL REGULATIONS

- §15-101. Definitions and Interpretation**
- §15-102. Manner of Adopting Permanent Traffic and Parking Regulations**
- §15-103. Provisions to be Continuation of Existing Regulations**
- §15-104. Temporary and Emergency Regulations**
- §15-105. Experimental Regulations**
- §15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events**
- §15-107. Use of Streets by Processions and Assemblages**
- §15-108. Authority of Police Officers**
- §15-109. Authorization for Use of Speed Timing Devices**

PART 2

TRAFFIC REGULATIONS

- §15-201. Maximum Speed Limits Established on Certain Streets**
- §15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures**
- §15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades**
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- §15-205. Traffic Signals at Certain Locations**
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- §15-207. One-Way Streets Established**
- §15-208. Turning at Certain Intersections Prohibited or Restricted**
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- §15-210. U-Turns Prohibited at Certain Locations**
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- §15-212. Through Highways Established**
- §15-213. Stop Intersections Established**
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- §15-215. Operation of Motor Vehicles Restricted on Public Lands**
- §15-216. Rotary Traffic Islands Established**
- §15-217. Play Highways Established and Authorized**
- §15-218. Snowmobile Roads Designated**
- §15-219. Miscellaneous Signs**

MOTOR VEHICLES AND TRAFFIC

PART 3

RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD

- §15-301. Vehicle Weight Limits Established on Certain Streets and Bridges
- §15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges
- §15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges
- §15-304. Truck Traffic Restricted on Certain Streets

PART 4

GENERAL PARKING REGULATIONS

- §15-401. Vehicles to be Parked Within Marked Spaces
- §15-402. Parking Prohibited at All Times in Certain Locations
- §15-403. Parking Prohibited in Certain Locations Certain Days and Hours
- §15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations
- §15-405. Parking Time Limited in Certain Locations, Certain Days and Hours
- §15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited
- §15-407. Penalties

PART 1

GENERAL REGULATIONS

§15-101. Definitions and Interpretation.

1. Words and phrases, when used in this Chapter, except for Sections or parts to which different or additional definitions apply, shall have the meanings ascribed to them in The Vehicle Code, the Act of June 17, 1976, P.L. 162 No. 81, as amended, except that in this Chapter the word “street” may be used interchangeably with the word “highway,” and shall have the same meaning as the word “highway” as defined in the Vehicle Code.
2. The term “legal holidays” as used in this Chapter shall mean and include: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
3. In this Chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

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§15-102. Manner of Adopting Permanent Traffic and Parking Regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances, as parts of ordinances, as amendments to ordinances, or as amendments to this Chapter, except where the law specifically authorizes less formal action.

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§15-103. Provisions to be Continuation of Existing Regulations.

The provisions of this Chapter, so far as they are the same as those of ordinances and regulations in force immediately before the enactment of this Chapter, are intended as a continuation of those earlier ordinances and regulations, and not as new enactments. Nothing in this Chapter shall affect any act done or liability incurred, or any suit or prosecution pending or to be instituted under any of those repealed or superseded ordinances or regulations.

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MOTOR VEHICLES AND TRAFFIC

§15-104. Temporary and Emergency Regulations.

1. The Road Master or his designee shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
 - A. In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and,
 - B. In the case of emergency or to facilitate public works, or in the conduct of parades, processions or public events, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.
2. Such temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who shall operate or park a vehicle or tractor in violation of any such regulations, or who shall move, remove, destroy, injure or deface any sign or marking erected, posted or made to give notice of any such regulation, shall upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature, and, in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution.

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§15-105. Experimental Regulations.

The Board of Supervisors may, from time to time by resolution, designate places upon and along the highways in the Township where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect, and shall designate such locations by proper signs and markings. Such regulations, prohibitions and restrictions shall be effective as if they had been specified in this Chapter. No person shall operate and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this Section. Any person who shall violate any provision of this Section shall, upon conviction thereof, be subject to the penalty set forth in the law or elsewhere in this Chapter for a violation of such nature, and in case of a violation for which no specific penalty is set forth in the law or elsewhere in this Chapter, to a fine of not more than \$25 together with costs of prosecution; provided, the purpose of this Section is to allow for the test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.

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§15-106. Traffic on Streets Closed or Restricted for Construction, Maintenance or Special Events.

1. The Roadmaster or his designee shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion, while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.
2. The Roadmaster or his designee shall have authority to establish a restricted traffic area upon any street where construction or maintenance work is under way and to station flagmen at each end of the restricted portion. It shall be unlawful for any person to drive a vehicle upon any such restricted traffic area at any time when the flagman is displaying a sign directing that vehicle to stop, or is signaling that vehicle, by a flag or other device, not to proceed.
3. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-107. Use of Streets by Processions and Assemblages.

1. For the purpose of this Section, the words “assemblage” and “procession” shall have the following meanings:

ASSEMBLAGE — a gathering of people without vehicles, which interferes with the movement of pedestrian or vehicular traffic on any street.

PROCESSION — a group of individuals, vehicles, animals and/or objects moving along a street in a way that interferes with the normal movement of traffic. A procession shall not include a funeral caravan or military convoy.

2. It shall be unlawful for any person to hold or participate in any assemblage unless the person organizing or conducting the assemblage first obtains a permit from the Zoning/Code Enforcement Officer, which shall be issued in an amount to be established, from time to time, by resolution of the Board of Supervisors. Application for the permit shall be made at least one week in advance of the day on which the assemblage is proposed to be held, but in any case where a State-designated highway is proposed to be used, application shall be made at least three weeks in advance of the proposed date. The permit shall state the place where and the date when the assemblage is to be held, the hour when the assemblage may convene and the hour by which it shall have been completely dispersed. It shall be unlawful for any person to hold or to participate in any assemblage unless the permit has been granted, or at any time or place other than that authorized by the permit.

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3. It shall be unlawful for any person to hold or participate in any procession unless the person organizing or conducting the procession first obtains a permit from the Zoning/Code Enforcement Officer, which shall be issued without fee. Application for the permit shall be made at least two weeks in advance of the day when the procession is proposed to be held, but in any case where the State-designated highway is proposed to be used, application shall be made at least three weeks in advance of the proposed date. The permit shall specify the date on which the procession is to be held, the route to be followed by the procession, the hour when and place where participants may commence to assemble and form before the procession is under way, the time when the procession may commence to move along its route, and the time by which the end of the procession shall have been disbanded. It shall be unlawful for any person to hold or to participate in any procession unless the permit shall have been granted, or under any conditions as to time or route or otherwise than those stated in the permit.
4. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-108. Authority of Police Officers.

The Police Officers of the Township are hereby authorized to direct traffic on the highways of the Township and at intersections thereof and to otherwise enforce the provisions of this Chapter.

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§15-109. Authorization for Use of Speed Timing Devices.

1. The Township Police Department is hereby authorized to use all speed timing devices for the determination of speed of a motor vehicle as are approved or will be approved by the Department of Transportation of the Commonwealth of Pennsylvania, in accordance with Title 75, Pa. C.S.A. §3368.
2. This Section authorizes the use of said devices upon all highways within the Township be they Township, county or State highways, and does also hereby elect to exercise all powers granted to “local authorities” under the Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa. C.S.A. §6101 et seq., (1977), as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

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PART 2

TRAFFIC REGULATIONS

§15-201. Maximum Speed Limits Established on Certain Streets.

1. Maximum speed limits are established on portions of specified streets, as follows, and it shall be unlawful for any person to drive a vehicle, on any part of a street where a maximum speed limit applies, at a higher speed than the maximum prescribed for that part of the street:

Street	From	To	Maximum Speed Limit
Ash Street	Route 209	Park Drive	25
Belle Drive	Romberger Road	Dead end	25
Bickle Crossing Road	Route 209	Dead end	25
Chestnut Street	Route 209	North Second Street	20
East Broad Street	Route 209	Dead end	20
East Vicki Lane	Bickle Crossing Road	Dead end	20
East Bonnie Avenue	Bickle Crossing Road	Dead end	20
Feidt Road	Botts Road	West Matterstown Road	35
Fisher Road	Route 209	Matter Road	25
George Street	James Street	Simon Boulevard	20
Gigi Drive	East Bonnie Avenue	East Vicki Lane	20
Green Acres Avenue	Route 209	Oak Street	20
James Street	Lebo Street	George Street	20
Kocher Lane	Route 209	Dead end	25
Lebo Street	Route 209	Simon Boulevard	25
Locust Street	Oak Street	Park Drive	20
Long Road	Stone Hill Road	Dead end	20
North Second Street	Stone Hill Road	South Crossroads Road	20
North Kentucky Drive	North Church Street	Dead end	25
Oak Street	Route 209	Route 209	20

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Street	From	To	Maximum Speed Limit
Oakdale Station Road	Route 209	Dead end	25
Park Drive	Green Acres Avenue	Borough line	20
Romberger Road	Route 209	Dead end	25
Simon Boulevard	George Street	Lebo Street	20
South Kentucky Drive	North Church Street	Dead end	25
State Route 209-Eville-West End	Borough line	West .5 miles	35
State Route 209-Eville- East End	Borough line	East .5 miles	35
Steves Lane	Bickle Crossing Road	West Bonnie Avenue	20
Stone Hill Road	Route 209	Dead end	25
Walnut Street	Route 209	North Second Street	20
Water Street	Route 209	North Second Street	20
West Bonnie Avenue	Bickle Crossing Road	Dead end	20
West Vicki Lane	Bickle Crossing Road	Steves Lane	20
Woland Road	Route 209	End of development	25

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

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§15-202. Maximum Speed Limits Established on Certain Bridges and Elevated Structures.

1. Maximum speed limits are established, as follows, on certain bridges and elevated structures, and it shall be unlawful for any person to drive a vehicle on any such bridge or elevated structure, at a higher speed than the maximum prescribed for that bridge or elevated structure:

**Bridge or Elevated
Structure**

Location

**Maximum Speed
Limit**

Reserved

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

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§15-203. Maximum Speed Limits Established for Certain Vehicles on Hazardous Grades.

1. The following are declared to be hazardous grades, and, upon any such hazardous grade, no person shall drive a vehicle, having a gross weight in excess of that referred to for that grade, in the direction stated for that grade, at a speed in excess of that established in this Section for that grade, and, if so stated for a particular grade, the driver of every such vehicle shall stop the vehicle before proceeding downhill:

Street	Between	Direction of Travel	Maximum Gross Weight	Maximum Speed Limit	Required to Stop Before Proceeding Downhill
Reserved					

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 for each mile in excess of five miles per hour over the maximum speed limit.

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§15-204. Maximum Speed Limits Established in Parks.

1. A speed limit of 15 miles per hour is established on all streets and roadways in the public parks maintained and operated by the Township, except in the following locations, where the lower maximums, as specified, shall apply:

Park	Street	Location	Maximum Speed Limit
Reserved			

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2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$35. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

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§15-205. Traffic Signals at Certain Locations.

1. At the following locations, traffic signals as indicated below shall be erected (or are ratified if previously erected), and traffic at those locations shall be directed by those signals:

Location	Type of Signal
State Route 209 and Oakdale Station Road	Red flashing

2. Any driver of a vehicle who disobeys the directions of any traffic signal shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-206. Intersections Where Turn Prohibited on Red Signal.

1. The following are established as intersections where drivers of vehicles headed in the direction or directions indicated are prohibited from making a right turn (or a left turn from a one-way street into another one-way street) on a steady red signal:

Intersection	Vehicles Traveling On	Facing
	Reserved	

2. Any driver of a vehicle who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-207. One-Way Streets Established.

1. The following are established as one-way streets, and it shall be unlawful for any person to drive a vehicle on any one-way street other than in the direction established for traffic on that street:

Street	From	To	Direction of Travel
Ash Street	Route 209	Park Drive	South
Oak Street	Ash Street	Locust Street	East

- Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-208. Turning at Certain Intersections Prohibited or Restricted.

- It shall be unlawful for the driver of any vehicle, of the type indicated, traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make a left turn and/or a right turn into the second-named street, as indicated, at any time when such a turn is prohibited by this Section:

Vehicles Travel- ing On	Direction of Travel	Not to Make Turn	Into	When	Type of Vehicle Applicable To
		Reserved			

- Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-209. Right Turns Prohibited at Certain Intersections.

- It shall be unlawful for the driver of any vehicle, traveling upon the first-named street at any of the following intersections, in the direction or directions indicated in each case, to make other than a left turn, at any time stated, both right turns and straight-across traffic being prohibited:

Vehicles Travel- ing On	Direction of Travel	Times	Not To Make Right Turn Into or Travel Straight Across
		Reserved	

- Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-210. U-Turn Prohibited at Certain Locations.

1. It shall be unlawful for the driver of any vehicle, traveling upon any of the following portions of streets, in the direction or directions indicated for that street, to make a u-turn:

Street	Portion	Direction of Travel
	Reserved	

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-211. No Passing Zones Established.

1. The following are established as no passing zones, and it shall be unlawful for the driver of any vehicle to overtake or pass another vehicle or to drive on the left side of the roadway in any no passing zone:

Street	Direction of Travel	Between
	Reserved	

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-212. Through Highways Established.

1. The following highways are established as through highways, thus authorizing stop or yield signs to be erected facing traffic approaching every intersection with the through highway except for those intersections with traffic signals, or with exceptions or modifications as indicated below. Every driver of a vehicle approaching a stop or yield sign authorized by this Section shall stop the vehicle or yield right-of-way as required by §§3323(b) or 3323(c) of the Vehicle Code, as the case may be, and shall not proceed into or across the through highway until he has followed all applicable requirements of that Section of the law:

Highway**Between**

Bickle Crossing Road

Route 209 and end of street

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-213. Stop Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §15-212) are established as stop intersections, and official stop signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first-named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or stop street, in the direction indicated in each case, shall stop the vehicle as required by §3323(b) of the Vehicle Code, and shall not proceed into or across the second-named or intersecting or through street until he has followed all applicable requirements of that Section of the law.

Stop Street	Intersection or Through Street	Direction of Travel
Ash Street	Park Drive	South
Bechtel Road	Route 225	West
Belle Drive	Romberger Road	East
Bickle Crossing Road	Route 209	North
Big Run Drive	Route 209	East and west
Botts Road	Feidt Road	South
Botts Road	Route 209	South
Chestnut Street	North Second Street	North
Chestnut Street	Route 209	South
Creek Hill Road	Henninger Road	South
Dam Hill Road	Shiffer's Mill Road	South
Dam Hill Road	Route 209	North
Deitrich Road	South Crossroads Road	West
Engle Road	Route 209	South
Engle Road	State Drive	North and south
East Bonnie Avenue	Bickle Crossing Road	West
East Broad Street	Route 209	East

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Stop Street	Intersection or Through Street	Direction of Travel
Fedit Road	West Matterstown Road	North
Fisher Road	Route 209	South
Fisher Road	Matter Road	North
Gigi Drive	East Vicki Lane	South
Gigi Drive	East Bonnie Avenue	North
Green Street	Route 209	South
Green Acres Avenue	Route 209	North
Gun Club Road	Route 209	North
Harmon Lane	Mattis's Mill Road	West
Henninger Road	Raker's Mill Road	South
Johns Street	Oakdale Station Road	East and west
Klinger Road	Roller Road	South
Kocher Lane	Route 209	North
Koppenhaver Road	Raker's Mill Road	North
Lebo Drive	James Street	South
Lebo Drive	Route 209	South
Lenker Road	Shiffer's Mill Road	North
Lenker Road	Mohr Road	South
Lenker Drive (South)	Romberger Road	West
Lenker Drive (North)	Romberger Road	West
Locust Road	Henninger Road	West
Locust Street	Oak Street	North
Locust Street	Park Drive	South
Long Road	Stone Hill Road	West
Longabach Road (North)	Kocher Lane	West
Longabach Road (South)	Kocher Lane	West
Manors Road	Route 209	North
Maple Street	Route 209	North
Matter Road	Henninger Road	West
Matter Road	South Crossroads Road	East
Mattis's Mill Road	Wilhour Road	East
Mattis's Mill Road	West Matterstown Road	North
Meadow Lane	Matter Road	South

Stop Street	Intersection or Through Street	Direction of Travel
Mill Road	Henninger Road	South
Missouri Drive	South Kentucky Drive	North
Mohr Road	Route 209	North
Mountain View Road	Route 209	North
Municipal Road	Wilhour Road	South
North Kentucky Drive	North Church Street	East
North Kentucky Drive	Tennessee Avenue	East and west
North Second Street	Stone Hill Road	East
North Second Street	South Crossroads Road	West
Nursery Road	Route 209	South
Oak Street	Green Acres Avenue	East
Oak Street	Route 209	East
Oakdale Station Road	Route 209	North
Park Drive	Park Lane	West
Park Drive	Green Acres Avenue	East
Pine Road	Henninger Road	South
Romberger Road	Route 209	North
Savidge Road	West Matterstown Road	South
Schaffer Road	Raker's Mill Road	North
Shiffer's Mill Road	Route 209	East
South Kentucky Avenue	Tennessee Avenue	East and west
South Kentucky Avenue	North Church Street	East
State Drive	Route 209	East and west
Steves Lane	Bickle Crossing Road	East
Steves Lane	West Bonnie Avenue	North
Stone Road	West Matterstown Road	North
Stone Road	Route 209	South
Swa-Nea Road	Route 225	East
Tennessee Avenue	North Kentucky Drive	North and south
Tennessee Avenue	South Kentucky Drive	South
Troutmans Street	South Crossroads Road	West
Walnut Street (South)	Route 209	North
Walnut Street	Route 209	South

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Stop Street	Intersection or Through Street	Direction of Travel
Walnut Street	North Second Street	North
Water Street	Route 209	South
Water Street	North Second Street	North
Weaver Road	Route 225	East
Wert Road	West Matterstown Road	South
West Vickie Lane	Bickle Crossing Road	East
West Bonnie Avenue	Bickle Crossing Road	East
West Vickie Lane	Steves Lane	West
Wise Road	Raker's Mill Road	East
Woland Road	Route 209	South
Wolfe Road	Raker's Mill Road	South
Wolfe Road	North Road	North

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-214. Yield Intersections Established.

1. The following intersections (in addition to intersections with the through highways established by §15-212) are established as yield intersections, and official yield signs shall be erected (or are ratified if previously erected) in such a position as to face traffic approaching the second-named street (the through street) on the first-named street (the yield street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first-named or yield street, in the direction indicated in each case, shall slow down or stop the vehicle as required by §3323(c) of the Vehicle Code, and then yield the right-of-way as required by that subsection of the Vehicle Code.

Yield Street	Through Street	Direction of Travel
	Reserved	

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-215. Operation of Motor Vehicles Restricted on Public Lands.

1. No motor vehicle including a motorcycle, pedalcycle or minibike shall be operated on any property owned by the Township or any other public agency or instrumentality within the Township without the permission of the property owner and a permit from the [Designated Official] of the Township.
2. Any person who violates an provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-216. Rotary Traffic Islands Established.

1. The following locations are designated as rotary traffic islands, and every vehicle passing around a rotary traffic island shall be driven only to the right of the island:

Location

Reserved

2. Any person who drives a vehicle otherwise than to the right of any rotary traffic island shall be guilty of a violation of this Section, and, upon conviction, shall be sentenced to pay a fine of \$25 and costs.

(A.O.

§15-217. Play Highways Established and Authorized.

1. The following areas upon the streets in the Township are established as play highways:

Street

Between

Days

Hours

Reserved

2. The [Designated Official] is authorized to designate as play highways, whenever he deems that action advisable, and for whatever period of time directed by him, any part of any street in the Township where sledding and coasting, shall be permitted. That play highway shall be set apart for the purpose under the direction of the [Designated Official].
3. No person shall drive any motor vehicle upon any play highway at any time when that street shall be designated as a play highway, except in case of emergency,

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with special permission of the [Designated Official] or of the police officer in charge, who shall first clear that play highway of all persons using it for the purpose for which it was set aside. Any person who violates any provision of this subsection shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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§15-218. Snowmobile Roads Designated.

1. The following roads and streets within the Township are designated as special snowmobile roads:

Street or Road	Between	Used by Snow-mobiles Only When Closed to Vehicular Traffic	Shared With Vehicu- lar Traffic
		Reserved	

2. It shall be unlawful for any person to operate a snowmobile on any highway, street or road in the Township other than as provided above. Provided, nothing in this Section shall prohibit any person from operating a snowmobile on any other street in the Township:
 - A. As authorized by §7721 of the Vehicle Code for emergency and bridge crossings and for direct crossing of streets or two-lane highways; or,
 - B. For special snowmobile events where authorized in advance and the street is blocked off as provided in §7723 of the Vehicle Code. Any person who violates any provision of this Section shall be subject to the penalties prescribed in §7752(a) of the Vehicle Code.

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§15-219. Miscellaneous Signs.

Road Name	Type of Sign	Location on Road (Landmark)
Ash Street	One Way	West side facing south on Route 209
Ash Street	One Way	West side facing south at Park Drive
Ash Street	Do Not Enter	East side facing north at Park Drive
Feidt Road	Curve	West side facing south at Adams Farm
Feidt Road	Curve	South side facing east at Adams Farm
Feidt Road	Curve	East side facing north at Hoffman Farm
Feidt Road	Curve	North side facing west at Hoffman Farm
Feidt Road	Curve	East side facing north at bridge

Road Name	Type of Sign	Location on Road (Landmark)
Fedit Road	Curve	North side facing west at bridge
Henninger Road	Curve 15 mph	North side facing west at bridge
Henninger Road	Curve 15 mph	West side facing south at bridge
Manors Road	“T”	West side facing south before Maurer Road
Matter Road	S Curve	North side facing west before Fisher Road
Matter Road	S Curve	South side facing east before Fisher Road
Matter Road	Curve	North side facing west at Shade Farm
Matter Road	Curve	South side facing east at Shade Farm
Matter Road	Directional Arrow	North side facing west at curve north of Fisher Road
Matter Road	Stop Ahead	South side facing east at Crossroads Road
Mattis’s Mill Road	Curve	North side facing west at Mattis Farm
Mattis’s Mill Road	Curve	West side facing south at Mattis Farm
Mohr Road	Reverse Turn 15 mph	North side facing west at start of Beagle Club property
Mohr Road	Reverse Turn 15 mph	South side facing east, west of Barder’s Drive-way
Oak Street	One Way	North side facing north at Locust Street
Oak Street	Do Not Enter	North side facing west at Locust Street
Oakdale Station Road	S Curve	West side facing south before bridge
Shiffer’s Mill Road	Curve 20 mph	North side facing west at bridge
Shiffer’s Mill Road	Curve 20 mph	West side facing south at bridge

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PART 3**RESTRICTIONS ON SIZE, WEIGHT AND TYPE OF VEHICLE AND LOAD****§15-301. Vehicle Weight Limits Established on Certain Streets and Bridges.**

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person or persons to drive any vehicle or combination having a gross weight in excess of the maximum prescribed below for that bridge or street or part of street, as the case may be:

Street or Bridge	Between	Maximum Gross Weight
East Broad St.	Route 209 and Borough line	5 tons
Municipal Rd.	Wilhour Road and Mifflin Township line (except local deliveries)	10 tons
Stone Rd.	Route 209 and West Matterstown Road	5 tons

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of \$150 plus \$150 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum allowable weight, and costs.

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§15-302. Restrictions on Size of Vehicles on Certain Streets and Bridges.

1. On the following bridges and streets or parts of streets, by authority granted by §4902(a) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of the size restrictions prescribed below for that bridge or street or part of street:

Street or Bridge	Between	Restrictions
	Reserved	

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(a) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of \$75 and costs.

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§15-303. Restrictions as to Weight and Size of Vehicles on Certain Streets and Bridges.

1. By reason of hazardous traffic conditions and other safety factors, by authority granted by §4902(b) of the Vehicle Code, it shall be unlawful for any person to drive any vehicle or combination in violation of the restriction prescribed below for that bridge or street or part of street.

Street or Bridge	Between	Restrictions
	Reserved	

2. Any person who violates any provision of this Section shall be prosecuted under §§4902(b) and 4902(g-1) of the Vehicle Code, and, upon conviction, shall be sentenced to pay a fine of not less than \$25 and not more than \$100 and costs.

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§15-304. Truck Traffic Restricted on Certain Streets.

1. It shall be unlawful for any person to drive a vehicle other than a passenger car on any of the following streets or parts of streets:

Street	Between
Longabach Rd.	Kocher Rd. (except local deliveries)

Provided: nothing in this Section shall prohibit any person from driving an emergency vehicle on any of those streets or parts of streets, or from driving on any of those streets or parts of streets a truck or other commercial vehicle making local deliveries to or pickups from premises located along that street or part of a street.

2. Any person who violates any provision of this Section shall, upon conviction, be sentenced to pay a fine of \$25 and costs.

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PART 4**GENERAL PARKING REGULATIONS****§15-401. Vehicles to be Parked Within Marked Spaces.**

Wherever a space is marked off on any street for the parking of an individual vehicle, every vehicle parked there shall be parked wholly within the lines bounding that space, and it shall be a violation of this Part for any person to park a vehicle or allow it to remain parked otherwise.

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§15-402. Parking Prohibited at All Times in Certain Locations.

Parking shall be prohibited at all times in the following locations:

Street	Side	Between
U.S. Route 209	North	In the Village of Loyalton 80 feet east of South Crossroads Road
U.S. Route 209	North	In the Village of Loyalton 80 feet west of South Crossroads Road
U.S. Route 209	South	In the Village of Loyalton 60 feet west of Oakdale Station Road
U.S. Route 209	South	In the Village of Loyalton 60 feet east of Oakdale Station Road
Maple Street	East	Johns Street north to Route 209
Route 209	North	120 feet east side of bridge at Loyalton across from Maple Street (Fire Lane)
Route 209	South	100 feet from shopping center entrance east in front of McDonalds
Green Street	West	Route 209 and Elm Street
Route 225 (Fire Lane)	East	120 feet north of Sewer Plant at bridge (Fire Lane)

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§15-403. Parking Prohibited in Certain Locations, Certain Days and Hours.

Parking shall be prohibited in the following locations at all times on the days and between the hours indicated in this Section, as follows:

Street	Side	Between	Days	Hours
		Reserved		

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§15-404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited in Certain Locations.

It shall be unlawful for any person to park, or to allow to remain parked, on any of the following streets or parts of streets, any vehicle other than a passenger car (which shall not include any bus, motor home or passenger car attached to a trailer of any kind):

Street	Between
	Reserved

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§15-405. Parking Time Limited in Certain Locations Certain Days and Hours.

No person shall park a vehicle, or allow it to remain parked, for longer than the time indicated, in any of the following locations, at any time on the days and between the hours indicated:

Street	Side	Between	Days	Hours
		Reserved		

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§15-406. Special Purpose Parking Zones Established; Parking Otherwise Prohibited.

The following are established as special purpose parking zones, and it shall be unlawful for any person to park a vehicle or to allow it to remain parked, in any such zone, except as specifically provided for that zone:

Street	Side	Location	Authorized Purpose or Vehicle
		Reserved	

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§15-407. Penalties.

All fines and penalties will be in accordance with the provisions of the Pennsylvania Motor Vehicles Code.

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CHAPTER 16

PARKS AND RECREATION

(Reserved to accommodate future enactments)

CHAPTER 17

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PART 1

ON-LOT SEWAGE DISPOSAL SYSTEM PERMIT

§ 18-101. Short Title, Statutory Basis, Purpose. [Ord. 96-3, 9/17/1996, § I]

1. This Part shall be known as the "Washington Township On-lot Sewage Disposal System Permit Ordinance."
2. This Part is adopted pursuant to § 7(a)(1) of the Pennsylvania Sewage Facilities Act, as amended (35 Pa.C.S.A. § 750.7(a)(1)).
3. The purpose of this Part is to provide for the permitting of all on-lot sewage disposal systems within the Township in accordance with the standards and regulations of 25 Pa. Code, Chapter 72 and 73, including those systems otherwise eligible for an exemption from the permitting requirements of the Act, as authorized by § 7(a)(1) of the Act.

§ 18-102. Permit Requirement. [Ord. 96-3, 9/17/1996, § II]

1. From and after the effective date of this Part, all persons proposing to install an on-lot sewage disposal system on any lot within the Township, including those persons proposing to install such a system on a lot 10 acres or larger and who are otherwise qualified for a permit exemption in accordance with the provisions of § 7(a)(1) of the Act, shall apply to the Township for a permit for the installation of such system.
2. No person shall install or commence construction of any on-lot sewage disposal system for which a permit is required until such permit has been issued by a Sewage Enforcement Officer employed by or contracted by the Township.

§ 18-103. Enforcement. [Ord. 96-3, 9/17/1996, § III]

1. Any person violating any of the provisions of this Part shall be subject to the civil and criminal penalties authorized pursuant to §§ 13 and 13a of the Act, as amended 35 Pa.C.S.A. §§ 750.13, 750.13a.
2. In addition to the penalties for noncompliance set forth in subsection (1) above, it is further provided that all of the civil and equitable remedies set forth in §§ 12, 14 and 15 or the Act (35 Pa.C.S.A. §§ 750.12, 750.14 and 750.15), as amended, shall be applicable to violations of this Part.

PART 2
RETAINING TANKS¹

§ 18-201. Purposes. [Ord. 95-3, 9/19/1995, § 1; as amended by Ord. 2013-02, 7/16/2013]

The purpose of this Part is to establish procedures for the use and maintenance of existing and new retaining tanks designed to receive and retain sewage whether from residential or commercial uses and it is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Township.

§ 18-202. Definitions. [Ord. 95-3, 9/19/1995, § 2]

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Part shall be as follows:

AUTHORITY — Supervisors of Washington Township, Dauphin County, Pennsylvania.

IMPROVED PROPERTY — Any property within the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sewage shall or may be discharged.

MUNICIPALITY — Washington Township, Dauphin County, Pennsylvania.

OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

PERSON — Any individual, partnership, company, association, corporation or other group or entity.

PRIVY — A tank designed to receive sewage where water under pressure is not available. [Added by Ord. 2013-02, 7/16/2013]

RETAINING TANK — A watertight receptacle, whether permanent or temporary which receives and retains sewage conveyed by a water carrying system and is designed and constructed to facilitate the ultimate disposal of the sewage at another site. [Amended by Ord. 2013-02, 7/16/2013]

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

¹Editor's Note: Ordinance No. 2013-02, 7/16/2013, changed the name of this Part from "Holding Tanks" to "Retaining Tanks."

§ 18-203. Right and Privileges Granted. [Ord. 95-3, 9/19/1995, § 3; as amended by Ord. 2013-02, 7/16/2013]

That the Authority is hereby authorized and empowered to undertake within the Township the control and methods of retaining tank use, sewage disposal and sewage collection and transportation thereof.

§ 18-204. Rules and Regulations. [Ord. 95-3, 9/19/1995, § 4]

That the Authority is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.

§ 18-205. Rules and Regulations to Be in Conformity With Applicable Law. [Ord. 95-3, 9/19/1995, § 5]

All such rules and regulations adopted by the Authority shall be in conformity with the provisions herein, all other ordinances of the Township, and all applicable laws, and applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

§ 18-206. Rates and Charges. [Ord. 95-3, 9/19/1995, § 6]

The Authority shall have the right and power to fix, alter, charge and collect rates, assessments and other charges in the area served by its facilities at reasonable and uniform rates as authorized by applicable laws.

§ 18-207. Exclusiveness of Rights and Privileges. [Ord. 95-3, 9/19/1995, § 7; as amended by Ord. 2005-02, 10/4/2005; and by Ord. 2013-02, 7/16/2013]

1. The collection and transportation of all sewage from any improved property utilizing a retaining tank shall be done solely by or under the direction and control of the Authority and the disposal thereof shall be made only at such site or sites as may be approved by the Department of Environmental Protection of the Commonwealth of Pennsylvania.
2. The Authority will receive, review and retain pumping receipts from permitted retaining tanks.
3. The Authority will complete and retain annual inspection reports for each permitted tank.

§ 18-208. Duties of Improved Property Owner. [Ord. 95-3, 9/19/1995, § 8; as amended by Ord. 2013-02, 7/16/2013]

1. The owner of an improved property that utilizes a retaining tank shall:
 - A. Maintain the retaining tank in conformance with this or any ordinance of this Township, the provisions of any applicable law and

the rules and regulations of the Authority and any administrative agency of the Commonwealth of Pennsylvania.

- B. Permit only the Authority or its agent to inspect retaining tanks on an annual basis.
- C. Permit only the Authority or its agent to collect, transport and dispose of the contents therein.

§ 18-208.1. Privy. [Ord. 2013-02, 7/16/2013]

- 1. A privy or chemical toilet is designed to receive sewage where there is no water under pressure and no piped wastewater.
- 2. The municipality assumes responsibility for assuring the removal of a privy and the installation of an approved on-lot sewage disposal system when water under pressure or piped water is available to the lot or when the property owner installs water under pressure or piped water or plumbing to move wastewater from the structure to the privy vault or to an unpermitted disposal system on that lot.

§ 18-209. Violations. [Ord. 95-3, 9/19/1995, § 9; as amended by Ord. 2005-2, 10/4/2005]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

§ 18-210. Abatement of Nuisances. [Ord. 95-3, 9/19/1995, § 9]

In addition to any other remedies provided in this Part, any violation of § 18-208 above shall constitute a nuisance and shall be abated by the Township or the Authority by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

PART 3

CONNECTION TO PUBLIC SEWAGE SYSTEM

A. Definitions.

§ 18-301. Definitions. [Ord. 97-8, 5/21/1997, § 101]

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

AUTHORITY — The Washington Township Authority.

BUILDING DRAIN — Part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the buildings and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING SEWER — Piping carrying liquid wastes from a building to the treatment or holding tank or to the public sewer main.

CHEMICAL TOILET — Toilet using chemicals that discharge into a holding tank.

COMBINED SEWER — A sewer receiving both surface runoff and sewage.

COMMUNITY SEWAGE SYSTEM — Any system, whether publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of such sewage or industrial wastes serving three or more individual lots.

DEPARTMENT — Department of Environmental Protection of the Commonwealth of Pennsylvania.

ENFORCEMENT OFFICER — A person or agency appointed to perform inspections and issue permits in connection with individual sewage systems and community sewage systems.

HOLDING TANK CLEANER — Municipal authority or person, including a holding tank owner, who removes the contents of a holding tank for purposes of disposing of the sewage at another site.

HOLDING TANKS — Watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site. Holding tanks include, but are not limited to, the following:

LOT — A part of a subdivision or a parcel of land used as a building site or intended to be used for building purposes, whether immediate or future, which would not be further subdivided.

OWNERS — Any natural person, partnership, association, corporation, public body, municipality, state government, school district, federal government and any other entity, either public or private, that owns real property.

PERSON — Any natural person, partnership, association, corporation, public body, municipality, state government, school district, federal government and any other entity, either public or private. Whenever used in any clause prescribing and imposing a penalty, or imposing a fine or imprisonment or both, the term "person" shall include the members of an association and the officers of a corporation.

PRIVY — Holding tank designed to receive sewage where water under pressure is not available.

PUBLIC SEWAGE SYSTEM — Sewer system and the treatment facility owned, operated or maintained by the Authority approved by the Department under a permit issued pursuant to the Clean Streams Law, Act of June 22, 1937, P.L. 1987, No. 394, 35 P.S. § 691.1 et seq. (1982) as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

RETENTION TANK — Holding tank to which sewage is conveyed by a water-carrying system.

SEWAGE — Any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals, and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

SEWAGE TREATMENT PLANT — Any arrangement of devices and structures used for treating sewage.

STORM SEWER — Sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes.

SUBDIVISION — Division of a single tract or other parcel of land or a part thereof, into two or more lots and including changes in street lines or lot lines.

2. In this Part the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and neuter.

§ 18-302. Penalties. [Ord. 97-8, 5/21/1997, § 102; as amended by Ord. 2005-02, 10/4/2005]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

B. Required Connections to Public Sewage System.

§ 18-311. Requirement to Connect to Public Sewer. [Ord. 97-8, 5/21/1997, § 201]

All property owners whose property is adjoining to or whose principal building is within 150 feet of any public sewer line shall be required to connect thereto.

§ 18-312. Washington Township or the Authority May Make Connections and Collect Costs. [Ord. 97-8, 5/21/1997, § 202]

If the owner of any property, after 90 days' notice from the Authority to make connection of such property with the public sewage system shall fail to make such connection, Washington Township or the Authority may make the connection and collect the costs thereof in the manner provided by law.

§ 18-313. Owners Required to Connect Upon Expansion of System. [Ord. 97-8, 5/21/1997, § 203]

From time to time in the future, as public sewage services become available to additional properties within Washington Township by reason of additions to the public sewage system or improvements on abutting properties, each and every owner of such property shall be required to make the necessary connection to the abutting or adjoining sewer lines and any septic tanks, cesspools, holding tanks and similar devices connected to an individual sewage system shall be abandoned and filled with new material.

§ 18-314. Access to Premises by Agents. [Ord. 97-8, 5/21/1997, § 204]

The Authority or the authorized agent of the Authority shall have access at all reasonable hours of the day to all parts of the premises to which sewage service is supplied to make necessary inspections.

C. Connection Permits and Specifications.

§ 18-321. Permit Required to Open or Disturb Sewer. [Ord. 97-8, 5/21/1997, § 301]

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any part of the public sewage system or appurtenance thereto without first obtaining a permit from the Authority.

§ 18-322. Sewer Permit Fees. [Ord. 97-8, 5/21/1997, § 302]

Before making a connection with the sewer system, each property owner shall make a written application thereof in the manner prescribed by the Authority and pay a permit fee established pursuant to a resolution of the Authority.

§ 18-323. Owner Responsible for Connection Costs. [Ord. 97-8, 5/21/1997, § 303]

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Authority from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

§ 18-324. Separate Connections Required; Exception. [Ord. 97-8, 5/21/1997, § 304]

A separate and independent building sewer shall be provided for every building. Exceptions to this provision shall be made where one building stands to the rear of another on an interior lot and no sewer line is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, in which case the building sewer from the front building may be extended to the rear building only on approval by the Authority. Such connection of the two buildings to the sewer lines shall be considered as two building sewers.

§ 18-325. Status of Old Building Sewers. [Ord. 97-8, 5/21/1997, § 305]

Old building sewers may be used in connection with a building only when such connection is approved by the Authority and they meet the requirements of this Part or rules and regulations adopted pursuant hereto.

§ 18-326. Material and Specifications for Sewer Pipes and Joints. [Ord. 97-8, 5/21/1997, § 306]

The building sewer shall be cast iron soil pipe, ASTM specifications or equal, vitrified clay sewer pipe, ASTM specifications or equal or other suitable material approved by the Authority. Joints shall be tight and waterproof. Any part of the building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipe with leaded joints may be required by the Authority where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be cast iron soil pipe, except that nonmetallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Authority.

§ 18-327. Size and Slope of Building Sewer. [Ord. 97-8, 5/21/1997, § 307]

The size and slope of the building sewer shall be subject to the approval of the Authority but in no event shall the diameter be less than six inches. The slope of such six inches pipe shall be not less than 1/8 inch per foot.

§ 18-328. Elevation, Grade and Depth of Building Sewer. [Ord. 97-8, 5/21/1997, § 308]

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

§ 18-329. Discharge by Artificial Means When Gravity Flow Insufficient. [Ord. 97-8, 5/21/1997, § 309]

In a building in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

§ 18-330. Excavations for Building Sewer. [Ord. 97-8, 5/21/1997, § 310]

All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Authority. Pipe laying and backfill shall be performed in accordance with ASTM specifications, except that no backfill shall be placed until the work has been inspected and approved.

§ 18-331. Joints and Connections. [Ord. 97-8, 5/21/1997, § 311]

1. All joints and connections shall be made gastight and watertight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, according to federal specifications, no less than one inch deep. Lead shall be run in one pouring and caulked tight. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.
2. All joints in vitrified clay pipe or between such pipe and metal shall be made with approved hot-poured jointing material or cement mortar.
3. Other jointing materials and methods may be used only after approval from the Authority.

§ 18-332. Connection of Building Sewer to Public Sewage System. [Ord. 97-8, 5/21/1997, § 312]

The connection of the building sewer to the public sewerage system shall be made at the "Y" branch if such branch is available at a suitable location. If the public

sewer line is 12 inches in diameter or less, and no properly located "Y" branch is available, the owner shall, at his expense, install a "Y" branch in the public sewer at the location specified by the Authority. Where the public sewer is greater than 12 inches in diameter, and no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45°. A 45° ell may be used to make such connection, with the spigot and cut so as not to exceed past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Authority.

§ 18-333. Notification Prior to Connection. [Ord. 97-8, 5/21/1997, § 313]

The permit holder shall notify the Authority when the building sewer is ready for inspection and connection with the public sewer and the connection shall be made under his supervision.

§ 18-334. Safety and Warning Facilities. [Ord. 97-8, 5/21/1997, § 314]

All excavations for building sewer installation and connection shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Authority.

D. Sewer Rental Charges.

§ 18-341. Imposition of Sewer Rental Charges. [Ord. 97-8, 5/21/1997, § 401]

All owners of property connected or connecting with the sewer lines and the public sewage system and all of the owners of property who may hereafter connect with and use the same shall pay annual sewer rentals or charges in quarterly installments with said rentals and charges that are established and amended from time to time by a resolution of the Washington Township Board of Supervisors.

§ 18-342. Payment of Charges; Penalty for Late Payment. [Ord. 97-8, 5/21/1997, § 402]

Sewer rentals or charges shall be paid quarterly in accordance with billings for sewage services, except that during the first quarter that a residential, commercial or industrial user begins to discharge sewage into the public sewage system, said charge shall be based on a per diem amount prorated from the time such sewer connection is made until the next following quarterly billing period. All charges for sewage service shall be subject to a 10% penalty if not paid within 30 days after they are due. If not paid within 60 days after due, the net bill plus penalty shall bear interest at the rate of 1/2% per month or fraction thereof until paid.

§ 18-343. Unpaid Charges Constitute Lien. [Ord. 97-8, 5/21/1997, § 403]

Annual sewer rental charges shall be a lien on the properties charged with payment thereof, from the effective date of this Part, and if not paid after 30 days' notice, may be collected in any manner provided by law.

§ 18-344. Washington Township May Make Special Agreement or Arrangements With Industrial Concerns. [Ord. 97-8, 5/21/1997, § 404]

No statement contained in this Part shall be construed as to prevent any special agreement or arrangement between Washington Township and any industrial concern whereby an industrial waste of any strength or character may be accepted by Washington Township for treatment subject to payment therefor by the industrial concern.

PART 4

ON-LOT SUBSURFACE SEWAGE DISPOSAL FACILITIES

§ 18-401. Short Title; Introduction; Purpose. [Ord. 2008-03, 7/15/2008]

1. This Part 4 shall be known and may be cited as "An Ordinance Providing for a Sewage Management Program for Washington Township."
2. In accordance with municipal codes, the Clean Streams Law (Act of June 27, 1937, P.L. 1987, as amended, 35 P.S. §§ 691.1 to 691.1001) and the Pennsylvania Sewage Facilities Act (Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.1 et seq., known as "Act 537"), it is the power and duty of Washington Township to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The Official Sewage Facilities Plan for Washington Township indicates that it is necessary to formulate and implement a sewage management program to effectively prevent and abate water pollution and hazards to the public health caused by improper treatment and disposal of sewage.
3. The purpose of this Part is to provide for the regulation, inspection, maintenance and rehabilitation of on-lot sewage disposal systems; to further permit intervention in situations which may constitute a public nuisance or hazard to the public health; and to establish penalties and appeal procedures necessary for the proper administration of a sewage management program.

§ 18-402. Definitions. [Ord. 2008-03, 7/15/2008]

1. As used in this Part 4, the following terms shall have the meanings indicated:

AUTHORIZED AGENT — A sewage enforcement officer, employee of the Township, professional engineer, plumbing inspector, or any other qualified or licensed person who is authorized to function within specified limits as an agent of Washington Township to administer or enforce the provisions of this Part.

BOARD — The Board of Supervisors, Washington Township, Dauphin County, Pennsylvania.

COMMUNITY SEWAGE SYSTEM — Any system, whether publicly or privately owned, for the collection of sewage from two or more lots and the treatment and/or disposal of the sewage on one or more lots or at any other site.

DEPARTMENT — The Department of Environmental Protection of the Commonwealth of Pennsylvania (DEP).

INDIVIDUAL SEWAGE SYSTEM — A system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of this commonwealth.

MALFUNCTION — A condition which occurs when an on-lot sewage disposal system discharges sewage onto the surface of the ground, into groundwaters of this commonwealth, or into surface waters of this commonwealth, backs up into a building connected to the system or in any manner causes a nuisance or hazard to the public health or pollution of ground- or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any condition noted above occurs for any length of time during any period of the year.

OFFICIAL SEWAGE FACILITIES PLAN — A comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Board and approved by the Pennsylvania Department of Environmental Protection, pursuant to the Pennsylvania Sewage Facilities Act.

ON-LOT SEWAGE DISPOSAL SYSTEM — Any system for disposal of domestic sewage involving pretreatment and subsequent disposal of the clarified sewage into a subsurface soil-absorption area or retaining tank; this term includes both individual sewage systems and community sewage systems.

PERSON — Any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "person" shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

REHABILITATION — Work done to modify, alter, repair, enlarge or replace an existing on-lot sewage disposal system.

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394) known as "The Clean Streams Law," as amended.

SEWAGE ENFORCEMENT OFFICER (SEO) — A person certified by the DEP who is employed by the Township. Such person is authorized to conduct

investigations and inspections, review permit applications, issue or deny permits and do all other activities as may be provided for such person in the Sewage Facilities Act, the rules and regulations promulgated thereunder and this Part or any other ordinance adopted by the Township.

SEWAGE MANAGEMENT DISTRICT — Any area or areas of the Township designated in the Official Sewage Facilities Plan adopted by the Board as an area for which a sewage management program is to be implemented.

SEWAGE MANAGEMENT PROGRAM — A comprehensive set of legal and administrative requirements encompassing the requirements of this Part, the Sewage Facilities Act, the Clean Streams Law, the regulations promulgated thereunder and such other requirements adopted by the Board to effectively enforce and administer this Part.

SUBDIVISION — The division or redivision of a lot, tract or other parcel of land into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

TOWNSHIP — The Township of Washington, Dauphin County, Pennsylvania.

2. For the purposes of this Part, any term which is not defined herein shall have that meaning attributed to it under the Sewage Facilities Act and regulations promulgated thereto.

§ 18-403. Applicability. [Ord. 2008-03, 7/15/2008]

From the effective date of this Part, its provisions shall apply in any portion of the Township identified in the Official Sewage Facilities Plan as a sewage management district; within such area or areas, the provisions of this Part shall apply to all persons owning any property serviced by an on-lot sewage disposal system and to all persons installing or rehabilitating on-lot sewage disposal systems.

§ 18-404. Permit Requirements. [Ord. 2008-03, 7/15/2008]

1. No person shall install, construct or request bid proposals for construction, or alter an individual sewage system or community sewage system or construct or request bid proposals for construction, or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the sewage enforcement officer, which permit shall indicate that the site and the plans and specifications of such system are in compliance with the provisions of the Clean Streams Law (35 P.S. §§ 691.1 to 691.1001) and the Pennsylvania Sewage Facilities Act (35 P.S. § 750.1 et seq.) and the regulations adopted pursuant to those acts.

2. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by a sewage enforcement officer. If 72 hours have elapsed, excepting Sundays and holidays, since the sewage enforcement officer issuing the permit received notification of completion of construction, the applicant may cover said system or structure, unless permission has been specifically refused by the sewage enforcement officer.
3. Applicants for sewage permits may be required to notify the sewage enforcement officer of the schedule for construction of the permitted on-lot sewage disposal system so that inspection(s) in addition to the final inspection by the Sewage Facilities Act may be scheduled and performed by sewage enforcement officer.
4. No building or occupancy permit shall be issued for a new building which will contain sewage-generating facilities until a valid sewage permit has been obtained from a sewage enforcement officer.
5. No building or occupancy permit shall be issued and no work shall begin on any alteration or conversion of any existing structure, if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure, until either the structure's owner receives a permit for alteration or replacement of the existing sewage disposal system or until the structure's owner and the appropriate officials of the Township receive written notification from a sewage enforcement officer that such a permit will not be required. The sewage enforcement officer shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows.
6. Sewage permits may be issued only by a sewage enforcement officer employed by the Township. The DEP shall be notified as to the identity of each sewage enforcement officer employed by Township.

§ 18-405. Inspections. [Ord. 2008-03, 7/15/2008]

1. An authorized agent shall inspect systems known to be, or alleged to be, malfunctioning. Should said inspections reveal that the system is indeed malfunctioning, the authorized agent shall order action to be taken to correct the malfunction. If total correction cannot be done in accordance with the regulations of the DEP, including but not limited to those outlined in Chapter 73 of Title 25 of the Pennsylvania Code, or is not technically or financially feasible in the opinion of the authorized agent and a representative of the DEP, then action by the property owner to mitigate the malfunction shall be required.
2. If there arises a geographic area where numerous on-lot sewage disposal systems are malfunctioning, a resolution of these area-wide problems may necessitate detailed planning and a revision to the portion of the Sewage Facilities Plan pertaining to areas affected by such malfunctions. If a DEP-

authorized Official Sewage Facilities Plan revision has been undertaken, repair or replacement of individual malfunctioning sewage disposal systems within the area affected by the revision may be delayed, pending the outcome of the plan revision process. However, immediate corrective action will be compelled whenever a malfunction, as determined by Township officials and/or the DEP, represents a serious public health or environmental threat.

§ 18-406. Operation. [Ord. 2008-03, 7/15/2008]

1. Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system:
 - A. Industrial waste.
 - B. Automobile oil and other nondomestic oil.
 - C. Toxic or hazardous substances or chemicals, including but not limited to pesticides, disinfectants (excluding household cleaners), acids, paints, paint thinners, herbicides, gasoline and other solvents.
 - D. Clean surface or groundwater, including water from roof or cellar drains, springs, basement sump pumps and french drains.

§ 18-407. Maintenance. [Ord. 2008-03, 7/15/2008; as amended by Ord. 2011-04, 10/18/2011]

1. Each person owning a building served by an on-lot sewage disposal system shall have his/her on-lot sewage disposal system pumped by a qualified pumper/hauler at least once every five years in the pumping period as prescribed by the Township. That person shall have his/her on-lot sewage disposal system pumped within a year of notification from the Township and submit a receipt from the pumper/hauler within the prescribed five-year pumping period. If any person can prove that such person's on-lot sewage disposal system had been pumped within five years of the six-month anniversary of the effective date of this Part, then that person's initial required pumping may be delayed to conform to the general five-year frequency requirement, except where a qualified pumper/hauler reveals a need for more-frequent pumping frequencies.
2. The required pumping frequency may be increased at the discretion of an authorized agent if the on-lot sewage disposal system is undersized, if solids buildup in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions, or for other good cause shown.
3. Any person owning a property served by an on-lot sewage disposal system shall submit, with each required pumping receipt, a written statement, from the pumper/hauler or from any other qualified individual acceptable to the

Township, that the baffles in the on-lot sewage disposal system have been inspected and found to be in good working order. Any person whose on-lot sewage disposal system baffles are determined to require repair or replacement shall first contact a sewage enforcement officer for approval of the necessary repair.

4. Any person owning a building served by an on-lot sewage disposal system which contains an aerobic treatment tank shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the Township within six months of the effective date of this Part. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.
5. Additional maintenance activity may be required as needed, including but not necessarily limited to cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of obstructing roots or trees, the diversion of surface water away from the disposal area, etc.
6. Any qualified pumper/hauler providing service or receiving payment for service to an on-lot sewage disposal system in the Township shall provide, as part of that service, a written statement to the Township consistent with § 18-407, Subsection 3, above and shall submit a written receipt for such service. Failure or refusal to provide a written statement or receipt as required by this Part to either a property owner paying for service in the Township or to the Township at its request, by a pumper/hauler or other qualified individual, in a form acceptable to Township, shall be a violation of this Part, punishable as set forth in § 18-412 hereof.

§ 18-408. System Rehabilitation. [Ord. 2008-03, 7/15/2008]

1. No person shall operate or maintain an on-lot sewage disposal system in such a manner that it malfunctions. All liquid wastes, including kitchen and laundry wastes and water softener backwash, shall be discharged to a treatment tank. No sewage system shall discharge untreated or partially treated sewage to the surface of the ground or into the waters of the commonwealth unless a permit for such discharge has been obtained from the DEP.
2. A written notice of violation shall be issued to any person who is the owner of any property which is found to be served by a malfunctioning on-lot sewage disposal system or which is discharging sewage without a permit.
3. Within seven days of notification by the Township that a malfunction has been identified, the property owner shall make application to the sewage enforcement officer for a permit to repair or replace the malfunctioning

system. Within 30 days of initial notification by the Township, construction of the permitted repair or replacement shall commence. Within 60 days of the original notification by the Township, the construction shall be completed unless seasonal or unique conditions mandate a longer period, in which case the Township shall set an extended completion date.

4. A sewage enforcement officer shall have the authority to require the repair of any malfunction by the following methods: cleaning, repair or replacement of components of the existing system, adding capacity or otherwise altering or replacing the system's treatment tank, expanding the existing disposal areas, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, replacing the system with a holding tank, or any other alternative appropriate for the specific site.
5. In lieu of, or in combination with, the remedies described in Subsection 4 above, a sewage enforcement officer may require the installation of water conservation equipment and the institution of water conservation practices in structures served. Water-using devices and appliances in the structure may be required to be retrofitted with water-saving appurtenances, or they may be required to be replaced by water-conserving devices.
6. In the event that the rehabilitation measures in Subsections 1 through five are not feasible or effective, the owner may be required to apply for a permit to install an individual spray irrigation treatment system or to the DEP for a single-residence treatment and discharge system. Upon receipt of said permit, the owner shall complete construction of the system within 30 days.
7. Should none of the remedies described in this section be totally effective in eliminating the malfunction of an existing on-lot sewage disposal system, the property owner is not absolved of responsibility for that malfunction. The Township may require whatever action is necessary to lessen or mitigate the malfunction to the extent necessary.

§ 18-409. Septage Disposal. [Ord. 2008-03, 7/15/2008]

1. All septage originating with the sewage management district shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980, 35 P.S. § 6018.101 et seq.) and all other applicable laws and at sites or facilities approved by the DEP. Approved sites or facilities shall include the following: septage treatment facilities, wastewater treatment plants, composting sites, and approved farmlands.
2. Pumper/haulers of septage operating within the sewage management district shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101 to 6018.1003) and all other applicable laws.

§ 18-410. Administration. [Ord. 2008-03, 7/15/2008]

1. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this Part.
2. The Township shall employ qualified individuals to carry out the provisions of this Part. Those employees shall include a sewage enforcement officer and may include an administrator and such other persons as may be necessary. The Township may also contract with private qualified persons or firms as necessary to carry out the provisions of this Part.
3. All permits, records, reports, files and other written materials relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the sewage management district shall become the property of, and be maintained by, the Township. Existing and future records shall be available for public inspection during regular business hours at the official office of the Township. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the sewage management program shall be made available, upon request, for inspection by representatives of the DEP.
4. The Township shall establish all administrative procedures necessary to properly carry out the provisions of this Part.
5. The Township may establish a fee schedule and authorize the collection of fees to cover the cost to Township of administering this program.

§ 18-411. Appeals. [Ord. 2008-03, 7/15/2008]

1. Appeals from final decisions of the Township or any of its authorized agents under this Part shall be made to the Board of Supervisors in writing within 30 days from the date of written notification of the decision in question.
2. The appellant shall be entitled to a hearing before the Board of Supervisors at its next regularly scheduled meeting if a written appeal is received at least 14 days prior to that meeting. If the appeal is received within 14 days of the next regularly scheduled meeting, the appeal shall be heard at the next regularly scheduled meeting. The municipality shall thereafter affirm, modify, or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Township. Additional evidence may be introduced at the hearing, provided that it is submitted with the written notice of appeal.
3. A decision shall be rendered in writing within 30 days of the date of the hearing.

§ 18-412. Penalties. [Ord. 2008-03, 7/15/2008]

Any person failing to comply with any provision of this Part shall be subject to a fine of not less than \$500 and costs, and not more than \$5,000 and costs, or in default thereof shall be confined in the county jail for a period of not more than 90 days. Each day of noncompliance shall constitute a separate offense.

§ 18-413. Repealer. [Ord. 2008-03, 7/15/2008]

All ordinances or parts of ordinances inconsistent with the provisions of this Part are hereby repealed to the extent of such inconsistency.

§ 18-414. Severability. [Ord. 2008-03, 7/15/2008]

If any section or clause of this Part shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

§ 18-415. Effective Date. [Ord. 2008-03, 7/15/2008]

This Part shall become effective five days after its adoption.

CHAPTER 19
SIGNS AND BILLBOARDS

(Reserved to accommodate future enactments.)

CHAPTER 20

SOLID WASTE

(Reserved to accommodate future enactments)

CHAPTER 21
STREETS AND SIDEWALKS

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PART 2

ROAD OCCUPANCY PERMIT

- §21-201. Permit Required**
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PART 1

STREET EXCAVATIONS

§21-101. Definitions.

The following words, when used in this Part, shall have the meanings ascribed to them in this Section except in those instances where the context clearly indicates otherwise:

EXCAVATION or EXCAVATIONS — the digging of any trench or excavating through or under the roadway or sidewalk or the cutting into or opening and removal of any of the pavement surfaces of any street, thoroughfare or alley within the Township limits.

PERSON — any natural person, partnership, firm, association or corporation.

STREET — any public street, avenue, road, square, alley, highway or other public place located in the Township of Washington and established for the use of vehicles.

(Ord. 87-102, 10/20/1987, §I)

§21-102. Permit Required.

It shall be unlawful for any person to make or cause to be made any excavation of any nature whatsoever in any street, thoroughfare or alley within the Township limits without first securing a permit granting authority as hereinafter provided.

(Ord. 87-102, 10/20/1987, §II)

§21-103. Application for Permit.

Any person who shall desire to make any opening or excavation in any of the streets in the Township of Washington shall make application to the Township in writing for that purpose. Such application shall be made upon blanks to be furnished by the Township and shall set forth the name of the applicant, the exact location of the proposed opening or excavation and the approximate size and depth thereof and shall also have accompanying therewith a sketch showing the location of said excavation and pertinent details and specifications of the excavation. Said application shall contain an agreement on the part of the applicant that the work shall be done in full compliance with the ordinances of the Township and the laws of the Commonwealth in relation thereto, and that the applicant shall well and truly save, defend and keep harmless the Township from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to person or property resulting in any manner therefrom, or occurring in the prosecution of the work

STREETS AND SIDEWALKS

connected therewith or from any other matter, cause or thing relating thereto. The applicant shall also agree to pay the entire cost of the excavation and the replacement and upon its failure to do so the Township shall have the right to finish the work and recover the costs of excavation or the replacement plus 20% administrative fees in action of assumpsit or the filing of a municipal lien.

(Ord. 87-102, 10/20/1987, §III)

§21-104. Restoring Street Surface.

Any person who shall open or excavate any improved street in the Township shall thoroughly and completely refill the opening or excavation, puddling and ramming so as to prevent any settling thereafter, and shall restore the surface to the same condition as it was before the opening or excavation and such restoration shall be in accordance with the then current specifications of the Department of Transportation of the Commonwealth of Pennsylvania which are hereby adopted as specifications of the Township for restoration of surfaces of streets in the Township as restored. The surface shall conform to the proper grade and be of the same surface covering as the part of the thoroughfare immediately adjoining the opening. If within two years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Township for the cost of all necessary repairs to the permanent paving.

(Ord. 87-102, 10/20/1987, §IV)

§21-105. Requirements.

1. No opening or excavation in any street shall extend from the curb line into the highway a distance greater than one foot beyond the center line of the street before being refilled and the surface of the highway restored to a condition safe and convenient for travel.
2. No more than 500 feet longitudinally shall be opened in any street at any one time.
3. The work of excavation shall be so conducted as not to interfere with the water mains, sewers or their connections with the houses or any other subsurface lines or constructions until permission of the proper authorities in connection with such subsurface lines or constructions shall have been obtained.
4. No tunneling shall be allowed without the express approval of the Township and permission therefor endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the Township's Engineer or an inspector designated by him and shall be done only in a method approved by him.

5. All opening or excavations shall be backfilled promptly with suitable materials and thoroughly compacted in layers, each of which shall not exceed six inches in depth. On improved streets, the backfilling shall be placed to within 10 inches of the surface.
6. On improved streets, a temporary paving of suitable stony materials, thoroughly bound and compacted, shall be installed flush with the surface of the adjoining paving.
7. During the making of any excavation in any street, every necessary and reasonable precaution shall be taken by the applicant and the parties making the same to keep the street in a safe and passable condition both day and night by guards, barriers, lanterns and other devices and all excavating permits are granted under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the Township from any loss of damages, or otherwise whatsoever, which may or shall be occasioned at any time by the said excavation or by any leak, explosion or other injury from any pipe, apparatus, conduit or any other matter placed in the said excavation.
8. The applicant shall notify the Township when the opening or excavation is ready for backfilling before any backfilling is done and when the work is completed by proper backfilling in the case of unimproved streets and temporary paving in the case of improved streets.
9. In the event that any work performed by or for a permit holder shall, in the opinion of the Township's Engineer, be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him, or in the event that the work for which the permit was granted is not completed within the time fixed by the Township Engineer, the Township may proceed to correct such unsatisfactory work or complete any such work not completed, and charge the cost thereof, plus 20% to the applicant.

(Ord. 87-102, 10/20/1987, §V)

§21-106. Emergency Exceptions.

In the case of any leak, explosion or other accident in any subsurface pipe, line, construction or apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus, to commence an excavation to remedy such condition before securing a permit, provided that application for a permit shall be made immediately and not later than the next business day thereafter and that all other provisions of this Part are fully complied with. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, construction or apparatus, the Township after such notice as it shall deem necessary under the circumstances of the particular case, shall proceed to do the work necessary and required by such emergency and charge the same on the basis of cost plus 20% to such owner or person.

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(Ord. 87-102, 10/20/1987, §VI)

§21-107. Water or Gas Main Approval.

No new water or gas main shall hereafter be laid or constructed and no existing water or gas main shall be extended in any of the streets of the Township until the exact location thereto and the plan therefor shall have been first approved by the Township Supervisors.

(Ord. 87-102, 10/20/1987, §VII)

§21-108. Liability to Township.

Payments for all work done by the Township under the provisions hereof shall be made by the person made liable therefor under the provisions hereof within 30 days after a bill therefor is sent to such person by the Township. Upon failure to pay such charges within such time, the same shall be collectible by the Township in the manner provided by law for the collection of municipal claims.

(Ord. 87-102, 10/20/1987, §VIII)

§21-109. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 87-102, 10/20/1987, §IX; as amended by A.O.

§21-110. Exemptions.

The provisions of this Part shall not apply to laying sidewalks or curbs or to the planting of poles.

(Ord. 87-102, 10/20/1987, §X)

§21-111. Permit Fee.

Before any permit shall be issued to open or excavate any street in the Township the applicant shall pay to the Township a permit fee which shall be in an amount as established by resolution, from time to time, by the Board of Supervisors, to cover the cost of inspection and other incidental services in connection therewith. When application shall be made to open or excavate any longitudinal opening or excavation in excess of 10 feet, before any permit shall be issued so to open or excavate, the applicant shall pay, in addition to such minimum fee, an additional fee at the rate in an amount as established by resolution, from time to time, by the Board of Supervisors for each 100 feet or fraction thereof to be opened or excavated upon such street.

(Ord. 87-102, 10/20/1987, §XII; as amended by A.O.

PART 2

ROAD OCCUPANCY PERMIT

§21-201. Permit Required.

After the effective date of this Part, no person, partnership, corporation or other business entity shall construct any driveway, road or street provided the same adjoins, abuts or in any other way is connected with a Township road without first obtaining a road occupancy permit from the Township of the said Board of Supervisors

(Ord. 76-9, 6/14/1976, §1)

§21-202. Permit Fee.

The cost for such road occupancy permit shall be in an amount established by resolution, from time to time, by the Board of Supervisors with said sum to be paid to the Township of said Board of Supervisors on making application for such road occupancy permit.

(Ord. 76-9, 6/14/1976, §2; as amended by A.O.

§21-203. Permit Expiration.

The road occupancy permit, when issued, shall remain in effect for one year from the date of issuance, at which time it shall expire. If the construction is not commenced within said one year period, then a new permit shall be obtained, with the applicant to pay the same fee in the same manner as provided for herein.

(Ord. 76-9, 6/14/1976, §3)

§21-204. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 76-9, 6/14/1976, §4; as amended by A.O.

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PART 1

GENERAL PROVISIONS

§ 22-101. Short Title. [Ord. 91-12, 10/15/1991, § 1.01]

This chapter shall be known and may be cited as the "Washington Township Subdivision and Land Development Ordinance."

§ 22-102. Purpose and Legislative Intent. [Ord. 91-12, 10/15/1991, § 1.02]

1. The purpose of this chapter is to provide for harmonious development of Washington Township by:
 - A. Assisting in the orderly and efficient integration of subdivisions within the Township.
 - B. Directing subdivision and land development to appropriate locations in consideration of the availability of existing or planned public improvements and the suitability of the site for buildings and human habitation.
 - C. Securing the preservation, protection and conservation of sensitive environmental resources, high quality water resources and drainage-ways.
 - D. Facilitating the safe and efficient movement of traffic by providing the improvements necessary for new land development.
 - E. Securing equitable handling of all subdivision plans by providing uniform standards and procedures.
 - F. Ensuring conformance of subdivision and land development plans with municipal and intermunicipal public improvement plans and programs.
 - G. Providing for the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
 - H. Promoting the greater health, safety and welfare of the citizens of the Township.

§ 22-103. Adoption Authority. [Ord. 91-12, 10/15/1991, § 1.03]

The Board of Supervisors of the Township of Washington, pursuant to the Pennsylvania Municipalities Planning Code, Act 1968-247 as reenacted and amended by Act 1988-170, hereby enacts and ordains this chapter as the "Washington Township Subdivision and Land Development Ordinance." This chapter shall apply to all subdivision and land development activities as defined in § 22-106 of this chapter.

§ 22-104. Abrogation and Greater Restrictions. [Ord. 91-12, 10/15/1991, § 1.04]

This chapter supersedes any provisions currently in effect with respect to subdivision and land development. However, all other ordinances and regulations shall remain in full force and effect to the extent that those provisions are more restrictive.

§ 22-105. Municipal Liability. [Ord. 91-12, 10/15/1991, § 1.05]

The degree of subdivision and land development management sought by the provisions of this chapter is considered reasonable for regulatory purposes. The approval of plans or the issuance of permits by the Township of Washington, its officers or employees shall not be deemed to relieve the developer of responsibility, if any such responsibility exists, to those adversely affected by the development or subdivision of land. Further, Washington Township, through the issuance of a permit or the approval of a plan, assumes no responsibility to either a developer or the adjoining property owner affected by the subdivision or development of land.

§ 22-106. Right-of-Entry. [Ord. 91-12, 10/15/1991, § 1.08]

1. Upon presentation of proper credentials, duly authorized representatives of the Township of Washington may enter at reasonable times upon property within the municipality to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this chapter. The landowner shall grant the Township, or its agents, access to the site of the work at all times, while under construction, for the purposes of inspecting the work.
2. In the event of a situation requiring immediate action which threatens the health or safety of the residents of Washington Township, the right-of-entry shall include the right to make improvements to avert a potential health or safety hazard. Upon completion of the remedial activity, the Township or its authorized agent shall return to its former condition as soon as possible provided no further maintenance is required.
3. The Township or its authorized agents shall provide a written notice, 72 hours in advance, by certified mail to the property owner prior to entry onto the property for inspections. Upon arrival, the Township agent shall present identification and request that the owner, manager, lessee or occupant legally in control of the property sign a release granting the inspection. The inspection shall be completed in a courteous and timely manner and the signatory of the release shall be given a copy of the inspection report.
4. In the event that a release to inspect the property is denied, the following steps shall be taken:
 - A. The matter will be officially referred to the Board of Supervisors for action.

- B. The Board may schedule a review at the next scheduled meeting of the Board of Supervisors or, if the situation threatens the health or safety of the residents of Washington Township, the Board may commence a procedure to obtain a search warrant from the district justice.
 - C. Upon receipt of a search warrant to inspect the property, the authorized agent of the Township shall be accompanied by an officer of the county or state police, and the inspection shall be completed in a courteous and timely manner and the owner, manager, lessee or occupant legally in control of the property shall be give a copy of the inspection report.
 - D. The provisions of this section for obtaining a search warrant may be waived only when the Township Board of Supervisors and its authorized agents have good cause that the situation poses an immediate and substantial safety, water pollution or health hazard.
5. The Township may require the correction or alteration of a use or structure in the event that the inspection reveals a code deficiency or violation. The agent of the Township shall provide a written notification requiring specific remedial action to be completed within a reasonable period of time as is deemed necessary according to the severity of the deficiency or violation.

§ 22-107. County Review. [Ord. 91-12, 10/15/1991, § 1.09]

Applications of review of subdivision and land development within Washington Township shall be forwarded by the applicant to the County Planning Commission for review and report, together with a fee established by the Dauphin County Planning Commission sufficient to cover the review and report, which fee shall be paid by the applicant. The Township will not approve such application until the County report is received or until the expiration of 30 days from date of the application was received by the County.

§ 22-108. Application of Regulations. [Ord. 91-12, 10/15/1991, § 1.10]

1. No subdivision or land development of any lot, tract or parcel of land in Washington Township shall be affected; no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel or for the common use of occupants of buildings thereon unless and until a final development or subdivision plat has been approved by the Board of Supervisors and publicly recorded in the manner prescribed herein; nor otherwise except in strict accordance with the provisions of this chapter.
2. No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued and no building may be erected or altered in a subdivision or land development unless and until a final subdivision plat has been approved by the Board of

Supervisors and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the manner prescribed herein.

3. The provisions of this chapter shall not apply to uses of land or property which are excluded from the definition of land development.

§ 22-109. Water Supply. [Ord. 91-12, 10/15/1991, as added by Ord. 2005-02, 10/4/2005]

Every ordinance adopted pursuant to this chapter shall include a provision that, if water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board of Supervisors or Planning Commission, as the case may be, that the subdivision or development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility.

A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

PART 2
DEFINITIONS**§ 22-201. General Terms. [Ord. 91-12, 10/15/1991, § 2.01]**

1. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meaning indicated:
 - A. Words in the singular include the plural and those in the plural include the singular.
 - B. Words used in the present tense include the future tense.
 - C. The words "person," "subdivider," "developer" and "owner" include a corporation, unincorporated association and a partnership or other legal entity, as well as an individual engaged in the subdivision of land and/or land development.
 - D. The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof."
 - E. The word "watercourse" includes channel, creek, ditch, dry run, spring, wetland, stream and river.
 - F. The words "should" and "may" are permissive, the words "must," "shall" and "will" are mandatory and directive.

§ 22-202. Specific Terms. [Ord. 91-12, 10/15/1991, § 2.02; as amended by Ord. 94-02, 4/20/2004; and by Ord. 2005-02, 10/4/2005]

Other terms or words used herein shall be interpreted or defined as follows:

ALLEY (or SERVICE DRIVE) — A minor right-of-way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.

APPLICANT — A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT — Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including, but not limited to, an application for a building permit for the approval of a subdivision, plat or plan or for the approval of a development plan.

BLOCK — An area bounded by streets.

BOARD OF SUPERVISORS (SUPERVISORS; BOARD) — The Board of Supervisors of the Township of Washington.

BUILDING SETBACK LINE (SETBACK) — The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way and the line defining side and rear yards, where required.

CAMPGROUND — A tract or tracts of land, or any portions thereof, used for the purpose of providing sites for the temporary use of trailers, recreational vehicles, campers or tents, as hereinafter defined, for camping purposes with or without a fee being charged for the leasing, renting or occupancy of such space.

CAMPING SITE — A parcel of land in an organized camp or campground for the placement of a single trailer and/or tent and the exclusive use of its occupants.

CARTWAY or ROADWAY — That paved portion of a street or alley, excluding shoulders, which is improved, designated or intended for vehicular use.

CERTIFICATION OF REGISTRATION (MOBILE HOME PARK REGISTRATION) — Written approval as issued by the Pennsylvania Department of Environmental Protection, authorizing a person to operate and maintain a mobile home park.

CHAIRMAN — The Chairman of the Washington Township Planning Commission.

COMMISSION — The Planning Commission of the Township of Washington.

COMMON ELEMENTS — Shall be interpreted as including:

- A. The land on which the building is located and portions of building which are not included in a unit.
- B. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of the building.
- C. The yards, parking area and driveways.
- D. Portions of the land and building used exclusively for the management, operation or maintenance of the common elements.
- E. Installations of all central services and utilities.
- F. All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use.
- G. Such other facilities as are designated as common elements.

COMMON OPEN SPACE — A parcel or parcels of land or area of water, or a combination of land and water within a development site and designated and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking area and areas set aside for public facilities.¹ Common open space shall be substantially free of structures, but may contain such improvements as are in the development plan a finally approved and as are appropriate for the recreation of residents.

CONDOMINIUM — Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property.

COOPERATIVE — Ownership in common with other persons of a parcel of land and of a building thereon which would normally be used by all occupants, together with individual rights of occupancy or a particular unit or apartment in such building or buildings or on such parcel of land, which may include dwellings, offices and other types of space in commercial buildings or on property and where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.

COUNTY — Dauphin County, Pennsylvania.

COUNTY PLANNING COMMISSION — The Planning Commission of Dauphin County.

CROSSWALKS — A right-of-way, publicly or privately owned, intended to furnish access for pedestrian use.

CUT — An excavation. The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in excavation.

DEVELOPABLE ACREAGE — Area remaining after non-buildable area, area restricted from development by ordinance (steep slopes, floodplain, wetlands, etc.) is deducted.

DEVELOPER — Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT PLAN — The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open

¹Public facilities include utility easements for sewer collection, water, electric, telephone and gas distribution, transformer, pumping stations, etc.

space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic material referred to in this definition.

DRAINAGE — The flow of water or liquid waste and the method of directing such flow whether natural or artificial.

DRAINAGE FACILITY — Any ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision or contiguous land areas.

DRIVEWAY — A minor vehicular right-of-way provided access between a street and a parking area or garage within a lot or property.

DWELLING — A building designed for residential purposes and used as living quarters for one or more persons.

DWELLING UNIT — One or more rooms used for living and sleeping purposes and having a kitchen with fixed cooking facilities arranged for occupancy by one family or a single person.

DWELLING, GARDEN APARTMENT — A two-story multifamily dwelling containing one story dwelling units under one ownership.

DWELLING, MULTIFAMILY (APARTMENT BUILDING) — A building used by three or more families living independently of each other and doing their own cooking, including apartment houses, row houses or townhouses.

DWELLING, SINGLE-FAMILY ATTACHED (ROW; TOWNHOUSE) — A building used by one family having two party walls in common with other buildings.

DWELLING, SINGLE-FAMILY DETACHED — A building used by one family, having one dwelling unit and having two side yards.

DWELLING, SINGLE-FAMILY SEMIDETACHED — A building used by one family having one side yard and having one party wall in common with other buildings.

DWELLING, TWO-FAMILY DETACHED — A building used by two families, with one dwelling unit arranged over the other, having two side yards.

DWELLING, TWO-FAMILY SEMIDETACHED — A building used by two families, with one dwelling unit arranged over the other, having one side yard and having one party wall in common with another buildings.

EASEMENT, UTILITY — A right-of-way granted for the limited use of land for public or quasi-public purposes.

ENGINEER — A registered professional engineer of Pennsylvania.

ENGINEER, TOWNSHIP — The Engineer designated by the Township to perform the engineering duties specified in this chapter.

ENGINEERING SPECIFICATIONS — The engineering specifications of Washington Township regulating the installation of any required improvement or for any facility installed by any owner, subject of public use.

EROSION — The removal of surface materials by the action of natural elements.

EXCAVATION — Any act by which earth, sand, gravel, rock or any other similar materials is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

FILL — Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The differences in elevation between a point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

FLOOD, ONE-HUNDRED-YEAR — A level of flooding that has a one in 100 chance of occurring in any given year.

FLOOD-FRINGE AREA — That portion of the flood-prone area outside of the floodway area.

FLOODPRONE AREA — A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river of watercourses and/or any area subject to the usual and rapid accumulation of surface waters from any source.

FLOODWAY AREA — The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one-hundred-year magnitude.

FUTURE RIGHT-OF-WAY —

- A. Right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads.
- B. A right-of-way established to provide future access to or through undeveloped land.

GOVERNING BODY — The Board of Supervisors of the Township of Washington.

IMPROVEMENTS — Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including, but not limited to, grading, paving, curbing, gutters, storm sewers and drains, improvements to existing watercourses, sidewalks, crosswalks, street signs, monuments, water supply facilities and sewerage disposal facilities.

LAND DEVELOPMENT — Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
 - (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land. This definition of land development shall not include:
 - (1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium.
 - (2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
 - (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

LANDOWNER — The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having proprietary interest in land, shall be deemed to be a landowner for the purpose of this chapter.

LOT — A designated parcel, tract or area of land established by plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA — The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street but including the area of any easement.

LOT, NONCONFORMING — A lot of record at the time of the adoption of this chapter, which by reason of area or dimension does not conform to the requirements of this chapter.

LOT, REVERSE FRONTAGE — A lot extending between, and having frontage on, an arterial street and a minor street and with vehicular access solely from the latter.

LOT, THROUGH OR DOUBLE FRONTAGE — A lot with front and rear street frontage.

MINOR SUBDIVISION — The subdivision of a single lot, tract or parcel of land into 10 or less lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, streets easements, easements of access or need therefor.

MOBILE HOME — A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT — A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK — A parcel or contiguous parcels of land which has been so designed and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

MUNICIPALITIES PLANNING CODE (MPC) — Pennsylvania Act 247 of 1968, as amended by Act 170 of 1988, and as may be further amended.

MUNICIPALITY — Washington Township.

OWNER — Any person having any title or interest whatsoever in any land subdivision as the word "subdivision" as hereinafter defined in this Part and section.

PERSON — Any individual or group of individuals, partnership or corporation.

PLAN, CONSTRUCTION IMPROVEMENT — A plan prepared by a registered engineer showing the construction details of streets, drains, sewers, bridges, culverts and other improvements as required by this chapter.

PLAN, OFFICIAL — The Comprehensive Plan and/or Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right-of-Way Plan and/or Official Map or other such plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the Township in which the subdivision is located.

PLAN, SKETCH — An informal plan which may be prepared at the option of the applicant for a preapplication meeting, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development, not to be construed as a preliminary or final plan.

PLANNING COMMISSION — Washington Township Planning Commission.

PLAT, FINAL (FINAL PLAN) — A complete and exact subdivision or land development plan prepared for official recording as required by statute.

PLAT, PRELIMINARY (PRELIMINARY PLAN) — A tentative subdivision or land development plan, in less detail than the final plan, indicating the approximate proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.

PROFILE LINE — The profile of the center line of the finished surface of the street, which shall be midway between the sidelines of the streets.

PUBLIC GROUNDS —

- A. Parks, playgrounds, trails, paths and other recreational and other public uses.
- B. Sites for schools, sewage treatment, refuse disposal, other publicly owned or operated facilities.
- C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING — A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.

PUBLIC MEETING — A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE — Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than 30 days prior to and the second publication shall not be less than seven days from the date of the hearing.

REAL ESTATE — The land including the building or improvements thereto and its natural assets.

REAL PROPERTY — The land and improvements thereto.

RECREATIONAL VEHICLE — A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which has its own motive power or is mounted on or drawn by another vehicle (including camping trailer, motor home, travel trailer and truck camper); and body width of no more than eight feet and body length of no more than 32 feet when factory equipped for the road and licensed as such by the commonwealth.

RESERVE STRIP — A narrow parcel of ground separating a street from other adjacent properties.

RESIDENT PROPERTY OWNER — Any individual maintaining a voting address in the municipality, within 1,000 feet of the proposed subdivision, owning real estate in his own or joint names. A tenancy in common or any other means of joint ownership shall be considered as an individual; however, the signatures of any single joint owner shall be considered as binding the others.

RESUBDIVISION — Any subdivision or transfer of land or any part of land which has previously been subdivided as defined in this chapter.

RIGHT-OF-WAY, STREET — A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, land, alley or however designated.

RUNOFF — The surface water discharge or rate of discharge from a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of land.

SEDIMENTATION — The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

SEEPAGE PIT — A covered pit with open-jointed lining through which the septic tank effluent may seep or leach into the surrounding soil.

SEPTIC TANK — A watertight tank in which raw sewage is broken down into solid, liquid and gaseous phases to facilitate further treatment and final disposal.

SEWAGE DISPOSAL SYSTEM (PUBLIC) — A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

SHOULDER — The improved but unpaved portion of the street contiguous to the cartway for the accommodation of stopped vehicles, for emergency parking and for the lateral support of these uses.

SIGHT DISTANCES — The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SLOPE — The face of an embankment or cut section or any ground whose surface makes an angle with the plane of the horizon. Slopes are expressed in a ratio based upon vertical difference in feet per one foot change in horizontal distance.

SOIL PERCOLATION TEST — A field test conducted to determine the absorption capacity of soil to a specified depth in a given location of the purpose of determining suitability of soil for a subsurface absorption area.

SOIL STABILIZATION — Chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise to improve its engineering properties.

STREET — Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET, CUL-DE-SAC — A street intersecting another street at one end and terminating at the other in a vehicular turn-around.

STREET, MAJOR —

ARTERIAL STREET — A street with a calculated average daily traffic (ADT) volume expected to equal or exceed 1,000.

COLLECTOR STREET — A street with a calculated average daily traffic (ADT) volume expected to equal or exceed 400.

STREET, MARGINAL ACCESS — A minor street which is parallel and adjacent to arterial streets and which provides access to abutting properties and protection from through traffic.

STREET, MINOR — A street with a calculated average daily traffic (ADT) volume less than 400.

STRUCTURE — Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER — See "applicant" and "developer."

SUBDIVISION — The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot line for the purpose, whether immediate or future or lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. Provided; however, that the division by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, shall be exempted.

SUBSTANTIALLY COMPLETED — Where, in the judgment of the Township Engineer, at least 90% (based on the cost of the equipment improvements for which financial security is posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SURFACE DRAINAGE PLAN — A plan showing all present and proposed grades and facilities for stormwater drainage.

SURVEYOR — A licensed surveyor registered by the Commonwealth of Pennsylvania.

SWALE — A low-lying stretch of land characterized as a depression used to carry surface water runoff.

TILE DISPOSAL FIELD — A system of open jointed or perforated pipes laid in the upper strata of the soil for absorption.

TOP SOIL — Surface soils and subsurface soil which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the upper-most soil layer called the A Horizon.

TOWNSHIP — The Township of Washington, Dauphin County, Pennsylvania, Board of Supervisors, its agents or authorized representatives.

TRAILER — A vehicular portable structure to be mounted on a chassis or wheels and towed or constructed as an integral part of a self-propelled vehicle for use as temporary dwelling for travel, recreation and vacation commonly known as travel trailers, pick-up coaches, motor homes, camping trailers or recreational vehicles.

UNDEVELOPED LAND — Any land, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.

UNIT — A part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way, or to a common element or common elements leading to a public street or way or to an easement or right-of-way leading to a public street or way and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

WATER FACILITY — Any water works, water supply works, water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

WATER SURVEY — An inventory of the source, quantity, yield and use of groundwater and surface water resources within a municipality.

WATERCOURSE — A stream of water, river, brook, creek or channel or ditch for water whether natural or man-made.

PART 3

PROCESSING PROCEDURES AND PLAN REQUIREMENTS

§ 22-301. Prior to Submission. [Ord. 91-12, 10/15/1991, § 3.01]

Copies of this chapter shall be available on request, at cost for the use of any person who desires information concerning subdivision standards and procedures in effect with the Township. Any prospective developer is encouraged to meet with the Township Planning Commission to discuss and review tentative plans and/or the provisions of this chapter.

§ 22-302. Sketch Plan (Optional to Developer). [Ord. 91-12, 10/15/1991, § 3.02]

1. Prior to the submission of preliminary plans developers may, at their option, submit a sketch plan to the Township Planning Commission. This will enable the Planning Commission to review the proposal and to make any suggestions or discuss with the developer any proposed plans or factors that may affect his subdivision or development. Submission and review of a sketch plan shall not constitute official submission of a plan to the Township or require to take any action on said plan or to review the same, within any specified period time.
2. The sketch plan should consist of the following:
 - A. The designation, "Sketch Plan."
 - B. An approximate key map showing the generalized location of the tract and adjacent streets.
 - C. Tract boundaries with approximate dimensions.
 - D. North point, topography, physical features and dates.
 - E. Proposed street and lot layout and owner of tract.
3. The Township Planning Commission discussion and review of the sketch plan would normally include the following items:
 - A. Erosion and sediment control needs and equipment.
 - B. Sewage disposal needs and requirements.
 - C. Proposed street layout to consider compatibility with existing and future Township road system.
 - D. Land subject to flooding.
 - E. Consideration of the various permits and requirements of different governmental units and sources of information for each.

§ 22-303. Processing Procedure. [Ord. 91-12, 10/15/1991, § 3.03]

1. Whenever a subdivision of land or land development is desired to be effected in Washington Township, Dauphin County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed and processed with the Planning Commission and the Board of Supervisors according to the requirements of this chapter.
2. Where no more than 10 new lots are proposed to be subdivided from an existing tract, or where additional land is proposed to be transferred to an existing lot, the applicant may make a written request to waive the requirements of the preliminary plat stage, provided no new streets or extensions of existing streets are involved and no public improvements are involved. If the waiver is approved by the Board of Supervisors, the applicant may submit a final plat.

§ 22-304. Preliminary Plat Procedure. [Ord. 91-12, 10/15/1991, § 3.04]

1. The preliminary plat shall be certified correct by a registered professional land surveyor. It shall be the responsibility of the subdivider to ensure that the preliminary plat meets all the requirements of this chapter and that any coordination with public or private utilities or service agencies is accomplished.
2. Not less than 14 regular business days prior to a regularly scheduled meeting of the Planning Commission, the subdivider shall submit five copies of the preliminary plat along with the applicable review fee to the Washington Township Secretary. Copies of the preliminary plat shall be distributed by the Township Secretary as follows:
 - A. One copy of the plat to the County Planning Commission for its review and comment along with the applicable review fee.
 - B. One copy of the plat to the Township Planning Commission.
 - C. One copy to the County Conservation District for erosion and sediment control review.
 - D. One copy to the Township Engineer.
 - E. One copy shall be held for the Township files.
3. All applications for approval of a plat shall be officially received by the Planning Commission after the application has been filed with the Township Secretary in accordance with Subsection 2 above. No application for approval of a preliminary plat shall be considered complete without the payment of the required fee. The ninety-day period within which official action on the application must be taken by the Township shall be measured as beginning on the date of the meeting at which a complete application is officially

received by the Planning Commission, unless the application is filed more than 30 days prior to a regular Planning Commission meeting, in which case the ninety-day action period shall begin on the 30th day after the application is filed. Official action on applications for approval of a plat shall be made by the Board of Supervisors in accordance with Subsection 7.

4. The Dauphin County Planning Commission and the Dauphin County Conservation District may review and analyze the plat in order to assist the Washington Township Planning Commission in its formal action.
5. At a regular or special Planning Commission meeting following receipt of reports from the agencies listed in Subsection 3 above, but in no case more than 60 days from the time of preliminary plat submission to the Commission, the Planning Commission shall:
 - A. Review the applicant's submission.
 - B. Review all reports received.
 - C. Discuss submission with applicant or applicant's agents.
 - D. Evaluate the plat, reports and discussion.
 - E. Determine whether the preliminary plat meets the objectives and requirements of this chapter and other ordinances of the Township.
 - F. Either recommend approval or disapproval of the preliminary plat.
 - G. Submit its reports to the Board of Supervisors.
6. When the Planning Commission recommends disapproval in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the ordinance relied upon.
7. All completed applications for approval of a plat, whether preliminary or final, shall be acted upon by the Board of Supervisors. The Board shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of Planning Commission at which the plat is officially received, unless that scheduled Planning Commission meeting would occur more than 30 days following the filing of the application, in which case the said ninety-day period shall be measured as beginning on the 30th day after the day on which the application is filed.
8. Following receipt of the Township Planning Commission's report and within 90 days, (unless said 90 days is extended in writing by agreement of the applicant) following submission of the completed preliminary plan to the Commission, the Board of Supervisors shall:

- A. Evaluate the applicant's submission, presentation and report to the Township Planning Commission.
 - B. Determine whether the preliminary plat meets the objectives and requirements of this chapter and other ordinances of the Township.
 - C. Either approve, conditionally approve or disapprove the preliminary plat.
 - D. Deliver the written decision of the Board of Supervisors to the applicant personally or mail it to him at his last known address not later than 15 days following the decision.
 - E. Specify, if the application is not approved in terms as filed, the defects found in the application and describe the requirements which have not been met and in each case, cite the provisions of the statute or ordinance relied upon.
9. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall be of like effect.
10. Approval of the preliminary plan shall constitute conditional approval of the subdivision or land development as to its character and intensity, but shall not constitute approval of the final plat or authorize the sale of lots or construction buildings.
11. Before acting on any preliminary plan, the Board of Supervisors may hold a public hearing thereon after public notice.
12. Applications for subdivision and land development shall include a fee sufficient to cover the costs of the review and report, which fee shall be paid by the applicant. Review fees may include reasonable and necessary charges by the Township's professional consultants or Township Engineer for review and report thereon to the Township. Such review fees shall be based upon a schedule established by ordinance or resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charged by the Township Engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
- A. In the event the applicant disputes the amount of any such review fees the applicant shall, within 10 days of the billing date, notify the Township in writing that such fees are disputed, in which case the

Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

- B. In the event that the Township and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the Township shall follow the procedure for dispute resolution set forth in § 510(g) of the Pennsylvania Municipalities Planning Code (MPC), 53 P.S. § 10510(g).

§ 22-305. Preliminary Plat Specifications. [Ord. 91-12, 10/15/1991, § 3.05; as amended by Ord. 2005-02, 10/4/2005]

1. The preliminary plat shall be drawn to a scale as to facilitate a comprehensive overall picture of the proposed subdivision on one sheet of a size not larger than 24 inches by 36 inches on a reproducible mylar or other reproducible material of equal quality and shall show:
 - A. The designation, preliminary plat.
 - B. Proposed subdivision or development name and municipality or municipalities in which located.
 - C. Name, address and telephone number of record owner and developer.
 - D. Name and address of registered engineer or surveyor responsible for preparation of the plan.
 - E. North point, graphic scale, written scale and date, including the month, day and year that the original drawing was completed and the month, day and year that the original drawing was revised for each revision, if any.
 - F. A location map, for the purpose of locating the property being developed, showing the relationship of adjoining property to all streets, roads and municipal boundaries.
 - G. Boundaries of the property being developed showing bearings and distances (if available) and a statement of total acreage of the property and an outline of the property from which the lot or lots are to be divided, at a scale of one inch equals not more than 400 feet.
 - H. Names of record owners of adjoining unplatted lands.
 - I. Reference to recorded subdivision plats or adjoining platted land by recorded name, date and number.
 - J. Existing buildings and other topography and the approximate location of all existing tree masses within the proposed subdivision.

- K. Existing contours of the proposed subdivision at vertical intervals of five feet.
 - L. Purpose of which sites other than residential lots are dedicated or reserved.
 - M. Land subject to flooding according to the Federal Emergency Management Agency (FEMA) Study and Mapping, according to the following provisions:
 - (1) Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may cause danger to health, life or property or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation.
 - (2) To ensure that residents will have sufficient flood free land upon which to build a house, the Planning Commission may require elevations and flood profiles when portions of residential lots are platted within a floodprone area. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.
 - (3) The Planning Commission shall not recommend approval of any street subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas by flood.
 - N. The layouts, names and widths of rights-of-way, cartway and paving of proposed streets, alleys and easements and notes indicating which streets are intended to be dedicated to the Township.
 - O. The layout of lots showing approximate dimensions, lots numbers and approximately area of each lot.
 - P. Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space or other public, semipublic or community purpose.
2. The preliminary plat shall be accompanied by the following data and plans:
- A. A profile of each proposed street, including grades and street cross-sections.
 - B. Location of existing and proposed utility mains.
 - C. Location plans of proposed sewerage system, storm drainage facilities and of any proposed water distribution system.

- D. A preliminary erosion and sedimentation plan showing locations and types of erosion and sediment control measures (vegetation, mulching, structural control, etc). See § 22-405.
- E. A conceptual plan for the proposed sewage treatment and water supply facilities and a completed Department of Environmental Protection sewage "Plan Revision Module" for submission to DEP by the Township in compliance with the planning and testing requirements of the Pennsylvania Sewage Facilities Act, (Chapter 73 and Chapter 72 of Title 25 of the Pa. Code).
- F. A list of subdivisions within 1,000 feet.

§ 22-306. Final Plat Procedure. [Ord. 91-12, 10/15/1991, § 3.06; as amended by Ord. 2005-02, 10/4/2005]

1. Not less than 14 regular business days prior to a regularly scheduled meeting of the Planning Commission the subdivider shall submit five copies of the final plat along with the applicable review fee to the Washington Township Secretary. No application for approval of a final plat shall be considered complete unless it is accompanied by the payment of the required fee. Submission of the final plat shall take place no later than five years after the approval of the preliminary plat by the Township Supervisors. If the subdivider does not submit the completed final plat during that time, the approved preliminary plat becomes null and void. However the subdivider may, due to extenuating circumstances, apply for and receive a time extension from the Township Supervisors upon recommendation of the Planning Commission. The duration of a time extension shall be one year in length from the date of its approval. Upon request of the Planning Commission, the subdivider may submit the final plat in sections, each of which cover a portion of the entire proposed subdivision as approved in the preliminary plat. The final plat shall incorporate all the changes and modifications required by the planning commission; otherwise, it shall conform to the preliminary plat.
2. The Township Secretary shall distribute the copies of the final plat as follows:
 - A. One copy to the County Planning Commission for its review and comment along with the applicable review fee.
 - B. One copy to the District Office of the Pennsylvania Department of Transportation for review and mapping of dedicated streets (when applicable).
 - C. One copy of the plat to the Township Planning Commission to be retained for files.

- D. One copy to the County Conservation District for erosion and sediment control review (when applicable).
 - E. One copy to the Township Engineer for review and comment.
3. The Dauphin County Planning Commission, the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection, Township Engineer and the Dauphin County Conservation District may analyze and review the final plat to assist the Washington Township Planning Commission with its formal action on the final plat.
4. At the next regular or special Planning Commission meeting following the receipt of reports from the agencies listed above, the Township Planning Commission shall:
- A. Review the applicant's submission.
 - B. Review all reports received.
 - C. Discuss submission with the applicant or applicant's agent.
 - D. Evaluate the plat, reports and discussion.
 - E. Determine whether the final plat meets the objectives and requirements of this chapter and other ordinances of the Township.
 - F. Either recommend approval or disapproval of the final plat.
 - G. Submit its report to the Board of Supervisors.
5. When the Planning Commission recommends disapproval in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case cite the provisions of the ordinance relied upon.
6. Following receipt of the Township Planning Commission's report and within the ninety-day period for the Township action as specified in § 22-304(7), unless said period is extended in writing by agreement of the applicant, the Board of Supervisors shall:
- A. Evaluate the applicant's submission, presentation and report to the Township Planning Commission.
 - B. Determine whether the final plat meets the objectives and requirements of this chapter and other ordinances of the Township.
 - C. Either approve or disapprove the final plat by resolution.
 - D. Inform the applicant of the decision in writing communicated to the applicant personally or mailed to him at address on application not later than 15 days following the decision. When the final plat is not

approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not met and shall, in each case, cite the provisions of the ordinance relied upon.

7. No plat which will require access to a highway under the jurisdiction of the State Department of Transportation (PennDOT) shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to § 420 of the act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law," before driveway access to a state highway is permitted.
8. Before approval of a final plat, the Board of Supervisors must be assured by means of a proper completion guaranty in the form of a bond, the deposit of funds or securities in escrow, or other for satisfactory to the Board, that sufficient funds will be available to cover the cost of the improvements required in Part five and that such improvements will be installed by the applicant in strict accordance with the standards and specifications of the Township and within a specified time after approval of the final plat. The bond or other security shall be made to and deposited with the treasurer of the Washington Township Board of Supervisors as follows:
 - A. Completion of Improvements of Guaranty Thereof Prerequisite to Final Plat Approval.
 - (1) No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition or improved as may be required by this chapter and any walkways, curbs, gutters, streets, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this chapter have been installed. In lieu of the completion of any improvements required as a condition for the final approval of a plat, the applicant shall provide for the deposit with the Township of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements or buffer or screen plantings which may be required.
 - (2) When requested by the developer, in order to facilitate financing, the Township shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security

agreement is not executed within 90 days unless a written extension which is requested in writing by the developer is granted by the Township.

- (3) Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, federal or commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.
- (4) Such financial security shall be posted with a bonding company or federal or commonwealth chartered lending institution chosen by the party posing the financial security, provided said bonding company or lending institution is authorized to conduct such business within the commonwealth.
- (5) Such bond or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- (6) The amount of financial security to be posed for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the additional security equals said 110%. Any additional security shall be posed by the developer in accordance with this subsection.
- (7) The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this

commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

- (8) If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an addition 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 10% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure.
- (9) In the case where development is projected over a period of years, the Township may authorize submission of final plats by section of stages of development subject to such requirements of guaranties as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- (10) As the work of installing the required improvements proceeds, the party posting the financial security may request the Township to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Township, and the Township shall have 45 days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Township that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Township fails to act within said forty-five-day period, the Township shall be deemed to have approved the release of funds as requested. The Township may, prior to final release at the time of completion and certification by its Engineer, require retention of 10% of the estimated cost of the aforesaid improvements.
- (11) Where the Township accepts dedication of all or some of the required improvements following completion, the Township may require the posting of financial security to secure structural integrity of said improvements as well as the

functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements and the amount of financial security shall not exceed 15% of the actual cost of installation of said improvements.

- (12) If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.
- (13) If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including building, upon lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question as such improvements are necessary for the reasonable use of or occupancy of the building or buildings. Any ordinance or statute inconsistent herewith is hereby expressly repealed.

B. Release from Improvement Bond.

- (1) When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Township Board of Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board shall, within 10 days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board and

shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Township Engineer of the aforesaid authorization from the Board; said report shall be detailed and shall indicate approval or rejection of said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

- (2) The Board shall notify the developer, within 15 days of receipt of the Engineer's report, in writing by certified or registered mail of the action of said Board within relation thereto.
- (3) If the Board of the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- (4) If any portion of the said improvements shall not be approved or shall be rejected by the Board, the developer shall proceed to complete the same and, upon completion, the same procedure of notification as outlined herein, shall be followed.
- (5) Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board or the Township Engineer.
- (6) Where herein reference is made to the Township Engineer, he shall be as a consultant thereto.
- (7) The Board may prescribe that the applicant shall reimburse the Township for the reasonable and necessary expenses incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.
 - (a) In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within 10 working days of the date of billing, notify the Township that such

expenses are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove a subdivision or land development application of any approval or permit related to development due to the applicant's request over disputed engineer expenses.

- (b) If, within 20 days from the date of billing, the Township and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Township shall jointly, by mutual agreement appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- (c) The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- (d) In the event that the Township and applicant cannot agree upon the professional engineer to be appointed within 20 days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, sitting) shall appoint such engineer, who, in that case, shall be neither the Township Engineer nor any professional engineer who has been retained by, or performed services for, the Township or the applicant within the preceding five years.
- (e) The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000 or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the applicant shall each pay 1/2 of the fee of the appointed professional engineer.

C. Remedies to Effect Completion of Improvements.

- (1) In the event that any improvements which may be required have not been installed as provided in the subdivision and land development ordinance or in accordance with the approved final plat, the Washington Township Board of Supervisors may enforce any corporate bond or other security by appropriate legal and equitable remedies.
- (2) If proceeds of such bond or other security are insufficient to pay the cost of the improvements covered by said security the Board may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action or recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security and not for any other municipal purpose.

§ 22-307. Final Plat Specifications. [Ord. 91-12, 10/15/1991, § 3.07; as amended by Ord. 2005-02, 10/4/2005]

1. The final plat shall be drawn on reproducible mylar or other reproducible material of equal quality, no greater than 24 inches by 36 inches, and at a scale of one inch equals not more than 50 feet and shall show:
 - A. The designation "final plat" and primary control points, approved by the Engineer, or description of "ties" to such control points to which all dimensions angles, bearings and similar data on the plat shall be referred.
 - B. Tract boundary lines, rights-of-way of streets, easements and other rights-of-way and property line of residential lots and other sites with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves.
 - C. Name and right-of-way width of each street or other right-of-way.
 - D. Location, dimensions and purpose of easements.
 - E. Number to identify each lot and/or site.
 - F. Purpose for which sites other than residential lots are dedicated or reserved.
 - G. Building setback lines on all lots and other sites.
 - H. Locations and description of survey monuments.
 - I. Names or record owners of adjoining unplatted land.

- J. Reference to recorded subdivision plats of adjoining platted land and by record name, date and numbers.
- K. Surveyed contours at vertical intervals of two feet or less.
- L. Signature and seal by the person responsible for the survey certifying the accuracy of the topographic survey and plan as described in P.L. 534, No. 120 of December 13, 1979.
- M. Certification of title demonstrating that the applicant is the owner of land, agent of the land owner or tenant with permission of the landowner.
- N. Statement by the owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated.
- O. Proposed protective covenants running with the land, if any.
- P. Other Data. The final plat shall be accompanied by the following data and plans as prescribed by the Commission or as required by the laws of the commonwealth.
 - (1) Profiles of streets and alleys showing grades.
 - (2) Typical cross sections of each type of street, minor street, collector, etc., showing the width of right-of-way, width of cartway, location and width of sidewalks, if required, and location and size of utility mains.
 - (3) Plans and profiles of proposed sanitary and stormwater sewers, with grade and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
 - (4) A final Erosion and Sedimentation Control Plan, showing the location and types of erosion and sediment control measures, except where five acres or more are being distributed and new streets are involved, as required by the "Clean Stream Law of Pennsylvania," Act 222, July 31, 1970, as amended. In the case of the exception above such plans shall include a report signed by the County Conservation District indicating that the plan has been reviewed.
 - (5) A copy of an approved permit for earth moving activity or a permit issued and signed by the Department of Environmental Protection as required by the Rules and Regulations, Chapter 102, "Erosion Control," under P.L. 1987, June 22, 1937, as amended. (See §§ 4506.1.a and 4065.1.c).

- (6) In the case of subdivision and land development plans proposed for the sale of lots only the subdivider shall include on the final plat, a covenant of land, assuring the implementation by the lot owners of the Erosion and Sedimentation Control Plan.
- (7) A copy of the sewage "Plan Revision Module for Land Development" or other equivalent documentation approved by the Department of Environmental Protection.
- (8) Such other certificates, affidavits, endorsements or dedications as may be required by the Commission in the enforcement of these regulations.
- (9) Where a mobile home park is proposed, a certificate of registration from the Pennsylvania Department of Environmental Protection, as required under Title 25, Rules and Regulations, Part 1, subpart D, Article II, Chapter 179, "Mobile Home Parks."
- (10) When the subdivision of land development is proposed fronting on the existing street, except for a state highway, the required additional right-of-way shall be dedicated for the lots or land development proposed and the dedication shall not be required for the remaining portion of the property except where the remaining portion of the property is less than one required lot width, then the required right-of-way for all the property fronting on the existing street shall be shown on the plat and a signed dedicatory statement shall be shown on the final plat.
- (11) If the water supply is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.

- Q. Subdivision or development name and municipality or municipalities in which located.
- R. Name, address, telephone number of record owner and developer.
- S. Name and address of registered engineer or surveyor responsible for preparation of the plat.

- T. North point, graphic scale, written scale and date, including the month, day and year that the original drawing was completed and the month, day and year that the original drawing was revised for each revision, if any.
- U. Land subject to flooding according to the Federal Emergency Management Agency (FEMA) Study and Mapping, according to the following provisions:
 - (1) Land subject to flooding and deemed to be topographically unsuitable shall not be platted for residential occupancy nor for such other use as may cause danger to health, life or property or aggregate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation.
 - (2) To ensure that residents will have sufficient flood free land upon which to build a house, the Planning Commission may require elevations and flood profiles when portions of residential lots are platted within a flood prone area. Each lot shall contain a building site which shall be completely free of the danger of flood waters on the basis of available information.
 - (3) The Planning Commission shall not recommend approval of any street subject to inundation or flooding. All streets must be adequately located above the line of flood elevation to prevent isolation of areas by flood.

§ 22-308. Recording of Plats and Deeds. [Ord. 91-12, 10/15/1991; as added by Ord. 2005-02, 10/4/2005]

1. Upon approval of a final plat, the developer shall within 90 days of such approval or 90 days after the date of delivery of an approved plat signed by the Board of Supervisors, following completion of conditions imposed for such approval, whichever is later, record such plat in the Office of the Recorder of Deeds of Dauphin County. Whenever such plat approval is required by the Township, the Recorder of Deeds shall not accept any plat for recording, unless such plat officially notes the approval of the Board of Supervisors and review by the Dauphin County Planning Commission.
2. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

PART 4

DESIGN STANDARDS

§ 22-401. Streets. [Ord. 91-12, 10/15/1991, § 4.01]

1. General Standards. The arrangements, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in the appropriate relation to the proposed uses of the land to be served by such streets. The arrangement and other design standards of streets shall conform to the provisions found herein.
 - A. The arrangement of streets in new subdivisions shall make provisions for the continuation of existing streets in adjoining areas.
 - B. Where adjoining area are not subdivided, the arrangement of streets in new subdivisions shall make provisions for the proper continuation of streets.
 - C. When a new subdivision adjoins unsubdivided land appropriate for subdivision, then the new streets shall be carried to the boundaries of the tract to be subdivided.
2. Alleys. Alleys shall be prohibited in residential districts except where necessary to meet the provisions of Subsection 1.
3. Intersection. Intersections involving the junction or more than two streets are prohibited. Right angle intersections must be used wherever practicable, however, in no case shall streets intersect at less than 75°.
4. Intersection Curve Radii. At intersections of streets the radius of the curb or edge of pavement radii shall not be less than the following:

Intersection	Minimum Simple Curve Radius of Curb or Edge of Pavement
Collector with Collector Street	35 feet
Collector with Minor Street	25 feet
Minor Street with Minor Street	15 feet
5. Corner Properties. Property lines of corner properties adjacent to intersections shall be substantially concentric with curb lines or edge of pavement.
6. Intersection Sight Distance. Proper sight lines must be maintained at all intersections in accordance with the standards provided by the Pennsylvania Department of Transportation (PennDOT).

7. Streets Not in Alignment. If streets are not in alignment, the distance between the center lines of streets opening on opposite sides of an existing or proposed street shall be not less than 125 feet.
8. Sight Distances. Sight distances must be provided with respect to both horizontal and vertical alignment in accordance with PennDOT criteria and in consideration of street classification and design speed.
9. Curves. Where connecting street lines deflect from each other at any one point by more than 2°, the line must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

Type of Street	Minimum Radius
Collector	300 feet
Minor	150 feet

Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets there must be a tangent of at least 100 feet between reverse curves.

10. Street Widths. Minimum street right-of-way and cartway widths shall be as specified in Appendix 1, except as modified below:
 - A. Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Township Supervisors in specific cases for:
 - (1) Public safety and convenience.
 - (2) Parking in commercial and industrial areas and in areas of high density development.
 - (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.
 - B. Where curbs are required the cartway width (between curbs) shall be as indicated in the engineering specifications of the Township.
 - C. When the subdivision or land development is proposed fronting on an existing street, except for a state highway, the required additional right-of-way shall be dedicated for the lots or land development proposed and the dedication shall not be required for the remaining portion of the property. The required right-of-way for all of the property fronting on the existing street shall be shown on the plat and a signed dedicatory statement shall be shown on the final plat.
11. Street Pavement Requirements. Minimum pavement depths shall be as specified in Appendix 2.

12. Cul-de-sac or Dead End Streets. Cul-de-sacs or dead end streets, designed to be so permanently, shall not exceed 700 feet in length and shall be provided with a turn around having minimum dimensions for right-of-way and cartway widths as indicated in Appendix 1.
13. Street Grades. Street grades shall not be less than 0.75% and not greater than 10%. Vertical curves shall be used in changes of grade when the algebraic difference exceeds 1% and shall be designed to ensure the maximum safe sight distance. All intersections shall be provided with leveling areas extending a minimum of 100 feet in each direction. No street within leveling areas shall have a grade which exceeds 4%.
14. Slope of Banks Along Streets. The slope of banks along streets measured perpendicular to the street center line shall be no steeper than one foot of vertical measurement for two feet of horizontal measurement. Such slopes shall be suitably planted with perennial grasses or other vegetative cover to prevent erosion. On fills greater than 10 feet in height, guard rails shall be provided in accordance with the standards required by PennDOT.
15. Partial and Half Streets. The dedication of half streets at the perimeter of new subdivisions is prohibited.
16. Names of Streets. Names of new streets shall not duplicate or approximate existing or platted street names or approximate such names by use of suffixes such as "land," "drive," "way," "court," "avenue." In approving the names of streets consideration should be given to existing or platted street names within the postal delivery district serviced by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or plated street.
17. Sidewalks and Handicapped Access. Sidewalks shall generally be required for residential and commercial areas and shall not be less than four feet wide. The Board of Supervisors may adjust the required width or waive the requirement for sidewalks in consideration of both the intended use and the adjoining existing uses. All commercial areas shall be provided with ramps and safe parking and access suitable for handicapped persons.

§ 22-402. Easements. [Ord. 91-12, 10/15/1991, § 4.02]

1. The minimum width of easements shall be 20 feet for all facilities except as modified in Subsection 2. Wherever possible, easements for public utilities shall be centered on side or rear lot lines. Additional width may be required by the Supervisors depending on the purpose of the easement.
2. Where a subdivision is traversed by a water course, drainage way, channel or stream there shall be provided a drainage easement conforming substantially with the line of such water course, drainage way, channel or stream and extending a minimum of 10 feet from the defined edge of all watercourses; the actual width should be adequate to preserve the

unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating or protecting such drainage facilities or for the purpose of installing a stormwater sewer.

3. The applicant shall provide the Supervisors with a statement from a utility company as to easement adequacy.

§ 22-403. Blocks. [Ord. 91-12, 10/15/1991, § 4.03]

Blocks shall not exceed 1,200 feet in length and shall be in sufficient depth of permit two tiers of lots, except as otherwise provided for herein.

§ 22-404. Lots. [Ord. 91-12, 10/15/1991, § 4.04]

1. The arrangement and other design standards of lots shall conform to the following requirements.
 - A. Layouts of Lots. Every lot shall abut a street. Side lot lines should be substantially at right angles or radial to street lines.
 - B. Double Frontage. Double frontage lots shall be avoided, except that, where desired along arterial streets, reverse frontage lots may face on an interior street and back on such thoroughfares. Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.
 - C. Minimum Frontage. Lots which do not meet the minimum frontage requirements as established below, which may commonly be referred to as "flag lots," shall not be permitted.
 - D. Dimension and Areas of Lots. The dimensions and areas of lots shall conform to the following requirements:
 - (1) Lots not Served by Public Water and Public Sanitary Sewers. Residential lots not served by public water or public sanitary sewers, which may be provided with approved initial and replacement on-lot sewage disposal system areas shall not be less than 120 feet wide measured at the front building setback line, nor less than 43,560 square feet in area, per dwelling unit.
 - (2) Lots Served by Public Water Only. Residential lots served by public water and not by public sanitary sewers, which may be provided with approved initial and replacement on-lot sewage disposal system areas shall not be less than 100 feet wide measured at the front building setback line, nor less than 25,000 square feet in area, per dwelling unit.
 - (3) Lots Served by Public Sanitary Sewers and by Private Water Supply. Residential lots served by public sewers and by private

water supply shall not be less than 100 feet wide measured at the front building setback line, nor less than 15,000 square feet in area, per dwelling unit.

- (4) Wedge-Shaped Lots. In the case of wedge-shaped lots along a turnaround at the end of a permanent cul-de-sac, lot side lines shall be aligned along a radius originating at the center point of the turnaround.
- (5) Lots Served by Public Water and Public Sanitary Sewers. Residential lots served by both public water and public sanitary sewers shall conform to the following requirements:

Dwelling Type	Width	Minimum
		Lot Area
SF/D	80 feet	10,000 square feet
SF/S-D	50 feet	7,500 square feet
SF/A	24 feet	3,600 square feet
TF/D	80 feet	6,000 square feet
TF/S-D	60 feet	4,500 square feet
M	120 feet	3,000 square feet

KEY

SF/D	Single-family Detached
SF/S-D	Single-family Semidetached
SF/A	Single-family Attached
TF/D	Two-family, Detached
TF/S-D	Two-family, Semidetached
MF	Multifamily Dwelling

- (6) Lots for Other Than Residential Uses. The lot width and area requirements of properties reserved or laid out for uses other than residential shall provide space for yards and off-street loading, unloading and parking facilities. Subdivision plats for uses other than residential shall be accomplished by plans of contemplated construction on the subdivision lots in sufficient detail to assure that these requirements are being satisfied.
- (7) Lot Sizes and Sewage Facility Requirements. The applicant shall provide certification, in the form of a completed sewage facilities planning module, to the Township Supervisors that each proposed lot has been approved in accordance with the standards of the Department and all applicable legal requirements of the Township.

- (8) Lot Sizes on Slopes. In areas of steep slopes, surface runoff and subsurface drainage of septic tank effluent are likely to result in hazardous conditions. The minimum lot areas herein established shall be increased by 50% where the natural grade of the absorption field exceeds 15%.
- (9) Corner Lots for Residential Use. Corner lots designed for residential use shall have extra width of at least 10% of the above required width to permit appropriate building setback from, and orientation to, both streets.

E. Building Setback Lines. Building setback lines must conform to this chapter.

- (1) The minimum setback from the right-of-way line shall be as follows:

Street Type	Minimum Setback from Right-of-Way
Arterial	60 feet
Collector	35 feet
Minor (excluding service drive and alleys)	35 feet

- (2) Where an existing building line is established on at least 50% of the properties in a block in which the proposed subdivision is located or within 200 feet immediately adjacent to the proposed subdivision, the required minimum may be increased or decreased to conform with such established building line.
- (3) On a corner lot, the setback from each adjacent street shall be applicable.
- (4) Building setback lines for buildings in excess of three stories shall have a minimum setback equal to the height of the building above the ground surface at the side of the building nearest the street right-of-way.

F. Side and Rear Building Lines. Building lines shall not be less than 15 feet from the side lot lines and 25 feet from the rear lot lines. Building lines shall not be less than 25 feet from the boundary lines of adjoining tracts.

G. Space Between Buildings for Land Development.

- (1) The space between buildings where land development is proposed shall be provided in accordance with the following schedule:

Distance	Space Between Buildings in Feet
F to F	70 feet
F to S	50 feet
F to R	70 feet
S to R	30 feet
S to S	30 feet
R to R	50 feet
C to C	20 feet

KEY

F - Front

S - Side

R - Rear

C - Corner

- (2) The space between buildings shall be increased one foot for each additional foot that the height of the building exceeds 35 feet.

H. Accessory Buildings.

- (1) When the subdivision of lots is proposed, no accessory building may be erected in front of the principal building and in the side or rear may not be built closer to the property line than the minimum required setback.
- (2) When a land development is proposed, no more than one accessory building shall be permitted for each lot and such accessory building may be located within the side to rear, side to side or rear to rear spaces between building and shall meet the required setback from the property lines. An accessory building shall not be permitted in the front to front, front to side, front to rear or corner to corner spaces between buildings.

§ 22-405. Erosion and Sediment Control. [Ord. 91-12, 10/15/1991, § 4.05; as amended by Ord. 2005-02, 10/4/2005]

1. The Board of Supervisors shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Protection permit until the Department has issued a permit and/or plans are completed in accordance with Chapter 102, Rules and Regulations of DEP as amended.
2. Further, under the requirements noted above, the Board of Supervisors shall notify the Department of Environmental Protection immediately upon

receipt of an application for a building permit involving earth moving activity which disturbs the cover of five acres or more of land.

3. Measures shall be used to control erosion and reduce sedimentation which at a minimum meet the standards and specifications of the County Conservation District and the rules and regulations of the Department of Environmental Protection, Chapter 102 and the Pennsylvania Clean Streams Law, Act 222, July 31, 1970, as amended. The Township Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, copies of which are available from the District or the Township.

§ 22-406. Grading and Drainage. [Ord. 91-12, 10/15/1991, § 4.06]

1. Where practical, stormwater shall be managed to promote groundwater recharge and avoid any net increase in runoff from the site due to development.
2. In order to provide more suitable sites for building and other uses, to improve surface drainage and to control erosion, the following requirements shall be met:
 - A. All land, lots, tracts or parcels shall be graded where necessary to provide proper drainage away from buildings and dispose of it without uncontrolled ponding or runoff.
 - B. All drainage provisions shall be designed to adequately handle the surface runoff and carry it to the nearest suitable storm drain or natural water course. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded or planted.
 - C. Concentration of surface water runoff shall only be permitted in swales, watercourses or approved retaining ponds or detention basins. Such earthen facilities shall be provided with appropriate vegetative cover.
 - D. Driveways and streets shall be designed and constructed to prevent water runoff flowing directly onto streets.
 - E. Excavation and fills:
 - (1) Cut and fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by the Board of Supervisors when handled under special conditions.
 - (2) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations of the sloping surfaces of fills.

- (3) Cut and fills shall not endanger adjoining property.
- (4) Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- (5) Fills shall not encroach on natural watercourses or constructed channels.
- (6) Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.
- (7) Grading shall be done in such a way so as to avoid the diversion of water onto the property of another landowner.
- (8) During grading operations, necessary measures for dust control shall be exercised.
- (9) Grading equipment will not be allowed to cross streams. Provisions will be made for the installation of culverts and bridges.

3. Stormwater Management Facilities.

A. Computations for determining stormwater runoff and for the design of stormwater management facilities shall be based upon either the soil-cover-complex method or the rational method. Runoff from sites with drainage areas with less than 10 acres may be calculated by the rational method. Sites with drainage areas of 10 to 20 acres may be calculated by the rational method or by the soil-cover-complex method. Drainage areas in excess of 20 acres shall be calculated by the soil-cover-complex method. Computations based upon an alternative method may be accepted upon recommendation of the Township Engineer.

- (1) Permanent control measures/facilities shall be designed to assure that the maximum rate of stormwater runoff is no greater after development than prior to development at all points of discharge from the subject site for design storms of 2, 10, 25 and one-hundred-year storm events. In those cases, however, where existing storm drainage facilities and/or road embankments control predevelopment discharge from the site, predevelopment conditions shall be simulated in the postdevelopment design for all of the above referenced storm events.
- (2) Calculations of the predevelopment peak discharge shall presume a good condition meadow cover for open areas. Where the site contains existing impervious surface, up to 50% of the impervious area may be considered as an existing

predevelopment condition. The engineer preparing the calculations shall provide a signed and dated statement indicating that he/she has been to the site for the purpose of conducting a visual inspection in order to determine the existing ground cover. The date of the site inspection shall be included in said statement.

- (3) Land development proposals involving parking lots in excess of one acre, uses involving handling of chemicals, grease, oil, solvents and/or other potential contaminants, commercial degreasing and car washing operations shall, in addition to the above, incorporate into the stormwater management plan measures/facilities to maintain predevelopment stormwater quality at all points of discharge from the site.
- B. All stormwater detention ponds shall be designed in accordance with the above criteria. Calculations shall be accompanied by the following supporting data:
 - (1) Either singular or composite inflow and outflow hydrographs.
 - (2) Stage-storage data.
 - (3) Stage-discharge data.
 - (4) Storage-routing calculations.
 - (5) Other data as required by the Township Engineer.
 - C. Detention ponds based on graphical or short cut methods are prohibited.
 - D. Emergency spillways as a minimum shall be set at an elevation to allow discharge from the pond during the twenty-five-year storm. In no case, however, shall the composited outflow from the primary release device(s) and the emergency spillway exceed predevelopment rates.
 - E. Spillways shall be provided structural stability. As such, locating spillways within the embankment is prohibited unless adequate reinforcing is provided.
 - F. Vertical pipes, inlets and other surface water receiving structures shall be installed with trash racks or so designed to control trash accumulation.
4. Storm Drainage Facilities.
 - A. All piping used in the stormwater drainage system shall be CMP galvanized steel, aluminum alloy or reinforced concrete. A minimum

pipe size of 18 inches in diameter shall be used in all roadway systems proposed for dedication to the Township. A minimum pipe size of 12 inches in diameter is permitted on private facilities which receive no off-site drainage. Pipes shall be designed so as to provide a minimum velocity of 2 1/2 feet per second when flowing full. Arch pipe may be used in lieu of round pipe where cover or utility conditions exist.

- B. All storm drainage piping discharging to the ground surface shall be provided with either reinforced concrete headwalls or metal pipe end sections compatible with the pipe size involved. A rip rap apron of adequate length shall be provided at all surface discharge points in order to minimize erosion. The apron shall extend to the crown of the pipe. Rip rap size shall be determined by flow velocity leaving the system.
- C. Storm drainage inlets shall be provided at all low points and hydraulically intermediate points on a system. Location spacing of inlets shall be based on the hydraulic capacity of each inlet related to the flow received and the amount of flow bypass from upstream inlets. Inlets shall be placed so street drainage shall not cross intersections or 1/2 of the width of the adjacent travel lane.
- D. All street inlet tops shall be a combination curb/gutter inlet referred to as PennDOT Type "c" with a 10 inches curb reveal to allow an automatic depressed condition to exist when used on eight inches curb. Weepholes shall be provided on all inlet tops. In private parking areas, streets and yard areas with no curbing, Type "M" inlet tops shall be used.
- E. Culverts, pipes and storm sewers shall be designed for a ten-year storm with a five minute time of concentration (Tc). Designs based upon calculation of actual Tc will be allowed if pipe size exceeds 36 inches in diameter based upon said five minute Tc. Supporting documentation verifying the same is required. In the event, however, that a culvert passes beneath a public roadway it shall be designed in such a manner to prevent the roadway from inundation during a twenty-five-year storm.
- F. All natural drainage ways and existing contouring of predevelopment drainage patterns shall be preserved to the maximum extent possible. Post-development drainage patterns shall simulate predevelopment patterns.
- G. Maximum permitted velocities for drainage swales are as follows:
 - (1) Three feet per second where only sparse vegetation can be established.

- (2) Four feet per second under normal conditions where vegetation can be established by seeding.
- (3) Five feet per second where a dense, vigorous sod can be quickly established or where water can be temporarily diverted during establishment of vegetation.
- (4) Six feet per second where well established sod is in existence.
- (5) For lined water carrying channels the following velocities are required:

Channel Lining	Maximum Velocity
Six inch rock rip rap	six feet per second
Nine inch rock rip rap	eight feet per second
Asphalt	seven feet per second
Durable bedrock	eight feet per second
Twelve-inch rock rip rap	nine feet per second
Concrete or steel	12 feet per second

- (6) The normal maximum velocity of open channel flows shall not exceed 19 feet per second.

H. Energy dissipaters/erosion control devices shall be placed at the outlets of all pipes where flow velocities exceed maximum permitted channel velocities.

§ 22-407. Responsibilities. [Ord. 91-12, 10/15/1991, § 4.07]

- 1. Whenever sedimentation is caused by stripping vegetation, regrading or other development it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expenses as quickly as possible.
- 2. Maintenance of all drainage facilities and watercourses within any division or land development is the responsibility of the developer until they are accepted by the Township or a bona fide homeowners association, after which they become the responsibility of the accepting party.
- 3. It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream, watercourse or swale or upon the floodplain or right-of-way thereof, to maintain as nearly as possible, in its present state, the stream, watercourse, swale, floodplain or right-of-way during the activity and to return it to its original or equal condition after such activity is completed.

4. Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to their point of open discharge at the property line or at a communal watercourse within the property.
5. No person, corporation or other entity shall block, impede the flow or alter, construct any structure, or deposit any material or thing or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Township.
6. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way, conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage, extending at least 10 feet from the defined edges of such watercourse.

PART 5

IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

§ 22-501. Requirement of Subdivider. [Ord. 91-12, 10/15/1991, § 5.01]

The developer shall provide all improvements required by these regulations. The specifications for the improvements required herein shall apply.

§ 22-502. Monuments and Markers. [Ord. 91-12, 10/15/1991, § 5.02]

1. Monuments must be set:
 - A. At the intersections of all street right-of-way lines.
 - B. At the intersections of lines forming angles in the boundaries of the subdivision.
 - C. At such intermediate points as may be required by the Township Engineer.
2. Markers must be set:
 - A. At all lot corners except those monumented.
 - B. By the time the property is offered for sale.
3. Monuments and markers shall be made of the following size and material:
 - A. Monuments shall be six inches square or four inches in diameter and shall be 30 inches long. Monuments shall be made of concrete, stone or by setting a four-inch cast iron or steel pipe filled with concrete.
 - B. Markers shall be 3/4 of an inch square or 3/4 of an inch in diameter, 30 inches long. Markers shall be made of iron pipes or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They may be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

§ 22-503. Street Surfacing. [Ord. 91-12, 10/15/1991, § 5.03]

1. Pavements.
 - A. Streets must be surfaced to the grades and dimensions drawn on the plans, profiles and cross-sections submitted by the applicant and approved by the Supervisors. Before paving the street surface, the

applicant must install the required utilities and provide, where necessary, adequate storm water drainage for the street, acceptable to the Supervisors.

- B. The pavement base and wearing surface must be in accordance with, and constructed in accordance with the Pennsylvania Department of Transportation, Form 408 Specification, latest edition, as amended.
 - C. For the construction of arterial roads or highways, the subdivider shall consult the Commission and be governed by the Pennsylvania Department of Transportation Specifications for the method of construction to be used.
 - D. The Supervisors shall decide if a collector or arterial street is required as a direct result of the construction of the subdivision in which case the applicant is responsible for paving the additional width required.
2. Driveway Entrances.
- A. Where a proposed driveway provides access onto a Township road a permit shall be required to connect said driveway. Construction shall be in accordance with the permit ordinance.
 - B. Where a proposed driveway provides access onto a state highway (legislative route, Pennsylvania route or United States route) the design of such driveway access and drainage shall be prepared in accordance with the requirements of the Pennsylvania Department of Transportation and shall be subject to the approval and issuance of permits by the Department.
 - C. Subdivisions and land developments shall minimize the number of curb cuts or access points to arterial highways by installing collector or service roads.

§ 22-504. Sewers and Water. [Ord. 91-12, 10/15/1991, § 5.04; as amended by Ord. 2005-02, 10/4/2005]

- 1. All proposed sewage facilities shall be provided in accordance with the Township official sewage facilities plan.
- 2. Where the installation of a sanitary sewer system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, the initial individual on-lot sewage disposal system required and approved by the Township and shall designate by deed covenant an easement for an approved on-lot sewage disposal system replacement area.
- 3. Where the water main supply system exists or is planned to be available within a feasible connection distance, the subdivider shall provide the

subdivision with a complete water main supply system to be connected in the existing or proposed water main supply system in accordance with the Township specifications.

4. Where installation of a public water main supply system is not feasible, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply in accordance with the "rules and regulations" of the Pennsylvania Department of Environmental Protection and in accordance with the provisions of this section as to source and installation.
5. Public water supply facilities will be designed so as to provide adequate supply and pressure for domestic use and for firefighting purposes as determined by the Township Engineer. Public water supply wells should conform to current and future Pennsylvania Department of Environmental Protection standards for public water supply wells.
6. Water supply wells for drinking water shall be completed by a DEP certified water well driller who shall maintain an accurate description of well construction, testing, sampling, disinfection and include a description of rock types and depths encountered as well as water bearing zones and estimated yields. Wells shall be permitted in accordance with Township regulations.

§ 22-505. Storm Drainage. [Ord. 91-12, 10/15/1991, § 5.05]

Whenever the evidence to the Township Supervisors and/or the recommendation of the Planning Commission indicates existing surface drainage is inadequate, the subdivider shall install storm sewers, culverts and related facilities designed by a registered professional engineers, in accordance with the design specifications as provided in Part 4.

§ 22-506. Curbs, Gutters, and Sidewalks. [Ord. 91-12, 10/15/1991, § 5.06; as amended by Ord. 2016-01, 9/6/2016]

Wherever a proposed subdivision or land development shall average three or more lots per gross acre included in the subdivision, or where any subdivision is immediately adjacent to or within 1,000 feet of any existing or recorded subdivision having curbs, curbs shall be installed on each side of the street surface in accordance with the Township specifications. The Township Supervisors may require installation of curbs, gutters, and sidewalks in any subdivision where the evidence indicates that such improvements are necessary.

§ 22-507. Street Signs.² [Ord. 91-12, 10/15/1991, § 5.08]

1. The subdivision or land development shall be provided with street names signs at all intersections. Such signs shall conform to Township

²Editor's Note: Former § 22-507, Sidewalks (Ord. 91-12, 10/15/1991, § 5.07) was repealed by Ord. 2016-01, 9/6/2016, which ordinance also renumbered former §§ 22-508 through 22-510 as §§ 22-507 through 22-509, respectively.

specifications and shall be installed by the subdivider or developer at his expense in a manner specified by the Township Engineer. Street names shall be subject to approval by the Board of Supervisors and the postal authorities.

2. The subdivider or developer shall have a traffic study performed by a professional engineer to determine the need for traffic control. Traffic control signs for intersections, safety warning signs and speed limit signs shall be provided by the developer or subdivider as necessary.

§ 22-508. As-Built Plans. [Ord. 91-12, 10/15/1991, § 5.09]

The subdivider or developer will furnish the Township with as-built plans for streets, water systems, sanitary sewer systems and storm sewer systems within the subdivision or land development.

§ 22-509. Recreational Areas or Facilities. [Ord. 91-12, 10/15/1991; as added by Ord. 04-02, 4/20/2004; and as amended by Ord. 2009-01, 2/3/2009]

1. General Requirements for Land for Residential, Commercial, Industrial and Institutional Use. The applicant or developer shall, as a condition to final plan approval, and subject to the standards for acceptance set forth hereafter, provide for the development of recreational areas or facilities by either the dedication of land suitable therefor or, upon agreement with the applicant or developer, the payment of a fee in lieu of such dedication in accordance with the hereinafter established standards:
 - A. The land to be dedicated or reserved must be of suitable size, dimensions, topography, access and general character for the proposed use and must be located in an area identified by the Parks and Recreation Committee as having a need for additional recreation facilities.
 - B. The amount of land to be dedicated or reserved shall be not less than 0.02 acre for each developable acre shown on the final plan.
 - C. The Board of Supervisors, if the developer voluntarily agrees, may also accept one or more, or a combination, of the following:
 - (1) The construction of recreational facilities by the developer;
 - (2) The payment of fee in lieu; or
 - (3) The private reservation of land.
 - D. All the following additional requirements shall apply:
 - (1) The land or fees, or combination thereof, are to be used only for the purpose of providing, acquiring, operating or maintaining park or recreational facilities reasonably accessible to the development. **[Amended by Ord. 2016-01, 9/6/2016]**

- (2) The Township has a formally adopted recreation plan, and the park and recreational facilities are in accordance with definite principles and standards contained in this chapter.
- (3) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreation facilities by future inhabitants of the development or subdivision.
- (4) A fee authorized under this section shall, upon its receipt by the Township, be deposited in an interest-bearing account, clearly identifying the specific recreation facilities for which the fee was received. Interest earned on this account shall become funds of this account. Funds from this account shall be expended only in properly allocable portions of the cost incurred to construct the specific recreation facilities for which the funds were collected.
- (5) Upon request of any person who paid any fee under this section, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township had used the fee paid for a purpose other than the purposes set forth in this section, in accordance with the provisions of the Municipalities Planning Code, § 503.11. **[Amended by Ord. 2016-01, 9/6/2016]**

E. Exemptions from this section:

- (1) Family Exemption. The subdivision and development of lots conveyed between members of the same family is exempt from the requirements of this section if the subdivision and development is used exclusively for personal use between members of the same family. Land development for multifamily use or commercial use is not exempt hereunder.

F. Fees in Lieu. The amount of such fee to be charged is to be established by separate resolution of the Board of Supervisors and must be submitted to the Township prior to the recording of the subdivision and/or land development plan.

PART 6

MOBILE HOME PARKS

§ 22-601. General. [Ord. 91-12, 10/15/1991, § 6.01; as amended by Ord. 2005-02, 10/4/2005]

1. **Grant of Power.** The governing body of each municipality may regulate subdivisions and land development within the municipality by enacting a subdivision and land development ordinance. Provisions regulating mobile homes parks shall be set forth in separate and distinct articles of any subdivision and land development ordinance adopted pursuant to the "Pennsylvania Municipalities Planning Code," Act 257, as amended by Act 93, 1972, Article V, § 501.
2. **Purpose, Authority and Jurisdiction.** The purpose, authority and jurisdiction for land development as a mobile home park are the same as contained in Part 1 of this chapter.
3. **Plat Requirements and Processing Procedure.** The plat requirements and processing procedure for land development as a mobile home park shall be in accordance with the requirements contained in Part 3 of this chapter. It is noted that prior to the start of construction of a mobile home park the requirements of the Department of Environmental Protection, Chapter 179, Title 25, "Rules and Regulations," must be fulfilled by the developer.

§ 22-602. Design Standards. [Ord. 91-12, 10/15/1991, § 6.02; as amended by Ord. 2005-02, 10/4/2005]

1. The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in Part 4 of this chapter except as specified below:

A. **Street Widths in Mobile Home Parks.**

- (1) The minimum right-of-way and cartway widths of public or private streets shall be as follows:

Street Right-of-Way and Cart Widths	
Street Types	Width
Collector Streets	
Right-of-Way	50 feet
Cartway	34 feet
Minor Streets	
Right-of-Way	50 feet
Cartway	34 feet

- (2) Provision for additional street width (right-of-way, cartway or both) may be required when determined to be necessary by the Township Supervisors in specific cases where:
 - (a) The required traffic study indicates a modification to ensure public safety and convenience.
 - (b) The number of mobile homes proposed to be located in a mobile home park exceeds 100 units.
 - (c) Existing street width does not meet the requirements of the preceding paragraphs.

B. Lots in Mobile Home Parks.

- (1) On-lot Sewer and Water. On land laid out as a mobile home park not served by both a public or mobile home park water system and a public or park sewerage collection and treatment system, where the lots have met the necessary percolation and treatment system, where the lots have been approved by the Department of Environmental Protection, and where all other applicable legal requirements of the Township have been met, the lots shall not be less than 120 wide measured at the minimum required front setback line nor less than 43,560 square feet in area per mobile home unit, exclusive of streets and other public uses.
- (2) On-lot Water with Public Sewer. On land laid out as a mobile home park, served by a public or mobile home park sewerage collection and treatment system but not served by a public or mobile home park water supply system, where the lots have met the necessary percolation and soil survey requirements and have been approved by the Department of Environmental Protection, and where all other applicable legal requirements of the Township have been met, the lots shall be not less than 80 feet wide measured at the minimum required setback line nor less than 15,000 square feet in area, per mobile home unit, exclusive of streets and other public uses.
- (3) Public Sewer and Water. On land laid out as a mobile home park, served by both a public or mobile home park water system and a public or mobile home park sewerage collection and treatment system acceptable to the Department of Environmental Protection, and where all other applicable legal requirements of the Township have been met, the lots shall be not less than 70 feet wide measured at the minimum required setback line nor less than 7,500 square feet in area, per mobile home unit exclusive of streets and other public areas.

C. Building Setback Lines.

- (1) In a mobile home park the minimum setback line from the right-of-way line of a dedicated public street shall be as follows:

Street Type	Minimum Setback
Arterial Highway	60 feet
Collector Street	30 feet
Minor Street	30 feet

- (2) In a mobile home park the setback lines from the right-of-way of a private street shall be as follows:

Street Type	Minimum Setback
Collector Street	30 feet
Minor Street	30 feet

- D. Side and Rear Building Lines. In a mobile home park, side and rear building lines shall not be less than 10 feet from the side and rear lot lines of each mobile home lot and not less than 25 feet from the mobile home park property lines on the sides and rear not adjacent to a dedicated public street right-of-way.

E. Off-Street Parking Requirements.

- (1) In a mobile home park, paved off-street parking areas shall be provided at the rate of not less than two vehicular parking spaces for each mobile home lot.
- (2) Each such off-street parking space shall contain not less than 200 square feet and shall be located within 300 feet of the mobile home lot it is intended to serve.

- F. Park Areas for Nonresidential Uses. In a mobile home park no part of the park shall be used for a nonresidential purpose except such uses that are specifically required for the direct servicing and well being of park residents and for management and maintenance of the park.

§ 22-603. Improvement and Construction Requirements. [Ord. 91-12, 10/15/1991, § 6.03; as amended by Ord. 2005-02, 10/4/2005]

1. In a mobile home park all improvements, construction requirements and engineering specifications for the improvements required shall be provided in accordance with Part 5 of this chapter and shall also provide the following additional improvements.

- A. Buffer Strips. In a mobile home park, a visual screen or landscaped buffer strip consisting of year-round full vegetative screening at least

10 feet wide, shall be provided by the developer along all the property lines separating the mobile home park from adjacent areas.

B. Signs and Lighting.

- (1) Signs may be permitted subject to approval of the Supervisors.
- (2) All means of ingress, egress, walkways, streets and parking lots shall be adequately lighted.

C. Sidewalks.

- (1) General Requirements. All walks shall provide safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain between individual mobile homes, the park streets and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
- (2) Common Walk System. Where a common walk shall be connected to common walks, or to streets or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two feet.
- (3) Individual Walks. All mobile home spaces shall be connected to common walks, or to streets or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two feet.

D. Other Site Improvements.

- (1) An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- (2) Tie downs to prevent the movement of the mobile home by natural causes shall be provided for each mobile home.
- (3) Each mobile home lot shall be provided with a four-inch concrete slab of a stable surface at least 10 feet by 18 feet in size for use as a terrace and so located so as to be adjoining and parallel to the mobile home and not extend into the front, side or rear yard. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected. A separate and similar slab shall be provided for the connection of water and sewage service.
- (4) Individual tenants at the mobile home park may construct attached enclosures or covered patios to individual mobile

homes provided that such enclosure does not encroach into the front, side or rear yard areas. A yard area is that area between a lot line or right-of-way line and the adjacent setback line.

- (5) Provision shall be made by the park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the mobile home park shall be subject to the approval of the State Department of Environmental Protection.

§ 22-604. Fees. [Ord. 91-12, 10/15/1991, § 6.04; as amended by Ord. 2005-02, 10/4/2005]

1. At the time of filing of the preliminary plat and final plat for the development of a tract of land for a mobile home park the applicant shall be required to pay to the Township fees in accordance with the requirements of Part 8 of this chapter and secure a permit.
2. Mobile Home Park Permits. Any person intending to develop a tract of land as a mobile home park in the Township shall have a permit from the Township for each such park, issued in accordance with the following requirements:
 - A. Such permit shall be issued by the Township Board of Supervisors, upon proper application and submission of evidence of compliance with the provisions of this chapter and all other applicable legal requirements, and upon payment of a fee provided herein.
 - B. Each permit shall be valid for one year from the date of issue.
 - C. Each application for a permit shall be accompanied by a fee, payable to the Township, in the amount as established by Township resolution. The permit fee shall constitute the license fee for the first year with the date of notice of approve of the application.
 - D. The first application for a permit for a mobile home park following the effective date of this chapter shall be made to the Township Board of Supervisors on a form provided and shall be submitted together with copies of the following:
 - (1) A copy of the approved final plat signed by the proper officials.
 - (2) A receipt signed by the Recorder of Deeds showing that the mobile home park plat has been publicly recorded.
 - (3) A permit issued by the Department of Environmental Protection by Chapter 179, Title 25, "Rules and Regulations, Mobile Home Park."

- E. Application for the annual renewal of a license shall be made by the holder of the license, to the Township Board of Supervisors on a form provided, within 14 days preceding expiration of the preceding license period, shall be accompanied by a fee as established by the Township and by any changes since the preceding license was issued. The Board shall inspect each mobile home park prior to issuance of a license for conformance with the provisions of this chapter and all of the applicable legal requirements.
- F. It shall be incumbent upon the proprietor or a mobile home park to keep a register and to report therein the name of person or head of family occupying each said mobile home, showing date of entry on said land, serial number and make and size of trailer and the names of all person using or living in said mobile home park.
- G. Said register and mobile home park shall be subject to inspection by the Township Code Enforcement Officer annually or upon the written request of the Township Supervisors or a resident at the park.

§ 22-605. Alteration of Requirements. [Ord. 91-12, 10/15/1991, § 6.05]

The application for any alteration of requirements shall be in accordance with the requirements of Part 8 of this chapter.

§ 22-606. Enforcement, Severability and Amendments. [Ord. 91-12, 10/15/1991, § 6.06; as amended by Ord. 2005-02, 10/4/2005]

The enforcement, severability and amendments shall be in accordance with the rules and regulations of Part 10 of this chapter.

PART 7

CAMPGROUNDS

§ 22-701. Definitions. [Ord. 91-12, 10/15/1991, § 7.01]

For the definition of words related to land development as a campground, the definitions contained in Part 2 of this chapter shall apply. For convenience, the definitions related to campgrounds are repeated here.

CAMPGROUND — A tract or tracts of land, or any portions thereof, used for the purpose of providing sites for the temporary use of trailers, recreational vehicles, campers or tents, as hereinafter defined, for camping purposes with or without a fee being charged for the leasing, renting or occupancy of such space.

CAMPING SITE — A parcel of land in an organized group or campground for the placement of a single trailer and/or tent and the exclusive use of its occupants.

PERSON — Any individual, partnership, corporation, association, municipality, county, authority, Commonwealth of Pennsylvania or any other private or public entity.

RECREATIONAL VEHICLE — A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use which has its own motive power or is mounted on or drawn by another vehicle (including camping trailer, motor home, travel trailer and truck camper); and body width of no more than eight feet and body length of no more than 32 feet when factory equipped for the road and licensed as such by the commonwealth.

TENTS — A portable lodging unit usually made out of skins, canvas, plastic or strong cloth stretched and usually sustained by poles and is dependent upon separate toilet and lavatory facilities.

TRAILER — A vehicular portable structure to be mounted on a chassis or wheels and towed or constructed as an integral part of a self-propelled vehicle for use as temporary dwelling for travel, recreation and vacation commonly known as travel trailers, pickup coaches, motor homes, camping trailers or recreational vehicles.

§ 22-702. Plat Requirements and Processing Procedure. [Ord. 91-12, 10/15/1991, § 7.02; as amended by Ord. 2005-02, 10/4/2005]

The plat requirements and processing procedure for land development as a campground shall be in accordance with the requirements contained in Part 3 of this chapter. It is noted that the requirements of the Pennsylvania Department of Health, 28 Pa. Code, Chapter 19, must be fulfilled by the developer prior to the start of construction.

§ 22-703. Design Standards. [Ord. 91-12, 10/15/1991, § 7.03; as amended by Ord. 2005-02, 10/4/2005]

1. The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the requirements contained in Part 4 of this chapter except as specified below:

A. Street Widths in Campgrounds.

- (1) Design and construction standards for public streets shall be as contained in Parts 4 and 5 of this chapter.
- (2) Private Streets and Roads. Each camping site shall front upon an approved street or road:
 - (a) One-way streets and roads with camping site parking shall have an improved surface of no less than 12 feet.
 - (b) Two-way streets and roads with camping site parking shall have an improved surface of no less than 20 feet.
 - (c) Streets and roads shall be graded to provide positive drainage from the road surface. Drains and culverts shall be provided as necessary to maintain proper drainage.
 - (d) Streets and roads shall have a maximum grade of 10% except for sections of no more than 400 feet in length which may exceed 10%, but in no case shall exceed 12%.
 - (e) Streets and roads shall be all weather constructed. Road oil, calcium or other suitable material shall be applied in an amount and frequency as necessary to control dust.

B. Lots in Recreational Vehicle Parks or Campgrounds.

- (1) On land laid out as a recreational vehicle park or campground the lot shall be not less than 40 feet wide nor less than 3,000 square feet in area for each recreational vehicle or campground lot, exclusive of streets and other public areas, provided that water and sewers are provided in accordance with standards of, and approved by, the Pennsylvania Department of Health. Each camp site shall provide a clear, level, well-drained pad for accommodating the trailer, camper or tent.
- (2) Parking shall be provided on each camping site. Camping site parking shall provide a clean, level, well-drained area of no less than eight feet by 20 feet dimensions.

- C. Building Setback Lines. In a recreational vehicle park or campground the minimum setback from the right-of-way line of a dedicated public street shall be as designated. Setback lines on private streets shall not be less than 25 feet from the edge of cartway of the private street. Side and rear building lines shall not be less than 10 feet from the lot line on each side and from the rear lot line of each recreational vehicle or campground lot and not less than 25 feet from the recreational vehicle park or campground property line on the sides and rear not adjacent to a dedicated public street right-of-way.

§ 22-704. Improvement and Construction Requirements. [Ord. 91-12, 10/15/1991, § 7.04]

1. In a campground park all improvements, construction requirements and engineering specifications for the improvements required shall be provided in accordance with Part 5 of this chapter and shall also provide the following additional improvements.
 - A. Buffer Strips. In a campground a suitably screened or landscaped buffer strip at least 20 feet wide, approved by the Commission, shall be provided by the developer along all the property lines separating the campground from adjacent uses.
 - B. Signs and Lighting.
 - (1) Signs may be permitted subject to the approval of the Commission.
 - (2) All means of ingress, egress, walkways, streets and parking lots shall be adequately lighted.

§ 22-705. Fees and Permits. [Ord. 91-12, 10/15/1991, § 7.05; as amended by Ord. 2005-02, 10/4/2005]

1. Fees. At the time of filing the preliminary plat and final plat for the development of a tract of land for a campground, the applicant shall be required to pay the Township fees in accordance with the requirements of Part 8 of this chapter and secure a permit.
2. Campground Permits. Any person intending to develop a tract of land as a campground in the Township shall have a permit from the Township for each campground issued in accordance with the following requirements:
 - A. Such permit will be issued by the Township Code Enforcement Officer, upon proper application and submission of evidence of compliance with the provisions of this chapter and all other applicable legal requirements, and upon payment of a fee provided herein.
 - B. Each permit shall be valid for one year from the date of issue.

- C. Each application for a permit shall be accompanied by a fee, payable to the Township, as established by the Township resolution. The permit fee shall constitute the license for first year commencing with the date of notice of approval of the application.
 - D. The first application for a permit for a campground following the effective date of this chapter shall be made to the Township Code Enforcement Officer on a form provided by him and shall be submitted together with copies of the following:
 - (1) A copy of the approved final plat signed by the proper officials.
 - (2) A receipted signed by the Recorder of Deeds showing that the campground plat has been publicly recorded.
 - (3) A permit issued by the Pennsylvania Department of Health, 28 Pa. Code, Chapter 19.
 - E. Application for the annual renewal of a license shall be made by the holder of the license, to the Township Code Enforcement Officer on a form provided by him, within 14 days preceding expiration of the preceding license period, shall be accompanied by a fee as required and by any changes since the preceding license was issued. The Township Code Enforcement Officer shall inspect each campground prior to the issuance of a license for conformance with the provisions of this chapter and all of the applicable legal requirements.
3. Records and Guest Register. Each campground shall have an office in which shall be kept copies of all records pertaining to the management and supervision of the campground. Such records shall be available for inspection by the authorized officers of the Township and shall be on display in a conspicuous place on the premises at all times. It shall be the duty of the owner or his agents to keep a register of the "head of the family" accommodated in the campers or tents, their regular home address and the number and description of their automobiles or other vehicles. Said register shall be open at all times to the inspection by any authorized official of the Washington Township Board of Supervisors. The owner or his agent shall prescribe rules and regulations for the management at the campground and make adequate provision for the enforcement of such rules.
4. Revocation of Permit. Whenever, upon inspection of any campground, it is determined that conditions or practices exist which are in violation of any provisions of this chapter, or any regulations adopted pursuant thereto, the Township Supervisors or their representative shall give notice in writing to the person to whom the permit was issued, such notice to consist of a listing of the violated paragraphs of this chapter and shall advise them that unless such conditions or practices are corrected within the period of time specified in the notice, the permit to operate will be suspended. At the end of such period, each campground shall be reinspected and, if such conditions or

practices have not been corrected, the Township Supervisors shall give notice in writing of a hearing for the suspension of the campground permit to the person to whom the permit is issued.

PART 8

FEES

§ 22-801. Fee Resolution. [Ord. 91-12, 10/15/1991, § 8.01]

1. The Township Supervisors shall establish, by resolution, a collection procedure and schedule of fees to be paid by the applicant at the time of submission of a preliminary plat or final plat.
2. Fees for all other permits required for and by the Township shall be established by resolution.
3. Said schedule of fees shall be posted in the office of the Township Supervisors.

§ 22-802. Engineering Fees. [Ord. 91-12, 10/15/1991, § 8.02]

1. Engineering fees required to be paid in accordance with this chapter shall be promptly paid to the Township by the applicant for the below listed services:
 - A. Reviewing that plat's engineering details.
 - B. Inspecting the layout of the site for conformance to the survey and plan.
 - C. Reviewing planning modules for land development.
 - D. Reviewing cost estimates of required improvements as submitted by the developer.
 - E. Inspecting required improvements during construction.
 - F. Final inspection of completion of installation of the required improvements.
 - G. Such other technical services as deemed necessary or required by the Township.
2. The engineering fees required to be paid by this chapter shall be promptly paid to the Township by the applicant upon the submission of bills therefor to the applicant, from time to time, as such fees are billed to the Township by its Engineer.

§ 22-803. Other Fees. [Ord. 91-12, 10/15/1991, § 8.03]

Fees as established under § 22-801 of this Part shall be paid by the applicant to the Township prior to the issuance of any permit required for and by the Township of Washington for opening roads, connection to Township utilities, building construction, mobile home parks, campgrounds or otherwise as duly adopted. The

applicant shall be responsible to pay the cost of advertising, recording and registering any ordinance for accepting the deed of dedication.

PART 9

MODIFICATION OF REQUIREMENTS

§ 22-901. Special Conditions. [Ord. 91-12, 10/15/1991, § 9.01]

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship the Board of Supervisors, after review by the Planning Commission, may make such reasonable modifications thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done.

§ 22-902. Applications for Modifications. [Ord. 91-12, 10/15/1991, § 9.02]

Applications for any modification of requirements shall be submitted to the Planning Commission in writing by the applicant at the time the application for development is filed with the Planning Commission. The application shall state fully the grounds and all facts relied upon by the applicant.

§ 22-903. Modification Action by Planning Commission. [Ord. 91-12, 10/15/1991, § 9.03]

Applications for any modification shall be reviewed by the Planning Commission. After review, the Planning Commission shall submit its recommendation to the Board of Supervisors in writing along with the reasons for such recommendations.

§ 22-904. Modification Action by the Board of Supervisors. [Ord. 91-12, 10/15/1991, § 9.04]

1. In modifying any requirements, the Board of Supervisors shall record its action and the grounds for the modification of a requirement to the applicant applying for the modification.
2. Whenever a request for the modification of a requirement is denied, the Board of Supervisors shall record its action and the grounds for such denial in its minutes. The Board of Supervisors shall transmit a copy of the action and the grounds for such denial of any modification to the applicant applying for the modification.

PART 10

ENFORCEMENT

§ 22-1001. Administration and Enforcement. [Ord. 91-12, 10/15/1991, § 10.01; as amended by Ord. 2005-02, 10/4/2005]

1. The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this chapter, as specified or implied herein. Officials of the Township having regulatory duties and authorities connected with or appurtenant to the subdivision, use or development of land shall have the duties and authorities for the controlling of enforcement of the provisions of this chapter, as specified or implied herein in other ordinances of the Township.
2. Permits required by the Township, for the erection or alteration of buildings, the installation of sewers or sewage disposal systems or for other appurtenant improvements to, or use of the land, shall not be issued by any Township official responsible for such issuance until he has ascertained that the site for such building, alteration, improvements or use is located in such subdivision approved and publicly recorded in accordance with the provisions of this chapter regulating the subdivision of land. Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded final plat or other land description acceptable in accordance with the provisions of this chapter and that it is in compliance with all applicable provisions of this chapter. If the building permit is issued erroneously or prior to proper approval, it is void.
3. The Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information necessary to ascertain that the site of the proposed system is acceptable in accordance with the provisions of this chapter and the rules and regulations of the Department of Environmental Protection and any requirements of the Township pertaining to the issuance of such permit.

§ 22-1002. Amendments. [Ord. 91-12, 10/15/1991, § 10.02]

Amendments to this chapter shall become effective only after a public hearing held pursuant to public notice as defined herein and in accordance with the "Pennsylvania Municipalities Planning Code" of 1968, Act 247, as amended.

§ 22-1003. Preventive Remedies. [Ord. 91-12, 10/15/1991; as added by Ord. 2005-02, 10/4/2005]

1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The

description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to this chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - A. The owner of record at the time of such violation.
 - B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may acquire compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

§ 22-1004. Enforcement Remedies; Jurisdiction. [Ord. 91-12, 10/15/1991, § 10.03; as amended by Ord. 2005-02, 10/4/2005]

1. Any person, partnership, or corporation who or which has violated the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgement, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this chapter to have believed that there was no such violation, in which event, there shall be deemed to have been only one such violation until the 5th day following

the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending the final adjudication of the violation and judgment.
3. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.
4. District justices shall have initial jurisdiction in proceedings brought under this section.

22 Attachment 1

Township of Washington

Street Right-Of-Way And Cartway Widths

Street Type	Width
Arterial	As specified by the Pennsylvania Department of Transportation
Collector	
Right-of-Way	50 feet
Cartway	20 feet
¹ Shoulders	2 @ 6 feet each (12 feet)
	Total 32 feet
Minor	
Right-of-Way	50 feet
Cartway	20 feet
¹ Shoulders	2 @ 4 feet each (8 feet)
	Total 28 feet
Cul-de-Sac Turn Around	
Right-of-Way	100 feet
Cartway	80 feet
Alley or Service	
Right-of-Way	33 feet
Cartway	18 feet
Marginal Access	
Cartway	18 feet

Streets with curbing: Increase total width by four feet – two feet each side, except cul-de-sac turn around.

¹ Shoulder area to be constructed with full depth pavement.

22 Attachment 2

Township of Washington

STREET PAVEMENT REQUIREMENTS

Flexible Pavement	Type	Minor Streets	Collector Streets
Surface	ID-2	1.5"	4.0"*
Base	Bit. Conc.	4.5"	6.0"
Subbase		6.0"	6.0"
or:			
Surface	ID-2	4.0"*	4.0"*
Base	Crushed Agg.	6.0"	6.0"
Subbase		6.0"	8.0"

NOTES:

1. *Surface shall consist of 1.5 inch wearing course and a 2.5 inch binder course.

SOURCES:

1. PennDOT Form 408, latest edition, as amended.
2. Seldom Used Specs. PennDOT Publication #418 (1987), Section 312.

CHAPTER 23
SWIMMING POOLS

PART 1

PRIVATE SWIMMING POOLS

- §23-101. Definition**
- §23-102. Applicability**
- §23-103. Construction Permit and Approval**
- §23-104. Enclosure**
- §23-105. Location on the Property**
- §23-106. Portable Pools**
- §23-107. Property Rights**
- §23-108. Penalties**

PART 1

PRIVATE SWIMMING POOLS

§23-101. Definition.

As used in this Part, “swimming pool” or “pool” is hereby defined as an outdoor swimming pool used or intended to be used solely by the owner of a residential property, his family or lessee thereof and his family and by guests invited to use it without the payment of any fee.

(Ord. 95-2, 9/-/1995, §1)

§23-102. Applicability.

This Part shall apply to all new outdoor swimming pools hereinafter constructed as well as existing swimming pools whether above ground or in the ground and having a depth of 18 inches or more at any one point. For purposes of this Part a fish pond or water garden pond shall not be considered a swimming pool and shall be exempt from the provisions of this Part.

(Ord. 95-2, 9/-/1995, §2)

§23-103. Construction Permit and Approval.

1. Before any work is commenced on the construction of a swimming pool or addition to a swimming pool, an application for a permit for construction, together with plans and specifications pertinent to the construction, as well as explanatory data, shall be submitted to the Township. No part of the work shall be commenced until approval has been granted the applicant by a written permit. The fee for such permit shall be fixed pursuant to a resolution of the Washington Township Board of Supervisors.
2. The plan shall show the location of all buildings and the proposed pool on the property, distances to all property lines in the immediate vicinity of the swimming pool and dwelling and the location of wells, sewage disposal systems and proposed enclosure or fence around the pool.

(Ord. 95-2, 9/-/1995, §3)

§23-104. Enclosure.

1. Every swimming pool shall be completely surrounded by a fence, wall or similar enclosure not less than four feet in height which shall be so constructed as to have

SWIMMING POOLS

no openings, holes or gaps larger than two inches in any dimension. If the fence or wall is a picket fence, the horizontal dimensions maintained shall not exceed four inches. A dwelling or accessory building may be used as part of such enclosure.

2. All gates or door openings through such enclosure shall be equipped with a self-closing, self-latching device on the pool side for keeping the gate or door securely closed at all times when not in use, except that the door of any dwelling or accessory building which forms a part of the enclosure need not be so equipped. The fence shall surround the pool and the deck area.

(Ord. 95-2, 9/-/1995, §4)

§23-105. Location on the Property.

1. A swimming pool shall be located at the rear of a dwelling or along the side of the dwelling where practical.
2. No swimming pool or appurtenances, including deck and shelters, shall be erected nearer to any property line than permitted by the Zoning Ordinance [Chapter 27].
3. No swimming pool shall be so located as to interfere with the operation of a well or onsite septic system or to be located where there is potential danger of a septic system discharging into the pool or onto the adjacent area around the pool.

(Ord. 95-2, 9/-/1995, §5)

§23-106. Portable Pools.

1. Above ground pools are not subject to the fee schedules nor the design and requirements as set forth herein. However, all such pools having walls less than four feet shall be enclosed in accordance with the provisions of this Part.
2. Portable above ground pools having walls four feet or greater in height may be excluded from the fencing requirement provided such pools are equipped with access ladders which may be raised and locked in a near vertical position when the pool is unattended. An above ground pool as described in this paragraph which is served by a ladder or steps which cannot be raised and locked so as to prevent access by small children shall be enclosed in accordance with §23-103.

(Ord. 95-2, 9/-/1995, §6)

§23-107. Property Rights.

No swimming pool shall be so located or maintained as to interfere unduly with the enjoyment of the property rights of others.

(Ord. 95-2, 9/-/1995, §7)

§23-108. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 95-2, 9/-/1995, §8)

CHAPTER 24
TAXATION, SPECIAL

PART 1

PER CAPITA TAX

- §24-101. Definitions**
- §24-102. Tax Imposed**
- §24-103. Tax Notice**
- §24-104. Tax Discount, Penalty**
- §24-105. Tax Recoverability**
- §24-106. Enforcement and Remedies**

PART 2

OCCUPATION PRIVILEGE TAX

- §24-201. Short Title**
- §24-202. Definitions**
- §24-203. Levy**
- §24-204. Duty of Employer**
- §24-205. Returns**
- §24-206. Dates for Determining Tax Liability and Payment**
- §24-207. Individuals Engaged in More Than One Occupation**
- §24-208. Self-Employed Individuals**
- §24-209. Employees and Self-Employed Individuals Residing Beyond the Limits of the Township of Washington**
- §24-210. Administration of Tax**
- §24-211. Suit for Collection**
- §24-212. Enforcement and Remedies**

PART 3

REALTY TRANSFER TAX

- §24-301. Short Title**
- §24-302. Authority**
- §24-303. Definitions**
- §24-304. Imposition of Tax; Interest**
- §24-305. Exempt Parties**
- §24-306. Excluded Transactions**
- §24-307. Documents Relating to Associations or Corporations and Members, Partners, Stockholders or Shareholders Thereof**

TAXATION, SPECIAL

- §24-308. Acquired Company**
- §24-309. Credits Against Tax**
- §24-310. Extension of Lease**
- §24-311. Proceeds of Judicial Sale**
- §24-312. Duties of Recorder of Deeds**
- §24-313. Statement of Value**
- §24-314. Civil Penalties**
- §24-315. Liens**
- §24-316. Enforcement and Remedies**

PART 4

LOCAL TAXPAYERS BILL OF RIGHTS

- §24-401. Local Taxpayer Bill of Rights**

PART 1
PER CAPITA TAX

§24-101. Definitions.

1. Unless otherwise expressly stated, the following terms shall have, for the purpose of this Part, the meaning herein indicated:

COLLECTOR — the person elected or designated by the Board of Supervisors to collect or receive the taxes imposed by this Part.

PERSON — any natural person.

RESIDENT — any person domiciled or residing in Washington Township, Dauphin County, Pennsylvania.

TAXPAYER — any person required hereunder to pay a per capita tax.

2. The singular shall include the plural and the masculine, the feminine and neuter.

(Ord. 76-6, 2/9/1976, §I)

§24-102. Tax Imposed.

In addition to the other taxes provided by ordinance by Washington Township, Dauphin County, Pennsylvania, there is hereby imposed, for general revenue purposes, an annual tax of \$5 upon every domiciliary or resident in Washington Township who is or becomes 18 years of age or older during the calendar year for which the tax is levied.

(Ord. 76-6, 2/9/1976, §II)

§24-103. Tax Notice.

The collector shall send to every person subject to this tax, a notice of the tax due hereunder by such person for each year while this Part is in effect. Such notice shall be on a form prescribed by the Board of Supervisors and procured at the expense of Washington Township provided; that the failure or omission of the collector to send or of any taxpayer to receive such notice shall not relieve such person from the payment of such tax; and further that any person who shall become a resident of Washington Township after the first day of January in any year shall not be liable for the tax hereunder for that year if he has prior to moving into the Township paid a similar tax under Act 511 to another municipality, excluding payment to a school district; and provided any person who shall cease to be resident at any time after the first day of January in any year shall be liable for the full amount of the tax imposed hereunder for such year.

(Ord. 76-6, 2/9/1976, §III)

§24-104. Tax Discount; Penalty.

All taxpayers subject to the payment of the tax under this Part shall be entitled to a discount of 2% on the amount of such tax upon making payment of the whole amount thereof within two months after the date of the tax notice. All taxpayers who shall fail to make payment of any such taxes imposed against them for four months after the date of the notice shall be charged a penalty of 5% which penalty shall be added to the taxes by the collector and collected by him. The collector shall furnish a receipt to every person paying such tax.

(Ord. 76-6, 2/9/1976, §IV)

§24-105. Tax Recoverability.

All taxes levied under this Part, together with all penalties, shall be recoverable by the collector in the manner authorized by law in the case of per capita taxes within the Commonwealth of Pennsylvania.

(Ord. 76-6, 2/9/1976, §V)

§24-106. Enforcement and Remedies.

1. Enforcement Notice.
 - A. If it appears to the Township that a violation of this Part has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
 - B. The enforcement notice shall be sent to the violator and, if applicable, the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
 - C. An enforcement notice shall state at least the following:
 - (1) The name of the violator and, if applicable, the owner of record and any other person against whom the Township intends to take action.
 - (2) The location of the violation and, if applicable, the property in violation.

- (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.
- (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- (5) That the recipient of the notice has the right to appeal to the Board of Supervisors within a period of 10 days.
- (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Board of Supervisors, constitutes a violation, with possible sanctions clearly described.

2. Enforcement Remedies.

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Part shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$600 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues or each Section of this Part which shall be found to have been violated shall constitute a separate violation.
- B. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
- C. Magisterial district judges shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 76-6, 2/9/1976, §VI; as amended by A.O.

PART 2

OCCUPATIONAL PRIVILEGE TAX

§24-201. Short Title.

This ordinance shall be known and may be cited as the “Occupational Privilege Tax Ordinance.”

(Ord. 84-18, 12/10/1984, §1)

§24-202. Definitions.

The following words and phrases when used in this Part shall have the meanings ascribed to them in this Section except where the context or language clearly indicates or requires a different meaning:

COLLECTOR — the person or firm, from time to time designated by the Township Supervisors of the Township of Washington, to collect and administer the provisions of this Part and collect the tax levied by this Part.

EMPLOYER — an individual, partnership, association, corporation, governmental body, agency or other entity employing one or more persons on a salary, wage, commission, fee or other compensation basis, including a self-employed person.

HE, HIS or HIM — includes singular and plural number and male, female and neuter gender.

INDIVIDUAL — any person, male or female, engaged in any occupation within the limits of the Township of Washington. [Ord. 90-1]

OCCUPATION — any trade, profession, business or undertaking of any type, kind or character including services, domestic or other carried on or performed within the limits of the Township of Washington for which compensation is charged or received whether by means of salary, wages, commissions or fees for services rendered and the said compensation equals or exceeds \$1,000 per year. [Ord. 90-1]

TAX — the occupation privilege tax levied by this Part.

(Ord. 84-18, 12/19/1984, §2; as amended by Ord. 90-1, 6/19/1990)

§24-203. Levy.

The Township of Washington hereby levies and imposes a tax in the amount of \$10 for the calendar year of 1985 on every individual for the privilege of engaging in an occupation within the limits of the Township of Washington. The tax shall continue in force on

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a calendar year basis without annual reenactment of the ordinance unless the rate of tax is subsequently changed. This tax is in addition to all other taxes of any kind or nature heretofore levied by the Township of Washington.

(Ord. 84-18, 12/19/1984, §3)

§24-204. Duty of Employer.

Each employer within the Township of Washington and each employer situated outside the Township of Washington, but who engaged in business within the Township of Washington, shall file a return and pay the tax to the collector. Further, each employer is hereby authorized to deduct said tax from the salary, wages, commissions or fees paid each employee in his employ.

(Ord. 84-18, 12/19/1984, §4)

§24-205. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the collector. Each employer in filing this return and making payment of the tax withheld from his employee shall be entitled to retain a commission calculated at the rate of 2% of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collection thereof from the salary, wages, commissions or fees paid by him to said employee, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

(Ord. 84-18, 12/19/1984, §5)

§24-206. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the first day of January to the 31st day of March, 1985, for determining the number of employees from whom said tax shall be deducted and paid over to the collector on or before April 30, 1985. Supplemental reports shall be made by each employer on July 31, 1985, October 31, 1985 and January 31, 1986 for new employees as reflected on his employment records from April 1, 1985 to June 30, 1985, July 1, 1985 to September 30, 1985 and October 1, 1985 to December 31, 1985. Payments on these supplemental reports shall be made on July 31, 1985, October 31, 1985 and January 31, 1986, respectively.

(Ord. 84-18, 12/19/1984, §6)

§24-207. Individuals Engaged in More Than One Occupation.

In the event an individual is engaged in more than one occupation or an occupation which requires working in more than one political subdivision during the calendar year, the priority of claim to collect the tax shall be in the following order: First, the political subdivision in which the individual maintains his principal office or is principally employed; Second, the political subdivision in which the individual resides and works, if a like tax is levied by that political subdivision; Third, the political subdivision in which the individual is employed and which imposes the tax nearest in miles to the individual's home. The place of employment shall be determined as of the day the individual first becomes subject to a like tax during the calendar year. Any employer to whom an employee shows a receipt for a like tax for the calendar year from some other political subdivision or employer shall not be required to deduct this tax from the employee's wages but shall include such employee on his return by setting forth his name, address and the identification of the other political subdivision to whom the tax was paid or the employer who deducted the tax.

(Ord. 84-18, 12/19/1984, §7)

§24-208. Self-Employed Individuals.

All self-employed individual's engaged in any occupation within the Township of Washington shall be required to comply with this Part and to pay the tax to the collector on April 30, 1985 or as soon thereafter as he engaged in an occupation.

(Ord. 84-18, 12/19/1984, §8)

§24-209. Employees and Self-Employed Individuals Residing Beyond the Limits of the Township of Washington.

All employers and self-employed individuals residing or having their place of business outside the Township of Washington do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this Part with the same force and effect as though they were residents of the Township of Washington.

Further, any individual engaged in an occupation within the Township of Washington and an employee of a nonresident employer may for the purpose of this Part be considered a self-employed person and in the event this tax is not paid the Township shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

(Ord. 84-18, 12/19/1984, §9)

§24-210. Administration of Tax.

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1. It shall be the duty of the collector to accept and receipt payments of this tax and to keep record thereof showing the amount received by him from each employer or self-employed person, together with the date the tax was received.
2. The collector is hereby charged with the administration and enforcement of this Part and is hereby empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this Part, including provisions for the examination of the payroll records of any employer subject to this Part; the examination and correction of any return made in compliance with this Part and any payment alleged or found to be incorrect or as to which over is claimed or found to have occurred. Any person aggrieved by any decision of the collector shall have the right to appeal to the Court of Common Pleas of Dauphin County as in other cases provided.
3. The collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer; or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the collector the means, facilities and opportunity for such examination.

(Ord. 84-18, 12/19/1984, §10)

§24-211. Suit for Collection.

1. In the event any tax under this Part remains due or unpaid 30 days after the due date above set forth, the collector may sue for the recovery of such tax due or unpaid together with interest and penalty.
2. If for any reason the tax is not paid when due, interest at the rate of 12% on the amount of said tax shall be calculated beginning with the due date of said tax and a penalty of 5% shall be brought for the recovery of this tax. The individual liable therefor shall in addition be responsible and liable for the costs of collection.

(Ord. 84-18, 12/19/1984, §11)

§24-212. Enforcement and Remedies.

1. Enforcement Notice.
 - A. If it appears to the Township that a violation of this Part has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
 - B. The enforcement notice shall be sent to the violator and, if applicable, the owner of record of the parcel on which the violation has occurred, to any

person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.

C. An enforcement notice shall state at least the following:

- (1) The name of the violator and, if applicable, the owner of record and any other person against whom the Township intends to take action.
- (2) The location of the violation and, if applicable, the property in violation.
- (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.
- (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- (5) That the recipient of the notice has the right to appeal to the Board of Supervisors within a period of 10 days.
- (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Board of Supervisors, constitutes a violation, with possible sanctions clearly described.

2. Enforcement Remedies.

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Part shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$600 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues or each Section of this Part which shall be found to have been violated shall constitute a separate violation. [A.O]
- B. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
- C. Magisterial district judges shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 84-18, 12/19/1984, §12; as amended by A.O.

PART 3

REALTY TRANSFER TAX

§24-301. Short Title.

This ordinance shall be now as the “Realty Transfer Tax Ordinance of Washington Township.”

(Ord. 89-103, 10/17/1989, §1)

§24-302. Authority.

A realty transfer tax for general revenue purposes is hereby imposed upon the transfer of real estate or interest in real estate situated within Washington Township, regardless of where the documents making the transfer are made, executed or delivered or where the actual settlements of such transfer took place as authorized by Article XI-D, “Local Real Estate Transfer,” 72 P.S. §8101-D et seq.

(Ord. 89-103, 10/17/1989, §2)

§24-303. Definitions.

ASSOCIATION — a partnership, limited partnership or any other form of unincorporated enterprise owned or conducted by two or more person other than a private trust or decedent’s estate.

CORPORATION — a corporation, joint stock association, business trust or banking institution which is organized under the laws of this Commonwealth, the United States or any other state, territory, foreign country or dependency.

DOCUMENT — any deed, instrument or writing which conveys, transfers, demises, vests, confirms or evidences any transfer or demise of title to real estate, but does not include wills, mortgages, deeds of trust or other instruments or like character given as security for a debt and deeds of release thereof to the debtor, land contracts whereby the legal title does not pass to the grantee until the total consideration specified in the contract has been paid or any cancellation thereof unless the consideration is payable over a period vest or confirm a public utility easement. “Document” shall also include a declaration of acquisition required to be presented for recording under §24-302 of this Part.

FAMILY FARM CORPORATION — a corporation of which at least 75% of its assets are devoted to the business of agriculture and at last 75% of each class of stock of the corporation is continuously owed by members of the same family. The business of agriculture shall not be deemed to include:

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- A. Recreational activities such as, but not limited to, hunting, fishing, camping, skiing, show competition or racing.
- B. The raising, breeding or training of game animals or game birds, fish, cats, dogs or pets or animals intended for use in sporting or recreational activities.
- C. Fur farming.
- D. Stockyard and slaughterhouse operations.
- E. Manufacturing or processing operations of any kind.

MEMBERS OF THE SAME FAMILY — any individual, such individual's brothers and sisters, the brothers and sisters of such individual's parents and grandparents, the ancestors and lineal descendants of any of the foregoing, a spouse of any of the foregoing, a spouse of any of the foregoing and the estate of any of the foregoing. Individuals related by the half-blood or legal adoption shall be treated as if they were related by the whole-blood.

PERSON — every natural person, association or corporation. Whenever used in any clause prescribing and imposing a fine or imprisonment, or both. The term "person" as applied to associations, shall include the responsible members or general partners thereof and as applied to corporations, the officers thereof.

- A. All lands, tenements or hereditaments within Washington Township including, without limitation, buildings, structures, fixtures, mines, minerals, oil, gas, quarries, spaces with or without upper or lower boundaries, tress and other improvements, immovables or interests which by custom, usage or law pass with a conveyance or land, but excluding permanently attached machinery and equipment in an industrial plant.
- B. A condominium unit.
- C. A tenant-stockholder's interest in a cooperative housing corporation, trust or association under a proprietary lease or occupancy agreement.

REAL ESTATE COMPANY — a corporation or association which is primarily engaged in the business of holding, selling or leasing real estate, 90% or more of the ownership interest in which is held by 35 or fewer persons and which:

- A. Derives 60% or more of its annual gross receipts from the ownership or disposition of real estate.
- B. Holds real estate, the value of which comprises 90% or more of the value of its entire tangible asset holdings exclusive of tangible assets which are freely transferable and actively traded on an established market.

TITLE TO REAL ESTATE –

- A. Any interest in real estate which endures for a period of time, the termination of which is not fixed or ascertained by a specific number of years including, without limitation, an estate in fee simple, life estate or perpetual leasehold.
- B. Any interest in real estate enduring for a fixed period of years but which, either by reason of the length of time of the term or the grant or a right to extend the term by renewal or otherwise, consists of a group of rights approximately those of an estate in fee simple, life estate or perpetual leasehold including, without limitation, a leasehold interest or possessory interest under a lease or occupancy agreement for a term of 30 years or more or a leasehold interest or possessory interest in real estate in which the lessee has equity.

TRANSACTION — the making, executing, delivering, accepting or presenting for recording of a document.

VALUE –

- A. In the case of any bona fide sale or real estate at arms length for actual monetary worth, the amount of the actual consideration therefor, paid or to be paid, including liens or other encumbrances thereon existing before the transfer and not removed thereby, whether or not the underlying indebtedness is assumed and ground rents, or a commensurate part thereof where such liens or other encumbrances and ground rents also encumber or are charged against other real estate, provided; that where such documents shall set forth a nominal consideration, the “value” thereof shall be determined from the price set forth in or actual consideration for the contract of sale.
- B. In the case of a gift, sale by execution upon a judgment or upon the foreclosure of a mortgage by a judicial officer, transactions monetary worth of the real estate, a taxable lease, an occupancy agreement, a leasehold or possessory interest, any exchange of properties or the real estate of an acquired company, the actual monetary worth of the real estate determined by adjusting the assessed value of the real estate for local real estate tax purposes for the common level ratio factor developed by the Pennsylvania Department of Revenue for Pennsylvania realty transfer tax base calculations.
- C. In the case of an easement or other interest in real estate the value of which is not determinable under subsection (A) or (B), the actual monetary worth of such interest.
- D. The actual consideration for or actual monetary worth of any executory agreement for the construction of buildings, structures or other permanent

improvements to real estate between the grantor and other person existing before the transfer and not removed thereby or between the grantor, the agent or principle of the grantor or a related corporation, association or partnership and the grantee existing before or effective with the transfer.

(Ord. 89-103, 10/17/1989, §3)

§24-304. Imposition of Tax; Interest.

1. Every person who makes, executes, delivers, accepts or presents for recording any document or in whose behalf any document is made, executed, delivered, accepted or presented for recording, shall be subject to pay for and in respect to the transaction or any part thereof, a tax at the rate of 1% of the value of the real estate represented by such document, which tax shall be payable at the earlier of the time the document is presented for recording or within 30 days of acceptance of such document or within 30 days of becoming an acquired company.
2. The payment of the tax imposed herein shall be evidenced by the affixing of an official stamp or writing by the recorder whereon the date of the payment of the tax, amount of the tax and the signature of the collecting agent shall be set forth.
3. It is the intent of this Part that the entire burden of the tax imposed herein on a person or transfer shall not exceed the limitations prescribed in The Local Tax Enabling Act, Act of December 31, 1965, P.L. 1257, 53 P.S. §6901 et seq., so that if any other political subdivision shall impose or hereafter shall impose such tax on the same person or transfer then the tax levied by the governing body under the authority of that Act shall during the time such duplication of the tax exists, except as hereinafter otherwise provided, be 1/2 of the rate and such 1/2 rate shall become effective without any action on the part of Washington Township provided, however, that Washington Township and any other political subdivision which impose such tax on the same person or transfer may the rate herein provided, they will impose respectively different rates, the total of which shall not exceed the maximum rate permitted under the "Local Tax Enabling Act."
4. If for any reason the tax is not paid when due, interest at the rate in effect at the time the tax is due, shall be added and collected.

(Ord. 89-103, 10/17/1989, §4)

§24-305. Exempt Parties.

The United States, the Commonwealth or any of their instrumentalities, agencies or political subdivisions shall be exempt from payment of the tax imposed by this Part. The exemption of such governmental bodies shall not, however, relieve any other party to a transaction from liability for the tax.

(Ord. 89-103, 10/17/1989, §5)

§24-306. Excluded Transactions.

1. The tax imposed by §24-304 shall not be imposed upon:
 - A. A transfer to the Commonwealth, or to any of its instrumentalities, agencies or political subdivisions, by gift, dedication or deed in lieu of condemnation or deed of confirmation in connection with condemnation proceedings or a reconveyance by the condemning body of the property condemned to the owner or record at the time of condemnation which reconveyance may include property line adjustments provided said reconveyance is made within one year from the date of condemnation.
 - B. A document which Washington Township is prohibited from taxing under the Constitution or statutes of the United States.
 - C. A conveyance to a municipality, township, school district or county pursuant to acquisition by the municipality, township, school district or county of a tax delinquent property at sheriff sale or tax claim bureau sale.
 - D. A transfer for no or nominal actual consideration which corrects or confirms a transfer previously recorded, but which does not extend or limit existing record legal title or interest.
 - E. A transfer of division in kind for no or nominal actual consideration of property passed by testate or intestate succession and held by co-tenant; however, if any of the parties take shares greater in value than their undivided interest, tax is due on the egress.
 - F. A transfer between husband and wife, between persons who were previously husband and wife who have since been divorced, provided the property or interest therein subject to such transfer was acquired by the husband and wife or husband and wife prior to the granting of the final decree in divorce, between parent and child or the spouse of such child, between brother or sister or spouse of a brother or sister and brother or sister or the spouse of a brother or sister, and between a grandparent and grandchild or the spouse of such grandchild, except that a subsequent transfer by the grantee within one year shall be subject to tax as if the grantor were making such transfer.
 - G. A transfer for no or nominal actual consideration of property passing by testate or intestate succession from a personal representative of a decedent to the decedent's devisee or heir.
 - H. A transfer for no or nominal actual consideration to a trustee or an ordinary trust where the transfer of the same property would be exempt if the transfer was made directly from the grantor to all of the possible beneficiaries,

whether or not such beneficiaries are contingent or specifically named. No such exemption shall be granted unless the recorder of deeds is presented with a copy of the trust instrument that clearly identifies the grantor and all possible beneficiaries.

- I. A transfer for no or nominal actual consideration from a trustee to a beneficiary of an ordinary trust.
- J. A transfer for no or nominal actual consideration from trustee to successor trustee.
- K. A transfer (i) for no or nominal actual consideration between principal and agent or straw party; or (ii) from or to an agent or straw party where, if the agent or straw party were his principal, no tax would be imposed under this Part. Where the document by which title is acquired by a grantee or statement of value fails to set forth that the property was acquired by the grantee from, or for the benefit of his principal, there is a rebuttable presumption that the property is the property of the grantee in his individual capacity if the grantee claims an exemption from taxation under this clause.
- L. A transfer made pursuant to the statutory merger or consolidation of a corporation or statutory division of a nonprofit corporation, except where the department reasonably determines that the primary intent for such merger, consolidation or division is avoidance of the tax imposed by this Part.
- M. A transfer from a corporation or association of real estate held of record in the name of the corporation or association where the grantee owns stock of the corporation or an interest in the association the same proportion as his interest in or ownership of the real estate being conveyed and where the stock of the corporation or the interest in the association has been held by the grantee for more than two years.
- N. A transfer from a nonprofit industrial development agency or authority to as grantee of property conveyed by the grantee to that agency or authority as security for a dept of the grantee or a transfer to a nonprofit industrial development agency or authority.
- O. A transfer from a nonprofit industrial development agency or authority to a grantee purchasing directly from it, but only if:
 - (1) The grantee shall directly use such real estate for the primary purpose of manufacturing, fabricating, compounding, processing, publishing, research and development, transportation, energy conversion, energy production, pollution control, warehousing or agriculture.
 - (2) The agency or authority has the full ownership interest in the real estate transferred.

- P. A transfer by a mortgagor to the holder of a bona fide mortgage in default in lieu of a foreclosure or a transfer pursuant to a judicial sale in which the successful bidder is the bona fide holder of a mortgage, unless the holder assigns the bid to another person.
 - Q. Any transfer between religious organizations or other bodies or persons holding title for a religious organization is such real estate is not being or has not been used by such transferor for commercial purposes.
 - R. A transfer to a conservancy which possesses a tax exempt status pursuant to §501(c)(3) of the Internal Revenue Code of 1954, (68) Stat. 3, 26 U.S.C. §501(c)(3) and which has as its primary purpose preservation of land for historic, recreational, scenic, agricultural or open space opportunities.
 - S. A transfer of real estate devoted to the business of agriculture to a family farm corporation by a member of the same family which directly owns at least 75% of each class of the stock thereof.
 - T. A transfer between members of the same family of an ownership interest in a real estate company or family farm corporation.
 - U. A transaction wherein the tax due is \$1 or less.
 - V. Leases for the production or extraction of coal, oil, natural gas or minerals and assignments thereof.
2. In order to exercise any exclusion provided in the Section, the true, full and complete value of the transfer shall be shown on the statement of value. A copy of the Pennsylvania Realty Transfer Tax Statement of Value may be submitted for this purpose. For leases of coal, oil, natural gas or minerals, the statement of value may be limited to an explanation of the reason such document is not subject to tax under this Part.

(Ord. 89-103, 10/17/1989, §6)

§24-307. Documents Relating to Associations or Corporations and Members, Partners, Stockholders or Shareholders Thereof.

Except as otherwise provided in §24-306, documents which make, confirm or evidence any transfer or demise of title to real estate between associations or corporations and the members, partners, shareholders or stockholders thereof are fully taxable. For the purposes of this Part, corporations and associations are entities separate from their members, partners, stockholders or shareholders.

(Ord. 89-103, 10/17/1989, §7)

§24-308. Acquired Company.

1. A real estate company is an acquired company upon a change in the ownership interest in the company, however effected, if the change does not affect the continuity of the company; and of itself or together with prior changes has the effect of transferring, directly or indirectly, 90% or more of the total ownership interest in the company within a period of three years.
2. With respect to real estate acquired after February 16, 1986, a family farm corporation is an acquired company when, because of voluntary or involuntary dissolution, it ceases to be a family farm corporation or when, because of issuance or transfer of stock or because of acquisition or transfer of assets that are devoted to the business of agriculture, it fails to meet the minimum requirements of a family farm corporation under this Part.
3. Within 30 days after becoming an acquired company, the company shall present a declaration of acquisition with the recorder of each county in which it holds real estate for the affixation of documentary stamps and recording. Such declaration shall set forth the value of real estate holdings of the acquired company in such county. A copy of the Pennsylvania Realty Transfer Declaration of Acquisition may be submitted for this purpose.

(Ord. 89-103, 10/17/1989, §7)

§24-309. Credits Against Tax.

1. Where there is a transfer of a residential property by a licensed real estate broker which property was transferred to him within the preceding year as consideration for the purchase of other residential property, a credit for the amount of the tax paid at the time of the transfer to him shall be given toward the amount of the tax due upon the transfer.
2. Where there is a transfer by a builder of residential property which was transferred to the builder within the preceding year as consideration for the purchase of new, previously unoccupied residential property, a credit for the amount of the tax paid at the time of the transfer to the builder shall be given to the builder toward the amount of the tax due upon the transfer.
3. Where there is a transfer of real estate which is leased by the grantor, a credit for the amount of tax paid at the time of the lease shall be given the grantor toward the tax due upon the transfer.
4. Where there is a conveyance by deed of real estate which was previously sold under a land contract by the grantor, credit for the amount of tax paid at the time of the sale shall be given the grantor toward the tax due upon the deed.

5. If the tax due upon the transfer is greater than the credit given under this Section, the difference shall be paid. If the credit allowed is greater than the amount of tax due, no refund or carryover credit shall be allowed.

(Ord. 89-103, 10/17/1989, §8)

§24-310. Extension of Lease.

In determining the term of a lease, it shall be presumed that a right or option to renew or extend a lease will be exercised if the rental charge to the lessee is fixed or if a method for calculating the rental charge is established.

(Ord. 89-103, 10/17/1989, §9)

§24-311. Proceeds of Judicial Sale.

The tax herein imposed shall be fully paid and have priority out of the proceeds or any judicial sale of real estate before any other obligation, claim, lien, judgment, estate or costs of the sale and of the writ upon which the sale is made except the State realty transfer tax, and the sheriff or other officer, conducting said sale shall pay the tax herein imposed out of the first moneys paid to him in connection therewith. If the proceeds of the sale are insufficient to pay the entire tax herein imposed, the purchaser shall be liable for the remaining tax.

(Ord. 89-103, 10/17/1989, §10)

§24-312. Duties of Recorder of Deeds.

1. As provided in 16 P.S. §11011-6, as amended by Act of July 7, 1983, (P.L. 40, No. 21), the recorder of deeds shall be the collection agent for the local realty transfer tax, including any amount payable to Washington Township based on a redetermination of the amount of tax due by the Commonwealth of Pennsylvania realty transfer tax, without compensation from Washington Township.
2. In order to ascertain the amount of taxes due when the property is located in more than one political subdivision, the recorder shall not accept for recording such a deed unless it is accompanied by a statement of value showing what taxes are due each municipality.
3. On or before the 10th of each month, the recorder shall pay over to Washington Township all local realty transfer taxes collected, less 2% for use of the County, together with a report containing the information as is required by the Commonwealth of Pennsylvania in reporting collections of the Pennsylvania realty transfer tax. The 2% commission shall be paid to the County.

TAXATION, SPECIAL

4. Upon a redetermination of the amount of realty transfer tax due by the Commonwealth of Pennsylvania, the recorder shall re-record the deed or record the additional realty transfer tax form only when both the State and local amounts and a rerecording or recording fee have been tendered.

(Ord. 89-103, 10/17/1989, §11)

§24-313. Statement of Value.

Every document lodged with or presented to the record of deeds for recording shall set forth therein and as a part of such document the true, full and complete value thereof or shall be accompanied by a statement of value executed by a responsible person connected with the transaction showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not subject to tax under this Part. A copy of the Pennsylvania Realty Transfer Tax Statement of Value may be submitted for this purpose. The provisions of this Section shall not apply to any excludable real estate transfers which are exempt from taxation based on family relationship. Other documents presented for the affixation of stamps shall be accompanied by a certified copy of the document and statement of value executed by a responsible person connected with the transaction showing such connection and setting forth the true, full and complete value thereof or the reason, if any, why such document is not subject to tax under this Part.

(Ord. 89-103, 10/17/1989, §12)

§24-314. Civil Penalties.

1. If any part of any underpayment of tax imposed by this Part is due to fraud, there shall be added to the tax an amount equal to 50% of the underpayment.
2. In the case of failure to record a declaration required under this Part on the date prescribed therefor, unless it is shown that such failure is due to reasonable cause, there shall be added to the tax 5% of the amount of such tax if the failure is for not more than one month, with additional 5% for each additional month or fraction thereof during which such failure continues, not exceeding 50% in the aggregate.

(Ord. 89-103, 10/17/1989, §13)

§24-315. Liens.

The tax imposed by this Part shall become a lien upon the lands, tenements or hereditaments or any interest therein lying, being situated, wholly or in part within the boundaries of Washington Township, which lands, tenements, hereditaments or interest therein are described in or conveyed by or transferred by the deed which is the subject

of the tax imposed, assessed and levied by this Part, said lien to begin at the time when the tax under this Part is due and payable and continue until discharge by payment, or in accordance with the law, and the Solicitor is authorized to file a municipal or tax claim in the Court of Common Pleas of Dauphin County, in accordance with the provisions of the Municipal Claims and Liens Act of 1923, 53 P.S. §7101 et seq., its supplements and amendments.

(Ord. 89-103, 10/17/1989, §14)

§24-316. Enforcement and Penalties.

1. Enforcement Notice.

- A. If it appears to the Township that a violation of this Part has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
- B. The enforcement notice shall be sent to the violator and, if applicable, the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
- C. An enforcement notice shall state at least the following:
 - (1) The name of the violator and, if applicable, the owner of record and any other person against whom the Township intends to take action.
 - (2) The location of the violation and, if applicable, the property in violation.
 - (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.
 - (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - (5) That the recipient of the notice has the right to appeal to the Board of Supervisors within a period of 10 days.
 - (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Board of Supervisors, constitutes a violation, with possible sanctions clearly described.

2. Enforcement Remedies.

TAXATION, SPECIAL

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Part shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$600 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues or each Section of this Part which shall be found to have been violated shall constitute a separate violation.
- B. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
- C. Magisterial district judges shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 89-103, 10/17/1989, §15)

PART 4

LOCAL TAXPAYER BILL OF RIGHTS

§24-401. Local Taxpayer Bill of Rights.

1. Upper Dauphin Income Tax Office is designated as the tax office and as such is authorized and directed to distribute the notices, disclosures and procedures and regulations and forms required under the LTBR. The notices, disclosures, information notices request for extensions, regulations and forms attached hereto and marked collectively Exhibit “A”¹ are hereby adopted.
2. The Board of Supervisors of Washington Township is hereby established as the body for hearing and review of taxpayers petitions pursuant to the LTBR. All such reviews shall be held in executive session in accordance with LTBR.

(Res. 99-11, 2/16/1999)

¹ Editor’s Note: Exhibit “A” is on file in the Township office.

CHAPTER 25

TREES

(Reserved to accommodate future enactments)

CHAPTER 26

WATER

PART 1

REGISTRATION, REGULATION AND CONTROL OF WELLS

- §26-101. Short Title**
- §26-102. Purpose**
- §26-103. Application**
- §26-104. Design Standards**
- §26-105. Registration**
- §26-106. Inspection**
- §26-107. Permits**
- §26-108. Construction and Testing of Water Required**
- §26-109. Fees**
- §26-110. Effective Date of Permits**
- §26-111. Violations**

PART 1

REGISTRATION, REGULATION AND CONTROL OF WELLS

§26-101. Short Title.

This ordinance shall be known and may be cited as the “Washington Township Well Ordinance.”

(Ord. 84-6, 4/9/1984, §1)

§26-102. Purpose.

The intention of this Part is to insure and protect the quality and suitability of domestic water supply and to secure and maintain the minimum required isolation distances between water supplies and sewage disposal systems or other sources of contamination.

(Ord. 84-6, 4/9/1984, §2)

§26-103. Application.

1. This Part shall apply to all wells which have not been completed or which are not in operation or in operable condition at the time of passage of this Part.
2. This Part shall further apply to the reconstruction, major repair and other changes to existing wells when, in the opinion of the inspecting officer, such reconstruction, major repair and other changes may affect the quality and suitability of the water supply on the property upon which the well is constructed or on surrounding properties.

(Ord. 84-6, 4/9/1984, §3)

§26-104. Design Standards.

1. Except as provided in subsection (2) herein, all wells shall be constructed at a minimum distance of 100 feet from any existing subsurface sewage disposal drain field or from any location where such a drain field is proposed to be located on adjacent premises.
2. The inspecting officer may waive to said 100 foot minimum isolation distance only in the case of the relocation or reconstruction or the major repair of a well which existed prior to the adoption of this Part and only when all of the following criteria are met:

WATER

- A. The relocation, reconstruction or major repair will not, in the opinion of a qualified hydrogeologist or other person qualified to analyze groundwater geology, significantly affect the quality and suitability of the water supply on the property upon which the well is constructed or on surrounding properties.
 - B. A statement is submitted by a hydrogeologist or other person qualified to analyze groundwater geology, stating that, under the present conditions, the location of the well is not likely to have an adverse affect on public health or on the groundwater, which statement is approved by the Board of Supervisors.
 - C. Upon receiving a notarized written statement by the adjoining land owners or owners whose wells may be affected, consenting to the relocation of said well.
 - D. The well which is used as a potable water supply needs to be relocated, reconstructed or repaired is presently contaminated, dry or otherwise not usable by the property owner.
 - E. Because of existing boundaries and other physical conditions, it is not possible to relocate, reconstruct or repair the well and at the same time maintain the 100 foot minimum isolation distance.
 - F. There is no other source of useable potable water available to the property owner and to deprive the application of a permit would cause the property owner undue hardship through no fault of his own.
3. In the case of a situation described in subparagraph (2) herein, the inspecting officer may require the applicant to take extra precautions beyond those specified in this Part including, but not limited to:
 - A. Double casing any well and extending casing to bedrock or that which is specified by a qualified hydrogeologist.
 - B. More frequent periodic testing on an annual basis of the relocated, reconstructed or repaired well.
 4. This amendment shall become effective January 14, 1985.

(Ord. 84-6, 4/9/1984, §4; as amended by Ord. 85-3, 1/14/1985)

§26-105. Registration.

1. No construction, drilling, digging, reconstruction, major repair or other change of or for any well for any purpose shall commence unless the well driller or the contractor who is to actually perform the work, or his duly authorized

agent, shall apply for and receive a permit for such construction activity from the Township of Washington. The property owner shall be issued the permit only in an emergency situation and when the well driller or contractor or his authorized agent is unavailable. [Ord. 93-6]

2. Application for such a well permit shall be made upon a form supplied by the Township and shall be submitted to the Township or duly authorized inspecting officer of the Township.
3. The said application shall set forth the name or names of owners of the property, the address or location of the property, a scale or sketch of the premises showing the proposed location of the well, the location or proposed location of all buildings and septic tanks and drain fields, the boundary lines of the premises upon which the well is proposed to be located, the boundary line of all adjacent premise and such other information as may be required thereon.

(Ord. 84-6, 4/9/1984, §5)

§26-106. Inspection.

Upon receipt of an application for a well permit, the Township, through its duly authorized inspecting officer, shall within 30 days perform an inspection of the premises on which the well is to be constructed. The inspection shall be conducted in accordance with the provisions of this Part. Upon completion of the inspection the inspecting officer shall either:

- A. Issue a permit to the applicant indicating the approved location for the well and special instructions for construction, if any.
- B. Refuse to issue the said permit and, in such event, shall provide the applicant with written reasons for such refusal.

(Ord. 84-6, 4/9/1984, §6)

§26-107. Permits.

All permits shall be issued on a form provided by the Township, which shall be executed by the duly authorized inspection officer. Permits shall be prepared in triplicate and distribution of copies shall be made as follows:

- A. Original copy to be retained by the Township.
- B. First copy to be tendered to the applicant upon written acknowledgment of receipt thereof upon the original copy.
- C. Second copy to be tendered to the applicant for the use of a well contractor.

WATER

(Ord. 84-6, 4/9/1984, §7)

§26-108. Construction and Testing of Water Required.

Upon the completion of construction, or at such other time as the inspecting officer may deem appropriate, the Township, through its duly authorized inspecting officer, shall perform the final inspection of the well to determine whether there has been compliance with the permit issued. At the time of said final inspection, the applicant shall produce a written statement from a reputable water testing company or laboratory indicating that a sample of water from the well has been tested and is free of any harmful contamination and is potable. Upon completion of the said inspection the inspection officer shall:

- A. Issue an approval of operation upon the original permit.
- B. Deny such approval due to noncompliance with the permit issued, in which latter event written reasons for such denial shall be noted on the original permit.

(Ord. 84-6, 4/9/1984, §8)

§26-109. Fees.

All applications for a well permit shall be accompanied by a fee payment to the Township in accordance with a schedule of fees established, from time to time, by resolution of the Board of Supervisors.

(Ord. 84-6, 4/9/1984, §9)

§26-110. Effective Date of Permits.

All permits shall be in effect as of the date of issuance and shall remain in effect for a period of one year. In the event that construction under the permit has not been completed at the expiration of one year from the date of issuance, the permit shall expire and the validity of the permit shall cease and terminate.

(Ord. 84-6, 4/9/1984, §10)

§26-111. Violations.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of

Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 84-6, 4/9/1984, §11)

CHAPTER 27

ZONING

PART 1

TITLE, AUTHORITY, PURPOSE AND COMMUNITY DEVELOPMENT

OBJECTIVES

- § 27-101. Short Title.
- § 27-102. Authority.
- § 27-103. Purpose.
- § 27-104. Community Development Objectives.
- § 27-105. Interpretation.
- § 27-106. Application.

PART 2

DEFINITIONS

- § 27-201. Definition of Terms.
- § 27-202. Interpretation of Definitions.

PART 3

ESTABLISHMENT OF ZONING DISTRICTS AND MAP

- § 27-301. Zoning Districts.
- § 27-302. Zoning Map.
- § 27-303. Interpretation of District Boundaries.

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- § 27-402. Permitted Uses.
- § 27-403. Conditional Uses.
- § 27-404. Special Exception Uses.
- § 27-405. Building Height Regulations.
- § 27-406. Lot Area and Width Regulations.
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RESIDENTIAL DISTRICT (MEDIUM TO HIGH DENSITY) (R-2)

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- § 27-902. Permitted Uses.
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§ 27-903A.	Abrogation and Greater Restrictions.
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§ 27-1002.	Permitted Uses.
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- § 27-1303A. Standards for Approval of All Communication Antennas, Equipment and Towers.
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PART 15
OFF-STREET PARKING REGULATIONS

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PART 1

**TITLE, AUTHORITY, PURPOSE AND COMMUNITY DEVELOPMENT
OBJECTIVES**

§ 27-101. Short Title. [Ord. 96-2, 7/-/1996, § 101; as revised by Ord. 00-01, 2/15/2000, § 101]

This chapter shall be known as and may be cited as the "Township of Washington Zoning Ordinance."

§ 27-102. Authority. [Ord. 96-2, 7/-/1996, § 102; as revised by Ord. 00-01, 2/15/2000, § 102]

This chapter is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, Act 247, the "Pennsylvania Municipalities Planning Code," July 31, 1968, as amended.

§ 27-103. Purpose. [Ord. 96-2, 7/-/1996, § 103; as revised by Ord. 00-01, 2/15/2000, § 103]

1. This chapter is enacted for the following purposes:
 - A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, emergency preparedness, disaster evacuation, the provision of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements; as well as, preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
 - B. To prevent one or more of the following: over-crowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers. This chapter is made in accordance with an overall program and with consideration for the character of the municipality, its various parts, and the suitability of the various parts for particular uses and structures.
 - C. To preserve prime agriculture and farmland considering topography, soil type and classification and present use.
 - D. To provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that no

zoning ordinance shall be deemed invalid for the failure to provide for any other specific dwelling type.

- E. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

§ 27-104. Community Development Objectives. [Ord. 96-2, 7/-/1996, § 104; as revised by Ord. 00-01, 2/15/2000, § 104]

To promote and to foster the community development goals and objectives as contained the Washington Township Comprehensive Plan, as amended.

§ 27-105. Interpretation. [Ord. 96-2, 7/-/1996, § 105; as revised by Ord. 00-01, 2/15/2000, § 105]

In interpreting and applying this chapter, its provisions shall be held to be the minimum requirements for promotion of health, safety, morals and general welfare of the Township. Any use permitted subject to the regulations prescribed by the provisions of this chapter shall conform with all regulations and is not intended to interfere with, do away with, make ineffective, supersede or cancel any reservations contained in deeds or other agreements. If this chapter imposes more stringent restrictions upon the use of buildings and land than are contained in the deeds or agreements, however, the provisions of this chapter shall control.

§ 27-106. Application. [Ord. 96-2, 7/-/1996, § 106; as revised by Ord. 00-01, 2/15/2000, § 106]

The provisions, regulations, limitations and restrictions of this chapter shall apply, but not be limited, to all structures, buildings, uses, signs and land and their accessory structures, buildings, uses and signs.

PART 2

DEFINITIONS

§ 27-201. Definition of Terms. [Ord. 96-2, 7/-/1996, § 201; as revised by Ord. 00-01, 2/15/2000, § 201]

The following words are defined in order to facilitate the interpretation of this chapter for administrative purposes and for the carrying out of duties by appropriate officers and by the Zoning Hearing Board.

§ 27-202. Interpretation of Definitions. [Ord. 96-2, 7/-/1996, § 202; as revised by Ord. 00-01, 2/15/2000, § 202; as amended by Ord. 02-04, 7/16/2002, § I; by Ord. 03-02, 8/19/2003, § I; and by Ord. 2005-02, 10/4/2005]

1. Unless otherwise expressly stated, the following words, for the purpose of this chapter, shall have the meaning indicated.
2. Words used in the present tense include the future tense.
3. The singular includes the plural.
4. The word "person" includes any individual or group of individuals, a corporation, partnership or any other similar entity.
5. The word "lot" includes the words "plot" or "parcel."
6. The term "shall" is always mandatory.
7. The word "used" or "occupied" as applied to any land or building shall be construed to include the words, arranged or designed to be used or occupied."
8. Any words not included in the following definitions shall be defined as described in the latest edition of Webster's Abridged Dictionary.

ACCESS DRIVE — A paved surface, other than a street, which provides vehicular access from a street or private road to a lot.

ACCESSORY BUILDING OR STRUCTURE — A building or structure subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building.

ACCESSORY STORAGE — The storage of materials related or associated to the accessory use, existing or proposed.

ACCESSORY USE — A use for the convenience, enjoyment or necessity of the principal use or structure and shall be located on the same lot with such principal use or main building.

ADDITION — A structure added to the original structure at some time after the completion of the original.

ADULT BOOK STORE — Any establishment which has a substantial or significant portion of its stock in trade:

- A. Books, films, magazines or other periodicals or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
- B. Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities.

ADULT THEATER — A building or a room within a building open to the general public, used for presenting live entertainment, motion picture film, video tape or similar visual representation of materials distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

ADVERTISEMENT — The outdoor display of any writing, printing, picture, painting, emblem drawing or sign or similar device intended to invite or draw the attention of the public to any goods, merchandise, property, business, service, entertained endorsement or industrial activity of establishment.

ADVERTISING STRUCTURE — A rigid or semirigid material with or without advertisement displayed thereon situated on or attached to or which is part of real property for the purpose of furnishing a background, base surface or support upon which an advertisement may be posted or displayed outdoors.

AGRICULTURAL OPERATION — An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term include an enterprise that implements changes in production practices and procedures or type of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AGRICULTURE — The use of land for agricultural proposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, fish culture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

AIR SUSPENDED SIGNS — Hot air balloons, signs suspended by a balloon and inflated signs, used only for special events.

ALTERATIONS, STRUCTURAL — As applied to a building, structure or sign, any change or rearrangement in the structural parts or in the existing facilities or an enlargement, whether by extending on a side or by increasing in height or the moving from one location or position to another. Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

AMENDMENT — A change in use in any district which includes revisions to the zoning text and/or the official zoning map; and the authority for any amendment lies solely with the Township Board of Supervisors.

ANIMAL HOSPITAL — A building where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to hospital use.

ANTENNA, SATELLITE DISH — A device incorporating a reflective surface that is solid, open mesh or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but not be limited to, what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennae.

APARTMENT — A dwelling unit within a multiple dwelling. This classification includes apartments in apartment houses, studio apartments and kitchenette apartments. Conversion apartments are not included in the classification.

APARTMENT HOUSE — A building arranged, intended or designed to be occupied by three or more families living independently of each other.

APARTMENT, ACCESSORY — An independent dwelling unit incorporated within an existing single-family detached dwelling without any substantial external modification.

APARTMENT, CONVERSION — An existing dwelling unit that is or was converted to a dwelling for more than one family, without substantially altering the exterior of the building.

APARTMENT, GARDEN — A two story multifamily dwelling, containing one story dwelling units.

APPLICANT — A landowner or developer, as hereinafter defined, who has filed an application for development including the applicant's heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT — Every application, whether preliminary or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for approval of a development plan.

AREA — The extent of surface contained within the boundaries or extremities of water, lands or buildings.

AREA, BUILDING — The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.

AREA, LOT — The area contained within the property lines of a lot or as shown on a subdivision plan excluding space within any street, but including the area of any easement.

ARTERIAL STREET — Arterial streets provide direct connections between residential neighborhoods and commercial, industrial, and public employment centers of the area. These roads interconnect the principal traffic generators within urban areas and important rural routes. In addition, arterial highways give access to various interchange points of regional limited access.

AUCTION HOUSE — A building used for the conduct of auction sales of goods by a state-licensed auctioneer or apprentice auctioneer. Three types of auction houses are defined.

- A. AUCTION HOUSE FOR HOUSEHOLD AND OTHER GOODS — A building used solely for the conduct of auction sales of household and other goods, specifically excluding livestock and vehicles.
- B. LIVESTOCK AUCTION — A building used solely for the conduct of auction sales of livestock.
- C. VEHICLE AUCTION — A building used solely for the conduct of auction sales of motor vehicles.

AUTO BODY SHOP — Any structure or any building or part thereof, that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers and/or accessories of automobiles and other vehicles of conveyance.

AUTOMOBILE AND MOBILE HOME SALES LOT — An open lot used for the outdoor display or sales of new or used automobiles, trucks, other similar motor vehicles or mobile homes and where minor and incidental repair work, other than body and fender, may be done.

AUTOMOBILE AND/OR MOBILE HOME SALES GARAGE — A structure or building on a lot designed and used primarily for the display or sale of new and used automobiles, trucks, other similar motor vehicles, mobile homes and where mechanical repairs and body work may be conducted as an accessory use incidental to the primary use.

AUTOMOBILE GARAGE — A structure or building on a lot designed and/or used primarily for mechanical and/or body repairs, storage, rental, servicing or supplying of gasoline or oil to automobiles, trucks or similar motor vehicles.

AUTOMOBILE SERVICE STATION — Any area of land, including any structures thereon, or any building or part thereof, that is used for the retail sale of gasoline, oil, other fuel or accessories for motor vehicles, and which may include facilities used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing such motor vehicles.

AUTOMOBILE WRECKING — The dismantling or wrecking of used automobiles or trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

BANNER SIGN — Any sign of lightweight fabric or similar material that is usually mounted to a pole or building at one or more edges, with a minimum dimension of three square feet per face; but not including any solid colored, multicolored or seasonal decoration containing no commercial message. National, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

BASE FLOOD — See "flood base."

BASEMENT — That portion of a building that is partially or wholly below ground level. This portion is not a completed structure and serves as a substructure or foundation for a building. A basement shall be counted as a story for the purpose of height measurement, if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or is used for business or dwelling purposes, other than a game or recreation room.

BED AND BREAKFAST INN — An owner occupied dwelling in which a room or rooms are rented on a nightly basis for periods of not more than 30 days. Meals may or may not be provided.

BILLBOARDS — Any structure or part thereof or any device attached to a structure for the painting, posting or otherwise displaying of information for the purpose of bringing to the attention of the public, any produce, business, service or cause not necessarily located on or related to the premises on which the sign is situated.

BLOCK — An area bounded by streets.

BOARDING HOUSE — A building arranged or used for the lodging, with or without meals, for compensation, by either transient or permanent residents. This definition includes rooming houses and lodging houses.

BUFFER YARD — See "yard, buffer."

BUILDING — Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels and including covered porches or bay windows and chimneys.

- A. ATTACHED — A building which has two or more party walls except for the end units of the building.
- B. DETACHED — A building which has no party walls.
- C. SEMIDETACHED — A building which has only one party wall.

BUILDING PERMIT — Written permission issued by the proper municipal authority for the construction, repair, alteration or addition to a structure.

BUILDING SETBACK LINE — The line within a property defining the required minimum distance permitted between any enclosed structure and the adjacent right-of-way.

BUILDING, FRONT LINE OF — The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches, whether enclosed or unenclosed, but does not include steps.

BUILDING, HEIGHT OF — The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING, PRINCIPAL — A building in which is conducted the principal use of the lot on which it is located.

BUSINESS — Any enterprise occupation or trade or profession engaged in either continuously or temporarily, for profit. The term "business" shall include the occupancy or use of a building or premises or any portion thereof for the transaction of business or the rendering or receiving of professional or personal service.

BUSINESS OFFICE BUILDING — A building used as offices and occupied by personnel to perform business, professional, administrative or clerical functions.

BUSINESS OFFICE COMPLEX — A group of business office buildings or condominium units located on a single tract of land.

CAMPING GROUND — A parcel of land used by campers for seasonal, recreational or other similar temporary living purposes, in buildings of a movable, temporary or seasonal nature, such as cabins, tents or shelters.

CARPORT — A covered space, open on three sides, for the storage of one or more vehicles and accessory to a main or accessory building.

CARTWAY — That portion of a street or alley which is improved, designed or intended for vehicular use, excluding shoulders.

CELLAR — A story partly underground and having more than 1/2 of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the maximum number of stories.

CHANGE OF USE — An alternation of a building structure or land by change of use, or changing what is existing, to a new use group which imposes other special provisions of law governing building construction, equipment, exists or zoning regulations.

COLLECTOR STREETS — These streets collect local, residential, commercial, industrial and public traffic and direct it to arterials or expressways.

COMMON OPEN SPACE — A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas and areas set aside for public facilities.

COMMUNICATIONS ANTENNA — Any device used for the transmission or reception of radio, television, wireless, telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation, omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment, including without limitation, ham or citizen band radio antennas.

COMMUNICATIONS EQUIPMENT BUILDING — An unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area of the ground not greater than 375 square feet.

COMMUNICATIONS TOWER — A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennas.

COMMUNICATIONS TOWER HEIGHT — The vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.

COMPREHENSIVE PLAN — A comprehensive long-range plan adopted as an official document to guide the growth and development of the Township. The plan includes analyses, recommendations and proposals for the Township's population, economy, housing, transportation, community facilities and land uses.

CONDITIONAL USES — Conditional uses shall be allowed or denied by the Board of Supervisors, pursuant to express standards and criteria set forth in this chapter.

CONDOMINIUM — Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

CONSTRUCTION — The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building structure, including the placement of manufactured homes.

COURT, INNER — An open space enclosed on all sides by exterior walls of a building.

COURT, OUTER — An open space enclosed on three sides by exterior walls of a building.

COVERAGE — That portion or percentage of the lot area covered by impervious materials.

DAY CARE HOME — A facility in which out-of-home care is provided for up to three children, not related to the caregiver.

DECIBEL — The unit of measurement for the relative loudness of sounds to each other, being approximately the smallest degree of difference detectable by the human ear.

DECISION — Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this chapter to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from

determinations. All decisions shall be appealable to the Court of Common Pleas of Dauphin County.

DEDICATION — The deliberate appropriation of land by its owner for any general and public or limited public use, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been denoted.

DENSITY — The number of families, individuals, dwelling units or housing structures per unit of land, excluding street right-of-ways.

DETERMINATION — Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

- A. The Board of Supervisors.
- B. The Zoning Hearing Board.
- C. The Planning Commission, only if and to the extent the Planning Commission is charged with final decision on preliminary or final plans under the subdivision and land development or planned residential development provisions.

Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DEVELOPER — Any landowner, agent of such landowner or tenant with permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT — Any change to improved or unimproved real estate including, but not limited to, buildings or other structures, filling, grading, paving, excavation, mining, dredging or drilling operations and the subdivision of land.

DEVELOPMENT PLAN — The provisions for development, including a planned residential development, a plot of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of wear, density of development, streets, ways and parking facilities, common open space and public facilities.

DISTRICT, ZONING — A district includes all buildings, lots, and surface areas within certain designated boundaries as indicated on the Washington Township Zoning Map.

DRAINAGE SYSTEM — Pipes, swales, natural features and improvements designed to carry runoff.

DRIVE-IN USE — An establishment which by design, physical facilities, service or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

DRIVEWAY — A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

DWELLING — A building or structure designed for living quarters for one or more families, including manufactured homes which are supported either by a foundation or are otherwise permanently attached to the land, but not including hotels, boarding/rooming houses or other accommodations used for transient occupancy.

DWELLING UNIT — A single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING, GROUP — Any building or portion thereof which is designed or used as living quarters for five or more persons unrelated to each other or the family occupying the dwelling unit. Group dwellings shall include, but not be limited to, lodging and boarding houses, nursing homes and homes for the aged.

DWELLING, MULTIFAMILY — A building, including apartment houses, row houses or townhouses, used by three or more families living independently of each other and doing their own cooking.

DWELLING, SINGLE-FAMILY, ATTACHED (TOWNHOUSE OR ROW) — A building used for one family and having two party walls in common with other buildings (such as row house or townhouse).

DWELLING, SINGLE-FAMILY, DETACHED — A building used by one family, having only one dwelling unit and having two side yards.

DWELLING, SINGLE-FAMILY, SEMIDETACHED (DOUBLE) — A building used by one family, having one side yard, and one party wall in common with another building.

DWELLING, TWO-FAMILY SEMIDETACHED (FOUR FAMILIES) — A building designed and built to contain four dwelling units, consisting of two sets of dwelling units, each with one dwelling unit above another, arranged side by side and separated by a party wall.

DWELLING, TWO-FAMILY, DETACHED (DUPLEX) — A building used by two families, having two dwelling units, one located above the other and having two side yards.

EASEMENT — A grant of one or more property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

ELECTRIC SUBSTATION — An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the needs of the general public.

ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES — Electric public utilities' transmission and distribution facilities including substations.

ENGINEER — A professional engineer licensed as such in the Commonwealth of Pennsylvania.

ENGINEER, TOWNSHIP — A professional engineer licensed as such in the Commonwealth of Pennsylvania, and appointed as the Engineer for the Township.

ENGINEERING SPECIFICATIONS — The engineering specifications of the Township regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

ENVIRONMENTAL ASSESSMENT — An analysis of the effect of development proposals and other major actions on natural and socioeconomic features of the existing environment.

EROSION — The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice and gravity.

EXCAVATION — Any act by which earth, sand gravel, rock or any other similar materials is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed, including the conditions resulting therefrom.

FACADE — The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

FAMILY — An individual or individuals related by blood, marriage or adoption (including persons receiving foster care) that maintain one common household and live within one dwelling unit. Additionally, up to three unrelated individuals who maintain a common household and live within one dwelling unit may be considered a family.

FAMILY CARE FACILITY — A facility providing shelter, counseling and other rehabilitative services in a family-like environment for four to eight residents, plus such minimum supervisory personnel as may be required to meet standards of the licensing agency. Residents may not be legally related to the facility operators or supervisors and, by reason of mental or physical

disability, chemical or alcohol dependency or family or school adjustment problems, require a minimal level of supervision but do not require medical or nursing care or general supervision. A family care facility must be licensed and/or approved by the Pennsylvania Department of Public Welfare and may include uses such as foster homes, community residential alternative facilities or home individual programs.

FAMILY DAY CARE CENTER — A residence offering babysitting services and child care services for four to six children unrelated to the resident household and meeting all applicable licensing/registration requirements of the Pennsylvania Department of Public Welfare.

FARM — Any parcel of land containing 10 or more acres, which is used for gain in the raising of agricultural products, livestock, poultry and dairy products. Such term includes necessary farm structures within the prescribed limits and the storage of equipment used, but excludes the raising of fur bearing animals, riding academies, livery or boarding stables and dog kennels.

FENCE — Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh or masonry, singly or in combination.

FILL — Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface.

FLAG — Any fabric, usually rectangular in shape, of distinctive design, that is used as the symbol of government, political subdivision or other entity. Such a flag, that is raised and lowered on a flagpole, shall not be considered a sign.

FLOOD — A temporary inundation of normally dry land areas.

FLOOD FRINGE — That portion of the floodplain outside the floodway.

FLOOD, BASE (ONE-HUNDRED-YEAR FLOOD) — A flood that, on the average, is likely to occur once every 100 years (i.e., that has one-percent-chance of occurring each year, although the flood may occur in any year).

FLOODPLAIN —

- A. A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation.
- B. An area subject to the unusual and rapid accumulation or runoff of surface waters from any surface.

FLOODPROOFING — Any combination of structural and nonstructural additions, changes or adjustments to proposed or existing structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY — The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this chapter, the floodway shall be capable of accommodating a flood of the one-hundred-year magnitude without increasing the water surface elevation more than one foot at any point.

FLOOR AREA — The sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not used as primary living and sleeping quarters, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FLOOR AREA RETAIL, NET — All that space relegated to use by the customer and the retail employee to consummate retail sales and to include display area used to indicate the variety of goods available for the customer, but not to include office space, storage space and other general administrative areas.

FLOOR AREA, HABITABLE — The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen bedroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, bathrooms, closets or unheated areas such as enclosed porches or rooms without at least one window or skylight opening onto an outside yard or court. At least 1/2 of the floor area of every habitable room shall have a ceiling height of not less than seven feet and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the habitable floor area.

GARAGE, PRIVATE — An enclosed or covered space for the storage of one or more vehicles, provided that no business, occupation or service is conducted for profit therein.

GARAGE, PUBLIC — Any garage, other than a private garage, which is used for storage, repair, rental, servicing or supplying of gasoline or oil to motor vehicles.

GARAGE/YARD SALE SIGNS — A sign advertising the location and time of a garage/yard sale.

GARAGE/YARD SALES — A sale that is limited to personal possessions of the seller. The sale location and advertisement is only permitted upon the premises where the sale occurs. Advertisement shall be removed promptly

upon the completion of the sale. No garage/yard sale shall be conducted for a period longer than three consecutive days. In no case shall any aspect of the sale be conducted in a street right-of-way, except that parking may occur where permitted. The conduct of garage/yard sale beyond the extent described herein represents a commercial business and requires appropriate zoning authorization.

GARDEN APARTMENT — See "apartment, garden."

GARDEN STRUCTURES — Any accessory structure which may be occupied for other than sleeping or general housekeeping purposes, or which serves as a shelter primarily for human beings, except a permitted garage, porch or carport, which is located in any side or rear yard not closer than three feet to any side or rear lot line. Included in this category of structures are arbors, aviaries, pergolas, trellises, barbecue shelters, bath house, private greenhouses and freestanding screens and similar structures. No such structure may be located in any required front yard between the building setback line and the street line. Such structures may be solidly roofed and walled or open to the sky and on the sides, but if solidly roofed or solidly walled on more than two sides, they must be located within the building line of the lot and may not invade any required yard. Unscreened, unroofed, unwallled or unfenced patios, bird baths, ornamental pools and swimming pools are not considered as garden structures. Permitted structures may be attached to, or be detached from, a dwelling.

GARDENING — The cultivation of herbs, fruits, flowers or vegetables, excluding the keeping of livestock or bees.

GOVERNING BODY — The Board of Supervisors of Washington Township, Dauphin County, Pennsylvania.

GOVERNMENTAL BODY — The Board of Supervisors of Washington Township or Dauphin County or the State of Pennsylvania.

GRADE, ESTABLISHED — The elevation of the center line of the streets, as officially established by the Board of Supervisors.

GRADE, FINISHED — The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

GREENHOUSE — A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment.

GROUND FLOOR — The floor of a building nearest the mean grade of the front of the building.

HAZARDOUS WASTE — Any garbage, refuse, sludge from an industrial or other waste water treatment plant, sludge from a water supply treatment plant or air pollution control facility and other discarded material including solid, liquid, semisolid or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining or agricultural operations, and from community activities or any combination of the above. This definition does not include solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return permits under § 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. § 1342) or source, special nuclear or by-product material as defined by 42 U.S.C. § 2014, which because of its quantity, concentration or physical, chemical or infectious characteristics may:

- A. Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population.
- B. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed;

The term "hazardous waste" shall not include coal refuse as defined in the Act of September 24, 1968 (P.L. 1040, No. 318), known as the "Coal Refuse Disposal Control Act." "Hazardous waste" shall not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on pursuant to the Act of June 22, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law."

HEARING — An administrative proceeding conducted by a board pursuant to § 909.1 of the Municipalities Planning Code.

HEIGHT OF BUILDING — See "building, height of"

HOME OCCUPATION — Any use customarily conducted entirely within a dwelling or in a building accessory thereto and carried on by the inhabitants residing therein, and having no more than one employee. The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes; the exterior appearance of the structure or premises must be constructed and maintained as a residential dwelling; and no goods must be publicly displayed on the premises, other than signs as provided herein.

HOSPITALS — An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, including, if an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

HOTEL — A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms and recreational facilities.

ILLUMINATED SIGN — A sign that provides artificial light directly or through any transparent or translucent material from a source of light connected with such sign, or a sign illuminated by a light focused upon or directed at the surface of the sign.

IMPERVIOUS MATERIAL — Any substance placed on a lot which covers the surface in such fashion as to prevent natural absorption of surface water by the earth so covered.

INDUSTRY — The manufacturing, compounding, processing, assembly or treatment of materials, articles or merchandise.

INFRASTRUCTURE — Facilities and services needed to sustain industry, residential and commercial activities. These facilities and services may include water and sewer lines, streets and roads, communications and public facilities (e.g. firehouses, parks, etc.).

KENNEL — An establishment in which more than six dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold.

LAND DEVELOPMENT — Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots, regardless of the number of occupants or tenure.
 - (2) The division or allocating of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Exclusion of certain land development as defined above only when such development involves:
 - (1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium.
 - (2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
 - (3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement

park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

LAND SURVEYOR — A person who is licensed by the state as a land surveyor.

LANDOWNER — The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he/she is authorized under the lease to exercise the rights of the landowner or other person having a proprietary interest in land.

LANDSCAPE PLANTING — A planting of vegetative materials including trees, shrubs and ground cover.

LIGHTING —

- A. **DIFFUSED** — That form of lighting wherein the light passes from the source through a translucent cover or shade.
- B. **DIRECT or FLOOD** — That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.
- C. **INDIRECT** — That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated.

LOADING BERTH/SPACE — An off-street area on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts on a street or other appropriate means of access.

LOCAL/MINOR STREETS — The principal function of local streets is to provide access to individual properties abutting the street right-of-way. These streets should be designed for operating speeds of 25 miles per hour or under.

LOT — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit. All lots shall front a public street.

LOT LINES — The lines bounding a lot as defined herein.

LOT OF RECORD — A lot which has been recorded in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania.

LOT, CORNER — A lot at the junction of, and abutting on, two or more intersecting streets or at the point of abrupt change of a single street.

LOT, DEPTH OF — The average horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE — An interior lot having frontage on two streets.

LOT, INTERIOR — A lot other than a corner lot.

LOT, MINIMUM WIDTH — The minimum lot width at the minimum building setback line.

LOT, NONCONFORMING — A lot of the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

LOT, REVERSE FRONTAGE — A lot extending between, and having frontage on, an arterial street and a minor street and with vehicular access solely from the latter.

MANUFACTURING — The processing and/or converting of raw unfinished or finished materials or products, or any, or either of them, into an article or substance of a different character or for use for a different purpose; industries furnishing labor for manufacturing; or the refinishing of manufactured articles.

MEDICAL CENTER — Establishments primarily engaged in furnishing medical, surgical or other services to individuals, including the offices of physicians, dentists and other health care practitioners, medical and dental laboratories, out-patient care facilities, blood banks and oxygen and miscellaneous types of medical supplies and services.

MEMBERSHIP CLUB AND CAMP — Buildings for lodging, eating and sanitary facilities and lands owned, leased or/used principally by a private, fraternal or social organization for such activities as hunting, fishing, scouting, etc.

MEMORIAL SIGN/TABLET — A sign or plaque commemorating a person or event.

MOBILE HOME — A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy

except for minor and incidental unpacking and assembly operations and constructed so that it may be used with or without a permanent foundation.

MOBILE HOME LOT — A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK — A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOTEL — A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, with separate entrances and designed for year-round occupancy, primarily for transient automobile travelers and providing for accessory off-street parking facilities. The term "motel" includes buildings designated as tourist courts, tourist cabins, motor lodges and similar terms.

MUNICIPALITY — Washington Township, Dauphin County, State of Pennsylvania.

NO-IMPACT HOME-BASED BUSINESS — A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use including, but not limited to, parking, signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

- G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- H. The business may not involve any illegal activity.

NON-COAL SURFACE MINING — The extraction of minerals other than coal from the earth, from waste or stockpiles or from pits or from banks by removing the strata or material that overlies or is above or between them or otherwise exposing and retrieving them from the surface including, but not limited to, strip mining, auger mining, dredging, quarrying and leaching and all surface activity connected with surface or underground mining including, but not limited to, exploration, site preparation, entry, tunnel, drift, slope, shaft and borehole drilling and construction and activities related thereto; but it does not include those mining operations carried out beneath the surface by means of shafts, tunnels or other underground mine openings. The term does not include any of the following:

- A. The extraction of minerals by a landowner for his own noncommercial use from land owned or leased by him.
- B. The extraction of sand, gravel, rock, stone, earth or fill from borrow pits for highway construction purposes of the Pennsylvania Department of Transportation or the extraction of minerals pursuant to construction contracts with the department if the work is performed under a bond, contract and specifications that substantially provide for and require reclamation of the area affected in the manner provided by the Noncoal Surface Mining Conservation and Reclamation Act. 52 P.S. § 3301 et seq.

NONCONFORMING LOT — A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of this chapter, but which fails by reason of such adoption, revision or amendment to conform to the present requirement of the zoning district.

NONCONFORMING STRUCTURE — A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE — A use, whether of land or of structure, which does not comply with the applicable use provisions in this chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

NURSERY, HORTICULTURE — Any lot or parcel of land used to cultivate, propagate and grow trees, shrubs, vines and other plants including the buildings, structures and equipment customary incidental and accessory to the primary use.

NURSING OR CONVALESCENT HOME — A building with sleeping rooms where persons are housed or lodged and furnished with meals, nursing care for hire and which is approved for nonprofit/profit corporations licensed by the Pennsylvania Department of Public Welfare for such use.

OCCUPANCY PERMIT — A required permit allowing occupancy of a building or structure after it has been determined that the building meets all the requirements of applicable ordinances.

OFF-PREMISES ADVERTISING SIGN — A sign which contains a message unrelated to a business or profession conducted upon the zone lot where such sign is located or which is unrelated to a commodity, service or entertainment sold or offered upon the zone lot where such sign is located.

OFF-STREET PARKING SPACE — A temporary storage area for motor vehicle that is directly accessible to an access aisle and which is not located on a dedicated street right-of-way.

OFFICE BUILDING — A building designed or used primarily for office purposes, no part of which is used for manufacturing.

OFFICE, PROFESSIONAL — A room or rooms used for the carrying on of a profession including, but not limited to, physicians, dentists, architects, engineers, accountants, attorneys, real estate brokers and insurance agents entitled to practice under the laws of the Commonwealth of Pennsylvania.

OFFICIAL MAP — A legally adopted map that conclusively shows the location of existing public streets, watercourses and public grounds, for the whole of the municipality.

OPEN SPACE — The unoccupied space open to the sky on the same lot with the building.

OWNER(S) — The individual, partnership, company, firm, association or corporation which holds title to a business or land on which it is situated, including its agents, subcontractors or employees.

PARKING LOT — Any lot, municipally or privately owned, for off-street parking facilities, providing for the transient storage of automobiles or motor-driven vehicles. Such parking services may be provided as a free service or for a fee.

PARKING SPACE — The space within a building, or on a lot or parking lot, for the parking or storage of one automobile.

PARTY WALL — A common shared wall between two separate structures, buildings or dwelling units.

PENNANT — Any light weight fabric, plastic or other material, usually triangular in shape, suspended from, or attached to, a rope, wire, string or pole, whether grouped in series or not and normally designed to move in the wind.

PENTHOUSE — A structure located on a roof of the main building for purposes of living accommodations or housing of mechanical equipment.

PERMANENT SIGN — Any sign which is intended to be displayed for a length of time in excess of 30 days.

PERMITTED USE — Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

PERSON — Any individual or group of individuals, corporations, partnership or any similar entity.

PERSONAL SERVICES — Businesses primarily engaged in providing services generally to individuals, such as home laundries, portrait photographic studios and beauty and barber shops.

PLANNED CENTER — A group of uses planned and designed as an integrated unit with controlled ingress and egress and shared off-street parking provided on the property as an integral part of the unit. Such centers also may include "planned center signs" as regulated herein. A Shopping Center, Business Park or an Industrial Park are examples of a planned center with more than 50,000 square feet of gross leasable floor area.

PLANNING CODE — The Pennsylvania Municipalities Planning Code, Act 247, dated July 31, 1968, as amended.

PLANNING COMMISSION — The Washington Township Planning Commission, appointed by the Board of Supervisors in accordance with the Second Class Township Code of Pennsylvania and the Municipalities Planning Code, Act No. 247, otherwise, the Board of Supervisors of Washington Township, Dauphin County.

PLAT — The map or plan of a subdivision or land development, whether preliminary or final.

PORCH — A covered area at a front, side or rear door.

PREMISES — Any lot, parcel, or tract of land and any building constructed thereon.

PRINCIPAL WASTE HANDLING FACILITY — A principal use whereby waste is brought to the site for storage, processing, treatment, transfer and disposal.

PRIVATE — Not publicly owned, operated or controlled.

PROFESSIONAL OCCUPATION — The practice of a profession by any professional including, but not limited to, attorney, physician, surgeon, osteopath, chiropractor, dentist, optician, optometrist, chiropodist, insurance agent, engineer, surveyor, architect, landscape architect, planner or similar type, entitled to practice under the laws of the Commonwealth of Pennsylvania.

PROJECTING SIGN — A sign which projects horizontally from and is supported by a wall of a building.

PROPERTY LINE — A recorded boundary of a plot.

PUBLIC — Owned, operated or controlled by a government agency (federal, state, or local, including a corporation and/or board created by law for the performance of certain specialized governmental functions).

PUBLIC GROUNDS — Includes the following:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas.
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
- C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING — A formal meeting held pursuant to public notice by the Board of Supervisors or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this chapter.

PUBLIC MEETING — A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE — Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC SEWER AND/OR WATER SYSTEM — Any system, other than an individual septic tank, tile field or individual well, that is operated by a municipality, governmental agency or a public utility for the collection, treatment and disposal of wastes and the furnishing of potable water.

PUBLIC SWIMMING POOL — Any pool, other than a residential pool, which is used, or intended to be used, for swimming, bathing or wading and is operated by an owner, lessee, operator, licensee or concessionaire, regardless of whether a fee is charged for use.

PUBLIC UTILITY FACILITY — A structure and its equipment, where necessary, for the transmission and exchange of cable television, telephone, gas, electric, sewer or water facilities, or for the pick-up and/or discharge of passengers from a public transportation vehicle.

PUBLIC UTILITY TRANSMISSION TOWER — A structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines.

RADIOACTIVE MATERIAL — Any natural or artificially produced substance which emits radiation spontaneously.

RECREATION FACILITY, PRIVATE — A recreation facility operated by a nonprofit organization and open only to bona fide members and guests of such nonprofit organization.

RECREATION FACILITY, PUBLIC — A recreation facility operated by a governmental agency and open to the general public.

RECREATIONAL VEHICLE — A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which has its own motor power or is mounted or drawn by another vehicle including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

RECREATIONAL VEHICLE PARK OR CAMP GROUND — A parcel of land under single ownership which has been planned and improved for the placement of recreational vehicles or camping equipment for temporary living quarters, for recreational, camping or travel use or recreational vehicle or camp ground lots rented for such use, thereby constituting a "land development."

RECYCLING FACILITY — An establishment which provides the means for the collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would otherwise be disposed of and processed as municipal waste.

REPORT — Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RESIDENTIAL SWIMMING POOL — Any pool, portable or permanent, which is used or intended to be used noncommercially for swimming, bathing or wading.

RIDING ACADEMY — An establishment where horses are kept for riding or driving, or are stabled for compensation or are incidental to the operation of any club, association, ranch or similar establishment.

RIGHT-OF-WAY — A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric or telephone transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses; generally, the right of one to pass over the property of another.

RIGHT-OF-WAY, STREET — A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley or however designated.

ROADSIDE STAND — A structure designed or used for the display or sale of neighborhood agricultural products or other goods produced on the premises upon which such a stand is located.

ROOF SIGN — Any sign or part thereof erected and maintained upon or above the roof of any building.

RUNOFF — The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SALVAGE YARD — Any establishment or place of business which is maintained, used or operated for storing, keeping, buying or selling salvage. The term shall not include:

- A. A scrap metal processing facility.

- B. Any tract or lot adjacent to a manufacturing or processing business where salvage is stored on an interim basis pending the final disposition of the same in the normal operation of such business.
- C. Lots maintained by a dealer (as defined by the State Vehicle Code).
- D. Salvage, all of which is stored or accumulated inside a wholly self-enclosed building or other structure.
- E. Recycling facility.

SCHOOL — Any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

SCHOOL, NURSERY — A facility, not in a private residence, enrolling four or more children no more than five years of age and where tuition, fees or other forms of compensation for the instruction and care of the children is charged. Such facility shall employ licensed personnel and shall be licensed by the Commonwealth of Pennsylvania.

SCREEN PLANTING — A vegetative material of sufficient height and density to conceal from the view of property owners in adjoining residential districts the structures and uses on the premises on which the screen planting is located.

SEARCHLIGHT — Any light with one or more beams directed into the atmosphere or deposited by moving wind, water or gravity.

SEDIMENTATION — The process by which mineral or organic matter is accumulated or deposited by moving wind, water or gravity.

SHOPPING CENTER — A group of stores planned and designed to function as a unit for the lot on which it is located, with off-street parking provided as an integral part of the unit.

SIGHT DISTANCE — The length of roadway visible to the driver of a vehicle at any given point on the roadway when the view is unobstructed by traffic.

SIGN — Any structure or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

SIGN AREA — That area enclosed by one continuous line, connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main sign support structure, but all other ornamental attachments, inner connecting links, trim, etc., which are not part of the main supports of the sign are to be included in determining sign area.

When attached to or painted on a surface, a building, canopy, awning, wall or window, the area is that of the smallest polygon that encompasses all of the letters and/or symbols. All visible faces of a multi-faced sign shall be counted separately and then totaled in calculating sign area.

SIGN, ADVERTISING — A sign intended for the painting, posting or otherwise displaying of information inviting attention to any product, business, service or cause not located on, or related to, the premises on which the sign is situated.

SIGN, BUSINESS — A sign which directs attention to a use conducted, product or commodities sold, or service performed, upon the premises.

SIGN, NONCONFORMING — Any sign lawfully existing on the effective date of an ordinance, or an amendment thereto, which renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

SIGN, REAL ESTATE — A sign relating to the property upon which it is located, offering such property for sale or lease; announcing improvements or changes in connection therewith; and warnings, or other similar notices concerning such property.

SIGN, SERVICE — A sign which is incidental to a use lawfully occupying the property upon which the sign is located and the sign is necessary to provide information to the public such as direction to parking lots, location of rest rooms or other such pertinent facts.

SIGN, TEMPORARY — A temporary sign shall be construed to mean any sign, banner, cardboard or other material carrying an advertisement or announcement, which is displayed or intended to be displayed for a period not exceeding ordinance requirements.

SIGN, WALL — A sign which is attached directly to or painted upon a building wall and which does not extend horizontally more than 12 inches there from nor extend above the roof line or extend beyond the edge of the building. Any sign that is affixed to the building marquee, building awning or a building canopy shall be considered a wall sign.

SIGN, WINDOW — Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or on the inside or outside surface of a window and is intended to be a permanent sign.

SITE DEVELOPMENT PLAN — A scaled graphical depiction of the proposed development of a lot, parcel or tract of land describing all covenants, in

accordance with the Subdivision and Land Development Ordinance [Chapter 22].

SPECIAL EXCEPTION — The Zoning Hearing Board shall hear and decide requests for special exceptions in accordance with standards and criteria established by the Board of Supervisors and applicable law. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in this chapter, as it may deem necessary to implement the purpose of the Pennsylvania Municipalities Planning Code, Act 247, as amended, and this chapter.

STABLE, PRIVATE — An accessory building in which horses are kept for private use and not for hire, remuneration, exhibition or sale.

STABLE, PUBLIC — A building in which any horse is kept for remuneration, hire, exhibition or sale.

STORAGE FACILITY — A structure intended for lease for the sole purpose of storing household goods, business records, inventory of products, motor vehicles or recreational equipment.

STOREFRONT — The front of a business or business building facing a street, driveway or parking area.

STORY — That portion of any building included between the surface of any floor and the surface of the next floor above it, or if there is not floor above it, then the space between such floor and the ceiling next above it.

STORY, HALF — A story under a gabled, hipped or gambreled roof, the wall plates of which on at least two opposite exterior walls, are not over three feet above the finished floor of such story.

STREAMER — A long, narrow, ribbon like strip of cloth or fabric, colored paper, etc., hanging loose at one end, suspended from, or attached to, a rope, wire, string or pole, grouped in series and normally designed to move in the wind.

STREET — Includes street, avenue, boulevard, road, highway, freeway, parkway, lane alley viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET GRADE — The officially established grade of the street upon which a lot fronts or in its absence the established grade of the other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE — The dividing line between the street and the lot, also known as the right-of-way line.

STREET WIDTH — The distance between street lines measured at right angles to the center line of the street.

STREET, CUL-DE-SAC — A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STRUCTURE — Any object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

STRUCTURE, NONCONFORMING — A structure or part of a structure manifestly not designed to comply with the applicable use provisions in this chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reasons of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

STRUCTURE, TEMPORARY — A structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

SUBDIVISION — See "land development."

SWIMMING POOL — A water-filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land or an above-surface pool, having a depth of more than 30 inches, designed, used and maintained for swimming and bathing.

TOWNSHIP — Washington Township, Dauphin County, Pennsylvania.

TRANSFERABLE DEVELOPMENT RIGHTS — The attaching of development rights to specified lands which are desired by a municipality to be kept, undeveloped, but permitting those rights to be transferred from those lands so that development potential which they represent may occur on other lands within the Township where more intensive development is deemed by the municipality to be appropriate.

UNDEVELOPED LAND — Any lot, tract or parcel of land which has not been graded or in any other manner prepared for the construction of a building.

USE — The specific purpose for which land or a building is designated, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

USE, PRINCIPAL — The primary or predominant use of any lot.

USE, TEMPORARY — A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

VARIANCE — The permission granted by the Zoning Hearing Board for an adjustment to some regulation as specified in Part 18.

VEGETATIVE COVER — Shall consist of trees, shrubs, flowers, grass, ground or bank cover or suitable previous decorative substitute.

WATER SURVEY — An inventory of the source, quantity, yield and use of groundwater and surface water resources within a municipality.

YARD — An unoccupied space, outside the building setback lines, other than a court, open to the sky and on the same lot with a building or structure.

YARD, BUFFER — A strip of required yard space adjacent to the boundary of a property or district, as provided for in this chapter.

YARD, EXTERIOR — An open unoccupied space between the buildings of a dwelling group or its accessory building and the project boundary or street line.

YARD, FRONT — An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the building front setback line projected to the side lines of the lot. **[Amended by Ord. 2016-01, 9/6/2016]**

YARD, REAR — An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear building setback line projected to the side lines of the lot. **[Amended by Ord. 2016-01, 9/6/2016]**

YARD, SIDE — An open unoccupied space on the same lot with the building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed to be a side line. **[Amended by Ord. 2016-01, 9/6/2016]**

ZONE LOT — A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements, or duly authorized relief therefrom, for area, coverage and use and that can provide such yards and other open spaces as required by this chapter.

ZONING — The demarcation of the Township into zones or areas, and the application of this chapter to establish regulations to govern the use of the land, including the control of location, bulk, height, shape, use and coverage of

structures within each zone in accordance with the purposes as given in § 604 of the Pennsylvania Municipalities Planning Code.

ZONING HEARING BOARD — A group of three Washington Township residents appointed by the Board of Supervisors as required by the Pennsylvania Municipalities Planning Code, Act No. 247.

ZONING MAP — The map setting forth the boundaries of the zoning districts of the Township which shall be part of this chapter.

ZONING OFFICER — The duly constituted municipal official designated to administer and enforce this chapter. The Zoning Officer shall administer this chapter in accordance with its literal terms.

ZONING PERMIT — A statement signed by the Zoning Officer indicating an application for permission to construct, alter, erect a building, structure or to use land has been approved and is in accordance with the provisions of this chapter.

PART 3

ESTABLISHMENT OF ZONING DISTRICTS AND MAP

§ 27-301. Zoning Districts. [Ord. 96-2, 7/-/1996, § 301; as revised by Ord. 00-01, 2/15/2000, § 301]

For the purpose of this chapter, the Township is hereby divided into districts which shall be designated as follows:

A	Agricultural District
R-1	Residential District (Low Density)
R-2	Residential District (Medium-High Density)
C	Commercial District
LI	Industrial District (Light Industrial)
CN	Conservation District
F	Floodplain Management District
V	Village District
MR	Mineral Resource Recovery District

§ 27-302. Zoning Map. [Ord. 96-2, 7/-/1996, § 302; as revised by Ord. 00-01, 2/15/2000, § 302]

1. The boundaries of the above districts shall be as shown upon the map, attached to and made a part of this chapter, which shall be designated "Zoning Map." The map and all the notations, reference and other data shown thereon are hereby incorporated by reference into this chapter.
2. The floodplain boundaries in the F District shall serve as an overlay to the A District as shown on the official Zoning Map, and as specifically described in the Floodway Data Table and one-hundred-year flood delineation in the Flood Insurance Study (FIS) prepared for the Township by the Flood Insurance Administration (FIA) dated December 17, 1987. The study and accompanying maps all notations, reference and other data shown thereon are hereby incorporated by reference into this chapter.

§ 27-303. Interpretation of District Boundaries. [Ord. 96-2, 7/-/1996; § 303; as revised by Ord. 00-01, 2/15/2000, § 303]

1. When uncertainty exists as to the boundaries of the districts as shown on the Zoning Map, the following rules shall apply:
 - A. Boundaries indicated as approximately following the center lines of streets, highways or alleys shall be construed to follow such center lines.
 - B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

- C. Boundaries indicated as approximately following Township limits shall be construed as following Township limits.
- D. Boundaries indicated as following the center lines of streams, rivers or other bodies of water shall be construed to follow such center lines.
- E. Boundaries indicated as parallel to, or extensions of, features indicated in subsections (A) through (D) above shall be so construed. Distances not specifically indicated on the official Zoning Map shall be determined by the scale of the map.
- F. When physical or cultural features existing on the ground are at variance with those shown on the official Zoning Map or in circumstances not covered by Subsections (A) through (D) above, the Zoning Hearing Board shall interpret the district boundaries.
- G. When A, R-1, R-2, C, LI, CN, F and V boundary lines divide a lot held in single and separate ownership at the effective date of the Chapter, the regulations of either abutting district may be construed by the owner to be applicable to the portion of such lot in the other abutting district for a distance of not more than 100 feet beyond the district boundary line.

PART 4

AGRICULTURAL DISTRICT (A)

§ 27-401. Intent. [Ord. 96-2, 7/-/196, § 401; as revised by Ord. 00-01, 2/15/2000, § 401]

Consistent with the general purposes of this chapter, the Future Land Use Plan, and the goals and objectives of the Washington Township Comprehensive Plan, the specific intent of this Part is to preserve and maintain the Township's valuable farmland by allowing less intensive development to occur within the designated "A" boundary lines. Agricultural land is considered a non-replaceable resource within the Township which, if lost, is not reclaimable once it is developed. Agricultural activities are an integral part of the culture and economy of Washington Township and are, therefore, deserving of preservation. Provisions within this Part should protect agricultural activities and retain the Township's rural character.

§ 27-402. Permitted Uses. [Ord. 96-2, 7/-/1996, § 402; as revised by Ord. 00-01, 2/15/2000, § 402]

1. In this district no building, farm unit plus accessory structures or land shall be used and no building shall be erected which is arranged, intended to be, or designed to be, used for other than one or more of the following approved uses:
 - A. Agricultural, horticulture and forestry uses, including the raising, breeding and grazing of animals provided that any lot intended to raise livestock be a minimum of two acres.
 - B. Accessory agricultural-related structures.
 - C. Single-family detached dwelling units.
 - D. Farmers markets and produce stands in accordance with § 27-1207.
 - E. Churches or similar places of worship, including a parish house, manse, parsonage or convent.
 - F. Cemeteries.
 - G. Public or semi-private recreation areas when not operated for gain or profit.
 - H. Municipal buildings.
 - I. Necessary municipal and public utility structures and buildings in accordance with Part 12.
 - J. Accessory uses on the same lot with, and customarily incidental to, any of the above permitted uses in accordance with Part 12.

- K. Grange halls and buildings for agricultural oriented groups.
- L. Golf courses and country clubs.
- M. Home occupations in accordance with regulations in § 27-1208 and subject to the following conditions:
 - (1) The home occupation shall be carried on completely within the dwelling unit or accessory building and must only occupy one floor limited to 25% of the total living areas, not including basements or attics.
 - (2) No more than two persons, other than the principal operator, shall be employed.
 - (3) Articles sold or offered for sale shall be limited to those produced on the premises or to articles which are clearly incidental to the home occupation, such as hair care products by a barber or beautician.
 - (4) There shall be no exterior display or sign (except as permitted in the Sign Regulations — Part 14) no exterior storage of materials and no other exterior indication of the home occupation or variation of the residential character of the main building.
 - (5) No offensive noise, vibration, smoke or other particulate matter, heat, humidity, glare or other objectionable effects shall be produced.
 - (6) Off-street parking shall be provided in accordance with the provisions of Part 15.
- N. Commercial riding stables in accordance with regulations in § 27-1212.
- O. Veterinary offices and animal hospitals or clinics and shall be in accordance with Part 12.
- P. Bed and breakfast establishments in accordance with Part 12.

§ 27-403. Conditional Uses. [Ord. 96-2, 7/-/1996, § 403; as revised by Ord. 00-01, 2/15/2000, § 404; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. Commercial poultry and livestock, in accordance with § 27-1218.

- B. Storage of materials and equipment, not used in connection with a permitted use. [Amended by Ord. 2016-01, 9/6/2016]
- C. Saw mills, in accordance with regulations in Part 12.
- D. State and county municipal use in accordance with the regulations in Part 12.
- E. Family day-care centers in accordance with § 27-1214. [Added by Ord. 2016-01, 9/6/2016]
- F. Heavy equipment sales and services facilities. [Added by Ord. 2016-01, 9/6/2016]

§ 27-404. Special Exception Uses. [Ord. 96-2, 7/-/1996, § 403; as revised by Ord. 00-01, 2/15/2000, § 404; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter, as follows:
 - A. Farm equipment or lawn and garden sales and service such as farm implement dealers, feed mills and similar businesses and support service in accordance with regulations in § 27-1213.
 - B. Nursery, lawn and garden equipment and supplies sales and service in accordance with regulation in Part 12.
 - C. Commercial kennels in accordance with regulations in § 27-1211.
 - D. Camps or campgrounds in accordance with regulations in § 27-1210.
 - E. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-405. Building Height Regulations. [Ord. 96-2, 7/-/1996, § 405; as revised by Ord. 00-01, 2/15/2000, § 405]

No building shall be erected to a height in excess of 50 feet except for silos.

§ 27-406. Lot Area and Width Regulations. [Ord. 96-2, 7/-/1996, § 406; as revised by Ord. 00-01, 2/15/2000, § 406; as amended by Ord. 2016-01, 9/6/2016]

- 1. A minimum lot area for on-lot septic systems and wells shall be 60,000 square feet.
- 2. Minimum lot width at the minimum building setback line shall be no less than 100 feet for sewered areas and 150 feet for nonsewered areas.

3. Where public sewer and water are available, the minimum lot area shall be determined on the basis of yard, off-street parking, loading, and unloading coverage standards, but shall be no less than 30,000 square feet.

§ 27-407. Lot Coverage Regulations. [Ord. 96-2, 7/-/1996, § 407; as revised by Ord. 00-01, 2/15/2000, § 407]

Principal buildings and accessory buildings or structures including building and impervious surface coverage shall not be more than 25% of the total lot area. To the greatest extent possible, soils of prime and statewide significance, as defined and delineated by the USDA Soils Conservation Service, shall not be covered by structures or impervious materials.

§ 27-408. Yard Regulations. [Ord. 96-2, 7/-/1996, § 408; as revised by Ord. 00-01, 2/15/2000, § 408; as amended by Ord. 2016-01, 9/6/2016]

1. Yards of the following minimum depths and widths shall be provided.
 - A. Minimum front yard depth shall be 40 feet.
 - B. Minimum side yard width shall be 15 feet.
 - C. Minimum rear yard depth shall be 30 feet.

(See Part 12, for other yard regulations.)

§ 27-409. Off-Street Parking Regulations. [Ord. 96-2, 7/-/1996, § 409; as revised by Ord. 00-01, 2/15/2000, § 409]

Off-street parking shall be provided in accordance with the provisions of Part 15.

§ 27-410. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 410; as revised by Ord. 00-01, 2/15/2000, § 410]

Regulations limiting access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

PART 5

RESIDENTIAL DISTRICT LOW DENSITY (R-1)

§ 27-501. Intent. [Ord. 96-2, 7/-/1996, § 501; as revised by Ord. 00-01, 2/15/2000, § 501]

Consistent with the general purposes of this chapter, the Future Land Use Plan, and the goals and objectives of the Washington Township Comprehensive Plan, the specific intent of this Part is to permit the establishment of a low-density residential area served or to be served by public water and sewer services. This district shall provide protection of these residential communities from commercial and industrial intrusion. The predominant type of residential unit shall be single-family detached dwelling units.

§ 27-502. Permitted Uses. [Ord. 96-2, 7/-/1996, § 502; as revised by Ord. 00-01, 2/15/2000, § 502; as amended by Ord. 2005-02, 10/4/2005]

1. In the district no building or land shall be used, and no building shall be erected which is arranged, intended to be or designed to be, used for other than one or more of the following approved uses.
 - A. Single-family detached dwelling units.
 - B. Churches or similar places of worship, including a parish house, manse, parsonage or convent.
 - C. Public and private schools for the educational needs of the community when not conducted for profit, including accessory residential units.
 - D. Private or semi-private recreation areas when not operated for gain or profit.
 - E. Accessory uses on the same lot with, and customarily incidental to, any of the above permitted uses in accordance with Part 12.
 - F. No-impact home-based business.

§ 27-503. Conditional Uses. [Ord. 96-2, 7/-/1996, § 503; as revised by Ord. 00-01, 2/15/2000, § 503; as amended by Ord. 02-04, 7/16/2002, § I]

1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. Bed and breakfast in accordance with Part 12.
 - B. Home occupation in accordance with Part 12.

- C. Necessary municipal and public utility structures and buildings in accordance with Part 12.
- D. State and county municipal use in accordance with the regulations in Part 12.
- E. Multifamily dwellings. [Added by Ord. 2016-01, 9/6/2016]
- F. Single-family and multiple-dwelling units. [Added by Ord. 2016-01, 9/6/2016]

§ 27-504. Special Exception Uses. [Ord. 96-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 of this chapter, as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-505. Building Height Regulations. [Ord. 96-2, 7/-/1996, § 504; as revised by Ord. 00-01, 2/15/2000, § 505]

No building shall be erected to a height in excess of 35 feet unless otherwise specified.

§ 27-506. Lot Area and Width Regulations. [Ord. 96-2, 7/-/1996, § 505; as revised by Ord. 00-01, 2/15/2000, § 506]

- 1. Minimum lot area shall be no less than 60,000 square feet without public sewer and water services and 15,000 square feet with these services.
- 2. Minimum lot width at the building line shall be no less than 100 feet for sewer areas and 150 feet for lots containing on lot disposal systems.

§ 27-507. Lot Coverage Regulations. [Ord. 96-2, 7/-/1996, § 506; as revised by Ord. 00-01, 2/15/2000, § 507]

Residential, nonresidential and accessory buildings, including building coverage and impervious surfaces, shall not cover more than 30% of the total lot area for non-sewered areas and 40% for sewer areas.

§ 27-508. Yard Regulations. [Ord. 96-2, 7/-/1996, § 507; as revised by Ord. 00-01, 2/15/2000, § 508]

- 1. Yards of the following minimum depths and widths shall be provided.

- A. Minimum front yard depth shall be 40 feet.
 - B. Minimum side yard width shall be 15 feet.
 - C. Minimum rear yard depth shall be 30 feet.
2. (See Part 12 for other yard regulations.)

§ 27-509. Off-Street Parking Regulations. [Ord. 96-2, 7/-/1996, § 508; as revised by Ord. 00-01, 2/15/2000, § 509]

Off-street parking shall be provided in accordance with the provisions of Part 15.

§ 27-510. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 509; as revised by Ord. 00-01, 2/15/2000, § 510]

Regulations limiting access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

PART 6

RESIDENTIAL DISTRICT (MEDIUM TO HIGH DENSITY) (R-2)

§ 27-601. Intent. [Ord. 96-2, 7/-/1996, § 601; as revised by Ord. 00-01, 2/15/2000, § 601]

Consistent with the general purposes of this chapter, the Future Land Use Plan and the goals and objectives of the Washington Township Comprehensive Plan, the specific intent of this Part is to permit the establishment of medium to higher density residential areas served or to be served by public water and sewer services. This district is planned to provide the Township with a diversity of housing types and values. The R-2 District, with established design standards, will avoid undue traffic congestion on the streets, provide for public convenience and create harmony with adjoining residential uses.

§ 27-602. Permitted Uses. [Ord. 96-2, 7/-/1996, § 602; as revised by Ord. 00-01, 2/15/2000, § 602; as amended by Ord. 2005-02, 10/4/2005]

1. In the district no building or land shall be used and no building shall be erected which is arranged, intended to be or designed to be, used for other than one or more of the following approved uses:
 - A. Single-family detached and semidetached dwellings (See Exhibit I¹ for description).
 - B. Single-family attached dwellings (townhouses) (See Exhibit I² for description).
 - C. Two-family detached dwellings (See Exhibit I³ for description).
 - D. Multifamily dwellings, conversion apartment dwellings, apartment units and accessory apartment dwellings.
 - E. Churches or similar places of worship, including a parish house, manse, parsonage or convent.
 - F. Public and private schools for the educational needs of the community when not conducted for gain or profit and including accessory residential uses.
 - G. Elderly housing and care facilities, assisted or shared living residences, convalescent homes, accessory apartments, elderly cottages, personal care facilities and group homes.

¹Editor's Note: Exhibit I is on file at the Township office.

²Editor's Note: Exhibit I is on file at the Township office.

³Editor's Note: Exhibit I is on file at the Township office.

- H. Municipal parks, playgrounds and recreation areas including municipal and private pools, ballfields with accessory structures and utilities, pavilions for public or private uses.
- I. Public utility facilities in accordance with Part 12.
- J. Accessory uses on the same lot with and customarily incidental to any of the above permitted uses in accordance with Part 12.
- K. No-impact home-based business.

§ 27-603. Conditional Uses. [Ord. 96-2, 7/-/1996, § 603; as revised by Ord. 00-01, 2/15/2000, § 603; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 12 in this ordinance, as follows:
 - A. Home occupations shall be in accordance with Part 12.
 - B. Family day care centers in accordance with Part 12.
 - C. State and county municipal use in accordance with the regulations in Part 12.

§ 27-604. Special Exception Uses. [Ord. 96-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000, § 604; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter; as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-605. Building Height Limit. [Ord. 96-2, 7/-/1996, § 604; as revised by Ord. 00-01, 2/15/2000, § 605]

No building shall be erected to a height in excess of 35 feet and the height may not be increased unless otherwise specified.

§ 27-606. Lot Area, Width, Coverage and Yard Regulations. [Ord. 96-2, 7/-/1996, § 605; as revised by Ord. 00-01, 2/15/2000, § 606]

- 1. Residential Uses.

- A. The minimum lot area per dwelling unit, minimum lot width at the building setback line, maximum lot coverage and yard requirements shall be not less than indicated on the table below.
 - B. Development of 10 residential lots or more on existing open or vacant lots must comply with landscaping and screen planting regulations in Part 11.
2. All multifamily, apartment conversion and cluster developments are subject to parking regulations in Part 15.
3. A minimum tract size of five acres is required for townhouse developments and a minimum of three and maximum of six townhouse units shall be permitted in a group of townhouses.
4. A minimum of four and maximum of 12 garden apartment units shall be permitted in a group of garden apartments.
5. Spacing between multifamily dwelling unit structures shall be no less than 60 feet and must comply with the landscaping and screen planting regulations in Part 11.
6. Nonresidential Uses.
 - A. Minimum lot area shall be 25,000 square feet for sewered areas and 60,000 square feet for nonsewered areas.
 - B. Minimum lot width measured at building line shall be 100 feet for sewered areas and 150 feet for nonsewered areas.
 - C. Lot coverage including building coverage and impervious surface coverage shall not exceed 50%.
 - D. Vegetative coverage must comply with landscaping regulations in Part 11.
7. Where the R-2 district abuts a neighboring district a buffer yard shall be required in addition to the yards specified in the following tables. The buffer yard shall be no less than 20 feet for the R-1 District and 40 feet for the A, I and CF Districts and 30 feet for the C and V Districts. Buffer yards shall be subject to the landscaping and screen planting regulations in Part 11. The width of any street, road or service drive shall not be considered in determining the width of the required yard. Off-street parking is prohibited in the buffer. See Part 12, for other yard and buffer yard regulations.

§ 27-607. Screen Planting. [Ord. 96-2, 7/-/1996, § 606; as revised by Ord. 00-01, 2/15/2000, § 607]

A screen planting strip (area(s)) shall be required (refer to Part 11) along front, side and rear property lines for two-family detached, multifamily dwellings, apartment conversions of four or more dwellings and all nonresidential uses.

§ 27-608. Off-Street Parking. [Ord. 96-1, 7/-/1996, § 607; as revised by Ord. 00-01, 2/15/2000, § 607]

Off-street parking shall be provided in accordance with the provisions of Part 15.

§ 27-609. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 608; as revised by Ord. 00-01, 2/15/2000, § 609]

Regulations limiting access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

SEWERED						
Dwelling Unit Type	Lot Area/DU Square Feet or Acre	Lot Width (feet)	Max. Imp. Cover (%)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)
Single Family Detached	12,000 Square Feet	90	50	30	10	30
Single Family Semi-Detached (Double)	12,000 Square Feet	90	50	30	10	30
Two Family Detached (Duplex)	12,000 Square Feet	90	50	30	10	30
Single Family Attached (Townhouse)	5 du/Ac.	90	50	30	10	30
Two Family Semi-Detached	8 du/Ac.	90	50	30	10	30
Multifamily Duplex Garden Apartments	8 du/Ac.	90	50	30	10	30

NONSEWERED						
Dwelling Unit Type	Lot Area/DU Square Feet or Acre	Lot Width (feet)	Max. Imp. Cover (%)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)
Single Family Detached	60,000 Square Feet	150	30	50	20	50
Single Family Semi-Detached (Double)	60,000 Square Feet	150	30	50	20	50
Two Family Detached (Duplex)	60,000 Square Feet	150	30	50	20	50
Single Family Attached (Townhouse)	N/A	N/A	N/A	N/A	N/A	N/A
Two Family Semi-Detached	N/A	N/A	N/A	N/A	N/A	N/A
Multifamily Duplex Garden Apartments	N/A	N/A	N/A	N/A	N/A	N/A

N/A means not allowed in the R-2 District

PART 7

COMMERCIAL DISTRICT (C)

§ 27-701. Intent. [Ord. 96-2, 7/-/1996, § 701; as revised by Ord. 00-01, 2/15/2000, § 701]

Consistent with the general purposes of this chapter, the Future Land Use Plan and the goals and objectives of the Washington Township Comprehensive Plan. The specific intent of this Part is to provide reasonable standards for the development of a variety of commercially-oriented uses in areas considered most suitable. Due to the character of the undeveloped land, this district will provide standards designed to minimize traffic congestion on the local street system and improve the general landscape through screening and open space regulations while providing for public conveniences and business opportunity. The Township hopes to create an active business center compatible with adjacent land uses or districts.

§ 27-702. Permitted Uses. [Ord. 00-01, 2/15/2000, § 702]

1. In this district no building or land shall be used and no building shall be erected which is arranged, intended to be, or designed to be, used for other than one or more of the following approved uses:
 - A. Churches or similar places of worship, including a parish house, parsonage or convent.
 - B. Public and private schools for the educational needs of the community when not conducted for gain or profit and including accessory residential uses.
 - C. Elderly housing and care facilities, assisted or shared living residences, convalescent homes, accessory apartments, elderly cottages and personal care facilities.
 - D. Municipal parks, playgrounds and recreation areas including municipal and private pools, ballfields with accessory structures and utilities, pavilions for public or private uses.
 - E. Public utility facilities and communications buildings and structures in accordance with Part 12.
 - F. Family day care centers in accordance with Part 12.
 - G. Amusement enterprises including theaters, bowling alleys, skating rinks, miniature golf courses or similar uses.
 - H. Department, variety stores and stores for retailing of beverages, drugs, gas, hardware, bakery products, clothing, household appliances, furniture, sporting goods, hobbies, toys and gasoline.

Shopping centers are also included, provided access is to a collector or arterial street.

- I. Personal service establishments including barber and beauty shops, tailors, dry cleaning, self-service laundries.
- J. Banks, other financial institutional businesses and professional offices.
- K. Manufacturing of pottery and other ceramics products.
- L. Printing and newspaper publishing.
- M. Laboratories.
- N. Hotels and motels.
- O. Restaurants or food selling establishments.
- P. Car sales and service.
- Q. Medical and dental clinics and laboratories.
- R. Construction and farming equipment and heavy equipment sales and service. **[Amended by Ord. 2016-01, 9/6/2016]**
- S. Dance or music or art studios.
- T. Commercial recreation facilities (public or private).
- U. Public libraries and museums.
- V. Nursery, greenhouses, lawn and garden equipment, supplies and service in accordance with Part 12.
- W. Accessory buildings and customarily incidental permitted uses in accordance with Part 12.

§ 27-703. Conditional Uses. [Ord. 00-01, 2/15/2000, § 703; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. Home occupations shall be in accordance with Part 12.
 - B. Storage of materials and equipment and/or recreational vehicles. **[Amended by Ord. 2016-01, 9/6/2016]**

- C. Shopping centers, in accordance with Part 12.
- D. Adult book stores, in accordance with Part 12.
- E. State and county use in accordance with the regulations in Part 12.
- F. Single-family and multiple-dwelling units. [Added by Ord. 2016-01, 9/6/2016]

§ 27-704. Special Exception Uses. [Ord. 96-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000, § 704; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter, as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-705. Building Height Regulations. [Ord. 96-2, 7/-/1996, § 704; as revised by Ord. 00-01, 2/15/2000, § 705]

No building shall be erected to a height in excess of 40 feet unless otherwise specified.

§ 27-706. Lot Area and Width Regulations. [Ord. 96-2, 7/-/1996, § 705; as revised by Ord. 00-01, 2/15/2000, § 706; as amended by Ord. 2016-01, 9/6/2016]

- 1. Washington Township Act 537 Plan Update and PA DEP Sewage Planning Module process.
- 2. Minimum lot width measured at the building setback line shall be no less than 100 feet for sewer areas and nonsewer areas.

§ 27-707. Lot Coverage Regulations. [Ord. 96-2, 7/-/1996, § 706; as revised by Ord. 00-01, 2/15/2000, § 707]

- 1. Lot coverage including building and impervious surface coverage shall not exceed 70%.
- 2. Minimum vegetative coverage shall comply with the landscaping and screen planting regulations in Part 11.

§ 27-708. Yard Regulations. [Ord. 96-2, 7/-/1996, § 707; as revised by Ord. 00-01, 2/15/2000, § 708]

- 1. Yards of the following minimum depths and widths shall be provided.

- A. Minimum front yard depth shall be 40 feet.
- B. Minimum side yard width shall be 15 feet.
- C. Minimum rear yard depth shall be 30 feet.
- D. Where this district abuts a residential district or a residential use, buffer yard shall be required in addition to the yards specified in the above § 27-707. See Part 12, for other yard and buffer yard regulations.
- E. See Part 12 for other yard regulations.

§ 27-709. Screen Planting. [Ord. 96-2, 7/-/1996, § 708; as revised by Ord. 00-01, 2/15/2000, § 709; and by Ord. 03-02, 8/19/2003, § I]

A screen planting strip shall be required along the property line or lines of multifamily dwelling units and all nonresidential land uses if the property line or lines border a residential house or property. See Part 11 for requirements.

§ 27-710. Off-Street Parking. [Ord. 96-2, 7/-/1996, § 709; as revised by Ord. 00-01, 2/15/2000, § 710]

Off-street parking shall be provided in accordance with the provisions of Part 15.

§ 27-711. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 710; as revised by Ord. 00-01, 2/15/2000, § 711]

Regulations limiting access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

PART 8

INDUSTRIAL (LIGHT-INDUSTRIAL) DISTRICT (LI)

§ 27-801. Intent. [Ord. 96-2, 7/-/1996, § 801; as revised by Ord. 00-01, 2/15/2000, § 801]

Consistent with the general purposes of this chapter, the Future Land Use Plan and the goals and objectives of the Washington Township Comprehensive Plan, the specific intent of this Part is to expand the Township's economic base through permitted industrial development and provide for a range of limited-industrial uses. A primary goal of this district is to provide new employment opportunities, while preserving the integrity of adjacent land uses.

§ 27-802. Permitted Uses. [Ord. 96-2, 7/-/1996, § 802; as revised by Ord. 00-01, 2/15/2000, § 802]

1. In the district no building or land shall be used and no building shall be erected which is arranged, intended to be, or designed to be, used for other than one or more of the following approved uses:
 - A. Agricultural and horticultural activities including the raising, breeding and grazing of animals, when part of a farming operation.
 - B. A single-family dwelling only when accessory and incidental to one or more of the permitted uses.
 - C. Recycling facility.
 - D. Vehicle salvage yard, body shops, painting, tire retreading and or recapping.
 - E. Bottling works.
 - F. Bookbinding.
 - G. Machine shops.
 - H. Metal fabrication and forging.
 - I. Manufacture of metal dies.
 - J. Distribution plants and other service industries.
 - K. Wholesale business, warehousing and other storage plants.
 - L. Carpenter, cabinet making, furniture repair and upholstery, electrician, tinsmith, plumbing and metal working shops.
 - M. The manufacturing, compounding, processing or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs,

pharmaceutical and food products, yeast and the rendering of fat and oils.

- N. The manufacturing of wood products.
- O. Printing and newspaper publishing.
- P. Laboratories.
- Q. Public utility and communications buildings and structures in accordance with Part 12.
- R. Customary accessory uses and buildings incidental to any permitted use in accordance with Part 12.

§ 27-803. Conditional Uses. [Ord. 96-2, 7/-/1996, § 803; as revised by Ord. 00-01, 2/15/2000, § 803; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. Public utility in accordance with Part 12.
 - B. Commercial landfill in accordance with Part 12.
 - C. Waste handling and disposal, in accordance with Part 12.
 - D. Truck terminals, in accordance with Part 12.
 - E. Heavy equipment sales and service facilities. **[Amended by Ord. 2016-01, 9/6/2016]**
 - F. State and county municipal use in accordance with the regulations in Part 12.

§ 27-804. Special Exception Uses. [Ord. 96-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000, § 804; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter, as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-805. Building Height Regulations. [Ord. 96-2, 7/-/1996, § 804; as revised by Ord. 00-01, 2/15/2000, § 805]

No building shall be erected to a height in excess of 40 feet unless otherwise specified.

§ 27-806. Lot Area and Width Regulations. [Ord. 96-2, 7/-/1996, § 805; as revised by Ord. 00-01, 2/15/2000, § 806]

1. Minimum lot area shall be no less than 60,000 square feet.
2. Minimum lot width at the minimum building setback line shall be no less than 200 feet for nonresidential uses and 150 feet for an accessory single-family dwelling use.

§ 27-807. Lot Coverage Regulations. [Ord. 96-2, 7/-/1996, § 806; as revised by Ord. 00-01, 2/15/2000, § 807]

1. Principal buildings and accessory buildings or structures including building and impervious surface coverage shall not be more than 80% of the total lot area.
2. At least 20% of the total lot area shall be maintained with vegetative coverage and must comply with the landscaping and screen planting regulations in Part 11.

§ 27-808. Yard Regulations. [Ord. 96-2, 7/-/1996, § 807; as revised by Ord. 00-01, 2/15/2000, § 808]

1. Each lot in sewered or unsewered areas shall have front, side and rear yards of not less than the depth and width indicated below:
 - A. Minimum front yard depth shall be 50 feet, as measured from the street right-of-way upon which it abuts.
 - B. Minimum side yard(s) width shall be 40 feet.
 - C. Minimum rear yard depth shall be 60 feet.
 - D. Where the I District abuts a residential district, or residential use, a buffer yard shall be required in addition to the yards specified in the above section. See Part 12 for other yard and buffer yard regulations.

§ 27-809. Screen Planting. [Ord. 96-2, 7/-/1996, § 808; as revised by Ord. 00-01, 2/15/2000, § 809; as amended by Ord. 03-02, 8/19/2003, § I]

A screen planting strip shall be required along the property line or lines of multifamily dwelling units and all nonresidential land uses if the property line or lines border a residential house or property. See Part 11 for requirements.

§ 27-810. Off-Street Parking Regulations. [Ord. 96-2, 7/-/1996, § 809; as revised by Ord. 00-01, 2/15/2000, § 810]

Off-street parking shall be provided in accordance with the provisions of Part 15.

§ 27-811. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 810; as revised by Ord. 00-01, 2/15/2000, § 811]

Regulations limiting access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

PART 9

CONSERVATION DISTRICT (CN)

§ 27-901. Intent. [Ord. 96-2, 7/-/1996, § 901; as revised by Ord. 00-01, 2/15/2000, § 901]

Consistent with the general purposes of this chapter, the Future Land Use Plan and the goals and objectives of the Washington Township Comprehensive Plan, the specific intent of this district is to achieve the preservation of environmentally sensitive areas such as water supply sources, wildlife, scenic areas, and natural resource areas. The provisions of this Zone have been specifically formulated to satisfy § 604.(1) of the Pennsylvania Municipalities Planning Code, which requires local zoning ordinances to "promote, protect and facilitate the preservation of the natural, scenic and historic values in the environment and preservation of forests."

§ 27-902. Permitted Uses. [Ord. 96-2, 7/-/1996, § 902; as revised by Ord. 00-01, 2/15/2000, § 902]

1. In the district no building or land shall be used, and no building shall be erected which is arranged, intended to be or designed to be, used for other than one or more of the following approved uses:
 - A. Forest reserves and tree farming.
 - B. Horticulture and forestry-related uses.
 - C. Natural areas of wildlife refuges.
 - D. Public and nonprofit parks and playgrounds.
 - E. Accessory uses customarily incidental to the above permitted uses and existing single-family homes.

§ 27-903. Conditional Uses. [Ord. 96-2, 7/-/1996, § 903; as revised by Ord. 00-01, 2/15/2000, § 903; as amended by Ord. 02-04, 7/16/2002, § I]

1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. Campground areas in accordance with regulations in Part 12.
 - B. Bed and breakfast establishments in accordance with Part 12.
 - C. Shooting ranges.
 - D. Campgrounds.
 - E. Sawmills.

- F. Historic structures conversions.
- G. State and county municipal use in accordance with the regulations in Part 12.

§ 27-904. Special Exception Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 00-01, 2/15/2002, § 904]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter, as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-905. Building Height Regulations. [Ord. 96-2, 7/-/1996, § 904; as revised by Ord. 00-01, 2/15/2000, § 905]

No building shall be erected to a height in excess of 35 feet.

§ 27-906. Lot Area and Width Regulations. [Ord. 96-2, 7/-/1996, § 905; as revised by Ord. 00-01, 2/15/2000, § 906]

- 1. Minimum lot area shall be no less than three acres.
- 2. Minimum lot width shall be no less than 300 feet.

§ 27-907. Lot Coverage Regulations. [Ord. 96-2, 7/-/1996, § 906; as revised by Ord. 00-01, 2/15/2000, § 907]

Principal buildings and accessory buildings or structures, including building and impervious surface coverage shall not be more than 10% of the total lot area. To the greatest extent possible, soils of prime and statewide significance, as defined and delineated by the USDA Soils Conservation Service, shall not be covered by structures or impervious materials.

§ 27-908. Yard Regulations. [Ord. 96-2, 7/-/1996, § 907; as revised by Ord. 00-01, 2/15/2000, § 908]

- 1. Yards of the following minimum depths and widths shall be provided.
 - A. Minimum front yard depth shall be 50 feet.
 - B. Minimum side yards width shall be 50 feet.
 - C. Minimum rear yard depth shall be 100 feet.

- D. Adjacent to residential uses, buffer yards are required in accordance with Part 12.

- 2. See Part 12 for other yard regulations.

§ 27-909. Off-Street Parking Regulations. [Ord. 96-2, 7/-/1996, § 908; as revised by Ord. 00-01, 2/15/2000, § 909]

Off-street parking shall be provided in accordance with the provisions of Part 15.

PART 9A

FLOODPLAIN MANAGEMENT DISTRICT (F)

§ 27-901A. Intent. [Ord. 96-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000, § 901A]

1. This district will help prevent the loss of property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief and the impairment of the tax base by:
 - A. Regulating uses, activities and development which, acting alone or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies.
 - B. Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding.
 - C. Requiring all those uses, activities and developments that do occur in floodprone areas to be protected and/or floodproofed against flooding and flood damage.
 - D. Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

§ 27-902A. Applicability. [Ord. 96-2, 7/-/1996, § 901A; as revised by Ord. 00-01, 2/15/2000, § 902A]

The provisions of this Part shall apply to all lands and land developments with Washington Township which are floodprone or located within the boundary of a floodplain area delineated on the Flood Boundary and Floodway Map prepared by the Federal Emergency Management Agency in conjunction with the United States Department of Housing and Urban Development and the Federal Insurance Agency, dated December 17, 1987, which map is incorporated herein by reference.

§ 27-903A. Abrogation and Greater Restrictions. [Ord. 96-2, 7/-/1996, § 902A; as revised by Ord. 00-01, 2/15/2000, § 903A]

This Part supplements other Parts of this chapter. To the extent that this imposes greater requirements or more complete disclosures in any respect, or to the extent that the provisions of this Part are more restrictive, it shall be deemed and interpreted to control other provisions of this chapter and the Township Subdivision and Land Development Ordinance [Chapter 22].

§ 27-904A. Compliance. [Ord. 96-1, 7/-/1996, § 903A; as revised by Ord. 00-01, 2/15/2000, § 903A]

No structure or land shall hereafter be used and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this Part, and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this chapter.

§ 27-905A. Warning and Disclaimer of Liability. [Ord. 96-2, 7/-/1996, § 904A; as revised by Ord. 00-01, 2/15/2000, § 904A]

The degree of flood protection sought by the provisions of this chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This chapter does not imply that land outside the floodplain areas, or that land uses permitted within such areas, will be free from flooding or flood damages. This chapter shall not create liability on the part of Washington Township, or any officer or employee thereof, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

§ 27-906A. Establishment of Flood Hazard Areas. [Ord. 96-2, 7/-/1996, § 905A; as revised by Ord. 00-01, 2/15/2000, § 906A]

1. Basis of Flood Hazard Areas. All land subject to inundation shall be considered a flood hazard area subject to this Part including both floodprone land and land located within the boundary of a delineated floodplain. The basis for the delineated floodplain areas shall be the Flood Boundary and Floodway Map prepared by the Federal Emergency Management Agency's Federal Insurance Administration, dated December 17, 1987 which map is incorporated herein by reference.
 - A. The Floodway Area (FW) is delineated for purposes of this chapter using the criteria that a certain area within the floodplain must be capable of carrying the waters of the one-hundred-year flood without increasing the water surface elevation of that flood more than one foot at any point. The floodway area is shown on the Flood Boundary and Floodway Map.
 - B. The Flood-Fringe Area (FF) shall be that land located within the delineated one-hundred-year floodplain not included in the floodway area. The boundaries of this area shall be as depicted in the Flood Boundary and Floodway Map.
 - C. The General Floodplain Area (FA) shall be that floodplain area for which no detailed flood profiles or elevations have been provided. They are shown on the maps accompanying the FIA. Where the specific one-hundred-year flood boundary cannot be determined for this area by the Zoning Officer, using other sources of data such as the U.S. Army

Corps of Engineers, Floodplain Information Reports or U.S Geological Survey-Flood Prone Quadrangles, then the Zoning Officer may require that the applicant for the proposed use, development or activity determine this boundary in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses or computations shall be submitted in sufficient detail to allow a thorough technical review by the Township.

- D. The Flood Prone Area shall be that land shown by substantial competent evidence to be subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual or rapid accumulation of surface waters from any source, whether or not depicted upon the flood boundary and Floodway Map. All such floodprone areas shall be subject to the provisions and requirements of this Part.

2. Overlay Concept.

- A. The flood hazard areas described above shall be shown as an overlay to the existing underlying districts, shown as the green hatched area on the official Washington Township Zoning Map, and, as such, the provisions of the flood hazard areas shall serve as a supplement to the underlying district provisions.
- B. In the event of any conflict between the provisions or requirements of any of the flood hazard areas and those of any underlying zoning district, the more restrictive provisions shall apply.
- C. In the event any provision concerning a flood hazard area is declared inapplicable or illegal as a result of any legislative or administrative actions or judicial decision, the regulations of the underlying district shall remain applicable.

- 3. Floodplain Boundary Map. The boundaries of the floodway, flood fringe and general floodplain areas shall be as depicted on the Flood Boundary and Floodway Map dated December 17, 1987. The Flood Boundary and Floodway Map shall be presumed to be accurate and controlling as to the location of the boundaries delineated therein; provided however, that said map shall be subject to amendment in accordance with the procedures hereinafter set forth.
- 4. Interpretation of Flood Hazard Area Boundaries. Initial interpretations of the boundaries of the floodplain areas shall be made by the Township Engineer by reference to the Flood Boundary and Floodway Map. Should an applicant dispute the boundaries of any of the areas, or the interpretation of the Zoning Officer, the landowner or other interested party shall file a

written appeal to the Federal Emergency Management Agency setting forth the grounds for relief in detail.

5. Boundary Changes. The delineation of any of the floodplain areas may be revised by the Board of Supervisors where natural or man-made changes have occurred, or more detailed studies are conducted or undertaken by the U.S. Army Corps of Engineers, River Basin Commission, or other qualified agency or individual, and such studies provide the basis for such change. Prior to any such change, however, the landowner or any other person seeking such change must obtain approval from the Federal Insurance Administration (FIA).

§ 27-907A. Flood Hazard Area Regulations. [Ord. 96-2, 7/-/1996, § 906A; as revised by Ord. 00-01, 2/15/2000, § 907A; as amended by Ord. 2005-02, 10/4/2005]

1. General. All uses, activities and development occurring within any flood hazard area shall be undertaken only in strict compliance with the provisions of this chapter and with all other applicable codes and ordinances such as the Washington Township Subdivision and Land Development Ordinance of 1969 [Chapter 22]. In addition, all such uses, activities and development shall be undertaken only in compliance with federal or state law, including § 404 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. § 1334), the Pennsylvania Water Obstructions Act of 1913, and the Pennsylvania Floodplain Management Act of 1978. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other facility or system. No permits shall be issued until this determination has been made. Prior to any proposed alteration or relocation of any stream or watercourse within the Township, any required permit shall be obtained from the Pennsylvania Department of Environmental Protection, Dams and Encroachment Division. Further, documentation shall be submitted substantiating that notification of the proposal has been given to all affected adjacent municipalities. The Federal Insurance Administration and the Pennsylvania Department of Community and Economic Development shall also be notified in advance of any such alteration or relocation.
2. Floodway Area (FW). In the Floodway Area (FW) no development shall be permitted except where the effect of such development on flood heights is fully offset by accompanying improvements which have been approved by all appropriate local and state authorities, as required above.
 - A. Permitted Uses. In the floodway area, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance, and provided that they do not require structures, fill or storage of materials and equipment:

- (1) Agricultural uses, such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, forestry, sod farming and crop harvesting.
 - (2) Public and private recreational uses and activities such as parks, day camps, picnic grounds, boat launching and swimming areas, hiking and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, trap and skeet game ranges and hunting and fishing areas.
 - (3) Accessory residential uses such as yard areas, gardens, play areas and porous paving areas.
- B. Conditional Uses. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - (1) Structures, except manufactured homes, accessory to the uses and activities mentioned in Subsection A above and shall be in accordance with Part 12.
 - (2) Public utilities and public facilities and improvements and shall be in accordance with Part 12.
 - (3) Storage of materials and equipment provided that they are not buoyant, contaminating or polluting, flammable or explosive and are not subject to major damage by flooding, or firmly anchored to prevent flotation or movement or can be readily removed from the area within the time available after flood warning.
 - (4) Other similar uses and activities provided they cause no increase in flood heights or velocities. All uses, activities and structural developments shall be undertaken in strict compliance with the floodproofing provisions contained in all other applicable codes and ordinances.
3. Flood-Fringe Area (FF). In the Flood-Fringe Area (FF), the development and use of land shall be permitted in accordance with the regulations of the underlying district, provided that all such uses, activities or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in all other applicable codes and ordinances, and further provided that manufactured homes shall not be permitted in Flood-Fringe Areas.
4. General Floodplain Area (FA). In the General Floodplain Area (FA) development or use of land shall be permitted in accordance with the

regulations of the underlying zoning district, provided that all such uses, activities or development shall be undertaken in strict compliance with floodproofing and related provisions contained in all other applicable codes and ordinances.

5. Flood Prone Area. In the Flood Prone Area development or use of land shall be permitted in accordance with the regulations of the underlying zoning district, provided that all such uses, activities or development shall be undertaken in strict compliance with floodproofing and related provisions contained in all other applicable codes and ordinances.

§ 27-908A. Permitted Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 00-01, 2/15/2000, § 908A]

1. In the Floodway Area (FW) the following uses and activities are permitted; provided, that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance and; provided, that they do not require structures, fill or storage of materials and equipment:
 - A. Agricultural uses, such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, forestry, sod farming and crop harvesting.
 - B. Public and private recreational uses and activities such as parks, day camps, picnic grounds, boat launching and swimming areas, hiking and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, trap and skeet game ranges and hunting and fishing areas.
 - C. Accessory residential uses such as yard areas, gardens, play areas and porous paving areas.

§ 27-909A. Conditional Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 00-01, 2/15/2000, § 909A; as amended by Ord. 02-04, 7/16/2002, § I]

1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. Structures, except manufactured homes, accessory to the uses and activities mentioned in § 27-91(2)(B) above and shall be in accordance with Part 12.
 - B. Public utilities and public facilities and improvements and shall be in accordance with Part 12.
 - C. Storage of materials and equipment provided that they are not buoyant, contaminating or polluting, flammable or explosive and are

not subject to major damage by flooding, or firmly anchored to prevent flotation or movement, or can be readily removed from the area within the time available after flood warning.

- D. Other similar uses and activities provided they cause no increase in flood heights or velocities. All uses, activities and structural developments shall be undertaken in strict compliance with the floodproofing provisions contained in all other applicable codes and ordinances.
- E. State and county municipal use in accordance with the regulations in Part 12.

§ 27-910A. Special Exception Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 00-01, 2/15/2000; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter, as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-911A. Conditional Uses, Special Exceptions and Variances; Additional Factors to Be Considered. [Ord. 96-2, 7/-/1996, § 908A; as revised by Ord. 00-01, 2/15/2000, § 911A]

- 1. In passing upon applications for conditional uses, special exceptions and variances, all relevant factors and procedures specified in other sections of this chapter and the following shall be considered:
 - A. The danger to life and property due to increased flood heights or velocities caused by encroachments. No conditional uses or variance shall be granted in any floodway for any proposed use, development or activity that will cause any increase in flood levels during the one-hundred-year flood.
 - B. The danger that materials may be swept onto other lands or downstream to the injury of others.
 - C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.

- E. The importance of the services provided by the proposed facility to the community.
 - F. The requirements of the facility for a waterfront location.
 - G. The availability of alternative locations not subject to flooding for the proposed use.
 - H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 - J. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - K. The expected heights, velocities, duration, rate of rise and sediment transport of the floodwaters expected at the site.
 - L. The effect upon the Township Flood Insurance Program.
 - M. Such other factors which are relevant to the purposes of this chapter.
2. The Board of Supervisors may refer any application and accompanying documentation pertaining to any request for a conditional uses or variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities and the adequacy for the plans for protection and other related matters.
3. Conditional uses permitted by the Board of Supervisors and/or variances which shall only be issued after the Zoning Hearing Board have determined that the granting of such will not result in:
- A. Unacceptable or prohibited increased flood heights.
 - B. Additional threats to public safety.
 - C. Extraordinary public expense.
 - D. Nuisances.
 - E. Fraud or victimization of the public.
 - F. Jeopardy to the Township Flood Insurance Program.
 - G. Conflict with local laws or ordinances.

§ 27-912A. Existing Structures in Floodplain Areas. [Ord. 96-2, 7/-/1996, § 909A; as revised by Ord. 00-01, 2/15/2000, § 912A]

1. A section or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:
 - A. Existing structures or uses located in any floodway area shall not be expanded or enlarged unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying improvements.
 - B. Any modification, alteration, repair, reconstruction or improvement of any kind to a structure or use located in any floodplain area to an extent or amount of less than 50% of its market value, shall be elevated and/or floodproofed to the greatest extent possible regardless of its location in the floodplain area.
 - C. The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area, to an extent or amount of 50% or more of its market value, shall be undertaken only in full compliance with the provisions of this chapter and any other applicable ordinances.

§ 27-913A. Prohibited Uses. [Ord. 96-2, 7/-/1996, § 910A; as revised by Ord. 00-01, 2/15/2000, § 913A]

1. The following uses shall be prohibited in the Floodway Area (FW), the Flood-Fringe Area (FF) and the general Floodplain Area (FA):
 - A. Hospitals (public or private).
 - B. Nursing homes (public or private).
 - C. Jails or prisons.
 - D. New manufactured home parks and manufactured home subdivisions and substantial improvements to existing manufactured home parks.
 - E. Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply of more than 550 gallons or other comparable volume or any amount of radioactive substances or any of the following dangerous materials or substances.
 - (1) Acetone.
 - (2) Ammonia.

- (3) Benzene.
- (4) Calcium carbide.
- (5) Carbon disulfide.
- (6) Celluloid.
- (7) Chlorine.
- (8) Hydrochloric acid.
- (9) Hydrocyanic acid.
- (10) Magnesium.
- (11) Nitric acid and oxides of nitrogen.
- (12) Petroleum Products (gasoline, fuel oil, etc.).
- (13) Phosphorus.
- (14) Potassium.
- (15) Sodium.
- (16) Sulphur and sulphur products.
- (17) Pesticides (including insecticides, fungicides and rodenticides).
- (18) Radioactive substances, insofar as such substances are not otherwise regulated.

§ 27-914A. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 911A; as revised by Ord. 00-01, 2/15/2000, § 914A]

Regulations limiting, access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

PART 10

VILLAGE DISTRICT (V)

§ 27-1001. Intent. [Ord. 96-2, 7/-/1996, § 1001; as revised by Ord. 00-01, 2/15/2000, § 1001; as amended by Ord. 2016-01, 9/6/2016]

Consistent with the general purposes of this chapter, the Future Land Use Plan and the goals and objectives of the Washington Comprehensive Plan, the specific intent of this district is to preserve and maintain the quality of living in village areas; maintain the Township's rural character surrounding the village areas.

§ 27-1002. Permitted Uses. [Ord. 96-2, 7/-/1996, § 1002; as revised by Ord. 00-01, 2/15/2000, § 1002; as amended by Ord. 2016-01, 9/6/2016]

1. In this district no building or land shall be used and no building shall be erected which is arranged, intended to be or designed to be, used for other than one or more of the following approved uses:
 - A. Single-family dwelling units.
 - B. Two-family dwelling units.
 - C. Churches or similar places of worship, including parish houses.
 - D. Community parks.
 - E. Post office.
 - F. Municipal buildings.
 - G. Public and private libraries.
 - H. Professional services.
 - I. Family day care centers in accordance with Part 12.
 - J. Produce stands.
 - K. No-impact home businesses.
 - L. Home occupations.
 - M. Bed-and-breakfast.
 - N. Personal care facility (group home).
 - O. Personal service establishment.

§ 27-1003. Conditional Uses. [Ord. 76-2, 7/-/1996, § 1003; as revised by Ord. 00-01, 2/15/2000, § 1003; as amended by Ord. 02-04, 7/16/2002, § I]

1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter as follows:
 - A. Mobile home parks in accordance with Part 12.
 - B. State and county municipal use in accordance with the regulations in Part 12.
 - C. Vehicle sales/repairs. [Added by Ord. 2016-01, 9/6/2016]

§ 27-1004. Special Exception Uses. [Ord. 76-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000, § 1004; as amended by Ord. 02-04, 7/16/2002, § I]

1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 in this chapter; as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

§ 27-1005. (Reserved)⁴

§ 27-1006. Lot Area, Coverage and Width Regulations. [Ord. 96-2, 7/-/1996, § 1005; as revised by Ord. 00-01, 2/15/2000, § 1006; as amended by Ord. 02-04, 7/16/2002, § I]

1. Lot sizes shall generally reflect existing conditions as closely as possible.
 - A. Residential Uses. The minimum lot area per dwelling unit, minimum lot width measured at the street right-of-way line and maximum lot coverage shall not be more than that indicated below:

Dwelling Type	Lot Area (Square Feet)	Lot Width (feet)	Maximum Lot Coverage
Single-Family DU	7,500	50	50%
Single-Family Semidetached	5,000 per unit	50	50%
Single-Family Attached	2,000 per unit	20	50%

⁴Editor's Note: Former § 27-1005, Building Height Regulations (Ord. 76-2, 7/-/1996, § 1004, as revised), was repealed by Ord. 2016-01, 9/6/2016.

Dwelling Type	Lot Area (Square Feet)	Lot Width (feet)	Maximum Lot Coverage
Two Family DU	7,500	50	50%
Apartment Conversion DU	5,000	50	50%

B. Nonresidential Uses. For a nonresidential use, the minimum lot standards shall be as follows:

- (1) Lot area shall be based upon existing trends in the Village Area; but, in no instance shall be less than 5,000 square feet.
- (2) The maximum lot coverage shall not exceed 60% with at least 40% of the lot area maintained with vegetative cover in accordance with Part 11.
- (3) The minimum lot width shall be 50 feet.

§ 27-1007. Yard Regulations. [Ord. 96-2, 7/-/1996, § 1006; as revised by Ord. 00-01, 2/15/2000, § 1007]

1. Yards of the following minimum depths and widths shall be provided:
 - A. Minimum front yard depth shall be determined by establishing the average setback distance of buildings constructed adjacent to each side of the lot to be developed.
 - B. Minimum side yard shall be five feet for an interior lot and not less than 15 feet for a corner lot.
 - C. Minimum rear yard depth shall be no less than 15 feet.
 - D. Where the Village District abuts a residential district or residential use, a buffer yard shall be required in addition to the yards specified in the above section. Buffer yards shall be provided in accordance with Part 11 and Part 12.

See Part 12 for other yard requirements.

§ 27-1008. Signs. [Ord. 96-2, 7/-/1996, § 1007; as revised by Ord. 00-01, 2/15/2000, § 1008]

See Part 14.

§ 27-1009. Parking Regulations. [Ord. 96-2, 7/-/1996, § 1008; as revised by Ord. 00-01, 2/15/2000, § 1009]

1. On-street parking shall be included in the calculation of parking spaces for non-residential land uses.
2. Common Parking Lots. Two or more adjacent uses may share a common rear parking lot if the total space provided is proven to be adequate to the Board of Supervisors.
3. Off-street parking shall be on the same lot or premises or common lot directly adjacent to the principal use and in accordance with Part 15.

§ 27-1010. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 1009; as revised by Ord. 00-01, 2/15/2000, § 1010]

Regulations limiting access driveways for permitted uses shall be provided in accordance with provisions of Part 12.

PART 10A

MINERAL RESOURCE RECOVERY DISTRICT ("MR")

§ 27-1001A. Intent. [Ord. 96-2, 7/-/1996, § 1001A; as revised by Ord. 00-01, 2/15/2000, § 1001A]

Consistent with the general purposes of this chapter, the future land use plan and the goals and objectives of the Washington Township Comprehensive Plan, the specific intent of this district is to provide for the recovery, processing and shipping of valuable mineral resources in areas of the Township most suitable for such activities. A primary goal of this district is to provide for the orderly removal of minerals, the processing of such minerals and the manufacture of mineral products, while preserving the integrity of adjacent land uses.

§ 27-1002A. Permitted Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 00-01, 2/15/2000, § 1002A; as amended by Ord. 02-04, 7/16/2002, § I]

1. In this district no building or land shall be used and no building shall be erected which is arranged, intended to be, or designed to be, used for other than the following approved uses:
 - A. All of the permitted uses in the Conservation and Floodplain Management (CF) District, as set forth in § 27-902 of this chapter.
 - B. Noncoal surface mining operations, subject to the following conditions and restrictions:
 - (1) Minimum lot area shall be 50 acres.
 - (2) Where the MR zoning district is adjacent to an R-1, R-2, C, LI or V district, open excavations having high walls shall be enclosed by a fence either hard or living. All fences whether hard or living shall be a minimum of four feet in height. Hard fences shall have no openings larger than six inches and shall have all gates equipped with locks.
 - (3) All noncoal surface mining activities and operations shall be conducted in compliance with the provisions of the Pennsylvania Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. § 3301 et seq. and the noncoal surface mining conservation and reclamation regulations of the Pennsylvania Department of Environmental Protection, 25 Pa. Code, Chapter 77.
 - (4) The noncoal surface mining operator shall have obtained all permits and licenses from the Pennsylvania Department of Environmental Protection which may be required for the conduct of surface mining activities on the site. Copies of such permits and licenses together with copies of the reclamation

plan and sedimentation control plan and any required bonds securing the reclamation obligations of the operator shall have been filed with the Township prior to the commencement of any mining activities.

- (5) Excavation, stripping or quarrying Operations planned to be carried out in a total land area not exceeding two acres shall be exempt from subsections (1) through (4) above, provided the owner of such land area submits the following for approval by the Board of Supervisors:

- (a) An erosion and sedimentation control plan in accordance with the Dauphin County Conservation Service Erosion and Sedimentation Control Handbook.
- (b) A plan for reclamation setting forth the proposed final contours, surface runoff controls, applicable seeding and related stabilization methods and time schedule for implementation.
- (c) Suitable assurance to the Board of Supervisors either in the form of a performance bond or other security acceptable to the Board covering the cost of implementing subparagraph (a) and (b) above.

- C. Stone crushing and processing plants.
- D. Ready mix and precast concrete plants.
- E. Concrete block plants.
- F. Bituminous concrete plants.
- G. Stockpiling and shipping of mineral products.
- H. Accessory buildings, structures and uses customarily incidental to permitted uses in accordance with Part 12.

§ 27-1003A. Conditional Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 00-01, 2/15/2000, § 1003A; as amended by Ord. 02-04, 7/16/2002, § I]

- 1. Conditional uses in this district may be allowed or denied by the Board of Supervisors pursuant to public notice and hearing, after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Part 12 in this chapter, as follows:
 - A. State and county municipal use in accordance with regulations in Part 12.

§ 27-1004A. Special Exception Uses. [Ord. 96-2, 7/-/1996; as added by Ord. 02-04, 7/16/2002, § 1]

1. Special exception uses in this district may be allowed or denied by the Zoning Hearing Board pursuant to public notice and hearing, pursuant to the express standards and criteria set forth in Part 18 of this chapter, as follows:
 - A. Washington Township municipal use in accordance with the regulations in Part 18.

PART 11

LANDSCAPING AND SCREEN PLANTING REGULATIONS

§ 27-1101. Intent. [Ord. 96-2, 7/-/1996, § 1101; as revised by Ord. 00-01, 2/15/2000, § 1101]

The regulations contained in this Part are included in this chapter to provide guidelines for land development plans and to include landscaping provisions. A Township goal to maintain and improve the view shed and scenic value of future development will depend upon Township encouragement and compliance with the regulations.

§ 27-1102. Landscaping and Screening. [Ord. 96-2, 7/-/1996; as revised by Ord. 00-01, 2/15/2000, § 1102; as amended by Ord. 02-03, 5/23/2002, § I]

1. Landscaping and screening required by this Part shall meet the following regulations:
 - A. Landscaping and Screening. All land development plans, including multi-family, commercial and industrial, shall be accompanied by a landscaping and screening plan. All landscaping plans shall include:
 - (1) Proposed contours at five foot intervals.
 - (2) Existing natural features such as trees, grass areas, floodplains, vegetative materials and other flora and fauna located on the site with designation as to those which are to be removed and those which are to remain.
 - (3) Location, size, spacing and species of all proposed vegetative materials.
 - (4) Outline of all proposed structures, sidewalks, streets and other paved areas.
 - (5) Maintenance provisions for existing and proposed landscaping.
 - B. The applicant shall be required to notify the Township when all required landscaping and screening is in place.
 - C. Landscaping and screening shall be in place upon project completion.
 - D. Screening for the purpose of providing a visual barrier shall be composed of plants and trees arranged to reasonably form a complete visual screen within four years of installation.
 - E. A required screen shall be composed of evergreen trees with the exception of Columnare Arborvitae. Such trees shall be at least four feet in height and should be planted in two staggered rows with a ten

foot minimum distance between trunks of each of the plants measured in one continuous direction.

- F. Any area not used for buildings, other structures or paved areas, screening shall be planted with all season ground cover such as grass, bushes, shrubbery, annual and perennial flowers and other landscaping materials. Existing desirable vegetative materials such as trees shall be preserved wherever possible.
- G. If any portion of the landscaped screening shall die or fail to provide the screening intended under the aforementioned criteria, it shall be replaced or maintained by the appropriate party as identified on the building permit application or by the present owner.
- H. Screen planting shall be placed so that, at maturity, it will be not closer than three feet from any street, intersection or property line.
- I. The screen planting shall be broken only at points of vehicular or pedestrian access or utility easements prohibiting such planting.
- J. All parking areas shall include one tree for every 10 parking spaces.
- K. Masonry walls may be used in parking areas as barriers.
- L. Berms are permitted and must be planted in grass.
- M. Communication Antenna, Equipment and Tower Site. The following landscaping shall be required to screen as much of the structure and any other ground-level features (such as a building) and in general soften the appearance of the communication antenna, equipment and tower site. The Township may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing structure and other equipment is housed inside an existing structure, landscaping may not be required.
- N. All landscaping and/or screen planting plans and are subject to approval by the Board of Supervisors.

PART 12

GENERAL REGULATIONS

The following regulations shall qualify or supplement the district regulations appearing elsewhere in this chapter.

§ 27-1201. Accessory Use Regulations. [Ord. 96-2, 7/-/1996, § 1202; as revised by Ord. 00-01, 2/15/2000, § 1201; as amended by Ord. 2016-01, 9/6/2016]

1. All accessory uses for each district are subject to the following:
 - A. An accessory building must be a minimum of four feet from any lot line.
 - B. Accessory structures shall not exceed an area of 1,000 square feet.
 - C. Accessory buildings are authorized as long as they conform to state requirements for building offsets.
 - D. No accessory building may be placed on any established right-of-way.
 - E. No zoning permit shall be required for an accessory building 1,000 square feet or less.

§ 27-1202. Yard Regulations. [Ord. 96-2, 7/-/1996, § 1202; as revised by Ord. 00-01, 2/15/2000, § 1202]

1. Yards shall be provided in accordance with the provisions of this chapter and shall be planted with grass, sod or other vegetative cover, except in cases where walks, access drives, off-street parking lots, patios or other types of surfaces are permitted. All yards shall be maintained and kept free of all debris and rubbish.
2. A front, side or rear yard shall be measured from a line parallel to the property line of that particular lot.
3. (Reserved)⁵
4. Side Yards. **[Amended by Ord. 2016-01, 9/6/2016]**
 - A. On corner lots, the side yard abutting the street shall have a width equal to the depth of the front yard required in the district and shall be subject to all front yard requirements of this chapter.
 - B. On a lot in a district where residential structures are permitted and held in single and separate ownership from adjacent land at the effective date of this chapter with a width less than required for the zoning district, only one single-family detached dwelling may be

⁵Editor's Note: Former Subsection 3, Front Yards, was repealed by Ord. 2016-01, 9/6/2016.

erected. Side yards shall be provided in accordance with their appropriate district.

C. Any accessory building may be erected within one of the side yards or within the rear yard provided that:

- (1) An accessory building must be a minimum of four feet from any lot line.
- (2) The area is less than 1,000 square feet.

5. A property that abuts agricultural land shall not inhibit the agricultural use of a property in this district. **[Added by Ord. 2016-01, 9/6/2016]**

§ 27-1203. Buffer Yards. [Ord. 96-2, 7/-/1996, § 1203; as revised by Ord. 00-01, 2/15/2000, § 1203]

1. The buffer yard may coincide with the front yard.
2. All buffer yard areas shall be planted and maintained with a vegetative material, and where required for multifamily, commercial and manufacturing uses, a screen planting in accordance with Part 11 shall be planted and maintained to the full length of side and rear lot lines which do not abut streets.
3. Buffer yards shall be planted and kept free of all debris and rubbish.
4. Access roads, service drives and utility easements not more than 40 feet in width are permitted to cross a buffer yard. **[Amended by Ord. 2016-01, 9/6/2016]**
5. No parking or storage of equipment shall be permitted in buffer yards.
6. Prior to the issuance of a building permit, plans for buffer yards shall be submitted to the Zoning Officer. Said plans shall show the arrangements of all of the buffer yards and the placement, species and size of all plant materials to be placed in such buffer yard. Said plan will be reviewed by the Zoning Officer and approved by the Board of Supervisors before a building permit may be issued.

§ 27-1204. Highway Access Regulations. [Ord. 96-2, 7/-/1996, § 1204; as revised by Ord. 00-01, 2/15/2000, § 1204]

1. The purpose of this section is to limit the number of driveways or accessways onto arterial and major collector roadways.
 - A. All subdivision and/or land development plans are encouraged to create or utilize existing roadways classified as local or minor streets.

The following table lists a classification scheme for roads in the Township.

Arterial	Collector	Local
SR 0225	SR0448	All other roads within the Township
SR 0209	SR 1006	
SR 1009	SR 1021	
	SR 1021	

- B. If new local or minor roadways are proposed, the owner, developer or lessee must provide a street plan which will tie into other local/minor, collector or arterial roadways. All plans must be in accordance with the Washington Township Subdivision and Land Development Ordinance [Chapter 22].
- C. Where a residential subdivision is proposed along an arterial, the lots abutting the arterial shall be reverse frontage lots.

§ 27-1205. Conditional Use Regulations. [Ord. 96-2, 7/-/1996, § 1205; as revised by Ord. 00-01, 2/15/2000, § 1205]

- 1. It is the intent of this section to provide special controls and regulations for particular uses which may, under certain conditions, be conducted within the various zoning districts established in Part 3 of this chapter. Each subsection of this section has particular controls and/or requirements which must be satisfied before the use by right or by conditional use is permitted. It is the intent of this section that these particular controls and requirements are in addition to those imposed by the district use regulations and the general regulations, Part 12 of this chapter.

A. Applicability; Limitations; Compliance.

- (1) **Applicability.** The controls imposed by Parts 11, 12, 13, 14 and 15 are applicable where cited specifically as a conditional use and where cited for permitted uses in Parts 4 through 9 of this chapter.
- (2) **Limitations.** Conditional uses shall be permitted only where specifically cited in the district use regulations in Parts 4 through 9 of this chapter.
- (3) **Compliance.** Nothing in this section shall relieve the owner, agent, developer or applicant for approval of a conditional use from obtaining subdivision and/or land development approval in accordance with the Washington Township Subdivision and Land Development Ordinance [Chapter 22].

B. Procedure for Conditional Use.

- (1) Application. Each application for a conditional use shall be accompanied by a proposed plan showing the size and location of the lot, the location of all buildings and proposed facilities, including access drives, parking areas and all streets within 200 feet of the lot. The plan shall indicate each adjacent use and land owner. Each application is subject to a fee, as established by resolution by the Board of Supervisors and is payable to Washington Township.
- (2) Review by Township Supervisors. **[Amended by Ord. 2016-01, 9/6/2016]**
 - (a) All proposed structures, equipment or material shall be readily accessible for fire and police protection.
- (3) Board of Supervisors.
 - (a) Within 45 days from receipt of a complete conditional use application and payment of the required fee, the Board of Supervisors shall hold a duly advertised public hearing on the matter of the conditional use application.
 - (b) Within 30 days from the date of the final public hearing on the conditional use application, the Board of Supervisors will render its decision. Written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
 - (c) Each decision shall be accompanied by findings of fact and conclusions. The conclusions shall contain a reference to the provisions relied upon and the reasons why the conclusion is deemed appropriate.

C. Effect of Conditional Use. Any use for which a conditional use approval may be granted shall be deemed to be a conforming use in the district in which such use is located, provided that such permit shall be deemed to affect only the lot or portion thereof for which such approval shall have been granted.

§ 27-1206. Bed-and-Breakfast Establishments. [Ord. 96-2, 7/-/1996, § 1206; as revised by Ord. 00-01, 2/15/2000, § 1206; as amended by Ord. 2016-01, 9/6/2016]

1. Bed-and-breakfast establishments are subject to parking regulations (Part 15) and landscaping regulations (Part 11). Bed-and-breakfast establishments

must also follow district regulations for which they are permitted, including the following:

- A. Bed-and-breakfast establishments shall be authorized and conform to state requirements.

§ 27-1207. Farmers Market Regulations. [Ord. 96-2, 7/-/1996, § 1207; as revised by Ord. 00-01, 2/15/2000, § 1207]

1. Local farmers may sell vegetables, fruit and other goods produced from their own farmstead, as well as any baked or canned goods.
2. Farmers markets (or stands) must adhere to the following regulations:
[Amended by Ord. 2016-01, 9/6/2016]
 - A. The stand or the sign cannot be located in the right-of-way (ROW) of any road.
 - B. The farmers market operator and/or owner must make sure there is available space of customer parking. This parking area must be located outside of the public right-of-way.
 - C. Farmers markets shall conform to state requirements, if applicable.

§ 27-1208. Home Occupation Regulations. [Ord. 96-2, 7/-/1996, § 1208; as revised by Ord. 00-01, 2/15/2000, § 1208; as amended by Ord. 2016-01, 9/6/2016]

1. A home occupation may include but not be limited to craft shops, art studios, dressmaking or other sewing crafts, barbershop or beauty parlor, teaching music or dance instruction, real estate or insurance office, the professional office of a dentist, physician, lawyer, engineer, planner, accountant, architect, home telephone sales or other activities of a similar nature.
2. A home occupation shall, under no circumstances, be interpreted to include a commercial stable or a dog kennel, automobile sales, small engine repair shop, donut shop or any occupation where the principal activity involves sales offered across the counter.
3. Where permitted, home occupations may be established subject to the following conditions:
 - A. No offensive noise, vibration, smoke or other particulate matter, and heat in regards to home occupations.
 - B. Off-street parking shall be provided in accordance with the provisions of Part 15.

§ 27-1209. Public Utility Regulations. [Ord. 96-2, 7/-/1996, § 1209; as revised by Ord. 00-01, 2/15/2000, § 1209]

1. Public utility facilities shall be permitted in any district; provided, however, all buildings and/or structures for these utilities shall be subject to the following regulations:
 - A. Front, side and rear yards, as well as height regulations, shall be consistent with the regulations of the district in which the facility is located.
 - B. Unhoused equipment shall be enclosed within a wooden or chain-link fence of at least six feet in height.
 - C. Housed Equipment. When the equipment is totally enclosed within a building, landscaping and screen planting in accordance with Part 11 shall be required, and the yards shall be maintained with the district in which the facility is located. Fencing may also be required.
 - D. Screen planting in residential and commercial districts shall be in accordance with Part 11.
 - E. The external design of the building shall be, to the greatest extent possible, in conformity with the design of buildings in the district.

§ 27-1210. Camps or Campgrounds. [Ord. 96-2, 7/-/1996, § 1210; as revised by Ord. 00-01, 2/15/2000, § 1210]

1. The purpose of this section is to provide regulations for camp or recreational resort establishments which may include an office and accessory uses such as food or drink establishments, amusement and recreation facilities such as a swimming pool, children's playground, tennis or other game sports and game or recreation rooms.
 - A. Area and Bulk Regulations.
 - (1) The minimum lot area shall be a minimum of not less than 10 acres and the minimum campsite area is 3,000 square feet.
 - (2) The minimum front, side and rear yards shall be 50 feet, except when adjacent to a residential zone, in which case front, side and rear yards shall be 100 feet.
 - (3) All principal and accessory buildings and structures shall cover a total of not more than 35% of the site. A food and/or drink establishment shall not cover more than 10% of the site. There shall be no more than one resort- or camp-related dwelling unit.

- (4) An internal road system shall be provided, in accordance with § 22-703A of the Subdivision and Land Development Ordinance [Chapter 22].
- (5) All water facilities, sewage disposal systems, rest rooms, solid waste disposal and vector control shall be approved and maintained in accordance with the requirements of the PA DEP.
- (6) Occupancy in each dwelling or structure shall be limited to six months out of any twelve-month period, and it shall be incumbent upon the owner or camp operator to maintain a guest register containing the name, date of entry and date of departure of each tenant. Said register shall be subject to inspection by a duly appointed representative of the Board of Supervisors. The owner/operator may reside on the campground year round.
- (7) Only those commercial uses which are designed to expressly serve the tenants of a proposed development during their stay shall be permitted.

- B. Parking Regulations. Points of vehicular ingress or egress shall be limited to a total of two on any street. Off-street parking regulations shall apply and should be in accordance with Part 15, and § 22-703(B)(2) of the Subdivision and Land Development Ordinance [Chapter 22].

§ 27-1211. Commercial Kennels. [Ord. 96-2, 7/-/1996, § 1211; as revised by Ord. 00-01, 2/15/2000, § 1211; as amended by Ord. 2016-01, 9/6/2016]

1. Kennels shall be permitted as a conditional use in the Agricultural District and are subject to the following:
 - A. Minimum lot size to conform to state regulations.
 - B. Parking requirements shall be in accordance with Part 15.
 - C. All areas used for exercise shall be securely fenced and located at least 200 feet from any property line.
 - D. All animals shall be kept within a completely enclosed building which shall be a minimum of 100 feet from any property line.

§ 27-1212. Commercial Riding Stables. [Ord. 96-2, 7/-/1996, § 1212; as revised by Ord. 00-01, 2/15/2000, § 1212; as amended by Ord. 2016-01, 9/6/2016]

1. Commercial riding stables shall be permitted in the Agricultural District by conditional use, subject to the following:

- A. Minimum lot size to conform to state regulations.
- B. Off-street parking regulations shall apply in accordance with Part 15.
- C. All areas used for exercise and pasturing shall be securely fenced.
- D. All animals, except while exercising or pasturing, shall be kept within a completely enclosed building erected or maintained for that purpose which shall be a minimum of 200 feet from any property line.
- E. The accumulation and storage of manure or other odor producing substances shall not be permitted.

§ 27-1213. Farm Equipment or Lawn and Garden Sales and Service. [Ord. 96-2, 7/-/1996, § 1213; as revised by Ord. 00-01, 2/15/2000, § 1213; as amended by Ord. 2016-01, 9/6/2016]

- 1. Farm equipment or lawn and garden sales and service shall be permitted in the Agricultural District as an accessory use to the principal agricultural use of the lot.
- 2. Acceptable Uses.
 - A. Distribution, sales and/or servicing of equipment and machinery commonly used for agricultural purposes.
 - B. Distribution, sales and/or servicing of nursery, lawn and garden equipment and supplies and service.
- 3. Parking Requirements. Parking requirements shall be in accordance with Part 15.

§ 27-1214. Family Day-Care Centers. [Ord. 96-2, 7/-/1996, § 1214; as revised by Ord. 00-01, 2/15/2000, § 1214; as amended by Ord. 2016-01, 9/6/2016]

- 1. Family day-care centers shall be permitted as a conditional use in the Medium to High Density Residential District and the Commercial Districts and subject to the following:
 - A. Family day-care centers providing care for more than three children not related to the caregiver must secure a license from the Commonwealth of Pennsylvania, Department of Public Welfare. Evidence of such state licensing must be provided prior to the issuance of a use and occupancy permit by the Zoning Officer.

§ 27-1215. Swimming Pools. [Ord. 96-2, 7/-/1996, § 1215; as revised by Ord. 00-01, 2/15/2000, § 1215]

See Ord. 95-2, adopted October 17, 1995 [Chapter 23, Part 1].

§ 27-1216. Excavating, Stripping, Quarrying and Mining Operations. [Ord. 96-2, 7/-/1996, § 1216; as revised by Ord. 00-01, 2/15/2000, § 1216]

1. Excavation, stripping, quarrying and mining operations, where permitted as conditional uses in a district other than the Mineral Recovery (MR) District, are subject to the following conditions:
 - A. Minimum lot area is 50 acres, except as outlined in Subsection F.
 - B. An open excavation within 500 feet of a highway or occupied property shall be enclosed by a fence or wall that completely encloses the portion of the property in which the excavation is located; said fence or wall shall be so constructed as to have openings no larger than six inches, and if pickets are used, the openings shall not exceed six inches; and all fences and walls shall be a minimum of eight feet in height with a locked gate.
 - C. No quarry wall shall be nearer than 150 feet to any property line or street line.
 - D. An agreement in writing has to be executed which shall comprise a plan for reclamation of the tract which clearly sets forth the following information:
 - (1) An engineering drawing showing ownership, topography, streams, existing roads, buildings, boundaries and legal description of the tract and the names of adjoining property owners.
 - (2) A description of the location, type, extent, methods, hours of operation and time schedule for the operations proposed.
 - (3) A drawing showing the location and/or proposed relocations of land, trees, buildings, structures, public roads, streams, drainage facilities and utility lines on the tract or adjacent tracts as may require protection, repairs, clearance, demolition or restoration either during or following completion of the operation proposed.
 - (4) A statement describing methods for the handling of drainage, air pollution, soil erosion or other environmental problems created during the operations including production, transportation, processing, stockpiling, storage and disposal of by-products and wastes. As a minimum, address the following:
 - (a) Noise — vehicular and equipment.
 - (b) Use of explosives — impact to adjacent properties.
 - (c) Lighting.

- (d) Impact to streams, lakes, public and private water supplies from dewatering and washing operations.
 - (e) Traffic.
 - (5) A plan for reuse of the land after completion of the operations which shall permit the carrying out of the purposes of this chapter and appropriately provide for any restoration, reclamation, reforestation or other correction work deemed necessary. Such plan shall be prepared by a registered landscape architect or other qualified person and shall bear the recommendations of the Township Engineer.
- E. Excavation, stripping or quarrying operations planned to be carried out in a total land area not exceeding two acres shall be exempt from Subsections A through D above, provided the owner of such land area submits the following for approval by the Board of Supervisors.
- (1) An erosion and sedimentation control plan in accordance with the Dauphin County Conservation Service Erosion and Sedimentation Control Handbook.
 - (2) A plan for reclamation setting forth the proposed final contours, surface runoff controls, applicable seeding and related stabilization methods and time schedule for implementation.
 - (3) Suitable assurance to the Board of Supervisors either in the form of a performance bond or other security acceptable to the Board covering the cost of implementing Subsection E(1) and (2) above.
- F. Approval of a conditional use application does not release the applicant from obtaining other state and local permits. It may be necessary to obtain some or all of the following:
- (1) Highway occupancy permit, state or local for proposed access drives.
 - (2) Sewage permit.
 - (3) Land development plan approval. The plan submitted for the conditional use application is conceptual. More detailed site plans may be required.
 - (4) State mining permits must be obtained and on file with the Township, including all required bonding for reclamation before any earthmoving can begin.

§ 27-1217. Principal Waste Handling Facilities; Landfills. [Ord. 96-2, 7/-/1996, § 1217; as revised by Ord. 00-01, 2/15/2000, § 1217]

1. Principal waste handling facilities are permitted by conditional use, subject to the following criteria:
 - A. Minimum lot area: 150 acres.
 - B. No waste shall be deposited, stored or disposed of and no building or structure shall be located within 500 feet of any property line and 800 feet of any land within a residential zone.
 - C. Any external area used for the unloading, storage or deposition of waste must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practicable.) In addition, such areas must also be completely enclosed by an eight-foot-high fence, with no openings greater than two inches in any direction.
 - D. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable state and federal standards and regulations.
 - E. The maximum height of any material shall be 200 feet above the historic ground contour.
 - F. Conditional use application shall include a plan for the development of the tract showing:
 - (1) Ownership, boundaries and legal description, existing topographic and natural physical features, existing utilities, easements and adjacent property owners.
 - (2) Proposed areas of development, buildings, access drives, treatment facilities, stormwater management and erosion control facilities and other operational facilities. This may be conceptual in nature pending final design - deviation from the approved conditional use plan will be subject to approval by the Board of Supervisors at the land development stage.
 - (3) A description of the location, type, extent, methods and time schedule for the operations proposed.
 - (4) A drawing showing the location and/or proposed relocations of land, trees, buildings, structures, public roads, streams, drainage facilities and utility lines on the tract or adjacent tracts as may require protection, repairs, clearance, demolition or restoration either during or following completion of the operation proposed.

- (5) A statement describing methods for handling of any drainage, air pollution, soil erosion or other environmental problems created during the operations including production, transportation, processing, stockpiling, storage and disposal or by-products and wastes. As a minimum, address in narrative form, the following:
- (a) Leachate treatment.
 - (b) Litter control.
 - (c) Access. Impact on local roads, controlled to limit unauthorized access.
 - (d) Raw water needs. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required. If the source is from a municipal system, the applicant shall submit documentation that the public authority will supply the water needed. In addition, if the facility is to rely upon nonpublic sources of water, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility shall be reviewed by the Municipal Engineer. A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge considering the water withdrawn by the proposed development shall not be approved by the municipality. A water feasibility study shall include the following information:
 - 1) Calculations of the projected water needs.
 - 2) A geologic map of the area with a radius of at least one mile from the site.
 - 3) The location of all existing and proposed wells within 1,000 feet of the site with a notation of the capacity of all high-yield wells.
 - 4) The location of all existing on lot sewage disposal systems within 1,000 feet of the site.

- 5) The location of all streams within 1,000 feet of the site and all known point sources of pollution.
 - 6) Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined.
 - 7) A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams and the groundwater table.
 - 8) A statement of the qualifications and the signature(s) of the person(s) preparing the study.
- (e) Traffic.
- (f) Preparedness, prevention and contingency plan.

§ 27-1218. Commercial Poultry and Livestock Operation. [Ord. 96-2, 7/-/1996, § 1218; as revised by Ord. 00-01, 2/15/2000, § 1218]

1. Commercial poultry and livestock operations are permitted in the Agricultural District, subject to the following:
 - A. Minimum lot area greater than two acres.
 - B. Application for conditional use shall include a plan showing tract boundaries, existing topographic and physical features, adjacent property owners and the proposed animal housing facilities.
 - C. The application shall include a narrative description of the project with the type and number of animals to be housed, a manure management plan and a statement how impact to adjoining properties (residential in particular) is minimized (i.e. prevailing winds are to the southeast, away from any existing nearby uses).
 - D. Applicant must demonstrate that sufficient land is available to sustain the proposed use (feed and manure handling).
 - E. The Township may require buildings to be setback further than the minimum in granting a conditional use.

§ 27-1219. Mobile Home Parks. [Ord. 96-2, 7/-/1996, § 1219; as revised by Ord. 00-01, 2/15/2000, § 1219]

1. Mobile home parks are permitted in the Agricultural District and the Village District as a conditional use subject to the following:
 - A. Minimum project area: five acres.

- B. Applicant must submit a plan showing the boundary of the property, existing topography and physical features, adjacent property owners and the proposed park layout meeting the requirements of Part 6 of the Washington Township Subdivision and Land Development Ordinance [Chapter 22] for mobile home parks.
- C. Applicant must submit a narrative description of the project with an outline addressing the following:
 - (1) Traffic impact.
 - (2) Handling of stormwater: general description.
 - (3) Water supply and sewage disposal: impact to nearby private and public uses. Connection to public facilities is strongly recommended.
 - (4) Number of units, schedule for completion of improvements and completion date for buildout.
 - (5) Impact to adjacent uses.

§ 27-1220. Shopping Centers. [Ord. 96-2, 7/-/1996, § 1220; as revised by Ord. 00-01, 2/15/2000, § 1220]

- 1. Shopping centers are permitted by conditional use in the Commercial District, subject to the following criteria:
 - A. Lot area: five acres minimum.
 - B. Lot width: 300 feet minimum.
 - C. All buildings must be set back at least 50 feet from any property line and 100 feet from a street line.
 - D. Screening and buffer zones shall be in accordance with Part 11 of this chapter.
 - E. Access must be via an arterial street or collector street.
 - F. The conditional use application shall include a plan for development of the tract showing:
 - (1) Ownership boundaries and legal descriptions, existing topographic and natural physical features, existing utilities, easements and adjacent property owners.
 - (2) Proposed areas of development including buildings, parking areas and access drives, stormwater management facilities, lighting, trash handling and utilities (water and sewer).

- (3) Applicant must submit a narrative description of the project addressing the following:
 - (a) Traffic impact.
 - (b) Handling of stormwater.
 - (c) Water supply and sewerage disposal: impact to public or private uses. Connection to public facilities is strongly recommended.
 - (d) Short- and long-term development of the site, including any out parcels.
 - (e) Impact to adjacent uses.

§ 27-1221. Truck Terminals.⁶ [Ord. 96-2, 7/-/1996, § 1222; as revised by Ord. 00-01, 2/15/2000, § 1222]

1. Truck terminals are permitted by conditional use in the Industrial District, subject to the following conditions:
 - A. Principal access shall be onto Route 209 unless the applicant can demonstrate that the local roadway is constructed in a manner to handle the anticipated traffic and weight from the proposed use.
 - B. The applicant shall provide with the conditional use application a general site plan showing the property, the proposed terminal with parking and access driveways and a traffic report. The traffic report shall be prepared by a professional engineer. Parking and driveway areas shall be stabilized surfaces.
 - C. No outside storage of materials shall be allowed. Areas immediately adjacent to residential uses/zones shall be screened.
 - D. Applicant shall submit a lighting plan which demonstrates that lighting will not be directed onto adjacent properties.
 - E. The applicant shall submit a land development plan and comply with other applicable state and local regulations.

§ 27-1222. Adult Bookstores. [Ord. 96-2, 7/-/1996, § 1223; as revised by Ord. 00-01, 2/15/2000, § 1223]

1. Adult bookstores or adult theaters shall be permitted by conditional use in the Commercial District subject to the following:

⁶Editor's Note: Former § 27-1221, Heavy Equipment Sales and Service Facilities (Ord. 96-2, 7/-/1996, § 1221, as revised), was repealed by Ord. 2016-01, 9/6/2016, which ordinance also renumbered former §§ 27-1222 through 27-1225 as §§ 27-1221 through 27-1224, respectively.

- A. An adult bookstore shall not be permitted to be located within 500 feet of any other adult bookstore.
- B. An adult bookstore shall not be permitted to be located within 1,000 feet of any public or private school, child-care facility, public park or playground or any church or other house of worship.
- C. No materials, merchandise or film offered for sale, rent, lease, loan or for view upon the premises shall be exhibited or displayed outside of a building or structure.
- D. Any building or structure used and occupied as an adult bookstore or adult theater shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise or film shall be visible from outside of the building or structure.

§ 27-1223. Sawmills. [Ord. 96-2, 7/-/1996, § 1224; as revised by Ord. 00-01, 2/15/2000, § 1224]

- 1. Sawmills shall be permitted by conditional use in the Agricultural District (A) subject to the following:
 - A. Principal access shall be onto Route 209 unless the applicant can demonstrate that the local roadway is constructed in a manner that can handle the traffic volume and weight from the proposed use.
 - B. The minimum lot area is five acres.
 - C. Yard regulations shall conform to those in the Agricultural District.
 - D. Screening and buffer zones shall be in accordance with Part 11 of this chapter when the sawmill is adjacent to a residential use.
 - E. The hours of operation shall be restricted to 7:30 a.m. to 7:30 p.m.
 - F. The area where the material is stored or sawed shall be fenced. The fence shall be a minimum of eight feet in height and have no openings larger than six inches with a locked gate.

§ 27-1224. Veterinary Offices and Animal Hospitals. [Ord. 96-2, 7/-/1996, § 1225; as revised by Ord. 00-01, 2/15/2000, § 1225]

- 1. Veterinary offices and animal hospitals shall be permitted by conditional use in the Agricultural District subject to the following:
 - A. The minimum lot area shall be five acres.
 - B. Yard regulations shall conform to those in the Agricultural District.
 - C. Parking requirements shall be in accordance with Part 15.

- D. One sign shall be permitted which shall be in accordance with Part 14.
- E. Areas used for exercise shall be securely fenced and located at least 200 feet from any property line.
- F. All animals, except while exercising or pasturing, shall be kept within a completely enclosed building erected or maintained for that purpose which shall be kept a minimum of 200 feet from any property line.
- G. The accumulation and storage of manure or other odor-producing substance shall not be permitted.

§ 27-1225. No-Impact Home-Based Business. [Ord. 2005-02, 10/4/2005; as amended by Ord. 2016-01, 9/6/2016]

- 1. A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:
 - A. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
 - B. Any no-impact home-based business must comply with the MPC.

§ 27-1226. Wind Energy Facilities. [Ord. 2010-01, 2/16/2010]

- 1. Definitions. As used in this section, the following terms shall have the meanings indicated:

APPLICANT — The landowner or developer, as hereinafter described, who has filed an application for development, including his heirs, successors, and assigns.

DECOMMISSIONING — With regard to a wind energy facility, removing the system or facility from service or electrical generation permanently or for a period in excess of six months.

FACILITY OWNER — The entity or entities having an equity interest in the energy facility, including their respective successors and assigns.

⁷Editor's Note: Ordinance No. 2016-01 also renumbered former § 27-1225, Veterinary Offices and Animal Hospitals, as § 27-1224; repealed former § 27-1226, Storage of Equipment and Materials (Ord. 96-2, 7-/1996, § 122, as revised); and renumbered former §§ 27-1227 through 27-1229 as §§ 27-1225 through 27-1227, respectively.

HUB HEIGHT — The distance measured from the surface of the tower foundation to the height of the wind turbine hub, to which the blade is attached.

NON-PARTICIPATING LANDOWNER — Any landowner except those on whose property all or a portion of a wind energy facility is located pursuant to an agreement with the facility owner or operator.

OCCUPIED BUILDING — A residence, school, hospital, church, public library or other building used for public gathering that is occupied or in use when the permit application is submitted.

OPERATOR — The entity responsible for the day-to-day operation and maintenance of the wind energy facility.

SHADOW FLICKER — Alternating changes in light intensity caused by the moving blade casting shadows on the ground and stationary objects, such as a window at a dwelling.

TURBINE HEIGHT — The distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane.

WIND ENERGY FACILITY — An electric-generating facility, whose main purpose is to supply electricity, consisting of one or more wind turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

WIND TURBINE — A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformers, if any.

2. Applicability.
 - A. This section applies to all wind energy facilities proposed to be constructed after the effective date of this section.
 - B. Wind energy facilities constructed prior to the effective date of this section shall not be required to meet the requirements of this section, provided that any physical modification to an existing wind energy facility that materially alters the size, type and number of wind turbines or other equipment shall require a permit under this section.
3. Permitted Use.
 - A. A wind energy facility shall be considered a conditional use in all zones except the Residential Districts (R-1) and (R-2) and the Village District, where such facilities shall be expressly prohibited.

- B. Such conditional use shall be determined in accordance with the provisions of Part 18, § 27-1806 et seq., of this chapter, governing conditional uses, and such additional conditions as the Board of Supervisors may reasonably impose as a condition of approval.
4. Conditional Use Permit Requirement.
- A. No wind energy facility, or addition of a wind turbine to an existing wind energy facility, shall be constructed or located within Washington Township unless a conditional use permit has been issued to the facility owner or operator approving construction of the facility under this section.
 - B. The conditional use permit application or amended permit application shall be accompanied by a fee as established by separate resolution of the Board of Supervisors, plus the actual costs incurred by the Township.
 - C. Any physical modification to an existing and permitted wind energy facility that materially alters the size, type and number of wind turbines or other equipment shall require a conditional use permit modification under this section. Like-kind replacements shall not require a conditional use permit modification.
5. Conditional Use Permit Application.
- A. A conditional use permit application shall be filed and processed in accordance with § 27-1806 et seq. of this chapter.
 - B. The conditional use permit application shall demonstrate that the proposed wind energy facility will comply with this section.
 - C. Among other things, the application shall contain the following:
 - (1) A narrative describing the proposed wind energy facility, including an overview of the project; the project location; the approximate generating capacity of the wind energy facility; the approximate number, representative types and height or range of heights of wind turbines to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
 - (2) An affidavit or similar evidence of agreement between the property owner and the facility owner or operator demonstrating that the facility owner or operator has the permission of the property owner to apply for necessary permits for construction and operation of the wind energy facility. Include the applicant's and property owner's names, addresses and phone numbers.

- (3) Identification of the properties on which the proposed wind energy facility will be located and the properties adjacent to where the wind energy facility will be located.
 - (4) A site plan showing the planned location of each wind turbine, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the wind energy facility to the substation(s), ancillary equipment, buildings and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback, proposed landscape plan for screening, and existing buildings on site and adjacent properties to delineate required setbacks in accordance with Subsection 7, Setbacks.
 - (5) Documents related to decommissioning.
 - (6) Other relevant studies, reports, certifications and approvals as may be reasonably requested by the Township to ensure compliance with this section.
- D. Within 30 days after receipt of a conditional use permit application, the Township will determine whether the application is complete and advise the applicant accordingly.
 - E. Within 60 days after a completeness determination, the Township will, pursuant to public notice, schedule a public hearing. The applicant shall participate in the hearing and be afforded an opportunity to present the project to the public and municipal officials and answer questions about the project. The public shall be afforded an opportunity to ask questions and provide comment on the proposed project.
 - F. Within 120 days after a completeness determination, or within 45 days after the close of any public hearing, whichever is later, the Township shall make a decision whether to issue or deny the conditional use permit application and notify the applicant in writing.
 - G. Throughout the permit process, the applicant shall promptly notify Washington Township of any changes to the information contained in the conditional use permit application.
 - H. Changes to the pending application that do not materially alter the initial site plan may be adopted without a renewed public hearing.
- 6. Design and Installation.
 - A. Design Safety Certification. The design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit

certificates of design compliance obtained by the equipment manufacturers from Underwriters' Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or other similar certifying organizations.

- B. Uniform Construction Code. To the extent applicable, the wind energy facility shall comply with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§ 403.1 — 403.142.
- C. Controls and Brakes. All wind energy facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
- D. Electrical Components. All electrical components of the wind energy facility shall conform to relevant and applicable local, state and national codes and relevant and applicable international standards.
- E. Visual Appearance; Power Lines.
 - (1) Wind turbines shall be a nonobtrusive color such as white, off-white or gray.
 - (2) Towers shall have prominent markings on the rotor blade tips of an international orange color where the total height of the tower exceeds 175 feet.
 - (3) The design of buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening, and landscaping that will blend the facility into the natural setting and existing environment.
 - (4) Appropriate landscaping shall be provided to screen structures from roads and adjacent residents.
 - (5) Wind energy facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.
 - (6) Wind turbines shall not display advertising, except for reasonable identification of the turbine manufacturer, facility owner or operator.
 - (7) On-site transmission and power lines between wind turbines shall, to the maximum extent practicable, be placed underground.

- F. Height and Placement. The maximum hub height shall not exceed 55 feet. Wind turbines may not be placed in front yards.
- G. Warnings.
 - (1) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
 - (2) Visible, reflective, colored objects, such as flags, reflectors, or tape, shall be placed on the anchor points of guy wires and along the guy wires up to a height of 10 feet from the ground.
- H. Safety.
 - (1) Wind turbines shall not be climbable up to 15 feet above the ground surface.
 - (2) All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by nonauthorized persons.
 - (3) The minimum distance between the ground and any part of the rotor blade system shall be 30 feet.
 - (4) To limit climbing access, a six-foot-high fence with a locking gate shall be placed around the facility's tower base or the tower's climbing apparatus shall be limited to no lower than 15 feet from the ground.
- 7. Setbacks.
 - A. Occupied Buildings.
 - (1) Wind turbines shall be set back from the nearest occupied building a distance not less than the greatest normal boundary setback requirements for that zoning classification or 1.1 times the turbine height, whichever is greater. The setback distance shall be measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.
 - (2) Wind turbines shall be set back from the nearest occupied building located on a nonparticipating landowner's property a distance of not less than two times the turbine height, as measured from the center of the wind turbine base to the nearest point on the foundation of the occupied building.
 - B. Property Lines. All wind turbines shall be set back from the nearest property line a distance of not less than the normal setback requirements for that zoning classification or 1.1 times the turbine

height, whichever is greater. The setback distance shall be measured to the center of the wind turbine base.

- C. Public Roads. All wind turbines shall be set back from the nearest public road a distance of not less than 1.1 times the turbine height, as measured from the right-of-way line of the nearest public road to the center of the wind turbine base.

8. Variances.

- A. Alterations of any portion of this section shall be accomplished only by a variance granted by the Township Zoning Hearing Board in accordance with this chapter.
- B. Any record of any such variance shall be recorded in the office of the Recorder of Deeds for Dauphin County. The recorded action shall identify the properties adjacent to and affected by such action.

9. Use of Public Roads.

- A. The applicant shall identify all state and local public roads to be used within the Township to transport equipment and parts for construction, operation or maintenance of the wind energy facility.
- B. The Township's Engineer, Roadmaster, or a qualified third-party engineer hired by the Township and paid for by the applicant shall document road conditions prior to construction. The Engineer or Roadmaster shall document road conditions again 30 days after construction is complete or as weather permits.
- C. The Township may require the applicant to bond to the Township the road in compliance with state regulations.
- D. Any road damage caused by the applicant or its contractors shall be promptly repaired at the applicant's expense.
- E. The applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged roads.

10. Local Emergency Services.

- A. The applicant of a commercial facility shall provide a copy of the project summary and site plan to local emergency services, including paid or volunteer fire department(s) and the Dauphin County Emergency Management Agency.
- B. Upon request, the applicant shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the wind energy facility.

11. Noise and Shadow Flicker.
 - A. Audible sound from the wind energy facility shall not exceed 55 dBA, as measured at the exterior of any occupied building on a nonparticipating landowner's property. Methods for measuring and reporting acoustic emissions from wind turbines and the wind energy facility shall be equal to or exceed the minimum standards for precision described in AWEA Standard 2.1-1989, titled "Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems, Volume I, First Tier."
 - B. The facility owner and operator shall make reasonable efforts to minimize shadow flicker to any occupied building on a nonparticipating landowner's property.
12. Signal Interference. The applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals and shall mitigate any harm caused by the wind energy facility.
13. Decommissioning.
 - A. The facility owner and operator shall, at their expense, complete decommissioning of the wind energy facility, or individual wind turbines, within 12 months after the end of the useful life of the facility or individual wind turbines. The wind turbines' facility or individual wind turbines will be presumed to be at the end of their useful life if no electricity is generated for a continuous period of 12 months.
 - B. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities.
 - C. Disturbed earth shall be graded and reseeded, unless the landowner requests, in writing, that the access roads or other land surface areas not be restored.
 - D. An independent and certified professional engineer shall be retained by the facility owner at his expense to estimate the total cost of decommissioning ("decommissioning costs"), without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment ("net decommissioning costs"). Said estimates shall be submitted to the Township after the first year of operating and every fifth year thereafter.
 - E. The facility owner or operator shall post and maintain decommissioning funds in an amount equal to the net decommissioning costs, provided that at no point shall decommissioning funds be less than 100% of decommissioning costs.

The decommissioning funds shall be posted and maintained with a bonding company or federal or commonwealth chartered lending institution chosen by the facility owner or operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the commonwealth and is approved by the Township.

- F. Decommissioning funds may be in the form of a performance bond, surety bond, letter of credit, corporate guaranty or other form of financial assurance as may be acceptable to the Township.
- G. If the facility owner or operator fails to complete decommissioning within the period, prescribed by Subsection 13A, then the landowner shall have six months to complete decommissioning.
- H. If neither the facility owner or operator nor the landowner completes decommissioning within the periods prescribed by Subsection 13A and G, then the Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating landowner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns, that the Township may take such action as necessary to implement the decommissioning plan.
- I. The escrow agent shall release the decommissioning funds when the facility owner or operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily complete, or upon written approval of the municipality in order to implement the decommissioning plan.

14. Public Inquiries and Complaints.

- A. The facility owner and operator shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.
- B. The facility owner and operator shall make reasonable efforts to respond to the public's inquiries and complaints.
- C. The facility owner and/or operator shall keep a record of all such inquiries and complaints and shall submit a report thereof to the Township not less than quarterly.

15. Remedies.

- A. It shall be unlawful for any person, firm, or corporation to violate or fail to comply with or take any action which is contrary to the terms of this section, or any permit issued under the section, or to cause another to violate or fail to comply, or to take any action which is

contrary to the terms of this section or any permit issued under this section.

- B. If the Township determines that a violation of this section or the permit has occurred, the Township shall provide written notice to any person, firm or corporation alleged to be in violation of this section or the permit. If the alleged violation does not pose an immediate threat to public health or safety, the Township and the parties shall engage in good-faith negotiations to resolve the alleged violation. Such negotiations shall be conducted within 30 days of the notice of violation.
- C. If, after 30 days from the date of the notice of violation, the Township determines, in its discretion, that the parties have not resolved the alleged violation, the Township may institute civil enforcement proceedings or any other remedy at law to ensure compliance with this section or the permit.

§ 27-1227. Small Personal Wind Energy Facilities. [Ord. 2010-02, 6/15/2010, as amended by Ord. 2016-01, 9/6/2016]

Small personal wind energy facilities shall comply with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§ 403.1 through 403.142.

PART 13

NONCONFORMING BUILDINGS AND USES

§ 27-1301. Continuation. [Ord. 96-2, 7/-/1996, § 1301; as amended by Ord. 00-01, 2/15/2000, § 1301; and by Ord. 2008-02, 7/15/2008]

1. All lawful uses of land or of a lot, building, sign or other structure existing on the effective date of this chapter may be continued, altered, restored, reconstructed, changed, sold or maintained even though such use may not conform to the use, height, area, yard and other regulations of the district in which it is located, provided that such nonconforming conditions shall comply with the provisions of this Part.
2. The Zoning Officer shall be responsible for the proper registration of premises occupied by a lawful nonconforming use, lot, building and/or structure existing after the effective date of this chapter (July 16, 1996) and issuance of a certificate of nonconformance, which shall be for the purpose of ensuring to the owner the right to continue such nonconformity in accordance with the provisions of this Part. It is the property owners' responsibility to assist the Zoning Officer in the identification and registration of nonconforming uses, lots, buildings and structures for which they are accountable. Periodic notice of this requirement shall be published and/or circulated by the Township for the purpose of making property owners aware of such.
3. Any property, land, or lot designated and subdivided as an approved single residential building lot (for a single residential dwelling unit) prior to the date of the adoption of zoning (July 1996) is permitted to continue to be used as an approved single residential building lot. [Added by Ord. 2016-01, 9/6/2016]

§ 27-1302. Alterations. [Ord. 96-2, 7/-/1996, § 1302; as amended by Ord. 00-01, 2/15/2000, § 1302; and by Ord. 2008-02, 7/15/2008]

Repairs and structural alterations may be made to a nonconforming building or a building occupied by a nonconforming use, provided that such alterations are in conformance with the regulations set forth in this chapter and other applicable codes and ordinances adopted by the Township.

§ 27-1303. Construction, Extensions or Enlargements. [Ord. 96-2, 7/-/1996, § 1303; as amended by Ord. 00-01, 2/15/2000, § 1303; and by Ord. 2008-02, 7/15/2008]

1. The types of extensions and enlargements listed below are permitted for nonconforming uses, buildings and structures existing on the effective date of this chapter:

- A. The extension of a nonconforming use of land upon a lot occupied by such use.
 - B. The construction, extension or enlargement of a conforming building occupied by a nonconforming use.
 - C. The construction, extension or enlargement of a nonconforming building occupied by a conforming or nonconforming use.
2. The foregoing construction, extensions or enlargements of such nonconforming buildings or uses shall be subject to the following conditions:
 - A. The construction, extension or enlargement shall conform to the height, area, yard and coverage regulations of the district in which it is located. Where a building or structure is nonconforming as to required front, side or rear yard setback, the established nonconforming setback may be continued, so long as the proposed construction, extension or enlargement does not project further into any yard, whether front, side or rear yard, than the original building line extended.
 - B. In multifamily commercial and or industrial areas, an entire building or use shall be provided with off-street parking and loading spaces, if applicable, as required by Part 15.
 - C. The construction, extension or enlargement does not replace a conforming use.
 - D. The extension or enlargement of a building used for a nonconforming use shall not be permitted to extend into vacant parcels of land adjacent to the initial parcel of land existing and occupied on the effective date of this chapter, where such vacant parcels have been recorded separately or acquired following the effective date of this chapter.

§ 27-1304. Changes in Nonconforming Uses. [Ord. 96-2, 7/-/1996, § 1304; as amended by Ord. 00-01, 2/15/2000, § 1304; and by Ord. 2008-02, 7/15/2008]

A nonconforming use may not be changed to any other nonconforming use, but the nonconforming use may only be altered in use to a conforming use.

§ 27-1305. Reconstruction/Restoration. [Ord. 96-2, 7/-/1996, § 1305; as amended by Ord. 00-01, 2/15/2000, § 1305; and by Ord. 2008-02, 7/15/2008; and by Ord. 2016-01, 9/6/2016]

1. A nonconforming structure, building or use which is damaged by fire, explosion, windstorm or other natural or criminal acts may be reconstructed and used for the same purposes, provided that:

- A. The remains of any such buildings, structures or other improvements so destroyed shall be removed from the premises within two years so that the same shall not remain as a nuisance or safety hazard.

§ 27-1306. Nonconforming Signs.^s [Ord. 96-2, 7/-/1996, § 1307; as amended by Ord. 00-01, 2/15/2000, § 1307; and by Ord. 2008-02, 7/15/2008]

Signs in existence at the effective date of this chapter or amendments thereto may be continued subject to the regulations contained in § 27-1305 above and in Part 14.

§ 27-1307. District Changes. [Ord. 96-2, 7/-/1996, § 1308; as amended by Ord. 00-01, 2/15/2000, § 1308; and by Ord. 2008-02, 7/15/2008]

Whenever the boundaries or uses of a district shall be changed, the foregoing provisions shall also apply to any nonconforming lots, uses or buildings existing therein or created thereby.

§ 27-1308. Unsafe Structures. [Ord. 96-2, 7/-/1996, § 1309; as revised by Ord. 00-01, 2/15/2000, § 1309; and by Ord. 2008-02, 7/15/2008]

Nothing in this Part shall prevent the strengthening or restoring to a safe condition of any portion of a structure or building declared unsafe by proper authority.

^sEditor's Note: Former § 27-1306, Discontinuance (Ord. 96-2, 7/-/1996, § 1306, as amended), was repealed by Ord. 2016-01, 9/6/2016, which ordinance also renumbered former §§ 27-1307 through 27-1309 as §§ 27-1306 through 27-1308, respectively.

PART 13A

COMMUNICATION ANTENNAS, EQUIPMENT AND TOWERS

§ 27-1301A. Intent. [Ord. 96-2, 7/-/1996; as added by Ord. 02-03, 5/23/2002, § 1]

1. In recognition of the quasi-public nature of communication antennas, equipment and towers, the purpose of this Part is as follows:
 - A. To accommodate the need for communication antennas, equipment and towers while regulating their location and number in the Township.
 - B. To minimize adverse visual impact and effects of communication antennas, equipment and towers and support structures through proper design, siting and vegetative screening.
 - C. To avoid potential damage to adjacent properties from antenna support structure failure and falling ice or debris, through engineering and proper siting of antenna support structures.
 - D. To encourage the co-location of any new and existing antenna support structures to reduce the number of such structures needed in the future.
 - E. To ensure that the location and number of communication antennas, equipment and towers are in the best interest of the health, safety, welfare and morals of the residents of the Township.
 - F. To minimize any adverse effects of location and design of communication antennas, equipment and towers on residential property values.
 - G. To ensure antennas and communication towers and supporting structures will be removed in the event such structures are abandoned or become obsolete and are no longer necessary.

§ 27-1302A. Use Regulations. [Ord. 96-2, 7/-/1996; as added by Ord. 02-03, 5/23/2002, § 1]

1. Communication antennas, equipment and towers shall comply with the following provisions in addition to any and all other provisions of this Part or provisions of other ordinances of Washington Township which may pertain to communication antennas, equipment and towers. In such case where the provisions of this Part impose different restrictions than those of any other Township statute, ordinance, restriction or regulation, the provision of the statute, ordinance, restriction or regulation which imposes the greater restriction shall be controlling.

- A. The following sites shall be considered, as a conditional use, by applicants as the preferred order of location of proposed communication antennas, equipment and towers. As determined feasible, and in order of preference, the sites are:
- (1) Existing communication antennas, equipment and towers, smoke stacks, water towers or any other tall structure.
 - (2) LI — Light Industrial District.
 - (3) MR — Mineral Recovery District.
 - (4) C — Commercial District.
 - (5) A — Agricultural District, CN — Conservation District, F — Floodplain Management District, R-1 Residential District, R-2 Residential District and V — Village District.
- B. Communication antennas, equipment or towers attached to a pre-existing communication antenna, equipment or tower, smoke stack, water tower or any other tall structure is a conditional use in all zoning districts. If the antenna is to be mounted on any such existing structure, a full site plan shall not be required. However, a certification by a professional engineer licensed in the Commonwealth of Pennsylvania to perform such analysis shall be required, indicating the mounting of the antenna to the structure will not present itself as a safety hazard and is within industry standards. In addition, the applicant shall be required to submit a written agreement with the owner of the tower or structure allowing the shared use.
- C. Communication antennas, equipment and towers is a conditional use on publicly owned structures. Applicant shall be required to submit a written agreement allowing such use.
- D. Communication antennas, equipment and towers that are not to be mounted on a pre-existing communication antenna, equipment and tower, smoke stack, water or any other tall structure in selected zones (A-Agricultural, C-Commercial, CN-Conservation, F-Floodplain, LI-Light Industrial, MR-Mineral Recovery, R-1-Residential, R-2-Residential and V-Village Districts) are permitted in such zones as a conditional use. The Township Supervisors may grant a conditional use after review of the Planning Commission and a public hearing before the Township Supervisors. The applicant must provide and establish the following criteria:
- (1) That there is no suitable space on an existing communication antenna, equipment and tower or any other communication antenna, equipment and tower sites or on any other sufficiently tall structure where the intended communication antenna,

equipment and tower can be accommodated and function as required by its construction permit or license without unreasonable modification.

- (2) That technological evidence establishes that the communication antenna, equipment and tower must go where it is proposed in order to satisfy its function in the grid system and the providing of the quality of service required by law.
- (3) A full site plan which shall include:
 - (a) Written authorization from the property owner of the proposed tower site, as well as, the adjoining property owners.
 - (b) A site plan drawn to scale of not smaller than 50 feet to one inch, which shall depict or provide for the following information:
 - 1) The property boundaries.
 - 2) Any leased area for the facility use.
 - 3) Any tower guy wire anchors and other apparatus.
 - 4) Existing and proposed structures.
 - 5) Scaled elevation view of proposed structures.
 - 6) Access road(s), location and design standard set forth in the Washington Township Subdivision and Land Development Ordinance [Chapter 22].
 - 7) Parking area in accordance with Part 15.
 - 8) Fences in accordance with § 27-1303A(5).
 - 9) Location and content of any informational, warning or other signs.
 - 10) Exterior lighting specifications in accordance with § 27-1303A(7).
 - 11) Landscaping plan in accordance with Part 11.
 - 12) Land elevation contours not greater than intervals of two feet.
 - 13) Existing land uses surrounding the site, including the property owners' names.

- 14) Proposed transmission building and/or other accessory uses.
- 15) Proposed use.
- (c) A written report including:
 - 1) Information describing the tower height and design.
 - 2) A cross-section of the structure.
 - 3) Engineering specifications detailing construction of tower, base and guy wire anchorage.
 - 4) Information describing the proposed painting and lighting schemes.
 - 5) Information describing the tower's capacity, including the number and type of antennas it can accommodate.
 - 6) Radio frequency coverage.
 - 7) All tower structure information is to be certified by a professional engineer licensed in the Commonwealth of Pennsylvania.
 - 8) Communication antenna, equipment and tower data is to be certified by an engineer learned in communication antenna, equipment and tower facilities.
 - 9) Inventory of existing antenna support structures within a two mile radius of the proposed site and information discussing unavailability of such site for one or more of the following reasons:
 - [a] Refusal by current tower owner.
 - [b] Topographic limitations.
 - [c] Adjacent impediments blocking transmission.
 - [d] Site limitations to tower construction.
 - [e] Technical limitations of the system.
 - [f] Equipment exceeds structural capacity of facility or tower.
 - [g] No space on existing facility or tower.

- [h] Other limiting factors rendering existing facilities or towers unusable.
- [i] An update of capacity on an existing tower.

E. If the applicant proposes to build an antenna support structure (as opposed to mounting the antenna on an existing structure), it is required to provide written correspondence verifying it contacted the owners of all tall structures within a two mile radius of the site proposed to be located in zoning districts set forth in subsection (D) and a 1/2 mile radius of the site proposed in any other zoning districts. This would include smokestacks, water towers, tall buildings, antenna support structures of other communication antenna, equipment and tower companies, other communications towers (fire, police, etc.) and other tall structures. The Township Supervisors or Zoning Officer may deny any application to construct a new antenna support structure if the applicant has not made a good faith effort to mount the antenna on an existing structure. A good faith effort shall require that all owners of potentially suitable structures within the radius hereinbefore set forth of the proposed antenna support structure be contacted and one or more of the following reasons for not selecting such structure must apply:

- (1) The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
- (2) The proposed antennas and related equipment would cause radio frequency interference with other existing equipment on that existing structure and the interference cannot be prevented at a reasonable cost.
- (3) Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its function.
- (4) Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- (5) A commercially reasonable agreement could not be reached with the owners of such structures.
- (6) Any refusal to erect antennas on existing structures shall be set forth in writing by the owner of the existing structure.

- F. All other uses ancillary to the antenna and associated equipment (including a business office, maintenance depot, vehicle storage, etc.) are prohibited from the communication antenna, equipment and tower site unless otherwise permitted in the zoning district in which the communication antenna, equipment and tower site is located.

§ 27-1303A. Standards for Approval of All Communication Antennas, Equipment and Towers. [Ord. 96-2, 7/-1996; as added by Ord. 03-02, 5/19/2002, § I]

1. Height Restrictions.
 - A. The applicant shall demonstrate the antenna support structure and antenna are the lowest height required to function satisfactorily. No antenna support structure and antenna that is taller than this minimum height shall be approved. In no case shall any communications tower exceed a maximum height of 200 feet.
 - B. Communication equipment buildings shall comply with building height requirements in the zoning district in which they are located.
2. Setbacks from Base of Antenna Support Structure. If a new antenna support structure is constructed (as opposed to mounting the antenna on an existing structure) the minimum distance between the base of the support structure or any guy wire anchors and any property line or right-of-way line shall be equal to the height of the communication tower plus 50 feet.
3. Antenna Support Structures. Except as hereinafter provided, a monopole antenna support shall be required in all cases. The Township Supervisors may grant use of guy wire, free standing or any other type of antenna support structure as a conditional use after review by the Planning Commission and a public hearing before the Township Supervisors. The applicant must establish the following for approval of conditional use:
 - A. Cost of erecting a monopole would preclude the provision of adequate service to the public, or erection of a safe antenna support structure.
 - B. The proposed antenna structure would have the least practical adverse visual impact on the environment and closely resembles a monopole.
 - C. The proposed antenna support structure is architecturally compatible with surrounding buildings and land use through location and design and blends in with the existing characteristics of the site to the extent practical.
4. Antenna Support Structure Safety. The applicant shall demonstrate the proposed antenna and support structure are safe and the most recent BOCA standards for tower construction can be met so as the surrounding areas will

not be negatively affected by support structure failure, falling ice or other debris. The applicant shall also demonstrate compliance with guidelines recommended by the American National Standards Institute (ANSI) (ANSI/EEEC95-1-1992) with respect to radio frequency emissions. All support structures shall be fitted with anticleimbing devices, as approved by the manufacturers.

5. Fencing. A fence shall be required around the antenna support structure, accessory building(s) and other equipment. The fence shall be a minimum of eight feet in height, shall completely enclose the antenna, support structure and related facilities, shall not contain openings greater than six square inches and shall contain, at all entrances, gates which shall be locked except during times as the site is manned by authorized operations or maintenance personnel. Any wire on top of the fence shall not be included in the measurement of the height of the fence.
6. FCC Licensing. The applicant company must demonstrate it is licensed by the Federal Communications Commission.
7. Painting and Artificial Lighting. Antenna support structures shall be painted in a color that best allows it to blend into the surroundings unless otherwise required by the Federal Aviation Administration (FAA) regulations. The use of grays, blues and greens may be appropriate; however, each case should be evaluated individually. No antenna support structure may be artificially lighted except when required by the FAA.
8. Access. Access shall be provided to the lot or leased parcel on which the communication tower or communications equipment building is located by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and the access shall be paved to a width of at least 10 feet for its entire length.
9. Communication antennas, equipment and towers shall result in a minimal visual impact for those residents in the immediate area and for those in the large community who view these facilities from a distance. Minimal visual impact shall include the following:
 - A. It is acknowledged that large, multi-use towers located within major use transmission areas cannot be effectively screened. In order to minimize the visual impact, such new facilities should be located in close proximity to other comparable structures. Accompanying buildings, ground-mounted antennas and other equipment and structures shall be subject to screening recommendations.
 - B. FAA requirements for coloring and lighting of towers supersedes Township requirements for visual minimum impact.
 - C. If an antenna is installed on a structure other than a tower, the antenna and support electrical and mechanical equipment must be of

neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobstrusive as possible.

- D. There shall be no signage allowed on the communication antenna, equipment and tower, including buildings or its leased or licensed area with the exception of a required emergency notification sign complete with appropriate company name and contact number.
10. In order to reduce the number of communication towers needed in the Township in the future, any proposed support structure shall be designed to accommodate other users including, but not limited to, police, fire and emergency services.
 11. As-Built Plans. Within 30 days of completion of the initial construction and any additional construction, applicant shall furnish two complete sets of plans, drawn to scale and certified to the Township as accurately depicting the location of a communication antenna, equipment and tower facility constructed pursuant to the building permit.
 12. Removal. Any antenna support structure that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the Township with a copy of the notice to the FCC of intent to cease operations and shall be given 60 days from the date of ceasing operations to remove the obsolete antenna support structure and accessory structures. In the case of multiple operators sharing use of a single tower, this provision shall not become effective until all users cease operations. The equipment on the ground is not to be removed, however, until the antenna support structure has first been dismantled and removed.
 13. Inspection. Beginning in April of 2002, and by April of each numbered year thereafter, the antenna support structure shall be inspected by an expert who is regularly involved in the maintenance, inspection and/or erection of antenna structures. At a minimum, this inspection shall be conducted in accordance with the tower class checklist provided in the Electronics Industries Association (EIA) Standard 222 "Structural Standards for Steel Antenna Towers and Antenna Support Structures." A copy of said inspection report shall be provided to the Township. At the time said report is provided to the Township, applicant shall pay a fee in the amount of \$100 or such other amount as the Township shall, from time to time, set forth in resolution with respect to this section. In addition, the applicant shall also be responsible for the payment of any engineering review fees as required for completion of the applicant process.
 14. Site Plan. A full site plan and written report containing the information required in subsection (D)(3) shall be submitted by the applicant in every instance except as provided in subsection (B).

15. Hold Harmless Clause. A signed statement indicating a hold harmless agreement with the Township shall be required. Any such language shall be approved by the Township Solicitor prior to adoption or approval of the application. The form of the Hold Harmless Clause is as follows: (Name of contractor of individual) agrees to indemnify and hold harmless Washington Township, its Supervisors, employees, agents or any other person against loss or expense including attorneys fees, by reason of the liability imposed by law upon Washington Township except in cases of the Township's sole negligence, for damage because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons, or an account of damage to property arising out of or in consequence of this agreement, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of Washington Township, its employees, agents or any other person. It is further understood and agreed that the contractor shall (at the option of the Township) defend Washington Township with appropriate counsel and shall further bear all costs and expenses, including the expense of counsel, in the defense of any suit arising hereunder.

§ 27-1304A. Amateur Radio. [Ord. 96-2, 7/-/1996; as added by Ord. 02-03, 5/23/2002, § I]

This Part shall not govern any tower, or the installation of any antenna, that is under 50 feet in height and is owned and operated by a federally licensed amateur status radio operator.

PART 14
SIGN REGULATIONS

§ 27-1401. General Regulations.⁹ [Ord. 96-2, 7-/1996; as added by 03-02, 8/19/2003, § I; as amended by Ord. 2016-01, 9/6/2016]

1. Signs must be constructed of durable materials and maintained in good condition until removal.
2. When a sign is no longer needed, it shall be removed within 90 days of its end of use by the business using it or the landowner. The sign or frame, at the time of construction, shall contain the name and contact information of the entity responsible for removal.
3. Lighted signs must not disturb residential neighbors within 300 feet after 11:00 p.m. until daybreak unless written permission is acquired from that neighbor.
4. No electronic sign shall be permitted that shall be determined to be a distraction to traffic. All electronic signs shall be approved by a vote of the Supervisors prior to construction. Failure to secure approval could result in a constructed sign being deemed a violation. A record of approval shall be given to the business or person by the Township office.
5. No sign may obstruct the vision of or effect the ability of a driver to safely operate his or her vehicle.
6. No permanent sign may be placed in any road right-of-way.
7. Temporary signs must be removed within 48 hours of their purpose.
8. Signs larger than 50 square feet on one side, not counting the frame or support, may be erected with a vote of approval by the Supervisors. The area of a letter or number sign shall be determined by a rectangle within which the sign could exist. A record of approval shall be given to the business or person by the Township office.
9. Any sign constructed after passage of these regulations shall be constructed to conform to these regulations.
10. Any sign not conforming to any regulation at the time of passage shall be governed by those regulations to which it does or can conform.
11. Signs may not be permanently attached to utility poles or trees.

⁹Editor's Note: Former § 27-1401, General Intent (Ord. 96-2, 7-/1996, as added by Ord. 03-02, 8/19/2003, § I), was repealed by Ord. 2016-01, 9/6/2016, which ordinance renumbered former § 27-1402 as § 27-1401.

12. Anyone erecting a sign after the passage of these regulations that is not in compliance will be given 60 days to bring the sign into compliance. After 60 days a monthly fine set (adopted by resolution) by the Supervisors will apply until sign is brought into compliance.
13. A sign may not be located in such a way that it blocks the view of an already existing sign.
14. A sign attached to a wall of a building, advertising the business within, cannot project from the building more than 12 inches, must be at least 10 feet above the sidewalk, may not extend more than three feet above the roofline, and must be contained within 20% of the square foot area of the wall to which it is attached.
15. Any suspected violation of a sign regulation will be brought before the Board of Supervisors for resolution.
16. All signs along a state highway must conform to Township and state regulations.¹⁰

¹⁰Editor's Note: Former §§ 27-1403, Signs in the Agricultural, Residential and Village Districts (A, R-1, R-2 and V); 27-1404, Signs in the Commercial C District; 27-1405, Signs in the Industrial and Mineral Resource Recovery Districts (LI and MR); 27-1406, Signs in the Conservation and Floodplain Districts (CN and F); 27-1407, Permit Application and Fees; 27-1408, Exemptions from Permits and/or Fees (all adopted by Ord. 96-2, 7-/1996; as added by Ord. 03-02, 8/19/2003, § I); 27-1409, Legal Nonconforming Signs; and 27-1410, Prohibited Signs (both adopted by Ord. 2011-03, 9/6/2011), which followed this section, were repealed by Ord. 2016-01, 9/6/2016.

PART 15

OFF-STREET PARKING REGULATIONS

§ 27-1501. General Parking Regulations. [Ord. 96-2, 7/-/1996, § 1501; as revised by Ord. 00-01, 2/15/2000, § 1501]

1. Off-street parking facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available to patrons throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way.
2. A garage or carport may be located wholly or partly inside the walls of the principal building, or attached to the outer walls.

§ 27-1502. Number of Spaces Required Per Type of Building or Use. [Ord. 96-2, 7/-/1996, § 1502; as revised by Ord. 00-01, 2/15/2000, § 1502; as amended by Ord. 02-03, 5/23/2002]

Any of the following buildings hereafter erected and any building hereafter converted into one of the following buildings, and any open area hereafter used for commercial purposes, shall be provided with not less than the minimum parking spaces as set forth below. These spaces shall be readily accessible to, and within a reasonable distance from, the buildings served. Whenever an alternative for the number of parking spaces required is given, the less restrictive requirement shall apply. Parking spaces shall be on the same lot as the principal building or open area and shall conform to the following regulations:

Use	Standards
1. Single-family detached DU, mobile home	Two spaces per dwelling unit (DU)
2. Two-family detached (duplex), single-family semidetached (double)	Two spaces per DU
3. Two-family semidetached, single-family attached (townhouse)	Two spaces per DU
4. Multifamily and/or garden apartments	Two spaces per DU
5. Churches	One space for each 5 seats in the main assembly area, plus 1 space per full-time employee
6. Cemeteries	One space per full-time employee
7. Public and/or semipublic recreation facility	One space for each 3 area (park)/commercial users at maximum utilization of the facility
8. Municipal buildings	One space for each employee

Use	Standards
9. Club/lodge/hall	One space per 50 square feet or assembly area; or 1 space for every three persons allowed within the maximum occupancy load, whichever is greater
10. Golf course	Six spaces for each golf hole and 1 for each employee on the largest shift
11. Golf driving range	One space for each driving tee plus 1 space per employee on the largest shift
12. Nursery/greenhouse, lawn and garden equipment and supplies sales and service	One space per 1,000 square feet of total sales and display area plus 1 space per every full-time employee
13. Kennels	One space for every employee
14. Camps	One space per employee on the largest shift, plus 1 space per camp vehicle normally parked on the premises, plus five or more visitor space, 1 for every 10 boarders
15. Bed and breakfast establishments	One space per guest room plus 2 per permanent residents
16. Veterinary office/animal hospital/clinic	Four spaces for every doctor, plus 1 space for every additional employee
17. Public and/or private school, elementary and junior high school	One space per teacher, employee or administrator, plus 5 or more additional visitors parking spaces, plus 1 space for each vehicle owned or operated by the school
18. Public and/or private school, high school (grades 10 through 12)	One space per employee plus 1 space per 10 students
19. Elderly housing	One space per 2 bedrooms and/or one space per DU, plus 1 space per employee with the largest unit
20. Day care centers	One space for each teacher, plus spaces or each employee on the largest shift and administrators and one space for off-street passenger loading space for every 8 pupils
21. Theaters, movie or cultural	One space per 5 seats
22. Bowling alley	Six spaces for each alley or lane, plus 1 additional space for each employee
23. Skating rinks	One space per each 200 square feet of floor area
24. Restaurant	One space per each 3 seating accommodations, plus 1 space for each 2 employees on the largest shift

Use	Standards
25. Restaurant, fast food	One space for every 2 seats plus 2 spaces for every 3 employees on the largest shift. For restaurants with drive-in facilities, in addition to the parking regulations above, 11 stacking spaces for the drive-in window, with a minimum of 5 such spaces designated for the ordering station
26. Art studio	For spaces per 1,000 square feet
27. Dance studio	One space for every four students per two classes
28. Banks, financial institutions	Four spaces per 1,000 square feet
29. Professional office, insurance agency, real estate	One space for each 300 square feet or more or 1 space per 300 square feet of leasable area
30. Office (dental/medical)	One space for each employee plus 1 space per examining/treatment room
31. Retail	If less than 5,000 square feet, 1 space per every 250 square feet of floor area. If over 5,000 square feet of floor area, 20 spaces, plus 1 space per every 400 square feet in excess of 5,000 square feet of floor area
32. Retail/outdoor (selling of farm equipment, gardening equipment, care sales)	One space per each 1,000 square feet of lot or floor area used for display purposes
33. Library	One space for each 2 adult seats
34. Motel/hotel	One space per guest room, plus parking figured separately for banquet rooms, meeting rooms and restaurant (See (9) — club/lodge/hall requirement)
35. Personal service establishments (beauty and barber shops, tailor, dry cleaning, self-service laundry)	Two parking places per beauty or barber chair
36. Printing and publishing	One space per employee, plus at least 2 spaces or customer parking
37. Laboratory/research and development facility	One space for every employee or the largest shift, plus at least 2 visitor's spaces
38. Warehousing, wholesale business and other storage facilities	One space for each 2 employees on the largest shift, plus sufficient space to accommodate the largest number of visitors that may be expected at any one time
39. Manufacturing/industrial distribution plants and other service industries	One space per employee on the largest shift
40. Recycling center	One space per employee

Use	Standards
41. Communication antennas, equipment and towers	If site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, two parking spaces shall be required

§ 27-1503. Design Standards. [Ord. 96-2, 7/-/1996, § 1503; as revised by Ord. 00-01, 2/15/2000, § 1503; as amended by Ord. 02-04, 7/16/2002, § 1]

1. All off-street parking areas shall be designed to meet the following standards:
 - A. Parking lot where more than two parking spaces are required under § 27-1501, such spaces shall be provided in a parking lot.
 - B. Surfacing. All off-street parking areas shall be surface stabilized so as to provide a durable and dust free surface. All entrance and exit drives serving a parking area shall be paved in accordance with Pennsylvania Department of Transportation or Township specifications, whichever is appropriate.
 - C. Drainage. All drainage shall be controlled so as not to create water runoff to any adjacent properties or other undesirable conditions. Parking areas, when determined necessary by the Township Engineer, shall have stormwater drainage facilities and discharge to an adequate storm drainage system. All storm drainage facilities and plans are subject to approval by the Township Engineer.
 - D. Entrance and Exit Drives. Ingress and egress for a parking lot shall be a minimum of 16 feet in width for one-way access use and a minimum of 24 feet in width for two-way access use.
 - E. Circulation. Circulation control shall be designed for one-way directional travel whenever possible. No parking shall be provided or permitted along any circulation drives or entrance and exit drives. Drives shall be uniform in width and provide for 90° intersections wherever possible. Circulation traffic lanes shall have a minimum width of 16 feet for one-way traffic and a minimum width of 24 feet for two-way traffic in all areas, not controlled by entrance or exit drives and parking access drive standards.
 - F. Traffic Control. Entrance and exit arrangements, acceleration and deceleration lanes and traffic signals may be required depending on the amount of anticipated traffic and the condition of the public street and upon Pennsylvania Department of Transportation approval.
 - G. Service Traffic. Customer and service traffic shall be separated whenever possible. Loading and unloading areas shall be located so as not to interfere with customer parking areas.

- H. **Landscape Strips.** Parking areas with more than 50 spaces shall provide landscaping strips to separate the parking spaces from the entrance, exit and circulatory drives. The landscaping strip shall have a minimum width of eight feet and a depth of, or length equal to, the parking stalls and shall have perimeter curbing. A landscaping plan shall be submitted for the landscape strip areas, which shall show types of trees, shrubs, etc., and the location of each. Vegetation shall not interfere with required site distances. All parking areas shall include one tree for every 10 parking spaces.
- I. **Parking Lot Area.** Parking lots shall be divided into separate parking areas. Each area shall not exceed 300 feet in length and 256 feet in width or a width capable of providing four parking lanes and four parking access drives. These areas shall have their entire perimeter defined by curbs, walks, landscaping strips or other devices to control traffic. Parking lot areas are subject to regulations required in Part 11, § 27-1102(J).
- J. **Parking Lanes.** Parking lanes shall be no longer than 300 feet in length without providing a circulatory drive. The outside perimeter of a parking lot providing the required parking spaces shall be located not more than 600 feet from the use requiring the parking. Parking spaces located more than 300 feet from the use requiring the parking shall provide pedestrian access sidewalks from the parking area to the specific use. Said sidewalks shall be not less than four feet in width. The location of parking spaces and sidewalks shall be designed to prevent intrusion of vehicles onto sidewalks.
- K. **Dead End Drives.** All parking lots with dead end drives shall be designed to provide sufficient backup or turnaround area for the end parking spaces, an area of 10 feet minimum.
- L. **Parking Space Requirements.** All parking spaces shall be not less than nine feet wide by 18 feet long.
- M. **Handicapped Parking.** Handicapped parking spaces shall be provided in accordance with the following schedule. They shall be located as close as possible to pedestrian elevators, ramps, walkways and building entrances.

Total Parking Spaces in Parking Lot	Required Number of Handicapped Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5

Total Parking Spaces in Parking Lot	Required Number of Handicapped Accessible Parking Spaces
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total parking spaces
Over 1,000	Twenty plus 1 space for each 100 spaces over 1,000 spaces

§ 27-1504. Off-Street Loading Regulations. [Ord. 96-2, 7/-/1996, § 1504; as revised by Ord. 00-01, 2/15/2000, § 1504]

1. Standards.

A. Off-street loading and unloading space(s) with proper and safe access from street or alley shall be provided on each lot where it is deemed that such facilities are necessary to adequately serve the uses within the district. All such loading and unloading spaces shall be located in the rear of the building. Each loading and unloading space:

- (1) Shall be designed in accordance with the loading berth/space definition and each berth must have an area not less than 600 square feet and it shall have a minimum clear height, including access to it from the street, of 14 feet.
- (2) Shall have a sixty-foot maneuvering area.
- (3) Shall have an all-weather surface to provide safe and convenient access during all seasons.
- (4) Shall not be constructed between the street right-of-way line and the building setback line.

B. Required off-street parking space (including aisles) shall not be used for loading and unloading purposes except during hours when business operations are suspended.

C. Loading and unloading facilities shall be designed so that trucks need not back in or out, or park in, any public right-of-way.

D. No truck shall be allowed to park or stand in any right-of-way, another automobile parking area (including aisles) or block the effective flow of persons or vehicles.

2. Requirements. At least one off-street loading space shall be provided for commercial and industrial concerns in excess of 3,500 square feet of floor

area. The number of loading and unloading spaces shall be left to the discretion of the developer; however, the standards of this section shall be maintained and the number of proposed spaces reviewed by the Zoning Officer.

PART 16

CLUSTER DEVELOPMENT REGULATIONS

§ 27-1601. Intent. [Ord. 96-2, 7/-/1996, § 1602; as revised by Ord. 00-01, 2/15/2000, § 1601]

The purpose of the cluster development option is to provide permissive, voluntary and alternative zoning provisions and thereby provide for desirable and proper open space, tree cover, recreation areas or scenic vistas; all with the intent of preserving the natural beauty, while at the same time maintaining the necessary maximum dwelling unit density limitations of the R-2 Residential District. Simply, clustering allows more usable open space and can preserve significant natural features without increasing the development's overall density.

§ 27-1602. Transfer of Density. [Ord. 96-2, 7/-/1996, § 1602; as revised by Ord. 00-01, 2/15/2000, § 1602]

1. The R-2 district minimum lot size may be reduced to 60% of the current R-2 minimum lot size regulations for cluster development. All such lot reductions shall be compensated for by requiring a percentage of land in cluster open space to be preserved and maintained for its scenic value, recreation or conservation purposes.
2. In the approval of a cluster subdivision, in no case shall the minimum density for the R-2 district be increased, nor shall the other applicable regulations or use limitations for the district be modified or changed.

§ 27-1603. Review Criteria. [Ord. 96-2, 7/-/1996, § 1603; as revised by Ord. 00-01, 2/15/2000, § 1603]

1. A permit for a cluster development shall be granted only if evidence is presented which establishes:
 - A. That the proposed development will be in harmony with the general purpose, goals, objectives and standards of the Comprehensive Plan, this Part and the Subdivision and Land Development Ordinance [Chapter 22].
 - B. That the proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.
 - C. That the proposed cluster development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property, in accordance with the applicable district regulations.

- D. That the proposed cluster development will be served by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewer service and schools; or that the persons or agencies responsible for the establishment of the proposed use will adequately provide for such services.
- E. That the proposed cluster development will minimize the destruction, loss or damage of any natural, scenic or historic feature of significant importance.
- F. Individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.
- G. The usability of cluster open space intended for a recreation or public use shall be determined by the size, shape, topographic and location requirements of the particular purpose proposed for the site.
- H. Cluster open space shall preserve irreplaceable natural features located in the tract (such as, but not limited to, stream beds, significant strands of trees, individual trees of significant size and rock outcroppings).
- I. Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly.
- J. The suitability of cluster open space intended for scenic value and purposes shall be determined by its visibility from a significant number of units or buildings or length of public or private streets.
- K. Diversity and originality in lot layout and individual building design is encouraged to achieve the best possible relationship between development and the land.
- L. Plan submissions must include a site plan, utilities plan, including roadway extensions or additions and a landscaping plan. The landscaping plan shall include existing preconstruction conditions as well as a proposed plan.

§ 27-1604. Lot Requirements. [Ord. 96-2, 7/-/1996, § 1604; as revised by Ord. 00-01, 2/15/2000, § 1604]

Any cluster development plan must include a minimum of 25 acres and each lot must have a minimum area of 5,000 square feet.

Housing Type	DU/AC	Width	Front	Side	Rear
Single Family Detached	2.75	60'	25'	10'	25'
Single Family Semidetached	4.0	60'	25'	10'	25'

Housing Type	DU/AC	Width	Front	Side	Rear
Two-Family Detached	5.0	70'	25'	10'	25'
Two-Family Semidetached	8.0	70'	25'	10'	25'
Single Family Attached	6.0	90'	25'	10'	25'

§ 27-1605. Open Space Requirements. [Ord. 96-2, 7/-/1996, § 1605; as revised by Ord. 00-01, 2/15/2000, § 1605]

Open space conservation is required for each cluster development. Forty percent must remain in open space preservation. The designated open space must be clustered in the area most suitable for conservation purposes. The open space area(s) shall be reviewed and approved by the Board of Supervisors.

§ 27-1606. Special Features. [Ord. 96-2, 7/-/1996, § 1606; as revised by Ord. 00-01, 2/15/2000, § 1606]

Open space may be located in the floodplain.

§ 27-1607. Use and Access. [Ord. 96-2, 7/-/1996, § 1607; as revised by Ord. 00-01, 2/15/2000, § 1607]

1. The land set aside for open space shall be provided in such a manner that it is usable for recreation or other activities and is accessible to all residents of the subdivision or, where the land has been deeded to the township, for the public.
2. Permitted uses for open space or recreational use:
 - A. Private recreational facilities such as playground facilities, ball fields and pavilion facilities.
 - B. Walkway paths, biking trails and pond areas for scenic view.

§ 27-1608. Ownership and Maintenance of Open Space. [Ord. 96-2, 7/-/1996, § 1608; as revised by Ord. 00-01, 2/15/2000, § 1608]

If cluster open space is not dedicated to public use to the Township, it shall be protected by legal arrangements, satisfactory to the Board of Supervisors and the Township Solicitor, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the cluster open space, method of maintenance, maintenance taxes and insurance, compulsory membership and assessment provisions, guarantees that any association formed to own and maintain cluster open space will not be dissolved without the consent of the Board of Supervisors and any specifications deemed necessary by the Board of Supervisors.

§ 27-1609. Buffer Yard Requirements. [Ord. 96-2, 7/-/1996, § 1609; as revised by Ord. 00-01, 2/15/2000, § 1609]

Where a Cluster Development abuts another land use, a neighboring district or municipality, a buffer yard shall be required in addition to the yards specified in this section. The buffer yard shall be no less than 30 feet for the agricultural and industrial uses and 20 feet for residential land commercial uses and shall be subject to Landscaping and Screen Planting Regulations in Part 11. The width of any street, road or service drive shall not be considered in determining the width of the required yard. Off-street parking is prohibited in the buffer. See Part 12 for other yard regulations.

§ 27-1610. Parking Regulations. [Ord. 96-2, 7/-/1996, § 1610; as revised by Ord. 00-01, 2/15/2000, § 1610]

On-street parking is permitted and should be calculated into the total parking necessary for each land use proposed. Off-street parking shall be provided in accordance with the provisions of Part 15.

PART 17
AMENDMENTS

§ 27-1701. Procedure. [Ord. 96-2, 7/-/1996, § 1701; as revised by Ord. 00-01, 2/15/2000, § 1701]

The Washington Township Board of Supervisors may, from time to time, on its own motion, amend, supplement or repeal any of the regulations and provisions of this chapter after public notice and hearing. Before the public hearing, each proposed amendment must be referred to the County Planning Commission for its recommendations at least 30 days prior to the hearing on such amendment. If, after any public hearing held upon an amendment, the proposed amendment is revised or further revised to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment. In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the municipality along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.

§ 27-1702. Procedure Upon Curative Amendments. [Ord. 96-2, 7/-/1996, § 1702; as revised by Ord. 00-01, 2/15/2000, § 1702]

The procedure upon curative amendments shall be in accordance with the requirements of the Pennsylvania Municipalities Planning Code, Act 247, as amended, §§ 609.1 and 609.2.

§ 27-1703. Content of Public Notice. [Ord. 96-2, 7/-/1996, § 1703; as revised by Ord. 00-01, 2/15/2000, § 1703]

Public notices of proposed zoning ordinances and amendments shall include either the full text thereof, or a brief summary setting forth the principal provisions in reasonable detail, and a reference noting that the Township Building is where copies of the proposed ordinance or amendment may be examined, in addition to the time and place of hearing. Public notices shall be in accordance with the requirements of the Pennsylvania Municipalities Planning Code, Act 247, as amended, § 610.

§ 27-1704. Publications After Enactment. [Ord. 96-2, 7/-/1996, § 1704; as revised by Ord. 00-01, 2/15/2000, § 1704]

After enactment, if the advertisement of a zoning ordinance or amendment is required by other laws respecting the advertisement of ordinances, such advertisement may consist solely of a reference to the Township Building as the place within the Township where such copies of such ordinance or amendment shall be obtainable for a charge not greater than the cost thereof and available for examination without charge. Zoning ordinance and amendments may be incorporated into official ordinance books by reference with the same force and effect as if duly recorded therein.

PART 18

ADMINISTRATION AND ENFORCEMENT

§ 27-1801. Appointment and Powers of Zoning Officer. [Ord. 96-2, 7/-/1996, § 1801; as revised by Ord. 00-01, 2/15/2000, § 1801]

For the administration of this chapter, a Zoning Officer, who may not hold any elective office in the Township, shall be appointed. The Zoning Officer shall administer this chapter in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this chapter.

§ 27-1802. Enforcement. [Ord. 96-2, 7/-/1996, § 1802; as revised by Ord. 00-01, 2/15/2000, § 1802]

It shall be the duty of the Zoning Officer to enforce the provisions of this chapter and such power and authority as is necessary for enforcement is hereby conferred upon the Zoning Officer. The Zoning Officer shall examine all applications for permits, issue permits for construction and uses which are in accordance with the requirements of this chapter, record and file all applications for permits with accompanying plans and documents and make such reports as the Board of Supervisors may require. Permits for construction and uses which are a variance to requirements of this chapter shall be issued only upon written order of the Zoning Hearing Board. Permits for construction and uses which are a conditional use shall be issued only upon approval of such conditional use by the Board of Supervisors.

§ 27-1803. Zoning Appeals. [Ord. 96-2, 7/-/1996, § 1803; as revised by Ord. 00-01, 2/15/2000, § 1803]

1. The Board of Supervisors shall appoint a Zoning Hearing Board which shall be composed of three members, organized, empowered and conducted in accordance with Article IX of The Pennsylvania Municipalities Planning Code existing or hereafter as amended and supplemented (the "Code"). The duly established Zoning Hearing Board shall have the following functions:
 - A. Hearings. The Zoning Hearing Board shall conduct hearings and make decisions in accordance with § 908 of the Code. Written notice shall be given to the public, the applicant, the County Planning Commission, the Zoning Officer, such other persons as the Zoning Hearing Board shall designate and any person who has made timely request for the same. Notices shall be given at such time and in such manner prescribed by adopted Rules of the Zoning Hearing Board. The Board of Supervisors may establish reasonable fees, based on cost, to be paid by the applicant and persons requesting any notice or materials not required by ordinance.
 - B. Jurisdiction. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

- (1) Substantive challenges to the validity of any land use ordinance, except those brought before the Board of Supervisors pursuant to §§ 609.1 and 916.1(a)(2) in Act 247.
- (2) Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance. Where the ordinance appealed from is the initial zoning ordinance of the Township and a Zoning Hearing Board has not been previously established the appeal raising procedural questions shall be taken directly to court.
- (3) Appeals from the determination of the Zoning Officer including, but not limited to, the granting or denial of any permit or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
- (4) Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
- (5) Applications for variances from the terms of this chapter and flood hazard ordinance or such provisions within a land use ordinance, pursuant to § 910.2 in Act 247.
- (6) Applications for special exceptions under this chapter or flood hazard ordinance or such provisions within a land use ordinance, pursuant to § 912.1 in Act 247.
- (7) Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this chapter.
- (8) Appeals from the Zoning Officer's determination under § 916.2 in Act 247.
- (9) Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving Article V or VII applications in Act 247.

C. Variances. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict

unnecessary hardship upon the applicant. The Zoning Hearing Board shall prescribe the form of application and require application to the Zoning Officer. The Zoning Hearing Board may grant a variance, provided the following findings are made where relevant in a given case: **[Amended by Ord. 2016-01, 9/6/2016]**

- (1) That there are unique physical circumstances or conditions, including but not limited to irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions.
 - (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 - (3) That such unnecessary hardship has not been created by the appellant.
 - (4) The variance, if not authorized, will create an unnecessary hardship for the applicant.
 - (5) Appeals must comply to the MPC Sections 910.2 and 912.1.¹¹
- D. Special Exceptions. Special exceptions shall be permitted only upon authorization by the Zoning Hearing Board in accordance with this chapter. The Board shall hear and decide requests for special exceptions in accordance with the standards and criteria set forth herein and as further set forth in other Parts of this chapter. Approval of special exception shall be authorized only if they are found to comply with the following requirements and other applicable requirements as set forth in this chapter. **[Amended by Ord. 2016-01, 9/6/2016]**
- (1) The use is permitted by special exception in the District.
 - (2) The use is so designed, located and proposed to be operated that the public health, safety and welfare and convenience will be protected.
 - (3) The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
 - (4) There is adequate provisions for utilities including, but not limited to, water, sewage and electric to serve the proposed use.

¹¹Editor's Note: See 53 P.S. §§ 10910.2 and 10912.1.

- (5) The use is compatible with adjoining development and the character of the zoning district where it is proposed to be located.
- (6) Adequate off-street parking is provided and ingress and egress is so designed as to cause minimal interference with traffic on abutting streets.
- (7) The use conforms with all applicable regulations governing the district where located.
- (8) Appeals must comply to the MPC Sections 910.2 and 912.1.¹²

§ 27-1804. Permits. [Ord. 96-2, 7/-/1996, § 1804; as revised by Ord. 00-01, 2/15/2000, § 1804]

1. Requirements of Permits. A building and/or zoning permit shall be required prior to the erection or addition of any building. No such building permit or zoning permit shall be required in case of normal maintenance activities, minor repairs and alterations which do not structurally change a building or structure. No zoning permit shall be required prior to the use or change in use of a building or land in which the use will not conflict with the zoning district's current use. **[Amended by Ord. 2016-01, 9/6/2016]**
2. Application for Permits. All applications for permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location of any buildings existing on the lot, the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of families or dwelling units the building is designed to accommodate and such information as may be necessary to determine compliance with this chapter and all other ordinances. One copy of such plans shall be returned to the owner when such plans have been reviewed and acted upon by the Zoning Officer. All applications with accompanying plans and documents shall become a public record after a permit is issued or denied.
3. Issuance of Permits.
 - A. No permit shall be issued until the Zoning Officer has certified that the proposed building, addition or alteration, complies with all the provisions of this chapter, as well as the provisions of all other applicable ordinances.
 - B. Zoning Officer shall act upon request within 30 days following application.

¹²Editor's Note: See 53 P.S. §§ 10910.2 and 10912.1.

- C. A permit issued hereunder shall become void 12 months after issuance date, unless a request for extension has been submitted to and approved by the Zoning Officer. Such request shall be filed with the Zoning Officer at least 30 days prior to the permit expiration date.
- 4. Temporary Permits. A temporary permit may be authorized by the Zoning Officer for a structure or use which it deems necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Township. Such permits shall be issued for a specified period of time not to exceed one year and may be renewed annually for an aggregate period not exceeding two years.

§ 27-1805. Certificate of Nonconformance. [Ord. 00-01, 2/15/2000, § 1805]

- 1. Certificate of nonconformance shall be issued by the Zoning Officer to the owner of any property which, at the time of the effective date of this chapter, is identified as containing a nonconforming use or structure. The owner's property and the issuance date of such certificate shall be registered in the records of the Township as follows:
 - A. Such certificate of nonconformance shall be issued within 180 days after the effective date of this chapter.
 - B. The certificate of nonconformance shall set forth in detail all of the nonconforming conditions of said property.
 - C. A copy of the certificate of nonconformance shall be retained and filed by the Zoning Officer.
 - D. The Certificate shall be for the purposes of insuring the owner the right to continue a nonconforming use in accordance with the regulations of this chapter.

§ 27-1806. Conditional Uses. [Ord. 96-2, 7/-/1996, § 1806; as revised by Ord. 00-01, 2/15/2000, § 1806; as amended by Ord. 02-04, 7/16/2002, § I]

Applications for any conditional use permitted by this chapter shall be made to the Board of Supervisors through the Zoning Officer. Pursuant to public notice and a public hearing, the Board of Supervisors shall approve or deny the Conditional Use.

§ 27-1807. Fees. [Ord. 96-2, 7/-/1996, § 1807; as revised by Ord. 00-01, 2/15/2000, § 1807]

- 1. The Township Board of Supervisors shall establish a schedule of fees, charges and expenses, as well as a collection procedure for zoning permits, certificates of occupancy, appeals, variances, special exceptions, amendments, bonds and other matters pertaining to this chapter. The schedule of fees shall be posted in the Township Building.

2. Such fees shall be payable to the Township and until all applicable fees, charges and expenses have been paid in full, the application shall be considered incomplete.

§ 27-1808. Inspection. [Ord. 96-2, 7/-/1996, § 1808; as revised by Ord. 00-01, 2/15/2000, § 1808; as amended by Ord. 02-04, 7/16/2002, § I]

1. Inspection by the Zoning Officer. It shall be the duty of the Zoning Officer, or his duly appointed representative, to make the following minimum number of inspections of property for which a permit has been issued:
 - A. At the beginning of construction (except accessory buildings built on skids and delivered to site under 450 square feet).
 - (1) A record shall be made indicating the time and date of inspection and the finding of the Zoning Officer in regard to conformance of the construction with plans submitted with the approved permit application.
 - (2) If the actual construction does not conform to the application, a written notice of violation shall be issued. Upon proper correction of the violation and receipt of written notice from the Zoning Officer, construction shall proceed.
 - B. At the completion of construction (including accessory buildings built on skids and delivered to site under 450 square feet). A record shall be made indicating the time and date of the inspection, the findings of the Zoning Officer in regard to conformance to this chapter and the opinion of the Zoning Officer in regard to the issuance of a certificate of use permit.

§ 27-1809. Certificate of Use. [Ord. 96-2, 7/-/1996, § 1809; as revised by Ord. 00-01, 2/15/2000, § 1809]

1. A certificate of use shall be a statement issued by the Zoning Officer setting forth that a building, structure, parcel or use of land complies with the provisions of this chapter.
2. No vacant land shall be occupied or used and no structure or part of a structure hereafter erected, substantially altered or changed in use shall be occupied or used until a certificate of use shall have been issued by the Zoning Officer.
3. A certificate of use for the use or occupancy of vacant land or for a change in the use of land or for a change in the use of an existing building, either for whole or part of a new building or for the alteration of an existing building, shall be applied for coincident with the application for a building or zoning permit and shall be issued or denied within 15 days after a final inspection by the Zoning Officer.

4. A certificate of use for changing or extending a nonconforming use, existing at the time of the passage of this chapter or of an amendment thereto, shall be applied for and issued before any such nonconforming use shall be changed or extended. Such certificate shall be issued within 15 days after a final inspection and approval by the Zoning Officer.
5. A record of all certificates of use shall be kept on file in the office of the Zoning Officer and a copy shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected.

§ 27-1810. Violations. [Ord. 96-2, 7/-/1996, § 1810; as revised by Ord. 00-01, 2/15/2000, § 1810; as amended by Ord. 2005-02, 10/4/2005]

1. Failure to comply with any provision of this chapter, failure to secure a building permit or Zoning Hearing Board certificate, when required, prior to the erection, construction, extension or addition to a building or failure to secure a certificate of use, shall be violations of this chapter.
 - A. Notice of Violation. When written notice of a violation of any of the provisions of this chapter has been served by the Zoning Officer on the owner, agent or occupant, contractor or builder, such violation shall be discontinued immediately.
 - B. Causes of Action. In case any building, structure, landscaping or land is, or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this chapter, the proper officer of the Township or any aggrieved owner or tenant of real property who shows that his or her property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land or to prevent, on or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors of the Township. No such action may be maintained until such notice has been given.
 - C. Enforcement Remedies. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by Washington Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules

of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge determines that there has been a good faith basis for the person, partnership or corporation violating the Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this chapter shall be paid over to the Township. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

§ 27-1811. Appeals and Applications. [Ord. 96-2, 7/-/1996, § 1811; as revised by Ord. 00-01, 2/15/2000, § 1811]

1. An appeal, or application for an amendment or variance from the terms of this chapter shall be filed with the Zoning Officer, and shall contain:
 - A. The name and address of the applicant.
 - B. The name and address of the owner of the real estate to be affected by such proposal.
 - C. A brief description and location of the real estate to be affected by such proposal.
 - D. A statement of the present zoning classification of the real estate in question, the improvements thereon and the present use thereof.
 - E. A statement of the section of this chapter under which the appeal or application requested may be allowed, and reasons why it should be granted; or a statement of the section of this chapter governing the situation in which the alleged erroneous ruling is being appealed and reasons for the appeal.
 - F. An accurate description of the present improvements and the additions intended to be made under this application, indicating the size and use of such proposed improvements and general construction thereof. In addition, there shall be attached a plot plan of the real estate to be affected, as required to accompany applications for permits, indicating the location and size of the lot and location of improvements now erected and proposed to be erected thereon.

- G. Any other pertinent data required by the Zoning Hearing Board, Township Board of Supervisors and/or Zoning Officer, as appropriate to their individual authorities set forth in this Part.
- H. All appeals from determinations by the Zoning Officer under this section shall be made to the Zoning Hearing Board within 30 days of the date of the determination.

§ 27-1812. Interpretation, Purpose and Conflict. [Ord. 96-2, 7/-/1996, § 1813; as revised by Ord. 00-01, 2/15/2000, § 1813; as amended by Ord. 2016-01, 9/6/2016]

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances.

PART 19

ZONING MAP AMENDMENTS

§ 27-1901. Zoning Map Amendments. [Ord. 04-06, 9/7/2004, § 1; Ord. 2006-01, 11/21/2006, § 1]

1. Rezoning that portion of Parcel No. 66-012-131 from R-2 Medium High Density Residential to C - Commercial.
2. Rezoning of Parcel Nos. 66-012-129, 66-012-024, 66-012-044 and 66-012-042 from R-1 Low Density Residential/Industrial District (Light Industrial) to C-Commercial.

PART 20

OIL AND GAS EXPLORATION

§ 27-2001. Purpose. [Ord. 2011-02, 9/6/2011]

The purpose of this Part 20 is to provide for the health, safety and welfare of the residents of Washington Township through zoning and floodplain management provisions for the reasonable development of land for oil and gas drilling while providing adequate health, safety and general welfare protections of the Township's residents. Oil and gas exploration, drilling and extraction operations involve activities that are economically important and will impact the Township. Accordingly, it is necessary and appropriate to adopt reasonable requirements for oil and gas resource development so that these resources can be obtained in a manner that is economically remunerative and that minimizes the potential impact on the residents of the Township.

§ 27-2002. Definitions. [Ord. 2011-02, 9/6/2011]

As used in this Part 20, the following terms shall have the meanings indicated:

APPLICANT — Any person, owner, operator, partnership, company, corporation and its subcontractors and agents who has an interest in real estate for the purpose of exploring or drilling for, producing, or transporting oil or gas.

BUILDING — An occupied structure, with walls and a roof, within which persons live or customarily work. The term shall not include a barn, shed or other storage building.

COLLECTOR STREET — A public street or road which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets.

DEPARTMENT — The Department of Environmental Protection of the commonwealth.

DERRICK — Any portable framework, tower mast and/or structure which is required or used in connection with drilling or reworking a well for the production of oil or gas.

DRILLING PAD — The area of surface operations surrounding the surface location of a well or wells. Such area shall not include an access road to the drilling pad.

FRACKING — The process of injecting water, customized fluids, sand, steam, or gas into a gas well under pressure to improve gas recovery.

LOCAL STREET — A public street or road designed to provide access to abutting lots and to discourage through traffic.

NATURAL GAS COMPRESSOR STATION — A facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

NATURAL GAS PROCESSING PLANT — A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

OIL AND GAS — Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well.

OIL AND GAS DEVELOPMENT or DEVELOPMENT — The well site preparation, construction, drilling, redrilling, hydraulic fracturing, and/or site restoration associated with an oil or gas well of any depth; water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures, whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas. The definition does not include natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions.

OIL OR GAS WELL — A pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal.

OIL OR GAS WELL SITE — The location of facilities, structures, materials and equipment whether temporary or permanent, necessary for or incidental to the preparation, construction, drilling, production or operation of an oil or gas well. This definition also includes exploratory wells.

OPERATOR — The person designated as the well operator on the permit application or well registration.

OWNER — A person, who owns, manages, leases, controls or possesses an oil or gas well.

STORAGE WELL — A well used for and in connection with the underground storage of natural gas, including injection into or withdrawal from an underground storage reservoir for monitoring or observation of reservoir pressure.

§ 27-2003. Zoning Classifications. [Ord. 2011-02, 9/6/2011]

1. Subject to the provisions of this Part 20:
 - A. An oil or gas well site, or natural gas compressor station, or a natural gas processing plant, or any similar facilities performing the equivalent functions shall be considered a principal use by right only within Industrial, Agricultural and Conservation Zoning Districts.
 - B. An oil or gas well site which would be placed more than 500 feet from any preexisting building which is located off the property where the oil or gas well is sited may be permitted within a residential or commercial zoning district as a conditional use. Otherwise, such siting and/or use shall be prohibited in residential and commercial zones.
 - C. A natural gas compressor station or a natural gas processing plant or any similar facilities performing the equivalent functions which would be located more than 1,000 feet from any preexisting building which is located off the property where the natural gas compressor station or the natural gas processing plant or similar facility is located may be permitted in the residential or commercial zoning districts as a conditional use. Otherwise, such siting and/or use shall be prohibited in residential and commercial zones.
 - D. In considering a conditional use under this Part, the Board of Supervisors shall consider § 27-1809 of the Washington Township Codified Ordinances and, after a public hearing, and considering any detrimental effect to the health, safety and general welfare of Washington Township, if the applicant has met all the standards set forth herein and on the condition that the Board is convinced of no adverse impacts to the neighborhood in which the conditional use is requested, the same shall be granted.

§ 27-2004. Applicability. [Ord. 2011-02, 9/6/2011]

1. This Part 20 applies to all oil and gas well sites, natural gas compressor stations, and natural gas processing plants that will be permitted or constructed after the effective date of this Part.
2. Oil and gas well sites, natural gas compressor stations, and natural gas processing plants that were permitted or constructed prior to the adoption of this Part 20 shall not be required to meet the requirements of this Part; provided that any modification to an existing or permitted oil or gas well site that occurs after the effective date of this Part and materially alters the size,

type, location, number of wells and other accessory equipment or structures, or any physical modifications to an existing natural gas compressor station or natural gas processing plant, shall require compliance with and a permit under this Part.

3. Federal or state law or regulation preempts ordinance requirements that conflict with federal or state statute or regulation. The Township acknowledges that it is preempted from regulating the operational methods of the oil and gas industry and may only regulate land uses.

§ 27-2005. Permit Requirements. [Ord. 2011-02, 9/6/2011]

1. No oil or gas well site, natural gas compressor station, or natural gas processing plant nor an addition to an existing oil or gas well site, natural gas compressor station, or natural gas processing plant shall be constructed or located with Washington Township unless a permit has been issued by the Township to the owner or operator approving the construction or preparation of the site for oil or gas development or construction of natural gas compressor stations or natural gas processing plants.
2. The permit application, or amended permit application, shall be accompanied by a fee as established in the Township's schedule of fees.
3. Any modification to an existing and permitted oil or gas well site that materially alters the size, location, number of wells or accessory equipment or structures, or any modification to an existing natural gas compressor station or natural gas processing plant, shall require a modification of the permit under this Part. Like-kind replacements shall not require a permit modification.

§ 27-2006. Preapplication Conferences. [Ord. 2011-02, 9/6/2011]

1. Purpose.
 - A. Before submitting an application, the applicant is strongly encouraged to meet with the Township staff to determine the requirements of and the procedural steps and timing of the application. The intent of this process is for the applicant to obtain necessary information and guidance from the Township staff before entering into any commitments or incurring substantial expenses with regard to the site and plan preparation.
2. Process.
 - A. A preapplication conference is voluntary on the part of the applicant and shall not be deemed the beginning of the time period for review as prescribed by law. The preapplication conferences are intended for the benefit of the applicant in order to address the required permit submittals and are advisory only and shall not bind the Township to

approve any application for a permit or to act within any time limit relative to the date of such conference.

§ 27-2007. Permit Application. [Ord. 2011-02, 9/6/2011]

1. The applicant shall provide to the Township at the time of permit application:
 - A. A narrative describing an overview of the project, including the number of acres to be involved, the number of wells to be drilled, and the location and number and description of equipment and structures, to the extent known.
 - B. A narrative describing an overview of the project as it relates to natural gas compressor stations or natural gas processing plants.
 - C. The address of the oil or gas well site, natural gas compressor station or natural gas processing plant as determined by the Township or county for information of emergency responders.
 - D. The contact information of the individual or individuals responsible for the operation and activities of the oil or gas well site shall be provided to the Township and all emergency responders. Such information shall include a phone number where such individual or individuals can be contacted 24 hours per day, 365 days a year. Annually, or upon any change of relevant circumstances, the applicant shall update such information and provide it to the Township and all emergency providers.
 - E. A location map of the oil or gas well site, showing the approximate location of derricks, drilling rigs, equipment and structures and all permanent improvements to the site and any postconstruction surface disturbance in relation to natural and other surroundings. Included in this map shall be an area within the development site for the location and parking of vehicles and equipment used in the transportation of personnel and/or development and use of the site. Such location shall be configured to allow that the normal flow of traffic on public streets shall be undisturbed.
 - F. A location map of the natural gas compressor station or natural gas processing plant, including any equipment and structures and all permanent improvements to the site.
 - G. A narrative and map describing the manner and routes for the transportation and delivery of equipment, machinery, water, chemicals and other materials used in the siting, drilling, construction, maintenance and operation of the oil or gas well site.

- H. A certification or evidence satisfactory to the Township that, prior to the commencement of any activity at the oil or gas well site, the applicant shall have accepted and complied with any applicable bonding and permitting requirements with regard to roadway maintenance and repair and shall have entered into a Township roadway maintenance and repair agreement with the Township, in a form acceptable to the Township Solicitor, regarding the maintenance and repair of the Township streets that are to be used by vehicles for site construction, drilling activities and site operations. Amounts for bonding shall be reasonably set by the Township Engineer.
- I. A description of, and commitment to maintain, safeguards that shall be taken by the applicant to ensure that Township streets utilized by the applicant shall remain free of dirt, mud and debris resulting from site development activities and the applicant's assurance that such streets will be promptly swept or cleaned if dirt, mud and debris occur as a result of the applicant's usage.
- J. Verification that a copy of the operation's preparedness, prevention and contingency plan has been provided to the Township and all emergency responders.
- K. A statement that the applicant, upon changes occurring to the operation's preparedness, prevention and contingency plan, will provide to the Township and all emergency responders the dated revised copy of the preparedness, prevention and contingency plan while drilling activities are taking place at the oil or gas well site.
- L. Assurance that, at least 30 days prior to drilling, the applicant shall provide an appropriate site orientation and training course of the preparedness, prevention and contingency plan for all emergency responders. The cost and expense of the orientation and training shall be the sole responsibility of the applicant. The applicant shall not be required to hold more than one site orientation and training course annually under this section.
- M. A copy of the documents submitted to the Department, or if no document has been submitted to the Department, a narrative describing the environmental impacts of the proposed project on the site and surrounding land and measures proposed to protect or mitigate such impacts.
- N. A copy of all permits and plans from appropriate regulatory agencies or authorities issued in accordance to environmental requirements.
- O. A copy of all permits and plans from the appropriate regulatory agencies or authorities issued in accordance with applicable laws and regulations for the proposed use.

2. Within 15 business days after receipt of a permit application and the required fee, the Township will determine whether the application is complete and adequate and advise the applicant accordingly.
3. If the application is complete and fulfills the requirements of this Part, the Township shall issue or deny a permit within 30 days following the date the complete application was submitted.
4. If the application is incomplete and/or inadequate, the municipality will notify the applicant of the missing or inadequate material and, upon receiving said material, issue or deny the permit within 30 days following receipt.

§ 27-2008. Design and Installation. [Ord. 2011-02, 9/6/2011]

1. Access.
 - A. No oil or gas well site shall have access solely through a local street. Whenever possible, access to the oil or gas well site should be from a collector street.
 - B. Accepted professional standards pertaining to minimum traffic sight distances for all access points shall be adhered to.
2. Structure Height.
 - A. Permanent structures associated with an oil and gas site, both principal and accessory, shall comply with the height regulations for the zoning district in which the oil or gas well site is located.
 - B. Permanent structures associated with natural gas compressor stations or natural gas processing plants shall comply with the height regulations for the zoning district in which the natural gas compressor station or natural gas processing plant is located.
 - (1) The duration of such exemption shall not exceed the actual time period of drilling or redrilling of an oil or gas well.
 - (2) The time period of such drilling and exemption shall not exceed six months.
 - (3) The operator shall give the Township prior written notice of the beginning date for its exercise of the exemption.
3. Setbacks.
 - A. Drilling rigs shall be located a minimum setback distance of 1.5 times their height from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.

- B. The drilling pad for the oil or gas well site shall comply with all setback and buffer requirements of the zoning district in which the oil or gas well site is located.
 - C. Natural gas compressor stations or natural gas processing plants shall comply with all setback and buffer requirements of the zoning district in which the natural gas compressor station or natural gas processing plant is located.
 - D. Exemption from the standards established in this subsection may be granted by the Township upon a showing by the operator that it is not feasible to meet the setback requirements from surface tract property lines and that adequate safeguards have or will be provided to justify the exemption.
 - E. Drilling pads, natural gas compressor stations or natural gas processing plants shall be set back 200 feet from buildings or sites registered or eligible for registration on the National Register of Historic Places or the Pennsylvania Register of Historic Places.
4. Screening and Fencing.
- A. Security fencing shall not be required at oil or gas well sites during the initial drilling or redrilling operations, as long as manned twenty-four-hour on-site supervision and security are provided.
 - B. Upon completion of drilling or redrilling, security fencing consisting of a permanent chain-link fence shall be promptly installed at the oil or gas well site to secure wellheads, storage tanks, separation facilities, water- or liquid-impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.
 - C. Security fencing shall be at least six feet in height, equipped with lockable gates at every access point and having openings no less than 12 feet wide.
 - D. Emergency responders shall be given means to access the oil or gas well site in case of an emergency.
 - E. Warning signs shall be placed on the fencing surrounding the oil or gas well site providing notice of the potential dangers and the contact information in case of an emergency.
 - F. In construction of oil or gas well sites, the natural surroundings should be considered and attempts made to preserve existing trees and other native vegetation.
5. Lighting.

- A. Lighting at the oil or gas well site, or other facilities associated with oil and gas drilling development, either temporary or permanent, shall be directed downward and inward toward the activity, to the extent practicable, so as to minimize the glare on public roads and nearby buildings within 100 feet of the oil or gas well development.
 - B. Lighting at a natural gas compressor station or a natural gas processing plant shall, when practicable, be limited to security lighting.
6. Noise.
- A. The applicant shall take the following steps to minimize, to the extent possible, noise resulting from the oil or gas well development.
 - B. Prior to drilling of an oil or gas well or the operation of a natural gas compressor station or a natural gas processing plant, the applicant shall establish, by generally accepted testing procedures, the continuous seventy-two-hour ambient noise level at the nearest property line of a residence or public building, school, medical, emergency or other public facility, or 100 feet from the nearest residence or public building, medical, emergency or other public facilities, whichever point is closer to the affected residence or public building, school, medical, emergency or other public facility. In lieu of the establishment of the ambient noise level established by the continuous seventy-two-hour test the applicant may assume and use, for the purpose of compliance with this Part 20, a default ambient noise level of 55 dBA. The sound level meter used in conducting any evaluation shall meet the American National Standards Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
 - C. The applicant shall provide the Township documentation of the established ambient noise level prior to starting oil or gas drilling and/or production operations.
 - D. The noise generated during the oil and gas operations or the natural gas compressor station or the natural gas processing plant shall not exceed the average ambient noise level established in Subsection 6B by more than:
 - (1) Five decibels during drilling activities.
 - (2) Ten decibels during hydraulic fracturing operations.
 - (3) Five decibels for a gas compressor station or a natural gas processing plant.

- (4) An allowable increase in Subsection 6D(3) shall not exceed the average ambient noise level for more than 10 minutes within any one-hour period.
 - E. Effective sound-mitigation devices shall be installed to permanent facilities to address sound levels that would otherwise exceed the noise level standards when located near a residence, public building, school, medical, emergency or other public facilities.
 - F. Exemption from the standards established in this subsection may be granted by the Township during the drilling stage or at the oil or gas well site, or the gas compressor station, or at the natural gas processing plant for good cause shown and upon written agreement between the applicant and the Township.
 - G. Complaints received by the Township shall be addressed by the applicant, within 24 hours following receipt of notification, by continuously monitoring for a period of 48 hours at the nearest property line to the complainant's residential or public building or 100 feet from the complainant's residential or public building, school, medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the Township and shall mitigate the problem to the allowable level if the noise level exceeds the allowable rate.
 - H. Natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions shall be constructed so as to mitigate sound levels, or have installed mitigation devices to mitigate sound levels, that would otherwise exceed the ambient noise level standards at residential or public buildings, medical, emergency or other public facilities.
7. Prohibitions.
- A. No drilling shall be allowed in the floodway designated as such in the Flood Insurance Study (FIS) and shown on the Federal Emergency Management Agency (FEMA) maps.
 - B. Oil and gas drilling in the one-hundred-year floodplain is discouraged but may be permitted by the Township in its discretion if the following provisions are met:
 - (1) If no other area provides access to the oil or gas deposit, then oil and gas drilling may be permitted in the floodplain. The applicant must provide conclusive documentation that no other location allows access to the oil or gas deposit other than a location within the floodplain.

- (2) An adequate emergency evacuation plan shall have been produced by the applicant and filed with the Township.
 - (3) No storage of chemicals shall be permitted within the floodplain. An exemption from this requirement may be granted by the Township if the applicant can show that such storage will not potentially cause any harm to property, persons or the environment to the case of a one-hundred-year flood and further provides security to the Township assuring the applicant's ability to remedy any damage or injury that may occur.
 - (4) Only necessary and needed structures will be permitted within the floodplain.
 - (5) All structures within the flood zone shall be designated to withstand a one-hundred-year storm event.
 - (6) An engineer registered in Pennsylvania and qualified to present such documentation that structures will not cause additional flooding on adjacent, upstream and/or downstream properties shall provide such documentation to the Township.
- C. Oil or gas wells may not be drilled within 1,000 feet, measured horizontally, from any publicly owned water well or source or any privately owned water well or source of drinking water.
- D. The owner shall, prior to any drilling or fracking, provide to Washington Township a predrilling and prefracking water analysis and flow rate for any water well within 2,000 feet of a derrick, drilling pad or oil or gas well site. Such water analysis shall conform to the following test requirements:
- (1) Water samples must be collected and analyzed utilizing proper sampling and laboratory protocol from the United States Environmental Protection Agency.
 - (2) Well samples shall be analyzed prior to any drilling activity to document baseline water quality data of the well.
 - (3) Parameters to be tested for include but are not limited to: methane, chloride, sodium, barium and strontium.
- E. One year during operation or within 30 days of ceasing operation of an oil and/or gas well site, the operator shall provide Washington Township with postdrilling water analysis and flow rate for any water well within 1,000 feet thereof. The water tests shall conform to the same requirements as a predrilling water analysis and flow rate.

- F. If the owner of a water well objects or will not allow access to his or her or its well for the predrilling or postdrilling water analysis, the same may be waived by Washington Township on application of the applicant or owner, which application must give a detailed reason that the test cannot be performed and must document notice to the owner of the water well and evidence his or her or its refusal of a water analysis and flow rate test.

§ 27-2009. Severability. [Ord. 2011-02, 9/6/2011]

If any section, subsection, sentence, clause or phrase or portion of this Part 20 is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

§ 27-2010. Violations and Penalties. [Ord. 2011-02, 9/6/2011]

Any owner, operator, or other person who violates or permits a violation of this Part 20, upon being found liable therefor in a civil enforcement proceeding before a Magisterial District Judge, shall pay to the Township a fine of not more than \$500, plus all court costs, including but not limited to reasonable attorneys' fees incurred by the Township on account of such violation. No penalty or cost shall be imposed until the date the determination of the violation by the Magisterial District Judge becomes final. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment as provided by law. Each day a violation exists after final judgment shall constitute a separate offense. The amount of the fine imposed shall be multiplied by the number of such days and may be charged and collected as a judgment by the Township without further judicial proceedings. Further, the appropriate officers or agents of the Township are hereby authorized to issue a cease-and-desist notice and/or to seek equitable relief, including injunction, to enforce compliance herewith. No bond shall be required of the Township if the Township seeks injunctive relief.

§ 27-2011. When Effective. [Ord. 2011-02, 9/6/2011]

This Part 20 shall take effect immediately.

APPENDIX

The following ordinances and resolutions are no longer of general interest, primarily because they are of an historical or one-time nature only, the provisions of which were primarily completed directly after enactment. Because the enactments are mainly of an historical or administrative interest, it has not been considered necessary to include the entire text. Rather, the enactments are arranged in groups, according to subject matter, and, within each group, listed by title in chronological order. Annual budget and tax enactments have been listed only in the “Key to Disposition of Ordinances.” Anyone desiring to read the full text of any of these enactments may do so by consulting the original records of the municipality.

The enactments included in this Appendix are grouped under the following headings:

- A.....Annexation of Territory
- B.....Bond Issues and Loans
- C.....Franchises and Services
- DGovernmental and Intergovernmental Affairs
- E.....Plan Approval
- F.....Public Property
- GSewers
- HStreets and Sidewalks
- I.....Water
- JZoning; Prior Ordinances

APPENDIX A
ANNEXATION OF TERRITORY

Ord./Res.	Date	Description
	None	

APPENDIX B

BOND ISSUES AND LOANS

Ord./Res.	Date	Description
84-12	7/23/1984	Increasing the indebtedness of the Township by the issue of a general obligation note in the amount of \$75,000 for sundry purposes.
85-8	5/1/1985	Increasing the indebtedness of the Township by the issue of a general obligation note in the amount of \$125,000 for sundry purposes.
Res. 87-8	7/21/1987	Authorizing the borrowing of \$15,000 to help finance a 1987 Ford dump truck.
Res. 91-3	1/15/1991	Incurring nonelectoral debt by issuance of a general obligation note to finance the cost for the purchase of a truck and snow plow and related attachments in the amount of \$45,000.
91-4	8/5/1991	Increasing the indebtedness of the Township by the issue of a general obligation note in the about of \$245,000 for sundry purposes.
94-2	12/20/1994	Authorizing and directing the incurrence of lease rental debt in the aggregate principal amount of \$1,274,423 for the Washington Township Authority.

APPENDIX C

FRANCHISES AND SERVICES

Ord./Res.	Date	Description
66-1	7/4/1966	Entering into an agreement with the Lykens TV Company for cable television service.
83-8	-/-/1983	Extending for a term of 10 years a CATV franchise granted to Lykens TV Co., Inc. to operate and maintain a cable TV system in the Township.
Res. 85-16	9/9/1985	Granting to Pennsylvania Power & Light Company, its successors, assigns and lessees, permission and consent to construct, operate and maintain its electric line facilities on certain property of Washington Township.
Res. 87-14	10/20/1987	Entering into an agreement with Pennsylvania Power & Light Company for the furnishing of electric lighting of certain roads or highways or portions thereof in the Village of Loyaltown and Church St.
94-01	3/2/1994	Granting a franchise to Century Lykens Cable Corp. for the construction, operation and maintenance of a cable television system in the Township of Washington.
Res. 94-6	5/4/1994	Granting to Pennsylvania Power & Light Company, its successors, assigns and lessees, permission and consent to construct, operate and maintain its electric line facilities on certain property of Washington Township.
04-01	2/17/2004	Granting a franchise to Century Lykens Cable Corp. d/b/a Adelphia Cable Communications to construct, operate and maintain a cable system in the Township of Washington.

APPENDIX D

GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS

§ D-101. Governmental and Intergovernmental Affairs.

§ D-101. Governmental and Intergovernmental Affairs.

Ord./Res.	Date	Description
Res. 82-3	2/8/1982	Appointing William A. Burch & Associate to the office of Sewage Enforcement Officer for the Township
Res. 82-6	6/14/1982	Authorizing and directing the Chairman of the Board of Supervisors to sign an agreement and that the Secretary-Treasurer be authorized and directed to attest the same
83-16	10/20/1983	Appointing the Upper Dauphin Income Tax Office as the Townships delinquent tax collector and empowers said office to take whatever action it deems necessary to collect any delinquent taxes referred to it by the Township
Res. 84-3	1/3/1984	Appointing Homer Romberger to the office of Auditor of Washington Township, Dauphin County, Pennsylvania
Res. 84-7	4/9/1984	Appointing William A. Burch to the office of Inspecting Officer
Res. 84-8	5/15/1985	Appointing Thomas Pell to the office of Township Supervisor to fill the vacancy due to the resignation of Kenneth Rose
Res. 84-11	7/9/1984	Authorizing and directing the Chairman of the Board of Supervisors to sign an agreement and that the Secretary-Treasurer be authorized and directed to attest the same
Res. 85-4	3/11/1985	Authorizing the annual payments to the Miners Bank of Lykens be paid annually up to and including the year 2005
Res. 85-13	--/--/1985	Agreeing to comply with the requirements of the RIRA program and the Department of Community Affairs for the purpose of obtaining grant funds to develop
Res. 85-14	8/12/1985	Requesting the County of Dauphin to revise the existing Solid Waste Management Plan and empowering the County to perform this function on behalf of the Township

Ord./Res.	Date	Description
Res. 86-3	1/13/1986	Appointing Grove Associates of Dauphin, Pennsylvania, in affiliation with Mark Mills, a soil scientist as Sewage Enforcement Officer for Washington Township
Res. 86-5	4/14/1986	Applying for permit to install and operate flashing warning devices on LR 199 and LR 22035 (intersection in the Village of Loyalton)
Res. 86-7	5/12/1986	Appointing Kenneth Rose to the position of Supervisors to fill the unexpired term of John Swab
Res. 86-8	7/14/1986	Appointing John W. Swab to the Board of Supervisors to fill the unexpired term of David Shadle
Res. 86-9	7/14/1986	Appointing William A Burch to the position of Sewage Enforcement Officer
Res. 86-12	10/13/1986	Verifying the completion of the Loyalton Recreation Area in accordance with the grant contract and is acceptable to the Board of Supervisors of Washington Township
Res. 86-13	11/10/1986	Agreeing to comply with the requirements of the RIRA program and the Department of Community Affairs for the purpose of obtaining grant funds to develop Loyalton recreation area
Res. 87-9	9/10/1987	Adopting a communitywide fair housing policy
Res. 87-10	9/10/1987	Adopting a communitywide antidisplacement policy
Res. 87-11	9/10/1987	Authorizing the execution of a letter of agreement with the Dauphin County Commissioners for the purpose of submission of a Pennsylvania Community Development Block Grant competitive program application
Res. 87-12	--/--/1987	Supporting the formation of the Dauphin County (Intermunicipal) Solid Waste Management Authority
Res. 87-15	11/17/1987	Concurring in the resolution of the Board of Commissioners of the County of Dauphin, Pennsylvania, designating the Dauphin County Office of Economic Development as the industrial development agency for the County of Dauphin in all matters relevant to and for all purposes of the Industrial Development Assistance Law
Res. 88-7	10/18/1988	Requesting the members of the General Assembly to pass on or before November 30, 1988, legislation addressing objectives of comprehensive local tax reform
Res. 89-6	2/14/1989	Requesting the Dauphin County Board of Elections to place on the ballot for the May 16, 1989, municipal primary a referendum concerning issuance of licenses to conduct small games of change in Washington Township

GOVERNMENTAL AND
INTERGOVERNMENTAL AFFAIRS

§ D-101

Ord./Res.	Date	Description
Res. 89-7	4/18/1989	Adopting a new emergency operations plan for the Township of Washington
Res. 89-9	5/3/1989	Authorizing the Township to consult and cooperate with the Dauphin County Intermunicipal Solid Waste Authority in connection with § 111 of Act 101 of 1988
Res. 89-17	10/17/1989	Requesting and granting permission to the Dauphin County Intermunicipal Solid Waste Authority to act on its behalf to adopt and implement programs for the collection and recycling of municipal waste or source-separated recyclable materials
Res. 89-19	11/8/1989	Authorizing the Township Board of Supervisors or duly appointed representatives to become directly involved in the negotiating process with the applicant, Chambers Development Company, Inc.
Res. 90-9	8/21/1990	Supporting the passage of legislation to authorize municipalities to impose fair and equitable impact fees on new development to pay for the costs of the infrastructure improvements needed to serve that development
Res. 91-7	1/15/1991	Appointing Robert H. Farner as primary Sewage Enforcement Officer for Washington Township
91-3	5/21/1991	Electing to enroll in the Pennsylvania Municipal Retirement System
Res. 91-8	7/16/1991	Adopting the addendum to the Township's Act 537 Plan after proper advertisement and public hearing on the matter
Res. 91-15	8/5/1991	Applying for permit to install and operate traffic signals on SR 209 and LR 22035
Res. 92-4	1/21/1992	Applying for permit to install and operate flashing warning devices on Route 255 for Eastern Industries Elizabethtown plant
Res. 92-6	3/17/1992	Authorizing the creation of the Agricultural Security Area and Advisory Committee and recognizing the date for the creation of the Agricultural Security Area as August 18, 1991
Res. 92-9	3/17/1992	Appointing Jeffrey Seiler to the board of the Washington Township Authority to fill the vacancy created by the resignation of Truman Swab
Res. 92-10	4/21/1992	Appointing Kenneth Hoffman to the board of the Washington Township Authority to fill the vacancy created by the resignation of Ronald Strohecker
Res. 92-7	5/19/1992	Authorizing the execution of a letter of agreement with the Dauphin County Commissioners for the purpose of submission of FY 1992 Pennsylvania Community Development Block Grant Program application

Ord./Res.	Date	Description
Res. 92-8	5/19/1992	Appointing Paul Hoffman to the board of the Washington Township Authority to fill the vacancy created by the resignation of Steven Dagen
92-2	6/16/1992	Authorizing Washington Township to join with other government units as a member of the Pennsylvania Intergovernmental Risk Management Association
92-3	11/17/1992	Repealing Ord. 92-2 concerning the joining of the Intergovernmental Risk Management Association
Res. 92-14	12/15/1992	Appointing Keith I. Laudenslager, C.P.A., to audit the account of Washington Township and the Township officers for the year ending December 31, 1993
Res. 93-3	1/19/1993	Appointing Truman Swab to the Board of the Washington Township Authority to fill the vacancy created by the resignation of Myles Kahler
93-5	4/20/1993	Authorizing the adoption and execution of a mutual aid agreement for reciprocal emergency assistance by and between the following political subdivisions: The County of Dauphin, the City of Harrisburg, the Borough of Berrysburg, Elizabethville, Gratz, Halifax, Highspire, Hummelstown, Lykens, Middletown, Millersburg, Paxtang, Pillow, Pennbrook, Royalton, Steelton and Williamstown and the Townships of Conewago, Derry, East Hanover, Halifax, Jackson, Jefferson, Londonderry, Lower Paxton, Lykens, Lower Swatara, Middle Paxton, Mifflin, Reed, Rush, South Hanover, Susquehanna, Swatara, Upper Paxton, Washington, Wayne, West Hanover, Wiconisco and Williams
Res. 93-5	4/20/1993	Appointing Robert L. Miller, Sr., as Tax Collector to fill the vacancy created by the death of Evelyn Miller
Res. 93-6	8/3/1993	Establishing the order of business for all regular, workshop and special meetings of Washington Township
Res. 93-9	12/21/1993	Appointing Keith I. Laudenslager, C.P.A., to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 1994
Res. 93-10	12/21/1993	Appointing Pattie J. Kute to the office of Elected Auditor to fill a vacancy
Res. 93-11	12/21/1993	Appointing Earl I. Adams to the board of the Washington Township Authority
Res. 94-5	4/19/1994	Appointing Blair H. Dietrich to the board of the Washington Township Authority to the vacancy created by the resignation of Jeffrey Seiler
Res. 94-7	5/24/1994	Appointing William A. Burch to the position of Sewage Enforcement Officer for Washington Township

GOVERNMENTAL AND
INTERGOVERNMENTAL AFFAIRS

§ D-101

Ord./Res.	Date	Description
Res. 94-8	7/5/1994	Requesting permission to participate in the Commonwealth of Pennsylvania cooperative purchase program
Res. 94-11	7/19/1994	Approving and adopting the current emergency operations plan, effective July 19, 1994
Res. 94-12A	10/4/1994	Applying for permit to install and operate flashing warning devices on Church Street for Upper Dauphin Area High School
Res. 94-12	11/1/1994	Establishing eligibility requirements for a continuation of group medical insurance for former Supervisors and retired employees of the Township and their respective dependents, if applicable
Res. 94-15	12/6/1994	Reappointing Kenneth Hoffman to the board of Washington Township Authority
Res. 95-3	12/28/1994	Appointing Keith I. Laudenslager, C.P.A., to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 1995
Res. 95-4	1/3/1995	Appointing Michael P. Zeller to the position of Sewage Enforcement Officer and John Madden as the alternate Sewage Enforcement Officer
Res. 95-5	1/17/1995	Authorizing the execution of a letter of agreement with the Dauphin County Commissioners for the purpose of submission of FY 1995 Pennsylvania Community Development Block Grant Program application
Res. 95-6	4/4/1995	Appointing Turman M. Swab to the vacancy in the office of Township Supervisors due to the death of Kenneth L. Rose, Jr.
Res. 95-14	6/20/1995	Authorizing the Supervisor of Washington Township to sign an agreement on its behalf and that the Secretary be authorized and directed to attest the same
Res. 95-16	10/17/1995	Authorizing a list of real estate owners and their respective real estate parcels to be included in the Agricultural Security Area
Res. 95-17	10/17/1995	Authorizing the depository and authorized signatures for the funds of Washington Township
Res. 95-18	12/27/1995	Adopting a drug and alcohol personnel policy for Township employees concerning commercial drivers licenses
Res. 96-3	1/2/1996	Authorizing Keith I. Laudenslager, C.P.A. to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 1996

Ord./Res.	Date	Description
Res. 96-4-5	1/3/1996	Appointing Michael P. Zeller to the position of Sewage Enforcement Officer for Washington Township and Enviro Haz-Tech, Inc. as the alternate Sewage Enforcement Officer
Res. 96-6	2/6/1996	Appointing Charles Radomsky to the board of the Elizabethtown Area Authority
Res. 96-7	1/2/1996	Appointing Paul Hoffman to the board of the Washington Township Authority
Res. 96-8	2/5/1996	Appointing Scott Kimmel to the board of the Elizabethtown Area Authority to fill the vacancy created by the resignation of Donald E. Sauve
Res. 96-9	3/5/1996	Authorizing Dorothy M. Dietrich, Secretary/Treasurer of Washington Township to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 96-10	3/19/1996	Designating the Dauphin County Intermunicipal Solid Waste Authority as the lead agency to complete an independent engineer's evaluation/review of the Dauphin Meadows Landfill permit application to expand the facility
Res. 96-11	4/2/1996	Appointing James Garling, P.E., to serve Washington Township as their engineering representative
Res. 96-12	4/16/1996	Agreeing to contribute up to \$1,666 to the Dauphin County Intermunicipal Solid Waste Authority for the completion of the independent engineer's evaluation/review of the permit application for the Dauphin Meadows Landfill-Western Expansion
Res. 96-13	4/16/1996	Resolving to do everything legally within the Township's power to oppose the expansion of the Dauphin Meadows Landfill
Res. 96-14	5/21/1996	Authorizing the filing of an application for funds with the Department of Community Affairs, Commonwealth of Pennsylvania
Res. 96-15	6/18/1996	Appointing John H. Kerstetter to the position of Sewage Enforcement Officer for Washington Township and Enviro Haz-Tech, Inc. as the alternate Sewage Enforcement Officer
Res. 96-20	8/20/1996	Appointing Craig Smeltz to the position of Township Supervisor to fill a vacancy created by the resignation of John W. Swab
Res. 96-21	8/14/1996	Appointing Peg Strohecker as the Zoning Code Enforcement Officer

GOVERNMENTAL AND
INTERGOVERNMENTAL AFFAIRS

§ D-101

Ord./Res.	Date	Description
Res. 96-23	11/19/1996	Appealing the action of the Pennsylvania Department of Environmental Protection with regard to the "suspension" of review of the municipal solid waste disposal application submitted by USA Waste Services, Inc. to expand the Dauphin Meadows Landfill
Res. 96-26	12/17/1996	Authorizing the Township to become a member of the Keystone Municipal Insurance Trust for a period of at least 2 years and authorizing the appropriate officers of the Township to supply Keystone Municipal Trust with information necessary to gain admission to the Trust
Res. 97-3	1/6/1997	Appointing Keith I. Laudenslager, C.P.A., to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 1996
Res. 97-5	1/6/1997	Appointing John H. Kerstetter to the position of Sewage Enforcement Officer for Washington Township and Enviro Haz-Tech as the alternate Sewage Enforcement Officer
Res. 97-6	1/6/1997	Appointing James E. Garling, P.E., to the position of Engineer for Washington Township for the year 1997
Res. 97-8	1/6/1997	Appointing Myles Kahler to the board of the Washington Township Authority until December 31, 2001
Res. 97-10	6/7/1997	Appointing Pamela A. Kosier to the office of Elected Auditor to serve until the first Monday in January 1998
Res. 97-18	8/19/1997	Appointing Ann Hepler to the position of Zoning Code Enforcement Officer through December 31, 1997
Res. 97-20	11/11/1997	Adopting the Stipulation of Counsel as presented to the court on October 20, 1997, and approved by the court on that date
Res. 97-22	12/16/1997	Appointing Craig R. Smeltz to the board of the Washington Township Authority until January 1, 1999
Res. 98-3	1/5/1998	Appointing Keith I. Laudenslager, C.P.A., to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 1997
Res. 98-4	1/5/1998	Appointing Joseph Kerwin, Esquire, to serve as Solicitor for Washington Township for the fiscal year ending December 31, 1998

Ord./Res.	Date	Description
Res. 98-5	1/5/1998	Appointing John H. Kerstetter to the position of Sewage Enforcement officer for Washington Township through December 31, 1998. Enviro-Haz-Tech, Inc. is appointed as the alternate Sewage Enforcement Officer
Res. 98-6	1/5/1998	Appointing James E. Garling, P.E., to the position of Engineer for Washington Township for the year 1998
Res. 98-8	1/5/1998	Reappointing Truman M. Swab to the board of the Washington Township Authority until December 31, 2002
Res. 98-9	1/5/1998	Reappointing Scott Kimmel to the board of the Washington Township Authority until December 31, 2001
Res. 98-10	1/5/1998	Appointing Ann Hepler to the position of Zoning Code Enforcement Officer for Washington Township through December 31, 1998
Res. 98-11	1/20/1998	Appointing Peggy Rowe to the office of Elected Auditor until the first Monday in January, 2000
Res. 98-12	3/10/1998	Adopting and confirming the Stipulations of Counsel as presented to the Court on October 20, 1997, and approved by the Court
Res. 98-13	2/17/1998	Appointing the accounting firm of Custer and Custer, P.C., to the position of Appointed Auditor for the year ending December 31, 1997
Res. 98-15	4/6/1998	Accepting James Diehl, Esquire, resignation from representing the Washington Township Zoning Hearing Board
Res. 98-16	4/21/1998	Appointing the members and alternates to the Washington Zoning Hearing Board
Res. 98-17	4/21/1998	Supporting the efforts of the Pennsylvania Civil Justice Coalition to restore fairness, common sense and personal responsibility to Pennsylvania's legal system and calling upon State legislators to support passage of the Lawsuit Abuse Reform Act
Res. 98-18	4/21/1998	Authorizing the Township Solicitor to notify the Board of Supervisors if he finds a "conflict of interest" between clients and to request an independent counsel appointment by the Board
Res. 98-21	6/15/1998	Appointing William Mattern to the Washington Township Zoning Hearing Board until December 31, 2000 to fill the vacancy by reason of the resignation of David Barder
Res. 98-22	6/15/1998	Appointing Lisa Kahler to the board of the Elizabethtown Area Authority until December 31, 2001 by reason of resignation of Charles Radomsky

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Res. 98-27	11/17/1998	Appointing James E. Garling, P.E. Dames and Moore Engineering Firm to fill the unexpired term of current Zoning Code Enforcement Officer
Res. 99-3	1/4/1999	Appointing Custer and Custer, CPA, to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 1998
Res. 99-4	1/4/1999	Appointing James Diehl, Esquire, to serve as Solicitor for Washington Township for the fiscal year ending December 31, 1999
Res. 99-5	1/4/1999	Appointing John H. Kerstetter to the position of Sewage Enforcement Officer for Washington Township through December 31, 1999
Res. 99-6	1/4/1999	Appointing James E. Garling, P.E., to the position of Engineer for Washington Township for the year 1999
Res. 99-7	1/4/1999	Reappointing Craig R. Smeltz to serve on the Washington Township Authority Board until December 31, 2003
Res. 99-9	1/4/1999	Appointing James E. Garling, P.E., to the position of substitute Zoning Code Enforcement Officer until that time the position is filled with a permanent officer
Res. 99-10	1/4/1999	Reappointing Earl I. Adams to serve on the Washington Township Vacancy Board
Res. 99-12	2/2/1999	Appointing Gary Bixler to the board of the Washington Township Authority until December 31, 2001 to fill the vacancy created by the resignation of Myles Kahler
Res. 99-13	2/2/1999	Reappointing Steven Summers to the Washington Township Zoning Hearing Board until December 31, 2003
Res. 99-14	2/4/1999	Appointing Richard Reed to the board of the Elizabethtown Area Authority until December 31, 1999 to fill the vacancy created by the resignation of Scott Kimmel
Res. 99-15	2/4/1999	Reappointing Dorothy M. Dietrich as administrator of the Washington Township Retirement Pension Plan
Res. 99-17	3/2/1999	Authorizing that the supervisor of Washington Township be authorized and directed to sign agreement or amendment on its behalf
Res. 99-18	4/6/1999	Requesting permission to participate in the Pennsylvania Department of General Services Cooperative Purchasing Program
Res. 99-21	8/17/1999	Appointing Richard Stonerod to serve on the Planning Commission until December 31, 2001

Ord./Res.	Date	Description
Res. 99-22	8/17/1999	Appointing Brian Hampton to the position of Zoning Code Enforcement Officer for Washington Township
Res. 99-24	11/16/1999	Creating the Census 2000 Complete Count Committee to partner with the Commonwealth of Pennsylvania, the Pennsylvania Association of Township Supervisors and the U.S. Census Bureau to ensure that every resident in Washington Township is counted in the Year 2000 census
Res. 99-25	12/21/1999	Appointing Richard Reed to the board of the Elizabethtown Area Authority until December 31, 2003
Res. 99-26	12/21/1999	Appointing Marlin Shade to the board of the Washington Authority until December 31, 2004
Res. 2000-3	1/4/2000	Appointing Dorothy M. Dietrich to the position of Secretary Treasurer of Washington Township
Res. 2000-4	1/4/2000	Appointing Custer and Custer, CPA, to audit the accounts of Washington Township and Township officers for the fiscal year ending December 31, 2000
Res. 2000-5	1/4/2000	Appointing Charles Laudenslager to serve as Chairman of the Washington Township Vacancy Board
Res. 2000-6	1/18/2000	Appointing Peggy Rowe to the office of Elected Auditor
Res. 2000-7	4/18/2000	Authorizing certain individuals certain banking powers
Res. 2000-8	2/1/2000	Appointing Todd Rupp to the Board of Supervisors until December 31, 2001
Res. 2000-9	2/1/2000	Appointing Ronald E. Stephens P.E., R.L.S., to the position of Engineer for Washington Township
Res. 2000-10	2/15/2000	Adopting amendments to Zoning Ordinance 96-2
Res. 2000-10A	3/21/2000	Approving the transfer of some of the property of Lee Henninger from the Agriculture Security Program to the Easement Program
Res. 2000-10B	3/21/2000	Appointing Robert Crabb to serve as Roadmaster for Washington Township
Res. 2000-10C	3/21/2000	Appointing John H. Kerstetter to the position of Sewage Enforcement officer through December 31, 2000
Res. 2000-10D	3/21/2000	Appointing James Diehl, Esquire, to serve as Solicitor for Washington Township for the fiscal year ending December 31, 2000
Res. 2000-12	4/18/2000	Approving the transfer of some of the property of Delmar Weaver from the Agriculture Security Program to the Easement Program

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Res. 2000-15	8/15/2000	Appointing Vincent Liddick to the board of the Washington Township Authority until December 31, 2000 by reason of the resignation of Paul Hoffman
Res. 2000-16	8/15/2000	Appointing Charles Laudenslager to the board of the Washington Township Authority until December 31, 2004 by reason of the resignation of Marlin Shade
Res. 2000-17	8/15/2000	Appointing Richard Stonerod to the Washington Township Zoning Hearing Board until December 31, 2001 by reason of resignation of Brad Hoffman
Res. 2000-18	10/3/2000	Appointing Sharon Schorr to the position of Zoning Code Enforcement Officer for Washington Township
Res. 2000-19	12/11/2000	Recognizing the name change of Brinjac, Kambic & Associates, Inc., to Brinjac Engineering, Inc.
01-1	1/2/2001	Authorizing Washington Township to join with local government units as a settlor of the Pennsylvania Local Government Investment Trust for the purpose of purchasing shares of trust
Res. 2001-3	1/2/2001	Appointing Donna M. Sitlinger as Secretary/Treasurer of Washington Township
Res. 2001-4	1/2/2001	Appointing Dorothy M Dietrich as Assistant Secretary/Consultant of Washington Township
Res. 2001-5	1/2/2001	Appointing Custer and Custer, CPA, to audit the accounts of Washington Township and the Township officers for the fiscal year ending December 31, 2000
Res. 2001-6	1/2/2001	Appointing James Diehl, Esquire, to serve as Solicitor for Washington Township for the fiscal year ending December 31, 2001
Res. 2001-7	1/2/2001	Appointing John H. Kerstetter to the position of Sewage Enforcement Officer through December 31, 2001
Res. 2001-8	1/2/2001	Appointing Ronald E. Stephens P.E., R.L.S., to the position of Engineer for Washington Township for the year 2001
Res. 2001-9	1/2/2001	Appointing Vincent Liddick as a member of the Washington Township Authority through December 31, 2005
Res. 2001-10	1/2/2001	Appointing Charles Laudenslager, Jr. to serve as Vacancy Board Chairman of Washington Township
Res. 2001-11	2/6/2001	Appointing Steven Harman to serve on the Washington Township Zoning Hearing Board until December 31, 2005
Res. 2001-12	3/6/2001	Authorizing the Washington Township Board of Supervisors to consult with the Dauphin County Commissioners to pursue the issue of the construction of a government center in Washington Township

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Res. 2001-13	4/3/2001	Appointing Russell Walborn, Sr., as Emergency Management Coordinator for 2001
Res. 2001-14	6/5/2001	Setting compensation for members of the Elizabethtown Area Authority appointed by the Washington Township Board of Supervisors
Res. 2001-15	6/19/2001	Authorizing the Washington Township staff to participate in purchase contract of the County of Dauphin and will be responsible for payment directly to the County of Dauphin
Res. 2001-16	6/19/2001	Declaring intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993
Res. 2001-17	7/17/2001	Authorizing Sharon B. Schorr, Zoning Code Enforcement Officer, to inspect Dauphin Meadows Landfill
Res. 2001-18	7/17/2001	Agreeing to pursue the issue of moving the Township's principal facilities to the Northern Dauphin County Government Center pending contract agreement with Dauphin County
Res. 2001-20	8/7/2001	Appointing Andrew Leitzel to the Washington Township Zoning hearing Board until December 31, 2003 by reason of resignation of Steven Summers
Res. 2001-22	11/8/2001	Authorizing the Chairman, Washington Township Board of Supervisors to sign the signature page for grant application and agreement to undertake the Loyaltown Softball Field Rehabilitation project
Res. 2001-23	12/18/2001	Appointing the Secretary/Treasurer as administrator of the Washington Township Retirement Pension Plan
Res. 2002-03	1/7/2002	Appointing Donna M. Sitlinger to the position of Secretary/Treasurer of Washington Township
Res. 2002-04	1/7/2002	Appointing Custer and Custer, P.C., to the position of Auditor for the fiscal year ending December 31, 2002
Res. 2002-05	1/7/2002	Appointing Christian Daghir, Esq., to serve as Solicitor to Washington Township for a six-month term
Res. 2002-06	1/7/2002	Appointing John H. Kerswtetter as Sewage Enforcement Officer
Res. 2002-07	1/7/2002	Appointing Brinjac Engineering to provide engineering services per contract for the year 2002
Res. 2002-08	1/7/2002	Appointing Gary Bixler to serve as a member of the Washington Township Authority
Res. 2002-09	1/7/2002	Appointing Lisa Kahler as a member of the Elizabethtown Area Authority

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Res. 2002-10	1/7/2002	Appointing Charles Laudenslager, Jr., to serve as Vacancy Board Chairman of Washington Township
Res. 2002-11	1/7/2002	Appointing Russell Walborn Sr., as Emergency Management Coordinator for 2002
Res. 2002-12	1/7/2002	Certifying Robert Crabb as a voting delegate at the State Association Annual Convention held in April, 2002
Res. 2002-13	1/7/2002	Appointing James E. Wilbert Sr., to the Washington Township Zoning Hearing Board
Res. 2002-14	1/7/2002	Reappointing Richard Stonerod as an alternate member of the Washington Township Zoning Hearing Board
Res. 2002-15	1/7/2002	Appointing John Mateer III, as a member of the Washington Township Planning Commission
Res. 2002-16	1/7/2002	Appointing Gurney Buchanan as a member of the Washington Township Planning Commission
Res. 2002-17	1/7/2002	Appointing Tom Pregent as a member of the Washington Township Planning Commission
Res. 2002-18	1/7/2002	Appointing Robert Crabb as a member of the Washington Township Planning Commission
2002-01	1/7/2002	Appointing the elected tax collector as the delinquent tax collector
Res. 2002-19	2/5/2002	Increasing the vehicle mileage reimbursement from \$0.345 to 0.365 per mile
Res. 2002-20	4/16/2002	Appointing Laverne R. Brown Sr., as a member of the Washington Township Planning Commission
Res. 2002-21	4/16/2002	Appointing Dennis E. Rowe as a member of the Washington Township Authority
Res. 2002-24	7/16/2002	Resolving to participate in the PACC (Pa. Capital City) Automotive and Equipment Contract
Res. 2002-31	9/17/2002	Requesting the General Assembly to increase the \$1 per ton host municipality fee on each municipal waste landfill to \$2
Res. 2002-32	--/--/2002	Authorizing the Chairman of the Washington Township Board of Supervisors to sign the signature page for grant application and grant agreement for the Loyaltan Park Improvement Project
Res. 2002-33	11/19/2002	Appointing Brinjac Engineering to the position of Alternate Sewage Enforcement Officer
Res. 2003-03	1/6/2003	Appointing Donna M. Sitlinger to serve as Secretary/Treasurer of Washington Township
Res. 2003-04	1/6/2003	Appointing Custer and Custer, P.C., to audit the accounts of Washington Township for the fiscal year ending December 31, 2002
Res. 2003-05	1/6/2003	Appointing Christian S. Daghir, Esq., to serve as Solicitor to Washington Township for the year 2003

Ord./Res.	Date	Description
Res. 2003-06	1/6/2003	Appointing John H. Kerstetter to the position of Sewage Enforcement Officer through December 31, 2003
Res. 2003-07	1/6/2003	Appointing Neal S. Haris to the position of Alternate Sewage Enforcement Officer
Res. 2003-08	1/6/2003	Appointing Brinjac Engineering to provide engineering services per contract for the year 2003
Res. 2003-09	1/6/2003	Appointing Andrew Leitzel as a member of the Washington Township Zoning Hearing Board
Res. 2003-10	1/6/2003	Appointing Dwight Hoffman as an alternate member of the Washington Township Zoning Hearing Board
Res. 2003-11	1/6/2003	Appointing Dennis Rowe as a member of the Washington Township Authority
Res. 2003-12	1/6/2003	Appointing Charles Laudenslager, Jr., to serve as Vacancy Board Chairman of Washington Township for the year 2003
Res. 2003-13	1/6/2003	Appointing Russell Walborn, Sr., as Emergency Management Coordinator for the year 2003
Res. 2003-14	1/6/2003	Certifying Robert Crabb as a voting delegate at the State Association Annual Convention held in April, 2002
Res. 2003-15	1/6/2003	Decreasing the person vehicle mileage reimbursement rate from \$0.365 to \$0.36 per mile
Res. 2003-16	1/21/2003	Appointing Beth Fetterhoff as a member of the Elizabethtown Area Authority
Res. 2003-20	6/7/2003	Approving, adopting and placing into immediate effect the Emergency Operations Plan of Washington Township
Res. 2003-21	7/29/2003	Appointing Anna Barger to the office of Supervisor until the 1st Monday in January after the next municipal election
Res. 2003-22	8/19/2003	Authorizing certain individuals to exercise certain powers by the Resolution of Lodge, Association or Other Similar Organization form dated August 19, 2003
Res. 2003-23	10/21/2003	Desiring to undertake the Loyaltown Park Phase II Project
Res. 2003-24	10/21/2003	Appointing Benjamin T. Barger to serve as a member on the Washington Township Planning Commission
Res. 2003-25	11/6/2003	Reappointing Craig Smeltz to serve as a member on the Washington Township Authority Board
Res. 2003-26	11/6/2003	Reappointing Richard Reed to serve as a member on the Elizabethtown Area Authority Board
Res. 2003-27	11/6/2003	Reappointing Steven Harman to serve as a member on the Washington Township Zoning Hearing Board

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Res. 2003-28	12/3/2003	Resolving that certain owners and their respective real estate parcels shall be included in the established Agricultural Security Area
Res. 2004-03	1/5/2004	Appointing Donna M. Sitlinger as Secretary/Treasurer of Washington Township
Res. 2004-04	1/5/2004	Appointing Custer and Custer, P.C., to audit the financial records for the fiscal year ending December 31, 2003
Res. 2004-05	1/5/2004	Appointing Christian S. Daghir, Esquire, to serve as Solicitor for Washington Township
Res. 2004-06	1/5/2004	Appointing John H. Kerstetter as Sewage Enforcement Officer
Res. 2004-07	1/5/2004	Appointing Neal S. Harris to serve as alternate Sewage Enforcement Officer
Res. 2004-08	1/5/2004	Appointing Brinjac Engineering as Engineer to Washington Township
Res. 2004-09	1/5/2004	Appointing Charles Laudenslager, Jr., as Vacancy Board Chairman of Washington Township
Res. 2004-10	1/5/2004	Appointing Russell Walborn Sr., as Emergency Management Coordinator of Washington Township
Res. 2004-11	1/5/2004	Appointing Robert Crabb to represent Washington Township as a voting delegate at the State Associations's Annual Convention
Res. 2004-12	1/5/2004	Resolving that the personal vehicle mileage rate has been increased to 37.5 cents per mile for fiscal year 2004
Res. 2004-13	1/20/2004	Approving and placing into immediate effect the form of notice of tree removal
Res. 2004-14	1/20/2004	Resolution of lodge, association or other similar organization
Res. 2004-15	1/20/2004	Appointing Dewey Wilbert to the Washington Township Zoning Hearing Board
Res. 2004-16	1/20/2004	Appointing Verne Hoover to the Washington Township Planning Commission
Res. 2004-17	--/--/2004	Appointing Laverne Brown, Sr., as Zoning/Codes Enforcement Officer
Res. 2004-18	2/17/2004	Appointing Dominic V. Balsarick, Jr., to the Elizabethtown Area Authority Board
Res. 2004-19	3/16/2004	Appointing Michael E. Lower to the Washington Township Planning Commission
Res. 2004-21	4/20/2004	Authorizing the Upper Dauphin Council of Governments to obtain quotes from third party entities for the administering and enforcing of the Uniform Construction Code

Ord./Res.	Date	Description
Res. 2004-26	7/6/2004	Appointing Light-Heigel and Associates, Inc., as Building Code Official to administer the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999
Res. 2004-28	7/20/2004	Endorsing the Regional Revitalization Northern Dauphin Project
Res. 2004-29	8/17/2004	Appointing David Shadle to the Washington Township Recreation Board
Res. 2004-30	8/17/2004	Appointing Michael Miller to the Washington Township Recreation Board
Res. 2004-31	8/17/2004	Appointing Kevin Hoch to the Washington Township Recreation Board
Res. 2004-32	8/17/2004	Appointing Michael Troutman to the Washington Township Recreation Board
Res. 2004-33	8/17/2004	Appointing Evan Williams to the Washington Township Recreation Board
Res. 2004-34	8/17/2004	Approving a revision to the Permit Fee Schedule
Res. 2004-35	9/7/2004	Appointing Paul Wertz to the Washington Township Planning Commission
Res. 2004-40	10/19/2004	Resolving that certain owners and their respective real estate parcels shall be included in the established Agricultural Security Area
Res. 2004-42	11/4/2004	Designating agent to sign all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 2004-43	12/7/2004	Resolving that certain owners and their respective real estate parcels shall be included in the established Agricultural Security Area
Res. 2005-03	1/3/2005	Appointing Donna M. Sitlinger as Secretary/Treasure of Washington Township
Res. 2005-04	1/3/2005	Appointing Custer and Custer, P.C. to audit the financial records for the fiscal year ending December 31, 2004
Res. 2005-05	1/3/2005	Appointing Christian S. Daghir, Esquire as Solicitor to Washington Township
Res. 2005-06	1/3/2005	Appointing Laverne Brown, Sr., as Zoning/Codes Enforcement Officer
Res. 2005-07	1/3/2005	Appointing Brinjac Engineering as Alternate Zoning/Codes Enforcement Officer
Res. 2005-08	1/3/2005	Appointing William Mattern as Sewage Enforcement Officer
Res. 2005-10	1/3/2005	Appointing Brinjac Engineering as Engineer to Washington Township for a 6 month trial basis
Res. 2005-11	1/3/2005	Appointing Charles Laudenslager, Jr., as Vacancy Board Chairman of Washington Township

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Res. 2005-12	1/3/2005	Appointing Russell Walborn, Sr., as Emergency Management Coordinator of Washington Township
Res. 2005-13	1/3/2005	Appointing Laverne Brown Sr., to the Washington Township Planning Commission
Res. 2005-14	1/3/2005	Reappointing Charles Laudenslager, Jr., to the Washington Township Authority Board
Res. 2005-15	1/3/2005	Appointing Robert Crabb as a voting delegate at the State Association's Annual Convention
Res. 2005-16	1/3/2005	Resolving that the personal mileage reimbursement rate has been set at 40.5 cents per mile for Fiscal Year 2005
Res. 2005-16A	1/3/2005	Appointing Harold Hoffman to the Washington Township Planning Commission
Res. 2005-18	2/15/2005	Applying for a permit to install and operate traffic signals
Res. 2005-21	4/5/2005	Appointing Travis Enders as Assistant Emergency Management Coordinator of Washington Township
Res. 2005-24	5/19/2005	Appointing David Machamer as a member of the Zoning Hearing Board of Washington Township
Res. 2005-25	6/21/2005	Appointing the engineering firm Erdman Anthony as the Township Engineer of Washington Township
Res. 2005-26	6/21/2005	Appointing the engineering firm of Brinjac Engineering to complete all the engineering projects they have started until year end
Ord. 2005-01	6/21/2005	Repealed by Ord. 2013-01
Res. 2005-28	7/19/2005	Appointing Ronald E. Stephens as Alternate Zoning/Codes Enforcement Officer of Washington Township
Res. 2005-31	10/4/2005	Acceptance of amendments to Upper Dauphin Council of Governments By-Laws
Res. 2005-34	11/1/2005	Appointing Robert A. Scatena as an alternate member of the Zoning Hearing Board of Washington Township
Res. 2006-03	1/3/2006	Appointing Donna Sitlinger as Secretary-Treasurer of the Township
Res. 2006-04	1/3/2006	Appointing Custer & Custer, P.C., to audit the financial records for the fiscal year ending December 31, 2005
Res. 2006-05	1/3/2006	Appointing Christian S. Daghir as Solicitor to Washington Township
Res. 2006-06	1/3/2006	Appointing Laverne Brown, Sr., as Zoning/Codes Enforcement Officer
Res. 2006-07	1/3/2006	Appointing Ronald E. Stephens as Alternate Zoning/Codes Enforcement Officer
Res. 2006-08	1/3/2006	Appointing William Mattern as Sewage Enforcement Officer

Ord./Res.	Date	Description
Res. 2006-09	1/3/2006	Appointing John Kerstetter as Alternate Sewage Enforcement Officer
Res. 2006-10	1/3/2006	Appointing the engineering firm of Brinjac Engineering to provide consulting services limited to the Loyalton Park Project during 2006
Res. 2006-11	1/3/2006	Appointing the engineering firm of Erdman Anthony as Township Engineer during 2006
Res. 2006-12	1/3/2006	Appointing Charles Laudenslager, Jr., as Vacancy Board Chairman
Res. 2006-13	1/3/2006	Appointing Russell Walborn, Sr., as Emergency Management Coordinator
Res. 2006-14	1/3/2006	Appointing Harold Hoffman as a member of the Planning Commission
Res. 2006-15	1/3/2006	Appointing Andrew Leitzel as a member of the Zoning Hearing Board
Res. 2006-16	1/3/2006	Appointing Dominic V. Balsarick, Jr., to the Elizabethtown Area Authority Board
Res. 2006-17	1/3/2006	Establishing the vehicle mileage reimbursement rate at 40.5 per mile for 2006
Res. 2006-20	1/17/2006	Appointing Wildon Renn III the office of Auditor
Res. 2006-21	1/17/2006	Appointing James Wilbert, Sr., as voting delegate at the annual PSATS convention
Res. 2006-22	2/7/2006	Appointing Travis Enders as Assistant Emergency Management Coordinator
Res. 2006-23	2/7/2006	Appointing Charles Radomsky as a member of the Recreation Board
Res. 2006-24	2/7/2006	Appointing Gurney Buchanan as a member of the Recreation Board
Res. 2006-26	5/18/2006	Awarding contract to Hammaker East, LTD
Res. 2006-27	5/18/2006	Appointing Matthew Stonerod as a member of the Parks and Recreation Board
Res. 2006-29	6/20/2006	Appointing Robert A. Scatena as a member of the Zoning Hearing Board
Res. 2006-30	7/25/2006	Appointing John Kerstetter as Sewage Enforcement Officer
Res. 2006-31	7/25/2006	Appointing E. Lester Rothermel as Alternate Sewage Enforcement Officer
Res. 2006-32	9/5/2006	Adopting the National Incident Management System (NIMS)
Res. 2006-33	9/19/2006	Appointing Ivan W. Martin as a member of the Zoning Hearing Board
Res. 2006-34	10/10/2006	Appointing Light-Heigel & Associates as interim primary Sewage Enforcement Officer
Res. 2006-35	10/17/2006	Acceptance of amendments to Upper Dauphin Council of Governments By-Laws

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Res. 2006-39	12/5/2006	Appointing the engineering firm of Dawood Associates with Ronald E. Stephens as the Township's designated engineer for the balance of 2006
Res. 2006-40	12/19/2006	Approving the Emergency Operations Plan of Dauphin County
Res. 2006-41	12/19/2006	Expressing support for the construction of Heroes Grove
Res. 2006-42	12/19/2006	Approving the terms and rates to be charged to other municipalities for the use of Township equipment
Res. 2007-03	1/2/2007	Appointing Donna Sitlinger as Secretary-Treasurer of the Township
Res. 2007-04	1/2/2007	Appointing Custer, Faust & Associates, P.C., to audit the financial records for the fiscal year ending December 31, 2006
Res. 2007-05	1/2/2007	Appointing Christian S. Daghir as Solicitor to Washington Township
Res. 2007-06	1/2/2007	Appointing Laverne Brown, Sr., as Zoning/Codes Enforcement Officer
Res. 2007-07	1/2/2007	Appointing Ronald E. Stephens as Alternate Zoning/Codes Enforcement Officer
Res. 2007-08	1/2/2007	Appointing Brian McFeaters as primary Sewage Enforcement Officer and authorizing the rates to be charged
Res. 2007-09	1/2/2007	Appointing Light-Heigel & Associates, Inc., as Alternate Sewage Enforcement Officer
Res. 2007-10	1/2/2007	Appointing the engineering firm of Dawood Associates with Ronald E. Stephens as the Township's designated engineer during 2007
Res. 2007-11	1/2/2007	Appointing Charles Laudenslager, Jr., as Vacancy Board Chairman
Res. 2007-12	1/2/2007	Appointing Russell Walborn, Sr., as Emergency Management Coordinator
Res. 2007-13	1/2/2007	Appointing Steven Harman as a member of the Zoning Hearing Board
Res. 2007-14	1/2/2007	Appointing Gary Bixler as a member of the Washington Township Authority Board
Res. 2007-15	1/2/2007	Appointing Kevin Hoch as a member of the Parks and Recreation Board
Res. 2007-15	1/2/2007	Establishing the vehicle mileage reimbursement rate at 44.5 per mile for 2007
Res. 2007-20	2/20/2007	Authorizing a list of real estate owners and their respective real estate parcels to be included in the Agricultural Security Area

Ord./Res.	Date	Description
Res. 2007-21	5/1/2007	Appointing Scott Houser as Alternate Sewage Enforcement Officer
Res. 2007-23	5/17/2007	Acceptance of amendments to Upper Dauphin Council of Governments By-Laws
Res. 2007-24	6/19/2007	Awarding contract to Hammaker East, LTD
Res. 2007-25	6/19/2007	Awarding contract to Meckley's Limestone Products, Inc
Res. 2007-26	6/19/2007	Awarding contract to Chemung Supply Corp.
Res. 2007-29	9/18/2007	Authorizing the disposition of public records
Res. 2007-31	11/8/2007	Appointing a Recreation Board member
Res. 2008-03	1/7/2008	Appointing a Secretary-Treasurer
Res. 2008-04	1/7/2008	Appointing an independent auditor
Res. 2008-05	1/7/2008	Appointing a Zoning/Codes Enforcement Officer
Res. 2008-06	1/7/2008	Appointing an Alternate Zoning/Codes Enforcement Officer
Res. 2008-07	1/7/2008	Appointing a Primary Sewage Enforcement Officer
Res. 2008-08	1/7/2008	Appointing an Alternate Sewage Enforcement Officer
Res. 2008-09	1/7/2008	Appointing an Engineer
Res. 2008-10	1/7/2008	Appointing a UCC Administrator to enforce the provisions of the Pennsylvania Construction Code Act of 1999
Res. 2008-11	1/7/2008	Appointing an Emergency Management Coordinator
Res. 2008-12	1/7/2008	Appointing a member of the Planning Commission
Res. 2008-13	1/7/2008	Appointing a Zoning Hearing Board member
Res. 2008-14	1/7/2008	Appointing a Recreation Board member
Res. 2008-15	1/7/2008	Establishing the personal vehicle mileage reimbursement
Res. 2008-16	1/7/2008	Appointing a member of the Planning Commission
Res. 2008-17	2/18/2008	Appointing a Vacancy Board Chairman
Res. 2008-18	3/4/2008	Amending the Drug and Alcohol Personnel Policy
Res. 2008-20	4/1/2008	Authorizing the Upper Dauphin Council of Governments to receive information from the Upper Dauphin Income Tax Office and to report such information to the members of the Upper Dauphin Council of Governments
Res. 2008-22	5/6/2008	Including a list of real estate owners and their parcels in the established Agricultural Security Area
Res. 2008-23	6/3/2008	Awarding a paving contract
Res. 2008-24	6/3/2008	Awarding a limestone contract
Res. 2008-25	6/17/2008	Amending the Comprehensive Plan
Res. 2008-26	7/15/2008	Appointing a member of the Washington Township Authority Board

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Ord./Res.	Date	Description
Res. 2008-29	9/16/2008	Appointing a Recreation Board member
2008-04	10/21/2008	Entering into an intergovernmental agreement to provide a Joint Municipal Building Codes Board of Appeals
Res. 2008-30	11/18/2008	Scheduling trick-or-treat night for 2009
Res. 2008-31	12/16/2008	Authorizing utilization of the dotGrants System to file the required liquid fuels forms
Res. 2008-33	12/16/2008	Approving the Emergency Operations Plan of Dauphin County
Res. 2008-34	12/30/2008	Appointing a Supervisor
Res. 2009-03	1/5/2009	Appointing a Secretary-Treasurer
Res. 2009-04	1/5/2009	Appointing an independent auditor
Res. 2009-05	1/5/2009	Appointing legal counsel
Res. 2009-06	1/5/2009	Appointing a Zoning/Codes Enforcement Officer
Res. 2009-07	1/5/2009	Appointing a Primary Sewage Enforcement Officer
Res. 2009-08	1/5/2009	Appointing an Alternate Sewage Enforcement Officer
Res. 2009-09	1/5/2009	Appointing an Engineer
Res. 2009-10	1/5/2009	Appointing an engineering firm to provide consulting services limited to the Loyaltown Park project during 2009
Res. 2009-11	1/5/2009	Appointing a UCC Administrator to enforce the provisions of the Pennsylvania Construction Code Act of 1999
Res. 2009-12	1/5/2009	Appointing a Vacancy Board Chairman
Res. 2009-13	1/5/2009	Appointing an Emergency Management Coordinator
Res. 2009-14	1/5/2009	Reappointing a member of the Planning Commission
Res. 2009-15	1/5/2009	Appointing a member to the Washington Township Authority
Res. 2009-16	1/5/2009	Appointing a Township resident to serve on the Elizabethtown Area Authority Board
Res. 2009-17	1/5/2009	Appointing a Zoning Hearing Board member
Res. 2009-18	1/5/2009	Appointing an alternate member to the Zoning Hearing Board
Res. 2009-19	1/5/2009	Establishing the personal vehicle mileage reimbursement
Res. 2009-21	1/20/2009	Appointing an alternate member to the Zoning Hearing Board
Res. 2009-22	1/20/2009	Recognizing the outstanding service and dedication of Thomas C. Welker for his service to Reliance Hose Company No. 1
Res. 2009-24	3/3/2009	Declaring the Township's intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual

Ord./Res.	Date	Description
Res. 2009-27	7/7/2009	Awarding a contract to HRI, Inc.
Res. 2009-28	7/7/2009	Awarding a contract to Eastern Industries
Res. 2009-29	7/21/2009	Appointing a Recreation Board member
Res. 2009-30	9/15/2009	Supporting the Federal Local Fiscal Assistance Act of 2009
Res. 2009-32	10/6/2009	Appointing a member to the Planning Commission
Res. 2009-33	11/17/2009	Scheduling trick-or-treat night for the year 2010
Res. 2009-34	11/17/2009	Appointing a delegate to the Dauphin County Tax Collection Committee
Res. 2009-35	12/15/2009	Appointing the Elizabeth Area Authority to conduct the inspection of abandoned on-lot septic system tanks
Res. 2010-03	1/4/2010	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2010-04	1/4/2010	Appointing an independent auditor
Res. 2010-05	1/4/2010	Appointing legal counsel
Res. 2010-06	1/4/2010	Appointing a Zoning/Codes Enforcement Officer
Res. 2010-07	1/4/2010	Appointing a Primary Sewage Enforcement Officer
Res. 2010-08	1/4/2010	Appointing an Alternate Sewage Enforcement Officer
Res. 2010-09	1/4/2010	Appointing an Engineer
Res. 2010-10	1/4/2010	Appointing a UCC administrator to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2010-11	1/4/2010	Appointing an Emergency Management Coordinator
Res. 2010-12	1/4/2010	Appointing a member of the Planning Commission
Res. 2010-13	1/4/2010	Appointing a member to the Washington Township Authority
Res. 2010-14	1/4/2010	Appointing a Zoning Hearing Board member
Res. 2010-15	1/4/2010	Appointing a Recreation Board member
Res. 2010-16	1/4/2010	Establishing the personal vehicle mileage reimbursement rate
Res. 2010-17	1/4/2010	Appointing an Elected Auditor
Res. 2010-18	1/19/2010	Appointing a Supervisor due to a vacancy in the office
Res. 2010-19	1/19/2010	Appointing a Vacancy Board Chairman
Res. 2010-20	1/19/2010	Establishing the personal vehicle mileage reimbursement rate
Res. 2010-21	4/6/2010	Authorizing the destruction of specific Township records in accordance with the Municipal Records Manual
Res. 2010-22	4/20/2010	Authorizing Donna Sitlinger to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act

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Ord./Res.	Date	Description
Res. 2010-23	5/20/2010	Enrolling a portion of Tax Parcel 44-013-015 in the Mifflin Township Agricultural Security Area
Res. 2010-26	6/15/2010	Awarding a contract to Martin Paving, Inc.
Res. 2010-27	7/20/2010	Expressing opposition to forced mergers and consolidations of local governments in Pennsylvania
Res. 2010-28	8/3/2010	Establishing a policy for the retention and destruction of recordings from meetings
Res. 2010-34	11/16/2010	Scheduling trick-or-treat night for the year 2011
Res. 2010-36	12/21/2010	Approving the Dauphin County Emergency Operations Plan
Res. 2011-03	1/3/2011	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2011-04	1/3/2011	Appointing an independent auditor
Res. 2011-05	1/3/2011	Appointing legal counsel
Res. 2011-06	1/3/2011	Appointing a Zoning/Codes Enforcement Officer
Res. 2011-07	1/3/2011	Appointing a Primary Sewage Enforcement Officer
Res. 2011-08	1/3/2011	Appointing an Alternate Sewage Enforcement Officer
Res. 2011-09	1/3/2011	Appointing an Engineer
Res. 2011-10	1/3/2011	Appointing a UCC administrator to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2011-11	1/3/2011	Appointing a Vacancy Board Chairman
Res. 2011-12	1/3/2011	Appointing an Emergency Management Coordinator
Res. 2011-13	1/3/2011	Appointing a member to the Township Planning Commission
Res. 2011-14	1/3/2011	Appointing a Township resident to serve on the Elizabethtown Area Authority Board
Res. 2011-15	1/3/2011	Establishing the personal vehicle mileage reimbursement rate
Res. 2011-17	1/18/2011	Appointing a Zoning Hearing Board member
Res. 2011-20	5/19/2011	Adopting the Hazard Vulnerability Assessment and Mitigation Plan Update for Washington Township
Res. 2011-21	5/19/2011	Appointing a member to the Washington Township Authority
Res. 2011-22	6/21/2011	Awarding a contract to Eastern Industries
Res. 2011-23	6/21/2011	Awarding contracts to Hammaker East and Keystone Paving & Materials
Res. 2011-24	6/21/2011	Appointing a Supervisor due to a vacancy in the office
Res. 2011-25	7/19/2011	Appointing a tax collector for the collection of delinquent per capita taxes
Res. 2011-26	7/19/2011	Appointing an Elected Auditor due to a vacancy in the office

Ord./Res.	Date	Description
Res. 2011-27	7/19/2011	Designating certain Township officials to initiate the purchase and redemption of fund shares on behalf of the Township
Res. 2011-29	10/4/2011	Appointing a Township resident to serve on the Elizabethtown Area Authority Board
Res. 2011-30	10/4/2011	Appointing a Supervisor due to a vacancy in the office
Res. 2011-31	10/4/2011	Authorizing Donna Sitlinger to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 2011-32	11/1/2011	Adopting the Hazard Vulnerability Assessment and Mitigation Plan Update for Washington Township
Res. 2011-33	11/15/2011	Scheduling trick-or-treat night for the year 2012
Res. 2012-03	1/3/2012	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2012-04	1/3/2012	Appointing an independent auditor
Res. 2012-05	1/3/2012	Appointing legal counsel
Res. 2012-06	1/3/2012	Appointing an Engineer
Res. 2012-07	1/3/2012	Appointing a Zoning/Codes Enforcement Officer
Res. 2012-08	1/3/2012	Appointing a Primary Sewage Enforcement Officer
Res. 2012-09	1/3/2012	Appointing an Alternate Sewage Enforcement Officer
Res. 2012-10	1/3/2012	Appointing a UCC administrator to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2012-11	1/3/2012	Appointing a Vacancy Board Chairman
Res. 2012-12	1/3/2012	Appointing an Emergency Management Coordinator
Res. 2012-13	1/3/2012	Appointing a member to the Township Planning Commission
Res. 2012-14	1/3/2012	Appointing a member to the Township Planning Commission
Res. 2012-15	1/3/2012	Appointing a Zoning Hearing Board member
Res. 2012-16	1/3/2012	Establishing the personal vehicle mileage reimbursement rate
Res. 2012-17	2/21/2012	Appointing a Zoning Hearing Board member
Res. 2012-18	2/21/2012	Reappointing a delegate and alternate delegate to represent the Township at meetings of the Dauphin County Tax Collection Committee
Res. 2012-19	2/7/2012	Appointing a Supervisor due to a vacancy in the office
Res. 2012-20	3/6/2012	Appointing an alternate Zoning Hearing Board member
Res. 2012-21	4/17/2012	Urging the Pennsylvania General Assembly to eliminate or amend the State Prevailing Wage Act (Act 442 of 1961)

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Ord./Res.	Date	Description
Res. 2012-22	4/17/2012	Appointing a third-party agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2012-23	6/19/2012	Awarding a contract to Hammaker East Ltd.
Res. 2012-24	6/19/2012	Designating certain individuals to exercise the powers for all of the Township funds
Res. 2012-25	7/17/2012	Awarding a contract to Meckley's Limestone Products, Inc.
Res. 2012-27	8/7/2012	Appointing a UCC administrator to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2012-29	10/2/2012	Appointing a Recreation Board member
Res. 2012-30	10/29/2012	Declaring a disaster emergency
Res. 2012-31	11/20/2012	Scheduling trick-or-treat night for the year 2013
Res. 2012-34	12/18/2012	Approving the Dauphin County Emergency Operations Plan
Res. 2013-01	1/7/2013	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2013-02	1/7/2013	Appointing an independent auditor
Res. 2013-03	1/7/2013	Appointing legal counsel
Res. 2013-04	1/7/2013	Appointing an Engineer
Res. 2013-05	1/7/2013	Appointing a Zoning/Codes Enforcement Officer
Res. 2013-06	1/7/2013	Appointing a Primary Sewage Enforcement Officer
Res. 2013-07	1/7/2013	Appointing an Alternate Sewage Enforcement Officer
Res. 2013-08	1/7/2013	Appointing a Building Code Official and third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2013-09	1/7/2013	Appointing a third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2013-10	1/7/2013	Appointing a Vacancy Board Chairman
Res. 2013-11	1/7/2013	Appointing an Emergency Management Coordinator
Res. 2013-12	1/7/2013	Appointing a member to the Township Planning Commission
Res. 2013-13	1/7/2013	Appointing a Zoning Hearing Board member
Res. 2013-14	1/7/2013	Appointing an alternate Zoning Hearing Board member
Res. 2013-15	1/7/2013	Appointing a member to the Washington Township Authority
Res. 2013-16	1/7/2013	Appointing a Recreation Board member
Res. 2013-17	1/7/2013	Appointing a delegate and alternate delegate to represent the Township at meetings of the Dauphin County Tax Collection Committee

Ord./Res.	Date	Description
Res. 2013-18	1/7/2013	Establishing the personal vehicle mileage reimbursement rate
Res. 2013-19	1/7/2013	Appointing a voting delegate at the annual PSATS convention
Res. 2013-20	1/15/2013	Accepting a letter of resignation from a member of the Zoning Hearing Board
Res. 2013-21	1/15/2013	Appointing a Zoning Hearing Board member
Res. 2013-22	1/15/2013	Appointing an alternate Zoning Hearing Board member
Res. 2013-25	2/5/2013	Superseded by Res. 2013-30
Res. 2013-26	2/5/2013	Accepting a letter of resignation from a member of the Zoning Hearing Board
Res. 2013-27	2/5/2013	Appointing a Zoning Hearing Board member
Res. 2013-29	2/19/2013	Appointing an alternate Zoning Hearing Board member
Res. 2013-30	3/5/2013	Establishing guidelines for the submittal and review of board vacancy applications
Res. 2013-31	4/2/2013	Appointing a member to the Washington Township Authority
Ord. 2013-01	5/7/2013	Electing to amend the Municipal Pension Plan administered by the Pennsylvania Municipal Retirement System
Res. 2013-32	5/23/2013	Establishing the transmission of employee voluntary contributions to the Pension Fund as administered by the Pennsylvania Municipal Retirement System
Res. 2013-33	6/4/2013	Adopting written procedures for selecting professional services for the Township's pension plans in compliance with Act 44 of 2009 and the Auditor General's recommendation
Res. 2013-35	7/2/2013	Awarding a contract to Hammaker East Ltd.
Res. 2013-36	7/16/2013	Awarding a contract to Eastern Industries, Inc.
Res. 2013-37	8/6/2013	Correcting the acres enrolled in the Agricultural Security Area for Tax Parcel 66-005-02 to reflect an enrollment of 220 acres
Res. 2013-41	11/19/2013	Scheduling trick-or-treat night for the year 2014
Res. 2014-01	1/6/2014	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2014-02	1/6/2014	Appointing an independent auditor
Res. 2014-03	1/6/2014	Appointing legal counsel
Res. 2014-04	1/6/2014	Appointing an Engineer
Res. 2014-05	1/6/2014	Appointing a Zoning/Codes Enforcement Officer
Res. 2014-06	1/6/2014	Appointing a Primary Sewage Enforcement Officer
Res. 2014-07	1/6/2014	Appointing an Alternate Sewage Enforcement Officer

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Ord./Res.	Date	Description
Res. 2014-08	1/6/2014	Appointing a Building Code Official and third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2014-09	1/6/2014	Appointing a third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2014-10	1/6/2014	Appointing a Vacancy Board Chairman
Res. 2014-11	1/6/2014	Appointing an Emergency Management Coordinator
Res. 2014-12	1/6/2014	Appointing a member to the Township Planning Commission
Res. 2014-13	1/6/2014	Appointing a Zoning Hearing Board member
Res. 2014-14	1/6/2014	Appointing a Zoning Hearing Board member
Res. 2014-15	1/6/2014	Appointing a member to the Washington Township Authority
Res. 2014-16	1/6/2014	Appointing a Township resident to serve on the Elizabethtown Area Authority Board
Res. 2014-17	1/6/2014	Appointing a delegate and alternate delegate to represent the Township at meetings of the Dauphin County Tax Collection Committee
Res. 2014-18	1/6/2014	Establishing the personal vehicle mileage reimbursement rate
Res. 2014-19	1/6/2014	Accepting a letter of resignation from a Supervisor
Res. 2014-19A	2/4/2014	Accepting a letter of resignation from a member of the Planning Commission
Res. 2014-20	1/6/2014	Appointing a Supervisor due to a vacancy in the office
Res. 2014-20A	2/4/2014	Appointing a Zoning Hearing Board member
Res. 2014-21	1/6/2014	Accepting a letter of resignation from a member of the Zoning Hearing Board
Res. 2014-21A	2/4/2014	Appointing a Recreation Board member
Res. 2014-24	3/4/2014	Appointing a member to the Township Planning Commission
Res. 2014-25	4/1/2014	Resolving that no changes shall currently be made to the Stormwater Management Ordinance and reserving the right to make future modifications or amendments as conditions warrant
Res. 2014-26	5/6/2014	Appointing an alternate Zoning Hearing Board member
Res. 2014-27	7/1/2014	Awarding a contract to Hammaker East Ltd.
Res. 2014-29	8/5/2014	Arranging for the sale of personal property with a fair market value of less than \$1,000

Ord./Res.	Date	Description
Res. 2014-30	9/2/2014	Authorizing the destruction of specific Township records in accordance with the Municipal Records Manual
Res. 2014-31	9/2/2014	Allowing elected officials and employees to participate in the public bidding of Township personal property
Res. 2014-33	11/18/2014	Superseded by Res. 2015-19
Res. 2014-35	12/16/2014	Approving the Dauphin County Emergency Operations Plan
Ord. 2015-01	1/5/2015	Authorizing the Township's participation in the PSATS Unemployment Compensation Group Trust pursuant to the Pennsylvania Intergovernmental Cooperation Law
Res. 2015-01	1/5/2015	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2015-02	1/5/2015	Appointing an independent auditor
Res. 2015-03	1/5/2015	Appointing legal counsel
Res. 2015-04	1/5/2015	Appointing an Engineer
Res. 2015-05	1/5/2015	Appointing a Zoning/Codes Enforcement Officer
Res. 2015-06	1/5/2015	Appointing a Primary Sewage Enforcement Officer
Res. 2015-07	1/5/2015	Appointing an Alternate Sewage Enforcement Officer
Res. 2015-08	1/5/2015	Appointing a Building Code Official and third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2015-09	1/5/2015	Appointing a third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2015-10	1/5/2015	Appointing a Vacancy Board Chairman
Res. 2015-11	1/5/2015	Appointing an Emergency Management Coordinator
Res. 2015-12	1/5/2015	Appointing a member to the Township Planning Commission
Res. 2015-13	1/5/2015	Appointing a Zoning Hearing Board member
Res. 2015-14	1/5/2015	Appointing a member to the Washington Township Authority
Res. 2015-15	1/5/2015	Appointing a Township resident to serve on the Elizabethville Area Authority Board
Res. 2015-16	1/5/2015	Appointing a delegate to represent the Township at meetings of the Dauphin County Tax Collection Committee
Res. 2015-17	1/5/2015	Establishing the personal vehicle mileage reimbursement rate
Res. 2015-18	1/20/2015	Designating certain individuals to exercise the powers for all of the Township funds
Res. 2015-19	2/3/2015	Scheduling trick-or-treat night for the year 2015
Res. 2015-20	2/3/2015	Approving a Deputy Tax Collector

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Ord./Res.	Date	Description
Res. 2015-23	4/21/2015	Appointing an alternate Zoning Hearing Board member
Res. 2015-25	7/21/2015	Awarding a contract to New Enterprise Stone & Lime Co., Inc.
Res. 2015-28	12/1/2015	Adopting the 2015 Hazard Mitigation Plan
Res. 2015-29	12/15/2015	Awarding a contract to Stephenson Equipment
Res. 2015-32	12/15/2015	Acknowledging 16 years of service to the Township by James "Bull" Watson
Res. 2016-01	1/4/2016	Appointing Donna Sitlinger as Secretary-Treasurer
Res. 2016-02	1/4/2016	Appointing an independent auditor
Res. 2016-03	1/4/2016	Appointing legal counsel
Res. 2016-04	1/4/2016	Appointing an Engineer
Res. 2016-05	1/4/2016	Appointing a Zoning/Codes Enforcement Officer
Res. 2016-06	1/4/2016	Appointing a Primary Sewage Enforcement Officer
Res. 2016-07	1/4/2016	Appointing an Alternate Sewage Enforcement Officer
Res. 2016-08	1/4/2016	Appointing a Building Code Official and third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2016-09	1/4/2016	Appointing a third-party inspection agency to enforce the provisions of the Pennsylvania Construction Code Act 45 of 1999
Res. 2016-10	1/4/2016	Appointing a Vacancy Board Chairman
Res. 2016-11	1/4/2016	Appointing an Emergency Management Coordinator
Res. 2016-12	1/4/2016	Appointing a member to the Township Planning Commission
Res. 2016-13	1/4/2016	Appointing a Zoning Hearing Board member
Res. 2016-14	1/4/2016	Appointing a Township resident to serve on the Elizabethville Area Authority Board
Res. 2016-15	1/4/2016	Appointing a Recreation Board member
Res. 2016-16	1/4/2016	Appointing a delegate to represent the Township at meetings of the Dauphin County Tax Collection Committee
Res. 2016-17	1/4/2016	Establishing the personal vehicle mileage reimbursement rate
Res. 2016-18	1/19/2016	Appointing a member to the Township Planning Commission
Res. 2016-19	1/19/2016	Appointing a member to the Washington Township Authority
Res. 2016-20	2/16/2016	Appointing a Zoning Hearing Board member
Res. 2016-21	4/5/2016	Authorizing Donna Sitlinger to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act

Ord./Res.	Date	Description
Res. 2016-22	6/7/2016	Accepting a letter of resignation from a member of the Township Authority Board
Res. 2016-23	6/21/2016	Appointing an Assistant Emergency Management Coordinator
Res. 2016-25	6/21/2016	Accepting a letter of resignation from a member of the Township Recreation Board
Res. 2016-26	7/19/2016	Awarding a contract to Hammaker East Ltd.
Res. 2016-28	7/19/2016	Approving a settlement and release agreement and distribution plan
Res. 2016-29	8/16/2016	Scheduling trick-or-treat night for the year 2016
Res. 2016-30	8/16/2016	Authorizing the destruction of specific Township records in accordance with the Municipal Records Manual
Res. 2016-31	9/20/2016	Establishing a fee for noncompliant signage

APPENDIX E
PLAN APPROVAL

§ E-101. Plan Approval.

§ E-101. Plan Approval.

Ord./Res.	Date	Description
Res. 83-15	10/10/1983	Approval of amendment to subdivision plan, Plan Book "H", Vol. 3, Page 82, eliminating 50 foot wide right-of-way of Lot No. 2
Res. 86-6	7/14/1986	Approving planning module for land development for Giving Light Christian Fellowship
Res. 86-11	10/13/1986	Approving plans submitted by Mr. & Mrs. Eugene A. Feidt to replace a double trailer with a sectional home on their lot with existing well and septic system
Res. 87-3	1/12/1987	Approving planning module for land development for Lawrence D. Miller and adopting and submitting to the Department of Environmental Resources for its approval as a revision to the "Official Sewage Facilities Plan" for the sewer extension east of Elizabethville
Res. 87-13	10/20/1987	Adopting and submitting to the Department of Environmental Resources for its approval as a revision to the "Official Sewage Facilities Plan" for the sewerage of a parcel of land identified as Mtn. View Terrace
Res. 88-5	4/19/1988	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for the development of a parcel of land identified as Pine Acres, Phase 1
Res. 88-6	7/19/1988	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for the development of a parcel of land identified as Upper Dauphin Elementary School
Res. 89-10	--/--/1989	Approving planning module for land development for a subdivision for William F. and Freda R. Botts
Res. 91-9	2/19/1991	Dauphin County Subdivision/Land Development approval of preliminary final plan for Scott & Cindy Dietrich

Ord./Res.	Date	Description
Res. 91-10	9/17/1991	Approval of plans submitted by Kenneth L. and Irene D Deibler for Lot No. 5 to be incorporated with and become part of existing lands of Robert and Faye Weaver described in R-63-782 and 1072-261
Res. 91-13	6/8/1991	Plan approval for final plat review for subdivision for Harold I. Fetterhoff
Res. 91-14	6/8/1991	Plan approval for final plat review for Melvin L. and Arlene Wagner
Res. 91-16	11/19/1991	Dauphin County Subdivision/Land Development Review Report approval of final plan for Ivan & Alma Martin
Res. 92-3	1/6/1992	Dauphin County Subdivision/Land Development Review Report approval of final plan for Bluegrass Estate Phase I, Sec. 2
Res. 92-5	3/3/1992	Approval for Moyer Packing Company, Inc. subdivision request for nonbuilding waiver
Res. 92-11	7/21/1992	Approval of the subdivision plans of the Northern Dauphin County YMCA
Res. 92-12	10/6/1992	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for the individual onlot systems in the parcel of land identified as Eugene and David Feidt
Res. 92-13	10/20/1992	Dauphin County Subdivision/Land Development Review Report approval of final plan for David & Mary Jane Branchick
Res. 93-4	3/16/1993	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for new treatment and collection system in Loyaltown
Res. 11-1-93	11/16/1993	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for individual onlot system of a parcel of land identified as Ann K.E. Wilburn
Res. 93-12	12/21/1993	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for individual onlot system of a parcel of land identified as Ivan Martin & Alma Martin
Res. 94-10	7/5/1994	Approval of the subdivision plans submitted by Benuel B. and Esther K. Fisher
Res. 94-13	11/1/1994	Approval of the final plan of industrial subdivision for Larry Shiffer and Anna L.M. Shiffer
Res. 94-14	11/30/1994	Dauphin County Subdivision/Land Development Review Report approval of final plan for Pennsylvania Cellular Telephone Corp.

Ord./Res.	Date	Description
Res. 95-7	4/18/1995	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for constructed wetland small flow treatment facility on a parcel of land identified as Bednar
Res. 95-8	4/18/1995	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for a parcel of land identified as Kocher Enterprises Inc.
Res. 95-9	6/6/1995	Dauphin County Subdivision/Land Development Review Report approval for final plan for James and Marie Casner
Res. 95-10	6/6/1995	Dauphin County Subdivision/Land Development Review Report approval for plat plans for Frederick and Patricia Lunt
Res. 95-11	6/6/1995	Dauphin County Subdivision/Land Development Review Report approval for final plans for Kocher Enterprises, Inc.
Res. 95-12	6/20/1995	Adopting and submitting to the Department of Environmental Resources for its approval as a revision of the "Official Sewage Facilities Plan" for individual onlot systems in the parcel of land identified as Dauphin Graphic Machines, Inc.
Res. 95-15	9/19/1995	Rejection of the preliminary/final subdivision plan of Todd C. Rudisill and Debora Branchick
Res. 96-16	6/18/1996	Approval of subdivision plans submitted by Todd Rudisill and Debra Branchick
Res. 96-18	7/2/1996	Approval of the subdivision plans submitted by Benuel Fisher on condition
Res. 96-19	7/16/1996	Approval of the proposed McDonalds on condition a copy of the PennDOT permit be given to the Township before the plan is filed or building permit issued
Res. 96-24	11/19/1996	Dauphin County Subdivision/Land Development Review Report approval for a final plan for Bennel and Esther Fisher
Res. 97-16	8/5/1997	Dauphin County Subdivision/Land Development Review Report approval for a subdivision plan for Ann K.E. Wilburn
Res. 97-19	10/7/1997	Dauphin County Subdivision/Land Development Review Report approval for final plan for Carrie E. Lebo
Res. 98-14	4/21/1998	Dauphin County Subdivision/Land Development Review Report approval for plat plan for Laverne and Cindy Brown

Ord./Res.	Date	Description
Res. 98-23	6/19/1998	Dauphin County Subdivision/Land Development Review Report approval for final plan for Donald and Louis Miller
Res. 98-24	10/20/1998	Dauphin County Subdivision/Land Development Review Report approval for final plan for William and Lucia Wismer
Res. 98-25	10/20/1998	Dauphin County Subdivision/Land Development Review Report approval for plat plan for Timothy and Pamela Deitrich
Res. 99-16	2/4/1999	Dauphin County Subdivision/Land Development Review Report approval for final plan for Kenneth and Marie Kocher
Res. 99-19	5/4/1999	Approval of final subdivision plans for Kenneth Williams, Seasons Estates
Res. 99-22A	9/21/1999	Dauphin County Subdivision/Land Development Review Report approval for final plan for Dauphin Graphic Machines, Inc.
Res. 2000-13	5/2/2000	Dauphin County Subdivision/Land Development Review Report approval for final plan for Klinger Lumber Company
Res. 2000-14	5/16/00	Dauphin County Subdivision/Land Development Review Report approval for final plan for Helen A. Unger
Res. 2001-21	8/2/2001	Dauphin County Subdivision/Land Development Review Report for minor plan for Giving Light Christian Fellowship
Res. 2002-22	2/27/2002	Dauphin County Subdivision/Land Development Review Report for final plan of Donald and Lois Miller
Res. 2002-23	3/25/2002	Dauphin County Subdivision/Land Development Review Report for final plan of Kerwin Professional Office addition
Res. 2002-25	5/30/2002	Dauphin County Subdivision/Land Development Review Report for final plan of D and L Farm and Home, Inc.
Res. 2002-26	7/3/2002	Dauphin County Subdivision/Land Development Review Report for final plan of Robert C and Ruth A. Deibler
Res. 2002-27	5/30/2002	Dauphin County Subdivision/Land Development Review Report for final plan of Miles K. (deceased) and Barbara L. Deibler
Res. 2002-28	8/6/2002	Adopting and submitting to the Department of Environmental Protection for its approval for its as a revision to the "Official Sewage Facilities Plan" for the individual on-lot systems of a parcel of land identified as Northern Dauphin County Government Center

Ord./Res.	Date	Description
Res. 2002-29	8/6/2002	Dauphin County Subdivision/Land Development Review Report for final plan of Norther Dauphin County Government Center
Res. 2002-30	5/9/2002	Dauphin County Subdivision/Land Development Review Report for final plan of Kenneth and Fay Horning
Res. 2003-17	3/4/2002	Final land development approval for Kenneth and Angela Horchler, "My Father's House."
Res. 2003-18	3/4/2003	Final subdivision plan approval for Michael, Glenda, William, Loretta Botts
Res. 2003-19	3/4/2003	Final subdivision plan approval for Shawn M. Coleman
Res. 2004-20	4/6/2004	Approving the final land development plan for CVS/Pharmacy
Res. 2004-23	6/1/2004	Adopting the Hazard Plan entitled "Dauphin County Hazard Vulnerability Assessment and Mitigation Plan."
Res. 2004-24	6/16/2004	Approving the final subdivision plan for the Bertha Shiley Estate
Res. 2004-25	6/15/2004	Adopting and submitting to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" for the individual on lot system of land identified as Donlo Family Farm LP
Res. 2004-36	9/23/2004	Approving the final subdivision plan for Esther Kolva
Res. 2004-37	9/23/2004	Approving the final subdivision plan for Marie Kocher Estate
Res. 2004-39	10/5/2004	Approving the final subdivision plan for Stephen B. and Katie R. Stoltzfus, Jr.
Res. 2004-41	11/4/2004	Approving the final land development plan for KLC Enterprises
Res. 2005-16B	2/1/2005	Approving the preliminary/final subdivision land development plan for Wal-Mart
Res. 2005-17	2/15/2005	Adopting and submitting to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" for the sewer extension of a parcel of land identified as Wal-Mart 3412
Res. 2005-19	4/5/2005	Approving the corrective preliminary/final subdivision plan for the Marie Kocher Estate
Res. 2005-20	4/5/2005	Approving the final subdivision plan for Ann Wilburn-Scatena
Res. 2005-23	5/3/2005	Approving the final subdivision plan for Rodney and Jane Shade

Ord./Res.	Date	Description
Res. 2005-27	7/5/2005	Acceptance and approval of the County of Dauphin's 2005 Substantial Revision to the County's Municipal Waste Management Plan
Res. 2005-29	8/16/2005	Approving the preliminary subdivision plan for Abbey Meadows Residential Development
Res. 2005-30	10/4/2005	Approving the final subdivision plan for Pine Acres Residential Development
Res. 2005-32	10/18/2005	Approving the final subdivision plan for Ann K. Wilburn
Res. 2005-33	10/18/2005	Approving the preliminary/final subdivision plan for Berry Drive
Res. 2005-35	11/15/2005	Approving the final subdivision plan of Elam R. and Sarah R. Fisher
Res. 2006-18	1/17/2006	Approving the final subdivision plan of Harold H. (deceased) and Mary L. Bechtel
Res. 2006-18	1/17/2006	Approving the preliminary/final subdivision and land development plan for a proposed fuel station at the Wal-Mart Supercenter site
Res. 2006-25	2/21/2006	Approving the preliminary/final land development plan for a proposed bank on Parcel No. 66-012-166
Res. 2006-28	6/20/2006	Approving the final subdivision plan of Eugene L. & Larry D. Shiffer
Res. 2006-36	11/21/2006	Approving the final subdivision plan of Elam R. and Sarah R. Fisher
Res. 2006-36	11/21/2006	Approving the preliminary/final subdivision plan for Lot No. 2, Wal-Mart Real Estate Business Trust
Res. 2006-38	12/5/2006	Approving the preliminary subdivision plan for the Townes at Abbey Meadows
Res. 2007-17	2/6/2007	Approving the revised preliminary/final subdivision plan for Lot No. 6, Wal-Mart Real Estate Business Trust
Res. 2007-17	2/6/2007	Approving the final subdivision plan for Ivan Martin
Res. 2007-21	3/20/2007	Approving the preliminary/final subdivision/land development plan of DONLO Family Farms LP
Res. 2007-27	8/21/2007	Approving the preliminary/final subdivision plan of Shawn and Wendy Strohecker upon DEP approval of sewage planning module
Res. 2007-28	8/21/2007	Approving the preliminary/final land development plan of GDK Properties, Burger King upon DEP approval of sewage planning exemption
Res. 2007-30	9/18/2007	Approving the final subdivision plan of David E. & Teresa M. Feidt
Res. 2007-32	12/4/2007	Approving the final land development plan of the YMCA

Ord./Res.	Date	Description
Res. 2008-19	3/18/2008	Approving the final land development/subdivision plan of the Northern Dauphin County Government Center
Res. 2008-21	4/15/2008	Approving the final subdivision plan of Jean K. Phillips
Res. 2008-27	8/19/2008	Approving the final subdivision plan of Lori A. Deitrich
Res. 2009-20	1/20/2009	Adopting and submitting to the Department of Environmental Protection for its approval a revision to the Official Sewage Facilities Plan for individual on-lot systems for Tractor Supply Company
Res. 2009-23	2/17/2009	Approving the preliminary/final subdivision and land development plan of Tractor Supply Company
Res. 2010-24	6/15/2010	Approving the preliminary/final subdivision plan of Cynthia Phillips
Res. 2010-25	6/15/2010	Approving the final subdivision plan of Sherry A. Shreiber
Res. 2010-29	8/3/2010	Adopting and submitting to the Department of Environmental Protection for its approval a revision to the Official Sewage Facilities Plan for individual on-lot systems for Cynthia L. Phillips
Res. 2010-31	9/21/2010	Approving the final subdivision plan of Christian and Amanda Stoltzfus
Res. 2010-32	10/19/2010	Approving the final subdivision plan of Gladys M. Cooper
Res. 2010-33	10/19/2010	Approving the final subdivision plan of Cynthia Phillips
Res. 2011-18	5/3/2011	Approving the preliminary/final subdivision plan of David Ray and Lydia R. Stoltzfus
Res. 2011-19	5/3/2011	Approving the final subdivision plan of Donald L. and Lois M. Miller
Res. 2011-28	10/4/2011	Approving the final subdivision plan of Jack Shirley
Res. 2012-26	8/7/2012	Approving the preliminary/final land development/lot addition plan of KLC (Klinger Lumber Company) Enterprises
Res. 2012-28	9/18/2012	Approving the final subdivision plan of Donald L. and Lois M. Miller
Res. 2013-23	2/5/2013	Approving the final subdivision plan of Timothy H. Deitrich
Res. 2013-24	2/5/2013	Approving the final subdivision plan of John M. and Rebecca L. Fisher
Res. 2013-34	6/18/2013	Approving the preliminary/final subdivision and land development plan of Melvin E. and Dorothy E. Lapp, Jr.

Ord./Res.	Date	Description
Res. 2013-38	9/17/2013	Adopting and submitting to the Department of Environmental Protection for its approval a revision to the Official Sewage Facilities Plan for individual on-lot systems for David E. Feidt
Res. 2013-39	9/17/2013	Approving the preliminary/final subdivision and land development plan of David E. and Teresa M. Feidt
Res. 2013-40	11/7/2013	Approving the final subdivision plan of Donald L. and Lois M. Miller
Res. 2014-22	2/18/2014	Approving the final subdivision plan of Dunkin Donuts
Res. 2014-23	2/18/2014	Approving the final subdivision plan of Dauphin Meadows, Inc.
Res. 2014-28	8/5/2014	Approving the preliminary/final minor subdivision plan of Keefer-Tallman
Res. 2014-32	11/6/2014	Approving the preliminary/final land development plan of Melvin E. and Dorothy E. Lapp, Jr.
Res. 2014-34	12/16/2014	Approving the preliminary/final land development plan of AutoZone Development, LLC
Res. 2015-21	4/7/2015	Approving the final land development plan of a dog kennel (Ivan and Rebecca King)
Res. 2015-22	4/21/2015	Conditionally approving the final land development plan of the Kepler Center
Res. 2015-24	5/5/2015	Approving the final land development plan of Fisher Chicken House
Res. 2015-26	9/15/2015	Conditionally approving the final subdivision plan of William C. and Ellen L. Mattern
Res. 2015-27	9/15/2015	Approving the final subdivision plan of Susan E. Ditty
Res. 2016-24	6/21/2016	Adopting and submitting to the Department of Environmental Protection for its approval a revision to the Official Sewage Facilities Plan for sewer tap-ins for William and Ellen Mattern
Res. 2016-27	7/19/2016	Approving the preliminary/final subdivision plan of Christian B. and Lillian R. Stoltzfus

APPENDIX F
PUBLIC PROPERTY

Ord./Res.	Date	Description
Res. 83-17	12/12/1983	Declaring the Township's intention to acquire land for the purpose of the erection of a Township building.
Res. 84-4	1/16/1984	Authorizing the purchase of Lot No. 2 in Plan Book "T", Vol. 3, Page 91, Dauphin County Records.
Res. 2007-19	2/20/2007	Accepting an offer of dedication of certain lands owned by Pennsylvania Power & Light Company and Yettanda L. Landis, Dawn L. Lisi and Tyann L. Miller-Mooney for use as a public road (Lois Drive).

APPENDIX G

SEWERS

Ord./Res.	Date	Description
Res. 87-6	5/11/1987	Authorizing the Elizabethville Borough Authority the right to extend its sewer lines into the Township to service the properties south of the form Penn Central Railroad right-of-way, including properties of James Wilbert, Evelyn Laudenslager, Rissing and Shaffer and such other properties that may be adjacent to, or can be serviced by, said line.
Res. 87-7	6/16/1987	Creating a separate sewer district for Pine Acres Development, Mountain View Terrace and any extension thereto, the area between Camp Street and Mountain View Terrace along the railroad right-of-way and all other areas of Washington Township which do not presently have public sewer facilities.
Res. 91-4	1/15/1991	Authorizing the appropriate municipal officers to undertake the formation of a joint municipal authority to provide sewer services to Washington Township and Elizabethville Borough.
Res. 91-5	1/15/1991	Adopting the revision to the Act 537 Plan Update, Washington Township, entitled "Selected Alternative," and shall be submitted to the Pennsylvania Department of Environmental Resources for its approval.
Res. 93-8A	12/21/1993	Adopting the 1993 Addendum to the Act 537 Plan and submitting it to the Pennsylvania Department of Environmental Resources for its approval.
Res. 94-9	7/5/1994	Authorizing the development of a parcel of land in the Village of Loyalton for a new treatment facility and collection system.
Res. 2005-22	5/3/2005	Authorizing the development of a new treatment facility and collection system for the Shade property.

APPENDIX H

STREETS AND SIDEWALKS

This appendix contains an alphabetical listing of streets; and, under each street, a listing of all ordained activities.

Name	Activity	Location	Ord./Res.	Date
Airport Road	Renaming	To Airport Road (Off Wilhour Road)	04-03	5/4/2004
Alley at Lisi's	Renaming	To Elm Street	04-03	5/4/2004
Ash Street	Renaming	Formerly Green Street south of 209	04-03	5/4/2004
Bechtel Road	Renaming	To Bechtel Road	04-03	5/4/2004
Belle Drive	Renaming	To Belle Drive	04-03	5/4/2004
Bickle Crossing Road	Renaming	To Bickle Crossing Road	04-03	5/4/2004
Big Run Drive	Renaming	To Big Run Drive	04-03	5/4/2004
Billow Lane	Renaming	To Billow Lane (Off of Mohr Road)	04-03	5/4/2004
Bonnie Avenue	Renaming	To East Bonnie Avenue	04-03	5/4/2004
Bonnie Avenue	Accepting	In Mountain View Terrace subdivision, Section 2 of Addition 3	88-9	7/19/1988
Bonnie Avenue	Renaming	To West Bonnie Avenue	04-03	5/4/2004
Botts Road	Renaming	Botts Road	04-03	5/4/2004
Cabin Road	Renaming	To Cabin Road (Off of Oakdale Station Road)	04-03	5/4/2004
Chestnut Street	Renaming	To Chestnut Street	04-03	5/4/2004
Creek View Drive	Renaming	To Creek View Drive (Off of Shiffer's Mill Road)	04-03	5/4/2004
Creek Hill Road	Renaming	Formerly part of North Road	04-03	5/4/2004

STREETS AND SIDEWALKS

Name	Activity	Location	Ord./Res.	Date
Dam Hill Road	Renaming	Dam Hill Road	04-03	5/4/2004
Dark Hill Road	Renaming	To Meadow Lane	04-03	5/4/2004
Dietrich Road	Renaming	To Dietrich Road	04-03	5/4/2004
East Vickie Lane	Renaming	To East Vickie Lane	04-03	5/4/2004
East Bonnie Avenue	Renaming	Formerly Bonnie Avenue	04-03	5/4/2003
East Main Drive	Renaming	To Oak Street	04-03	5/4/2004
East Broad Street	Renaming	To East Broad Street	04-03	5/4/2004
Elm Street	Renaming	Formerly Alley at Lisi's	04-03	5/4/2004
Enders Road	Renaming	To Nursery Road	04-03	5/4/2004
Engle Road	Renaming	To Engle Road	04-03	5/4/2004
Feidt Road	Renaming	To Feidt Road	04-03	5/4/2004
Fisher Road	Renaming	To Fisher Road	04-03	5/4/2004
George Street	Accepting	Part of street located in Pine Acres subdivision	R. 04-38	9/23/2004
George Street	Renaming	To George Street	04-03	5/4/2004
Gigi Drive	Renaming	To Gigi Drive	04-03	5/4/2004
Green Street south of 209	Renaming	To Ash Street	04-03	5/4/2004
Green Acres Road	Renaming	To Green Acres Avenue	04-03	5/4/2004
Green Road	Renaming	To Locust Road	04-03	5/4/2004
Green Street	Renaming	To Green Street	04-03	5/4/2004
Green Acres Avenue	Renaming	Formerly Green Acres Road	04-03	5/4/2004
Gun Club Road	Renaming	To Gun Club Road	04-03	5/4/2004

(APPENDIX H)

Name	Activity	Location	Ord./Res.	Date
Harman Lane	Renaming	Formerly Harman Road	04-03	5/4/2004
Harman Road	Renaming	To Harman Lane	04-03	5/4/2004
Harvest View Road	Renaming	To Harvest View Road (Harvest View Apartments)	04-03	5/4/2004
Henninger Road	Renaming	To Henninger Road	04-03	5/4/2004
Hoover Blvd.	Vacating	A portion of	95-1	8/15/1995
Ice Pond Road	Renaming	Formerly part of Manors Road	04-03	5/4/2004
James Street	Renaming	To James Street	04-03	5/4/2004
James Street	Dedicating	In Pine Acres subdivision	93-8	11/14/1993
Johns Street	Renaming	To Johns Street	04-03	5/4/2004
Kentucky Drive	Renaming	To South Kentucky Drive	04-03	5/4/2004
Kentucky Drive	Dedicating	In Bluegrass Estate subdivision	94-4	2/15/1994
Kentucky Drive	Renaming	To North Kentucky Drive	04-03	5/4/2004
Klingers Road	Renaming	To Klingers Road	04-03	5/4/2004
Kocher Road	Renaming	To Kocher Lane	04-03	5/4/2004
Kocher Lane	Renaming	Formerly Kocher Road	04-03	5/4/2004
Kolva Road	Vacating	Extending for a distance of approximately .47 miles eastward from Matterstown Road known as Township Road 550 to Legislative Route 22037	97-9	6/17/1997
Koppenhaver Road	Renaming	To Koppenhaver Road	04-03	5/4/2004
Lebo Street	Accepting	In Pine Acres subdivision	R. 04-38	9/23/2004
Lebo Road	Dedicating	In Pine Acres subdivision	98-8	11/14/1993
Lebo Street	Renaming	Formerly Lebo Road	04-03	5/4/2004

STREETS AND SIDEWALKS

Name	Activity	Location	Ord./Res.	Date
Lebo Road	Renaming	To Lebo Street	04-03	5/4/2004
Lenker Drive	Accepting	In Berry Mountain Estates subdivision, Phase II	84-19	12/10/1984
Lenker Road	Renaming	To Lenker Road	04-03	5/4/2004
Lenker Drive	Renaming	To Lenker Drive	04-03	5/4/2004
Lisa Lane	Renaming	To Lisa Lane (Off of Rt. 209 at All Chubb Ins.)	04-03	5/4/2004
Lois Drive	Accepting	Formerly Berry Drive	R. 2009-31	10/6/2009
Lois Drive	Opening	Formerly Berry Drive	2007-19	2/20/2007
Locust Road	Renaming	Formerly Green Road	04-03	5/4/2004
Locust Street	Renaming	To Locust Street	04-03	5/4/2004
Long Road	Renaming	To Long Road	04-03	5/4/2004
Longabach Road	Renaming	To Longabach Drive	04-03	5/4/2004
Longabach Drive	Renaming	Formerly Longabach Road	04-03	5/4/2004
Manors Road	Renaming	To Manors Road	04-03	5/4/2004
Maple Street	Renaming	Maple Street	04-03	5/4/2004
Matter Road	Renaming	To Matter Road	04-03	5/4/2004
Matterstown Road	Renaming	Formerly Wilhour Expressway	04-03	5/4/2004
Matterstown Road	Renaming	To Mattis's Mill Road	04-03	5/4/2004
Mattis's Mill Road	Renaming	Formerly Matterstown Road	04-03	5/4/2004
Maurer Road	Renaming	Formerly part of Manors Road	04-03	5/4/2004
Meadow Lane	Renaming	Formerly Dark Hill Road	04-03	5/4/2004
Mifflin Road	Renaming	To Savidge Road	04-03	5/4/2004

(APPENDIX H)

Name	Activity	Location	Ord./Res.	Date
Mill Road	Renaming	Formerly North Mill Road	04-03	5/4/2004
Mill Road	Renaming	To Shiffer's Mill Road	04-03	5/4/2004
Missouri Drive	Dedicating	In Bluegrass Estate subdivision	94-4	2/15/1994
Missouri Drive	Renaming	To Missouri Drive	04-03	5/4/2004
Mohr Road	Renaming	Mohr Road	04-03	5/4/2004
Mohr Road	Opening/ Extending	That portion of Mohr Road that is not presently a Township road	2008-01	5/6/2008
Mountain View Road	Renaming	To Mountain View Road	04-03	5/4/2004
Municipal Road	Renaming	To Municipal Road	04-03	5/4/2004
North Second Street	Renaming	Formerly Second Street	04-03	5/4/2004
North Smith Avenue Ext.	Renaming	To North Smith Avenue Ext. (Northwest end of Eville)	04-03	5/4/2004
North Stone Road	Renaming	North Stone Road	04-03	5/4/2004
North Mill Road	Renaming	To Mill Road	04-03	5/4/2004
North Church Street	Renaming	To North Church Street	04-03	5/4/2004
North Kentucky Drive	Renaming	Formerly Kentucky Drive	04-03	5/4/2004
North Road	Renaming	To North Road	04-03	5/4/2004
Nursery Road	Renaming	Formerly Enders Road	04-03	5/4/2004
Oak Street	Renaming	Formerly East Main Drive	04-03	5/4/2004
Oakdale Station Road	Renaming	To Oakdale Station Road	04-03	5/4/2004
Oakland Acres Lane	Renaming	To Oakland Acres Lane (Southeast of Eville)	04-03	5/4/2004
Park Lane	Renaming	To Park Lane (Off of Rt. 209 at Bill Matterns)	04-03	5/4/2004
Park Drive	Renaming	To Park Drive	04-03	5/4/2004

STREETS AND SIDEWALKS

Name	Activity	Location	Ord./Res.	Date
Part of Manors Road	Renaming	To Maurer Road	04-03	5/4/2004
Part of Henninger Road	Renaming	To Pine Road	04-03	5/4/2004
Part of North Road	Renaming	To Creek Hill Road	04-03	5/4/2004
Part of Manors Road	Renaming	To Ice Pond Road	04-03	5/4/2004
Pine Road	Renaming	Formerly a part of Henninger Road	04-03	5/4/2004
Quarry Road	Renaming	To Quarry Road	04-03	5/4/2004
Railroad Drive	Renaming	To Railroad Drive (Southwest of Eville)	04-03	5/4/2004
Rakers Mill Road	Renaming	To Rakers Mill Road	04-03	5/4/2004
Roller Road	Renaming	To Roller Road	04-03	5/4/2004
Romberger Road	Renaming	To Romberger Road	04-03	5/4/2004
Route 209	Renaming	To Route 209	04-03	5/4/2004
Route 225	Renaming	To Route 225	04-03	5/4/2004
Savidge Road	Renaming	Formerly Mifflin Road	04-03	5/4/2004
Schaffer Road	Renaming	To Schaffer Road	04-03	5/4/2004
Second Street	Renaming	To North Second Street	04-03	5/4/2004
Second Street	Vacating	A portion of	95-1	8/15/1995
Shiffer's Mill Road	Renaming	Formerly Mill Road	04-03	5/4/2004
Short Road	Renaming	To Short Road	04-03	5/4/2004
Simon Boulevard	Accepting	In Pine Acres subdivision	R. 04-38	9/23/2004
Simon Boulevard	Renaming	To Simon Boulevard	04-03	5/4/2004
South Kentucky Drive	Renaming	Formerly Kentucky Drive	04-03	5/4/2004

(APPENDIX H)

Name	Activity	Location	Ord./Res.	Date
South Crossroads Road	Renaming	To South Crossroads Road	04-03	5/4/2004
South Crossroads Road	Renaming	Formerly South Crossroads Ext.	04-03	5/4/2004
South Crossroads Ext.	Renaming	To South Crossroads Road	04-03	5/4/2004
State Drive	Renaming	To State Drive	04-03	5/4/2004
Steve Lane	Renaming	To Steves Lane	04-03	5/4/2004
Steve's Lane	Accepting	50 foot wood strip as described on the Plan of Mountain View Terrace, Section 3-B	R. 04-46	9/23/2004
Steves Lane	Accepting	In Mountain View Terrace subdivision, Section 2 of Addition 3	88-9	7/19/1988
Stone Hill Road	Renaming	To Stone Hill Road	04-03	5/4/2004
Suffolk Road	Renaming	To Suffolk Road	04-03	5/4/2004
Sunshine Lane	Renaming	To Sunshine Lane (Off of Rt. 209 to Sunshine Hill Development)	04-03	5/4/2004
Swa-Nea Drive	Renaming	To Swa-Nea Drive	04-03	5/4/2004
Tennessee Avenue	Dedicating	In Bluegrass Estate subdivision	94-4	2/15/1994
Tennessee Avenue	Renaming	To Tennessee Avenue	04-03	5/4/2004
Trail Road	Renaming	To West Matterstown Road	04-03	5/4/2004
Troutman Street	Renaming	To Troutman Street	04-03	5/4/2004
Walnut Street	Renaming	To Walnut Street	04-03	5/4/2004
Water Street	Renaming	To Water Street	04-03	5/4/2004
Weaver Lane	Renaming	To Weaver Lane	04-03	5/4/2004
Wert Road	Renaming	To Wert Road	04-03	5/4/2004

STREETS AND SIDEWALKS

Name	Activity	Location	Ord./Res.	Date
West Vickie Lane	Renaming	To West Vickie Lane	04-03	5/4/2004
West Matterstown Road	Renaming	Formerly Trail Road	04-03	5/4/2004
West Bonnie Avenue	Renaming	Formerly Bonnie Avenue	04-03	5/4/2004
Wilhour Road	Renaming	Formerly Wilhour Expressway	04-03	5/4/2004
Wilhour Expressway	Renaming	To Wilhour Road	04-03	5/4/2004
Wilhour Expressway	Renaming	To Matterstown Road	04-03	5/4/2004
Wise Road	Renaming	To Wise Road	04-03	5/4/2004
Woland Road	Renaming	To Woland Road	04-03	5/4/2004
Wolfe Road	Renaming	To Wolfe Road	04-03	5/4/2004

APPENDIX I

WATER

Ord./Res.	Date	Description
91-8A	8/5/1991	Ratify, confirm and approve of the acquisition, by the Elizabethville Area Authority, of the Elizabethville Water Company upon the terms and conditions set forth in an agreement of sale and to provide water services to residents of the Borough of Elizabethville and portions of Washington.
98-19	4/27/1998	Abandoning the water line project east of the Borough of Elizabethville.
98-20	4/27/1998	Granting permission to the Elizabethville Area Authority to install a water line east of Elizabethville in the Township of Washington and to maintain same.

APPENDIX J
ZONING; PRIOR ORDINANCES

Ord./Res.	Date	Description
	None	

CHAPTER KO
KEY TO THE DISPOSITION OF ALL ORDINANCES

§ KO-101. Key to the Disposition of All Ordinances.

§ KO-101. Key to the Disposition of All Ordinances.

Ordinance	Date	Disposition	Subject
72-1	--/------	Superseded by 03-02	Health and Safety
72-3	5/1/1972	Superseded by 78-13	Floodplains
72-4	9/18/1972	Superseded by 91-12	Mobile Homes and Mobile Home Parks
72-5	9/18/1972	Superseded by 79-6	Subdivision and Land Development
74-1	7/8/1974	Superseded by 76-9	Streets and Sidewalks
76-6	2/9/1976	§§ 24-102 — 24-106	Taxation, Special
76-9	6/14/1976	§§ 21-201 — 21-204	Streets and Sidewalks
76-14	6/14/1976	Superseded by 78-13	Floodplains
77-6	4/11/1977	Superseded by 96-3	Sewers and Sewage Disposal
77-8	6/13/1977	Superseded by A.O.	Motor Vehicles and Traffic
77-17	9/19/1977	Superseded by 92-1	Administration and Government
77-18		Repealed by A.O.	Solid Waste
77-19	12/12/1977	§§ 7-101 — 7-106	Fire Prevention and Fire Protection
78-13	8/11/1978	Superseded by 83-6	Floodplains
79-6	8/11/1978	Superseded by 91-12	Subdivision and Land Development
79-10	8/13/1979	Superseded by A.O.	Motor Vehicles and Traffic
80-20	11/10/1980	§§ 13-101 — 13-106	Licenses, Permits and General Business Regulations
83-6	7/11/1983	Superseded by 96-1	Floodplains
83-8	--/--/1983	Appendix C	Franchises and Services
83-17	12/12/1983	Appendix F	Public Property
84-6	4/9/1984	§§ 26-101 — 26-111	Water
84-9	6/11/1984	Superseded by 96-1	Floodplains
84-12	7/23/1984	Appendix B	Bond Issues and Loans
84-17	12/10/1984	Superseded by 91-12	Subdivision and Land Development
84-18	12/19/1984	§§ 24-201 — 24-212	Taxation, Special

Ordinance	Date	Disposition	Subject
85-3	1/14/1985	§ 26-104	Water
85-6	3/11/1985	Superseded by A.O.	Motor Vehicles and Traffic
85-8	5/1/1985	Appendix B	Bond Issues and Loans
85-9	5/13/1985	Superseded by A.O.	Motor Vehicles and Traffic
85-10	6/10/1985	Superseded by A.O.	Motor Vehicles and Traffic
85-11	6/10/1985	Superseded by A.O.	Motor Vehicles and Traffic
85-18	10/17/1985	Superseded by A.O.	Motor Vehicles and Traffic
86-101	6/9/1986	Superseded by 93-6	Water
86-102	9/9/1986	Superseded by A.O.	Motor Vehicles and Traffic
87-101	9/15/1986	Superseded by A.O.	Motor Vehicles and Traffic
87-102	10/20/1987	§§ 21-101 — 21-111	Streets and Sidewalks
87-103	10/20/1987	§§ 11-101 — 11-104	Housing
87-104	12/15/1987	Superseded by 96-1	Floodplains
88-101	4/19/1988	Superseded by 95-3	Sewers and Sewage Disposal
88-102	5/17/1988	Superseded by 89-103	Taxation, Special
88-103	12/20/1988	Superseded by 96-1	Floodplains
89-101	2/21/1989	Superseded by 91-12	Subdivision and Land Development
89-102	8/15/1989	Superseded by 91-12	Subdivision and Land Development
89-103	10/17/1989	§§ 24-301 — 24-316	Taxation, Special
90-1	6/9/1990	§ 24-202	Taxation, Special
90-2	7/1/1990	§ 1-201	Administration and Government
91-1	2/19/1991	§§ 1-211 — 1-216	Administration and Government
91-3	5/21/1991	Appendix D	Governmental and Intergovernmental Affairs
91-4	8/5/1991	Appendix B	Bond Issues and Loans
91-12	10/15/1991	§§ 22-101 — 22-1003	Subdivision and Land Development
92-1	2/18/1992	Superseded by 99-01	Administration and Government
92-2	6/16/1992	Appendix D	Governmental and Intergovernmental Affairs
92-3	11/17/1992	Appendix D	Governmental and Intergovernmental Affairs
93-1	3/16/1993	§§ 13-201 — 13-209	Licenses, Permits and General Business Regulations
93-2	3/16/1993	§§ 7-201 — 7-205	Fire Prevention and Fire Protection

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Ordinance	Date	Disposition	Subject
93-3	3/16/1993	§§ 4-101 — 4-109	Buildings
93-5	4/20/1993	Appendix D	Governmental and Intergovernmental Affairs
93-6	10/19/1993	§ 26-105	Water
94-1	3/2/1994	Appendix C	Franchises and Services
94-2	12/20/1994	Appendix B	Bond Issues and Loans
94-3	12/20/1994	Superseded by 97-8	Sewers and Sewage Disposal
95-1	8/15/1995	Appendix H	Streets and Sidewalks
95-2	9/--/1995	§§ 23-101 — 23-108	Swimming Pools
95-3	9/19/1995	§§ 18-201 — 18-210	Sewers and Sewage Disposal
95-4	11/8/1995	§ 1-301	Administration and Government
96-1	3/19/1996	Superseded by 00-01	Floodplains
96-2	7/--/1996	§§ 27-101 — 27-1813	Zoning
96-3	9/17/1996	§§ 18-101 — 18-103	Sewers and Sewage Disposal
97-8	5/21/1997	§§ 18-301 — 18-344	Sewers and Sewage Disposal
97-9	6/17/1997	Appendix H	Streets and Sidewalks
99-1	6/15/1999	§§ 1-101 — 1-105	Administration and Government
00-1	2/15/2000	§ 27-1901	Zoning
01-1	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
02-01	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
02-02	5/23/2002	Superseded by A.O.	Fee Resolution
02-03	5/23/2002	§§ 27-1102, 27-1301A- 27-1304A, 27-1502	Zoning
02-04	7/16/2002	§§ 27-202, 27-404, 27- 504, 27-604, 27-704, 27- 804, 27-904, 27-909A, 27-910A, 27-1003, 27- 1004, 27-1003A, 27- 1004A, 27-1503, 27-1808	Zoning
03-01	8/5/2003	§§ 10-101 — 10-106	Conduct
03-02	8/19/2003	§§ 27-202, 27-709, 27- 809, 27-1401 — 27-1408	Zoning
04-01	2/17/2004	Appendix C	Franchises and Services
04-02	4/20/2004	§§ 22-202, 22-510	Subdivision and Land Development
04-03	5/4/2004	Appendix H	Streets and Sidewalks

Ordinance	Date	Disposition	Subject
04-04	6/15/2004	§ 5-101	Code Enforcement
04-05	7/6/2004	§§ 1-601 — 1-603	Administration and Government
2005-01	6/21/2005	Repealed by Ord. 2013-01	Governmental and Intergovernmental Affairs
2005-02	10/4/2005		Adopting Ordinance
2006-01	11/21/2006	§ 27-1901	Zoning
2007-01	10/16/2007	§ 1-503	Administration and Government
2008-01	5/6/2008	Appendix H	Streets and Sidewalks
2008-02	7/15/2008	§§ 27-1301 — 27-1309	Zoning
2008-03	7/15/2008	§§ 18-401 — 18-415	Sewers and Sewage Disposal
2008-04	10/21/2008	Appendix D	Governmental and Intergovernmental Affairs
2009-01	2/3/2009	§ 22-510	Subdivision and Land Development
2010-01	2/16/2010	§ 27-1228	Zoning
2010-02	6/15/2010	§ 27-1229	Zoning
2010-03	12/7/2010	Chapter 9	Stormwater Management
2011-01	1/18/2011	Chapter 7, Part 3	False Fire Alarms
2011-02	9/6/2011	Chapter 27, Part 20	Zoning
2011-03	9/6/2011	§§ 27-1409, 27-1410	Zoning
2011-04	10/18/2011	§ 18-407	On-Lot Subsurface Sewage Disposal Facilities
2012-01	7/3/2012	Chapter 8	Floodplains
2013-01	5/7/2013	Appendix D	Governmental and Intergovernmental Affairs
2013-02	7/16/2013	Chapter 18, Part 2	Sewers and Sewage Disposal
2015-01	1/5/2015	Appendix D	Governmental and Intergovernmental Affairs
2016-01	9/6/2016	§§ 22-506 — 22-509	Subdivision and Land Development

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Ordinance	Date	Disposition	Subject
		§§27-202, 27-403, 27-406, 27-408, 27-503, 27-702, 27-703, 27-706, 27-803, 27-1001 — 27-1003, 27-1005, 27-1201 — 27-1203, 27-1205 — 27-1208, 27-1211 — 27-1214, 27-1221 — 27-1229, 27-1301, 27-1305 — 27-1309, 27-1401, 27-1803, 27-1804, 27-1812	Zoning

CHAPTER KR

KEY TO THE DISPOSITION OF SIGNIFICANT RESOLUTIONS

§ KR-101. Key to the Disposition of Significant Resolutions.

§ KR-101. Key to the Disposition of Significant Resolutions.

Resolution	Date	Disposition	Subject
66-1	7/4/1966	Appendix C	Franchises and Services
72-2	2/7/1972	Superseded by Ord. 76-6	Taxation, Special
82-3	2/8/1982	Appendix D	Governmental and Intergovernmental Affairs
83-4	1/17/1983	Superseded by 85-7	Fee Resolution
82-6	6/14/1982	Appendix D	Governmental and Intergovernmental Affairs
83-15	10/10/1983	Appendix E	Plan Approval
83-16	10/20/1983	Appendix D	Governmental and Intergovernmental Affairs
84-3	1/3/1984	Appendix D	Governmental and Intergovernmental Affairs
84-4	1/16/1984	Appendix F	Public Property
84-7	4/9/1984	Appendix D	Governmental and Intergovernmental Affairs
84-8	5/15/1984	Appendix D	Governmental and Intergovernmental Affairs
84-11	7/9/1984	Appendix D	Governmental and Intergovernmental Affairs
84-19	12/10/1984	Appendix H	Streets and Sidewalks
85-4	3/11/1985	Appendix D	Governmental and Intergovernmental Affairs
85-7	4/8/1985	Fee Resolution	
85-13	--/--/1985	Appendix D	Governmental and Intergovernmental Affairs
85-14	8/12/1985	Appendix D	Governmental and Intergovernmental Affairs
85-16	9/9/1985	Appendix C	Franchises and Services
86-3	1/13/1986	Appendix D	Governmental and Intergovernmental Affairs
86-5	4/14/1986	Appendix D	Governmental and Intergovernmental Affairs
86-6	7/14/1986	Appendix E	Plan Approval

Resolution	Date	Disposition	Subject
86-7	5/12/1986	Appendix D	Governmental and Intergovernmental Affairs
86-8	7/14/1986	Appendix D	Governmental and Intergovernmental Affairs
86-9	7/14/1986	Appendix D	Governmental and Intergovernmental Affairs
86-11	10/13/1986	Appendix E	Plan Approval
86-12	10/13/1986	Appendix D	Governmental and Intergovernmental Affairs
86-13	11/10/1986	Appendix D	Governmental and Intergovernmental Affairs
87-1	12/8/1986	Budget 1987	
87-2	12/8/1986	Tax Rate 1987	
87-3	1/12/1987	Appendix E	Plan Approval
87-6	5/11/1987	Appendix G	Sewers
87-7	6/16/1987	Appendix G	Sewers
87-8	7/21/1987	Appendix B	Bond Issues and Loans
87-9	9/10/1987	Appendix D	Governmental and Intergovernmental Affairs
87-10	9/10/1987	Appendix D	Governmental and Intergovernmental Affairs
87-11	9/10/1987	Appendix D	Governmental and Intergovernmental Affairs
87-12	--/--/1987	Appendix D	Governmental and Intergovernmental Affairs
87-13	10/20/1987	Appendix E	Plan Approval
87-14	10/20/1987	Appendix C	Franchises and Services
87-15	11/17/1987	Appendix D	Governmental and Intergovernmental Affairs
88-5	4/19/1988	Appendix E	Plan Approval
88-6	7/19/1988	Appendix E	Plan Approval
88-7	10/18/1988	Appendix D	Governmental and Intergovernmental Affairs
88-9	7/19/1988	Appendix H	Streets and Sidewalks
89-1	--/--/1988	Budget 1989	
89-2	--/--/1988	Tax Rate 1989	
89-5	2/14/1989	§ 1-401	Administration and Government
89-6	2/14/1989	Appendix D	Governmental and Intergovernmental Affairs
89-7	4/18/1989	Appendix D	Governmental and Intergovernmental Affairs
89-8	4/18/1989	Fee Resolution	

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Resolution	Date	Disposition	Subject
89-9	5/3/1989	Appendix D	Governmental and Intergovernmental Affairs
87-10	--/--/1989	Appendix E	Plan Approval
89-17	10/17/1989	Appendix D	Governmental and Intergovernmental Affairs
89-19	11/8/1989	Appendix D	Governmental and Intergovernmental Affairs
90-1	--/--/1989	Budget 1990	
90-2	--/--/1989	Tax Rate 1990	
90-9	8/21/1990	Appendix D	Governmental and Intergovernmental Affairs
91-1	12/--/1990	Budget 1991	
91-2	12/--/1990	Tax Rate 1991	
91-3	1/15/1991	Appendix B	Bond Issues and Loans
91-4	1/15/1991	Appendix G	Sewers
91-5	1/15/1991	Appendix G	Sewers
91-7	1/15/1991	Appendix D	Governmental and Intergovernmental Affairs
91-8	7/16/1991	Appendix D	Governmental and Intergovernmental Affairs
91-8A	8/5/1991	Appendix I	Water
91-9	2/19/1991	Appendix E	Plan Approval
91-10	9/17/1991	Appendix E	Plan Approval
91-11	10/15/1991	Fee Resolution	
91-13	6/8/1991	Appendix E	Plan Approval
91-14	6/8/1991	Appendix E	Plan Approval
91-15	8/5/1991	Appendix D	Governmental and Intergovernmental Affairs
91-16	11/19/1991	Appendix E	Plan Approval
92-1	12/16/1991	Budget 1992	
92-2	12/16/1991	Tax Rate 1992	
92-3	1/6/1992	Appendix E	Plan Approval
92-4	1/21/1992	Appendix D	Governmental and Intergovernmental Affairs
92-5	3/3/1992	Appendix E	Plan Approval
92-6	3/17/1992	Appendix D	Governmental and Intergovernmental Affairs
92-7	5/19/1992	Appendix D	Governmental and Intergovernmental Affairs
92-8	5/19/1992	Appendix D	Governmental and Intergovernmental Affairs
92-9	3/17/1992	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
92-10	4/21/1992	Appendix D	Governmental and Intergovernmental Affairs
92-11	7/21/1992	Appendix E	Plan Approval
92-12	10/6/1992	Appendix E	Plan Approval
92-13	10/20/1992	Appendix E	Plan Approval
92-14	12/15/1992	Appendix D	Governmental and Intergovernmental Affairs
93-1	12/15/1992	Budget 1993	
93-2	12/15/1992	Tax Rate 1993	
93-3	1/19/1993	Appendix D	Governmental and Intergovernmental Affairs
93-4	3/16/1993	Appendix E	Plan Approval
93-5	4/20/1993	Appendix D	Governmental and Intergovernmental Affairs
93-6	8/3/1993	Appendix D	Governmental and Intergovernmental Affairs
93-7	11/16/1993	Appendix D	Plan Approval
93-8	11/14/1993	Appendix H	Streets and Sidewalks
93-8A	12/21/1993	Appendix G	Sewers
93-9	12/21/1993	Appendix D	Governmental and Intergovernmental Affairs
93-10	12/21/1993	Appendix D	Governmental and Intergovernmental Affairs
93-11	12/21/1993	Appendix D	Governmental and Intergovernmental Affairs
93-12	12/21/1993	Appendix E	Plan Approval
94-1	12/7/1993	Budget 1994	
94-2	12/7/1993	Tax Rate 1994	
94-4	2/15/1994	Appendix H	Streets and Sidewalks
94-5	4/19/1994	Appendix D	Governmental and Intergovernmental Affairs
94-6	5/4/1994	Appendix C	Franchises and Services
94-7	5/24/1994	Appendix D	Governmental and Intergovernmental Affairs
94-8	7/5/1994	Appendix D	Governmental and Intergovernmental Affairs
94-9	7/5/1994	Appendix G	Sewers
94-10	7/5/1994	Appendix E	Plan Approval
94-11	7/19/1994	Appendix D	Governmental and Intergovernmental Affairs
94-12	11/1/1994	Appendix D	Governmental and Intergovernmental Affairs

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Resolution	Date	Disposition	Subject
94-12A	10/4/1994	Appendix D	Governmental and Intergovernmental Affairs
94-13	11/1/1994	Appendix E	Plan Approval
94-14	11/30/1994	Appendix E	Plan Approval
94-15	12/6/1994	Appendix D	Governmental and Intergovernmental Affairs
95-1	12/6/1994	Budget 1995	
95-2	12/6/1994	Tax Rate 1995	
95-3	12/28/1994	Appendix D	Governmental and Intergovernmental Affairs
95-4	1/3/1995	Appendix D	Governmental and Intergovernmental Affairs
95-5	1/17/1995	Appendix D	Governmental and Intergovernmental Affairs
95-6	4/4/1995	Appendix D	Governmental and Intergovernmental Affairs
95-7	4/18/1995	Appendix E	Plan Approval
95-8	4/18/1995	Appendix E	Plan Approval
95-9	6/6/1995	Appendix E	Plan Approval
95-10	6/6/1996	Appendix E	Plan Approval
95-11	6/6/1995	Appendix E	Plan Approval
95-12	6/20/1995	Appendix E	Plan Approval
95-14	6/20/1995	Appendix D	Governmental and Intergovernmental Affairs
95-15	9/19/1995	Appendix E	Plan Approval
95-16	10/17/1995	Appendix D	Governmental and Intergovernmental Affairs
95-17	10/17/1995	Appendix D	Governmental and Intergovernmental Affairs
95-18	12/27/1995	Appendix D	Governmental and Intergovernmental Affairs
96-1	12/27/1995	Budget 1996	
96-2	12/27/1995	Tax Rate 1996	
96-3	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
96-4-5	1/3/1996	Appendix D	Governmental and Intergovernmental Affairs
96-6	2/6/1996	Appendix D	Governmental and Intergovernmental Affairs
96-7	1/2/1996	Appendix D	Governmental and Intergovernmental Affairs
96-8	2/6/1996	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
96-9	3/5/1996	Appendix D	Governmental and Intergovernmental Affairs
96-10	3/19/1996	Appendix D	Governmental and Intergovernmental Affairs
96-11	4/2/1996	Appendix D	Governmental and Intergovernmental Affairs
96-12	4/16/1996	Appendix D	Governmental and Intergovernmental Affairs
96-13	4/16/1996	Appendix D	Governmental and Intergovernmental Affairs
96-14	5/21/1996	Appendix D	Governmental and Intergovernmental Affairs
96-15	6/18/1996	Appendix D	Governmental and Intergovernmental Affairs
96-16	6/18/1996	Appendix E	Plan Approval
96-17	7/2/1996	Superseded by Ord. 2005-02	Administration and Government
96-18	7/2/1996	Appendix E	Plan Approval
96-19	7/16/1996	Appendix E	Plan Approval
96-20	8/20/1996	Appendix D	Governmental and Intergovernmental Affairs
96-21	8/13/1996	Appendix D	Governmental and Intergovernmental Affairs
96-23	11/19/1996	Appendix D	Governmental and Intergovernmental Affairs
96-24	11/19/1996	Appendix E	Plan Approval
96-26	12/17/1996	Appendix D	Governmental and Intergovernmental Affairs
97-1	12/17/1996	Budget 1997	
97-2	12/17/1996	Tax Rate 1997	
97-3	1/6/1997	Appendix D	Governmental and Intergovernmental Affairs
97-5	1/6/1997	Appendix D	Governmental and Intergovernmental Affairs
97-6	1/6/1997	Appendix D	Governmental and Intergovernmental Affairs
97-8	1/6/1997	Appendix D	Governmental and Intergovernmental Affairs
97-10	6/17/1997	Appendix D	Governmental and Intergovernmental Affairs
97-15	7/15/1997	§ 19-101	Signs and Billboards
97-16	8/5/1997	Appendix E	Plan Approval
97-17	8/19/1997	Superseded by Ord. 2005-02	Motor Vehicles and Traffic

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Resolution	Date	Disposition	Subject
97-18	8/19/1997	Appendix D	Governmental and Intergovernmental Affairs
97-19	10/7/1997	Appendix E	Plan Approval
97-20	11/11/1997	Appendix D	Governmental and Intergovernmental Affairs
97-22	12/16/1997	Appendix D	Governmental and Intergovernmental Affairs
98-1	12/16/1997	Budget 1998	
98-2	12/16/1997	Tax Rate 1998	
98-3	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-4	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-5	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-6	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-7	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-8	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-9	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-10	1/5/1998	Appendix D	Governmental and Intergovernmental Affairs
98-11	1/20/1998	Appendix D	Governmental and Intergovernmental Affairs
98-12	3/10/1998	Appendix D	Governmental and Intergovernmental Affairs
98-13	2/17/1998	Appendix D	Governmental and Intergovernmental Affairs
98-14	4/21/1998	Appendix E	Plan Approval
98-15	4/6/1998	Appendix D	Governmental and Intergovernmental Affairs
98-16	4/21/1998	Appendix D	Governmental and Intergovernmental Affairs
98-17	4/21/1998	Appendix D	Governmental and Intergovernmental Affairs
98-18	4/21/1998	Appendix D	Governmental and Intergovernmental Affairs
98-19	4/27/1998	Appendix I	Water
98-20	4/27/1998	Appendix I	Water
98-21	6/15/1998	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
98-22	6/15/1998	Appendix D	Governmental and Intergovernmental Affairs
98-23	6/19/1998	Appendix E	Plan Approval
98-24	10/20/1998	Appendix E	Plan Approval
98-25	10/20/1998	Appendix E	Plan Approval
98-27	11/17/1998	Appendix D	Governmental and Intergovernmental Affairs
99-1	12/15/1998	Budget 1999	
99-2	12/15/1998	Tax Rate 1999	
99-3	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-4	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-5	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-6	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-7	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-9	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-10	1/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-11	2/16/1999	§ 24-401	Taxation, Special
99-12	2/2/1999	Appendix D	Governmental and Intergovernmental Affairs
99-13	2/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-14	2/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-15	2/4/1999	Appendix D	Governmental and Intergovernmental Affairs
99-16	2/4/1999	Appendix E	Plan Approval
99-17	3/2/1999	Appendix D	Governmental and Intergovernmental Affairs
99-18	4/6/1999	Appendix D	Governmental and Intergovernmental Affairs
99-19	5/4/1999	Appendix E	Plan Approval
99-21	8/17/1999	Appendix D	Governmental and Intergovernmental Affairs
99-22	8/17/1999	Appendix D	Governmental and Intergovernmental Affairs
99-22A	9/21/1999	Appendix E	Plan Approval

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Resolution	Date	Disposition	Subject
99-24	11/16/1999	Appendix D	Governmental and Intergovernmental Affairs
99-25	12/21/1999	Appendix D	Governmental and Intergovernmental Affairs
99-26	12/21/1999	Appendix D	Governmental and Intergovernmental Affairs
2000-1	12/21/1999	Budget 2000	
2000-2	12/21/1999	Tax Rate 2000	
2000-3	1/4/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-4	1/4/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-5	1/4/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-6	1/18/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-7	4/18/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-8	2/1/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-9	2/1/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-10	2/15/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-10A	3/21/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-10B	3/21/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-10C	3/21/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-10D	3/21/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-12	4/18/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-13	5/2/2000	Appendix E	Plan Approval
2000-14	5/16/2000	Appendix E	Plan Approval
2000-15	8/15/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-16	8/15/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-17	8/15/2000	Appendix D	Governmental and Intergovernmental Affairs
2000-18	10/3/2000	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2000-19	12/11/2000	Appendix D	Governmental and Intergovernmental Affairs
2001-1	12/11/2001	Budget 2001	
2001-2	12/11/2001	Tax Rate 2001	
2001-3	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-4	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-5	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-6	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-7	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-8	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-9	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-10	1/2/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-11	2/6/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-12	3/6/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-13	4/3/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-14	6/5/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-15	6/19/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-16	6/19/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-17	7/17/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-18	7/17/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-19	7/17/2001	Fee Resolution	
2001-20	8/7/2001	Appendix D	Governmental and Intergovernmental Affairs
2001-21	8/2/2001	Appendix E	Plan Approval
2001-22	11/8/2001	Appendix E	Plan Approval
2001-23	12/8/2001	Appendix E	Plan Approval
2002-01	12/18/2001	Budget 2002	
2002-02	12/18/2001	Tax Rate 2002	

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2002-03	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-04	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-05	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-06	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-07	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-08	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-09	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-10	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-11	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-12	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-13	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-14	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-15	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-16	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-17	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-18	1/7/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-19	2/5/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-20	4/16/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-21	4/16/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-22	2/27/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-23	3/25/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-24	7/16/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-25	5/30/2002	Appendix E	Plan Approval

Resolution	Date	Disposition	Subject
2002-26	7/3/2002	Appendix E	Plan Approval
2002-27	5/30/2002	Appendix E	Plan Approval
2002-28	8/6/2002	Appendix E	Plan Approval
2002-29	8/6/2002	Appendix E	Plan Approval
2002-30	5/9/2002	Appendix E	Plan Approval
2002-31	9/17/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-32	--/--/2002	Appendix D	Governmental and Intergovernmental Affairs
2002-33	11/19/2002	Appendix D	Governmental and Intergovernmental Affairs
2003-01	12/17/2002	Budget 2003	
2003-02	12/17/2002	Tax Rate 2003	
2003-03	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-04	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-05	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-06	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-07	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-08	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-09	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-10	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-11	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-12	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-13	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-14	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-15	1/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-16	1/23/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-17	3/4/2003	Appendix E	Plan Approval
2003-18	3/4/2003	Appendix E	Plan Approval
2003-19	3/4/2003	Appendix E	Plan Approval

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2003-20	6/17/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-21	7/29/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-22	8/19/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-23	10/21/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-24	10/21/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-25	11/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-26	11/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-27	11/6/2003	Appendix D	Governmental and Intergovernmental Affairs
2003-28	12/2/2003	Appendix D	Governmental and Intergovernmental Affairs
2004-01	12/16/2003	Budget 2004	
2004-02	12/16/2003	Tax Rate 2004	
2004-03	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-04	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-05	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-06	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-06	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-08	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-09	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-10	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-11	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-12	1/5/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-13	1/20/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-14	1/20/2004	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2004-15	1/20/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-16	1/20/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-17	--/--/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-18	2/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-19	3/16/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-20	4/6/2004	Appendix E	Plan Approval
2004-21	4/20/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-22	4/20/2004	Superseded by Ord. 2005-02	Fee Resolution
2004-23	6/1/2004	Appendix E	Plan Approval
2004-24	6/15/2004	Appendix E	Plan Approval
2004-25	6/15/2004	Appendix E	Plan Approval
2004-26	7/6/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-27	7/6/2004	Superseded by Ord. 2005-02	Fee Resolution
2004-28	7/20/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-29	8/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-30	8/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-31	8/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-32	8/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-33	8/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-34	8/17/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-35	9/7/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-36	9/23/2004	Appendix E	Plan Approval
2004-37	9/23/2004	Appendix E	Plan Approval
2004-38	9/23/2004	Appendix H	Streets and Sidewalks
2004-39	10/5/2004	Appendix E	Plan Approval
2004-40	10/19/2004	Appendix D	Governmental and Intergovernmental Affairs

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2004-41	11/4/2004	Appendix E	Plan Approval
2004-42	11/4/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-43	12/7/2004	Appendix D	Governmental and Intergovernmental Affairs
2004-44		Rescinded	
2004-45	12/7/2004	§ 1-701	Administration and Government
2004-46	9/23/2004	Appendix H	Streets and Sidewalks
2005-01	12/21/2004	Budget 2005	
2005-02	12/21/2004	Tax Rate 2005	
2005-03	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-04	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-05	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-06	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-07	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-08	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-10	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-11	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-12	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-13	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-14	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-15	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-16	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-16A	1/3/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-16B	2/1/2005	Appendix E	Plan Approval
2005-17	2/15/2005	Appendix E	Plan Approval
2005-18	2/15/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-19	4/5/2005	Appendix E	Plan Approval

Resolution	Date	Disposition	Subject
2005-20	4/5/2005	Appendix E	Plan Approval
2005-21	4/5/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-22	5/3/2005	Appendix G	Sewers
2005-23	5/3/2005	Appendix E	Plan Approval
2005-24	5/19/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-25	6/21/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-26	6/21/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-27	7/5/2005	Appendix E	Plan Approval
2005-28	7/19/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-29	8/16/2005	Appendix E	Plan Approval
2005-30	10/4/2005	Appendix E	Plan Approval
2005-31	10/4/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-32	10/18/2005	Appendix E	Plan Approval
2005-33	10/18/2005	Appendix E	Plan Approval
2005-34	11/1/2005	Appendix D	Governmental and Intergovernmental Affairs
2005-35	11/15/2005	Appendix E	Plan Approval
2005-36	12/20/2005	Fee Resolution	
2006-01	12/20/2005	Budget 2006	
2006-02	12/20/2005	Tax Rate 2006	
2006-03	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-04	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-05	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-06	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-07	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-08	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-09	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-10	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-11	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs

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Resolution	Date	Disposition	Subject
2006-12	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-13	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-14	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-15	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-16	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-17	1/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-18	1/17/2006	Appendix E	Plan Approval
2006-19	1/17/2006	Appendix E	Plan Approval
2006-20	1/17/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-21	1/17/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-22	2/7/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-23	2/7/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-24	2/7/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-25	2/21/2006	Appendix E	Plan Approval
2006-26	5/18/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-27	5/18/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-28	6/20/2006	Appendix E	Plan Approval
2006-29	6/20/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-30	7/25/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-31	7/25/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-32	9/5/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-33	9/19/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-34	10/3/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-35	10/17/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-36	11/21/2006	Appendix E	Plan Approval

Resolution	Date	Disposition	Subject
2006-37	11/21/2006	Appendix E	Plan Approval
2006-38	12/5/2006	Appendix E	Plan Approval
2006-39	12/5/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-40	12/19/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-41	12/19/2006	Appendix D	Governmental and Intergovernmental Affairs
2006-42	12/19/2006	Appendix D	Governmental and Intergovernmental Affairs
2007-01	12/19/2006	Budget 2007	
2007-02	12/19/2007	Tax Rate 2007	
2007-03	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-04	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-05	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-06	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-07	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-08	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-09	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-10	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-11	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-12	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-13	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-14	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-15	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-16	1/2/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-17	2/6/2007	Appendix E	Plan Approval
2007-18	2/6/2007	Appendix E	Plan Approval
2007-19	2/20/2007	Appendix H	Streets and Sidewalks

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Resolution	Date	Disposition	Subject
2007-20	2/20/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-21	3/20/2007	Appendix E	Plan Approval
2007-22	5/1/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-23	5/17/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-24	6/19/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-25	6/19/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-26	6/19/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-27	8/21/2007	Appendix E	Plan Approval
2007-28	8/21/2007	Appendix E	Plan Approval
2007-29	9/18/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-30	9/18/2007	Appendix E	Plan Approval
2007-31	11/8/2007	Appendix D	Governmental and Intergovernmental Affairs
2007-32	12/4/2007	Appendix E	Plan Approval
2008-01	12/18/2007	Budget 2008	
2008-02	12/18/2007	Tax Rate 2008	
2008-03	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-04	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-05	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-06	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-07	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-08	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-09	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-10	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-11	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-12	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2008-13	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-14	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-15	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-16	1/7/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-17	2/18/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-18	3/4/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-19	3/4/2008	Appendix E	Plan Approval
2008-20	4/1/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-21	4/15/2008	Appendix E	Plan Approval
2008-22	5/6/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-23	6/3/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-24	6/3/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-25	6/17/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-26	7/15/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-27	8/19/2008	Appendix E	Plan Approval
2008-28	8/19/2008	§ 1-401	Tax Collector
2008-29	9/16/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-30	11/18/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-31	12/16/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-32	12/16/2008	§ 1-611	Open Records Policy
2008-33	12/16/2008	Appendix D	Governmental and Intergovernmental Affairs
2008-34	12/30/2008	Appendix D	Governmental and Intergovernmental Affairs
2009-01	12/16/2008	Budget 2009	
2009-02	12/16/2008	Tax Rate 2009	
2009-03	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs

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Resolution	Date	Disposition	Subject
2009-04	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-05	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-06	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-07	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-08	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-09	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-10	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-11	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-12	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-13	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-14	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-15	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-16	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-17	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-18	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-19	1/5/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-20	1/20/2009	Appendix E	Plan Approval
2009-21	1/20/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-22	1/20/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-23	2/17/2009	Appendix E	Plan Approval
2009-24	3/3/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-25	4/7/2009	Fee Resolution	
2009-26	4/7/2009	Fee Resolution	
2009-27	7/7/2009	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2009-28	7/7/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-29	7/21/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-30	9/15/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-31	10/6/2009	Appendix H	Streets and Sidewalks
2009-32	10/6/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-33	11/17/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-34	11/17/2009	Appendix D	Governmental and Intergovernmental Affairs
2009-35	12/15/2009	Appendix D	Governmental and Intergovernmental Affairs
2010-01	12/15/2009	Budget 2010	
2010-02	12/15/2009	Tax Rate 2010	
2010-03	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-04	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-05	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-06	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-07	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-08	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-09	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-10	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-11	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-12	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-13	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-14	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-15	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-16	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs

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2010-17	1/4/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-18	1/19/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-19	1/19/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-20	1/19/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-21	4/6/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-22	4/20/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-23	5/20/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-24	6/15/2010	Appendix E	Plan Approval
2010-25	6/15/2010	Appendix E	Plan Approval
2010-26	6/15/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-27	7/20/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-28	8/3/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-29	8/3/2010	Appendix E	Plan Approval
2010-30	8/17/2010	Fee Resolution	
2010-31	9/21/2010	Appendix E	Plan Approval
2010-32	10/19/2010	Appendix E	Plan Approval
2010-33	10/19/2010	Appendix E	Plan Approval
2010-34	11/16/2010	Appendix D	Governmental and Intergovernmental Affairs
2010-35	12/7/2010	Fee Resolution	
2010-36	12/21/2010	Appendix D	Governmental and Intergovernmental Affairs
2011-01	12/21/2010	Budget 2011	
2011-02	12/21/2010	Tax Rate 2011	
2011-03	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-04	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-05	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-06	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-07	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs

Resolution	Date	Disposition	Subject
2011-08	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-09	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-10	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-11	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-12	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-13	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-14	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-15	1/3/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-16	1/18/2011	Fee Resolution	
2011-17	1/18/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-18	5/3/2011	Appendix E	Plan Approval
2011-19	5/3/2011	Appendix E	Plan Approval
2011-20	5/19/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-21	5/19/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-22	6/21/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-23	6/21/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-24	6/21/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-25	7/19/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-26	7/19/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-27	7/19/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-28	10/4/2011	Appendix E	Plan Approval
2011-29	10/4/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-30	10/4/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-31	10/4/2011	Appendix D	Governmental and Intergovernmental Affairs

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2011-32	11/1/2011	Appendix D	Governmental and Intergovernmental Affairs
2011-33	11/15/2011	Appendix D	Governmental and Intergovernmental Affairs
2012-01	12/20/2011	Budget 2012	
2012-02	12/20/2011	Tax Rate 2012	
2012-03	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-04	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-05	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-06	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-07	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-08	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-09	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-10	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-11	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-12	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-13	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-14	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-15	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-16	1/3/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-17	2/21/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-18	2/21/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-19	2/7/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-20	3/6/2012	Appendix D	Governmental and Intergovernmental Affairs
2012-21	4/17/2012	Appendix D	Governmental and Intergovernmental Affairs

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