CODE OF ORDINANCES

of the

TOWNSHIP OF HUNTINGTON

Adams County, Pennsylvania

Published by Authority of the Township

Adopted September 11, 1997

Revised Through June 13, 2024

GENERAL CODE

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9/8/2016
3/14/2019
3/9/2021
6/13/2024

OFFICIALS

of the

TOWNSHIP OF HUNTINGTON

County of Adams
Pennsylvania

ELECTED OFFICIALS

Board of Supervisors

Chairman	David L. Boyer
Vice Chairman	Paul R. Guise
Supervisor	Jeffrey King

Tax Collector	Roxey K. Sauble
Auditors	Kenneth E. Chromister, Chairman
	Suzanne Heilman, Secretary
	Laura Hoak

APPOINTED OFFICIALS

Secretary/Treasurer	Patricia V. Davis
Solicitor	Todd A. King, Esq.
Engineer	Scott Longstreth, PE
Zoning Officer	Gus Fridenvalds
UCC Building Inspector	Middle Department Inspection Agency
Head Roadmaster	Charles King

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FOREWORD

History

This comprises the codification of the Ordinances of the Township of Huntington. The Township of Huntington was originally settled in 1734 and was incorporated as a Township before the 1800s.

The Code of Ordinances of the Township of Huntington prepared by Penns Valley Publishers, a division of Fry Communications, Inc., and adopted by the Township Board of Supervisors on September 11, 1997, by Ordinance Number 32.

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 An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix.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 NO. 32

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE TOWNSHIP OF HUNTINGTON, ADAMS 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, Township of Huntington," 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:

Chapter 1.....Administration and Government
Chapter 6.....Conduct
Chapter 8.....Floodplain
Chapter 10.....Health and Safety
Chapter 13.....Licenses, Permits and General Business Regulations
Chapter 18.....Sewers and Sewage Disposal
Chapter 21.....Streets and Sidewalks
Chapter 22.....Subdivision and Land Development
Chapter 24.....Taxation, Special

Appendix:

A.....Annexation of Territory
B.....Bond Issues and Loans
C.....Franchises and Services
D.....Governmental and Intergovernmental Affairs
E.....Plan Approval
F.....Public Property
G.....Sewers
H.....Streets and Sidewalks
I.....Water
J.....Zoning, Prior Ordinances

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 Huntington 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 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 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.
	None	

B. Revisions.

Chapter, Part, Section	Subject	Ordinance No.
24, 1, 101-105	Per Capita Tax	Res. 113
24, 3, 301-317	Realty Transfer Tax	Res. 70

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, 3, 301-303	Volunteer Firemen's Relief Association
10, 1, 101-108	Nuisances

Chapter, Part, Section	Subject
18, 2, 201-207	Onlot Sewage Disposal Systems

B. Amendments.

Chapter, Part, Section	Subject	Ordinance No.
8, 2, 202	Floodplains; Issuance of Building Permits	30, §2.01
8, 2, 203	Floodplains; Application Procedures and Regulations	30, §2.02
8, 2, 210	Floodplains; Fees	30, §2.09
8, 4, 401	Floodplains; General	30, §4.00
8, 5, 502	Floodplains; Application Requirements for Special Permits	30, §5.01
13, 1, 103	CATV Regulations; Application	24, Art. III
13, 1, 104	CATV Regulations; License	24, Art. IV
13, 2, 202	Junkyard Regulations; Definitions	15, §2
13, 2, 206	Junkyard Regulations; License Fee	15, §6
13, 2, 209	Junkyard Regulations; Transfer Fee	15, §9
18, 1, 107	Holding Tanks; Requirements for Holding Tanks and Control of Rights and Privileges	31, §107
18, 1, 108	Holding Tanks; Duties of Improved Property Owner	31, §108
21, 1, 103	Highway Occupancy Permit; Permit Fee	18, §3
24, 2, 204	Earned Income Tax; Declaration and Payment of Tax	Res. 106, §4; Res. 156

Chapter, Part, Section	Subject	Ordinance No.
24, 2, 205	Earned Income Tax; Collection at Source	Res. 106, §5

C. Repeals.

Ordinance No.	Subject
Ord. 8	Sewers and Sewage Disposal
Ord. 11	Sewers and Sewage Disposal

Section 6. Land Use Code Amendments.

The Township of Huntington 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 part hereof by reference hereto as if fully set out at length herein, with deletions shown by 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
None	

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
22, 2, 201	Subdivision and Land Development; Definitions	29, §201
22, 3, 301	Application Procedures and Plat Requirements; Preapplication Procedures	29, §301
22, 3, 303	Application Procedures and Plat Requirements; Submission of the Preliminary Plan	29, §303
22, 3, 304	Application Procedures and Plat Requirements; Preliminary Plan Requirements	29, §304
22, 3, 305	Application Procedures and Plat Requirements; Final Plan Procedures	29, §305

Chapter, Part, Section	Subject	Ordinance
22, 3, 306	Application Procedures and Plat Requirements; Final Plan Requirements	29, §306
22, 3, 307	Application Procedures and Plat Requirements; Minor Subdivisions	29, §307
22, 4, 402	Design Standards; General Site Standards	29, §402
22, 4, 406	Design Standards; Lots	29, §406
22, 5, 505	Improvement and Construction Requirements; Water Supply Systems	29, §505
22, 5, 506	Improvement and Construction Requirements; Sanitary Sewerage Systems	29, §506
22, 5, 507	Improvement and Construction Requirements; Stormwater Management and Design Criteria	29, §507
22, 8, 802	Mobile Homes and Mobile Home Parks; Permits and Certificates of Registration	29, §802
22, 8, 804	Mobile Homes and Mobile Home Parks; Application for Permit and Plan Requirements	29, §804
22, 8, 805	Mobile Homes and Mobile Home Parks; Environmental, Open space and Access Requirements	29, §805
22, 8, 806	Mobile Homes and Mobile Home Parks; Water Supply and Distribution System	29, §806
22, 8, 807	Mobile Homes and Mobile Home Parks; Sewage Collection and Disposal	29, §807
22, 8, 811	Mobile Homes and Mobile Home Parks; Fuel Oil Distribution System	29, §811
22, 8, 816	Mobile Homes and Mobile Home Parks; Insect and Rodent Control	29, §816

Chapter, Part, Section	Subject	Ordinance
22, 8, 817	Mobile Homes and Mobile Home Parks; Management and Supervision	29, §817
22, 9, 901	Administration, Enforcement and Penalties; Administration and Enforcement	29, §901

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

Chapter, Part, Section	Subject	Ordinance No.
None		

Section 7. 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 8. 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 9. 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 Code of Ordinances and shall be available for public inspection.

Section 10. 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. 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 11. 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 phrases 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 phrases of this codification.

ENACTED AND ORDAINED this 11th day of September, 1997

HUNTINGTON TOWNSHIP

By /s/ Roger K. Sowers
Chairman, Board of Supervisors

ATTEST:

/s/ Patricia V. Davis
Secretary

SCHEDULE OF FEES

SUBJECT	FEE
ATTORNEY FEES (to be charged to applicants/ordinance violators)	
Enforcing ordinance, planning and zoning violations	$175 per hour
Review fees for subdivision and land development plans	
Minor plans (up to 10 lots)	$150 per hour
Major plans (over 10 lots)	$175 per hour
BUILDING PERMIT FEES	
$0.01 per square foot of nonliving space,	
$0.02 per square foot of living space, plus	
Fee for building	$10
State fee	$4
Driveway fee	Determined by PennDOT criteria; see schedule attached[1]
CODE ENFORCEMENT	
Administrative fee	$15
Inspections and plan review	See UCC Inspector Fee Schedule[2]
Uniform Construction Code occupancy permit	$25
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
Cable television (13, §103)	
Application fee	$25
Junkyards (13, §206)	
License fee	
Less than 15,000 square feet	$35
More than 15,000 square feet but less than 40,000 square feet	$50

[1] Editor's Note: The schedule is on file in the Township offices.

[2] Editor's Note: The UCC Inspector Fee Schedule is on file in the Township offices.

SUBJECT	FEE
More than 40,000 square feet	$100
Transfer fee	$10
MISCELLANEOUS	
Copying (8½ x 11 or 8½ x 14)	
First 5 pages	No charge
After the fifth page	$0.15 per page
Copy of Zoning Books	$25
Copy of SALDO	$20
MOBILE HOME PARKS (27, §1145)	
Issuance	$25 per lot
Renewal	$25 per lot
Transfer	$10
STREETS AND SIDEWALKS	
Security deposit (21, §103)	$800
SUBDIVISIONS	

Category I, Residential subdivision or land development plans

Number of Lots or Dwelling Units (whichever is larger)	General Fee	Fee for Each Lot or Dwelling Unit
2 - 25	$250	$25
26 - 99	$500	$25
100+	$750	$25

Category II, Nonresidential land developments. Nonresidential land developments involve land parcels where proposed land development activity would affect 15% or more of the gross parcel area of a land area of 1.5 acres or more; land development activity means structural development plus the area of the site subject to earth disturbance (sediment ponds, accessways, parking, landscaped areas, etc.)

SCHEDULE OF FEES

SUBJECT	FEE

Number of Acres	General Fee
0 – 2.9	$250
3.0 – 24.9	$350
25.0 – 49.9	$450
50.0 – 99.9	$600
100+	$750

PLUS

Gross Floor Area (square feet)	Per 1,000 Square Feet
0 – 20,000	$10
50,000 – 99,000	$12
100,000+	$15

Category III, Nonresidential subdivisions (excluding agricultural subdivisions)

Number of Lots	General Fee	Fee for Each Lot of the Subdivision
2 - 3	$250	$125
4 - 10	$350	$150
11+	$500	$175

Recreation fee	$1,000 per residential lot and $500 per 1,000 square feet of nonresidential development, excluding agricultural development. All fees must be paid before approval of the final plan.
TAXATION	
Tax certificates and copies of tax notices	See Tax Collector Fee Schedule[1]
ZONING	
Zoning permit	$50
Certificate of nonconformance	$25

[1] Editor's Note: The Tax Collector Fee Schedule is on file in the Township offices.

SUBJECT	FEE
Conditional use application for hearing before Board of Supervisors	$400
Application for public hearing before the Zoning Hearing Board for an appeal, special exception or variance	$400
Application for a change or amendment to the Zoning Ordinance or Zoning Map	$600
Placement of signs not to exceed 20 square feet	$10

[Res. 276, 2/12/2009; as amended by Res. 280, 11/12/2009; and by Res. 285, 8/12/2010]

CHAPTER 1

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PART 1

COMPENSATION OF BOARD OF SUPERVISORS

§ 1-101. Compensation of Board of Supervisors. [Ord. 27, 12/19/1985, §§ 1, 2; as amended by Ord. 2003-01-39, 3/13/2003]

1. Each Supervisor of Huntington Township elected, reelected or appointed to office after November 1, 2003, shall receive compensation as a Supervisor in the annual amount of $1,875.

2. The annual compensation shall be paid in equal monthly installments.

3. This Part 1 and the salary set forth herein shall become effective at the beginning of the next term of the Supervisor affected.

PART 2

PLANNING COMMISSION

§ 1-201. Creation of Commission. [Ord. 5, 5/13/1965, § 1; as amended by Ord. 12, 7/10/1969]

The Board of Supervisors shall appoint a Township Planning Commission consisting of seven persons. The five members of the existing Planning Commission established under the former ordinance shall continue to serve until the end of the term for which they were appointed, at which time the terms of their successors will be set at four years. The two newly appointed members of said Commission will be appointed on the first Monday of August, 1979, with the first term of said members to be as follows: one of the newly appointed members shall serve until the first Monday of June, 1971; and one until the first Monday of June, 1972. After the original term as specified herein, the term of office for all of their successors will be four years.

§ 1-202. Residency Requirements and Compensation. [Ord. 5, 5/13/1965, § 2; as amended by Ord. 2003-01-39, 3/13/2003]

All members of the Commission shall reside within the Township and shall be entitled to compensation in the amount of $25 for each meeting that they attend, said compensation to be paid quarterly. Paid compensation is intended to apply to the regular meetings of the Planning Commission; and in the event that extra meetings must be called, the compensation is not to cover more than one additional special meeting per month. In the event that a member of the Commission is not in attendance at a meeting, he or she will not be entitled to compensation for that meeting missed. In addition, all members of the Commission shall be reimbursed for necessary expenses incurred in performance of their duties as Commission members.

§ 1-203. Vacancies. [Ord. 5, 5/13/1965, § 3]

An appointment to fill a vacancy shall be only for the unexpired portion of the term.

§ 1-204. Members of the Commission. [Ord. 5, 5/13/1965, § 4; as amended by Ord. 12, 7/10/1969]

At least five of the Commission members shall be designated as citizen members, meaning that they shall not be officers or employees of Huntington Township.

§ 1-205. Election of Chairman. [Ord. 5, 5/13/1965, § 5]

The Township Planning Commission shall elect its own Chairman and create and fill such other offices as it may determine necessary. The Commission may make and alter rules for its procedure consistent with ordinances of the Township and the laws of the commonwealth. It shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. The Board of Supervisors shall appropriate funds in the same manner as other appropriations are made. The Planning Commission, with approval of the majority of the Board of

Supervisors, may appoint such employees and staff as it may deem necessary for its work and may contract with planners and other consultants for such technical services as it may require. As an aid to coordination of municipal planning and with the consent of the Township Supervisors, the Planning Commission may enter into joint agreements with county, regional or other planning agencies covering cooperative relationships as are necessary to attain the objectives of this Part 2. The Planning Commission shall incur only such expenditures as shall be necessary and proper, and all such expenditures shall be within the amount appropriated by the Board of Supervisors or placed at the Commission's disposal from other sources.

§ 1-206. Reports Required. [Ord. 5, 5/13/1965, § 6; as amended by Ord. 12, 7/10/1969]

The Commission shall keep a full record of its business and shall annually make a written report by March 1 of each year to the Township Supervisors setting forth its transactions, findings and determinations.

§ 1-207. Development Plan. [Ord. 5, 5/13/1965, § 7]

The Planning Commission shall prepare and adopt a plan of development for the Township. The plan, with accompanying maps, charts, drawings and descriptive matter, shall show the Commission's recommendation for the development of the Township.

A. The development plan shall be based on studies of the physical, social, economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of the Township and the general welfare and prosperity of its people.

B. As the work of preparing the whole development plan progresses, the Commission may, from time to time, adopt parts thereof, any such part to cover one or more major sections or divisions of the Township, or one or more of the functional matters to be included in the plan. The Commission may from time to time amend, extend or add to the development plan. The Planning Commission shall, wherever possible, cooperate with the County Planning Commission if one is formed in Adams County. In such case, it shall be the duty of the Commission to file a copy of all maps and plans and amendments thereto adopted by the Commission with the County Planning Commission within 30 days of the completion of such maps or plans.

C. The Planning Commission shall have the power to make or cause to be made, from time to time, surveys and to certify to the Board of Supervisors a plat or plats of the areas thus surveyed in furtherance of the purpose and objects of such Planning Commission.

D. The Commission or its employees may, while performing necessary work, enter upon any land in order to examine or survey it or to place and maintain necessary temporary markers thereon.

E. The Planning Commission shall have such powers as will reasonably enable it to carry out its purpose and promote Township planning.

§ 1-208. Legislative Authority. [Ord. 5, 5/13/1965, § 8; as amended by Ord. 12, 7/10/1969]

This Part 2, as amended, is continued in effect under authority of the Pennsylvania Municipalities Planning Code, Article I, P.L. 247, §§ 101 to 107, and Article II, P.L. 247, §§ 201 to 211.[1]

1.

PART 3

VOLUNTEER FIREMEN'S RELIEF ASSOCIATION

§ 1-301. Recognition of Firemen's Relief Association. [Ord. 32, 9/11/1997]

1. The following associations are hereby recognized as actively engaged in providing fire protection and/or emergency services in the Township:

   York Springs Volunteer Firemen's Relief Association

   Heidlersburg Volunteer Firemen's Relief Association

   Aspers Volunteer Firemen's Relief Association

   Bendersville Volunteer Firemen's Relief Association

2. The above-named associations have been formed for the benefit of their members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.

3. The above-named associations of the Township are designated the proper associations to receive such funds as are due and payable to the Township Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

§ 1-302. Certification to Auditor General. [Ord. 32, 9/11/1997]

The Board of Supervisors shall annually certify to the Auditor General of the commonwealth the names of the active associations and the percentage of service they contribute to the protection of the Township. Such certification shall be on forms prescribed by the Auditor General.

§ 1-303. Annual Appropriation. [Ord. 32, 9/11/1997]

There is annually appropriated from the Township Treasury all such sums of money that may hereafter be paid into the Township Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of the Act of December 18, 1984, No. 205, § 701 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. Such monies received by the Township Treasurer from the State Treasurer shall be distributed to the duly recognized associations within 60 days of receipt. The funds shall be distributed on the basis of the percentage of service established in the certification to the Auditor General and with other provisions of the Act.

PART 4

TAX CERTIFICATION/RETURN CHECK POLICY

§ 1-401. Tax Certification Fee. [Ord. 33, 5/14/1998, § I]

The duly elected/appointed Tax Collector of Huntington Township, Adams County, Pennsylvania, is hereby authorized to charge a fee of $5 to provide certifications of taxes paid and/or due and payable to those taxpayers, financial institutions, mortgage companies and brokers, attorneys, title companies, settlement agents, real estate brokers and agents and all who request such information. Such certification fee may be charged by the Tax Collector for providing said information, as well as all other related information, such as assessed values, millage rates and property locations and descriptions as requested for a given parcel(s) in the Township.

§ 1-402. Return Check Fee. [Ord. 33, 5/14/1998, § II]

The duly elected/appointed Tax Collector of Huntington Township is hereby authorized to charge a fee of $20 to any person(s), corporation, partnership, association or other entity which makes payment to the Tax Collector of any sum, whether for taxes, fees, charges, interest, penalties, obligations or other amounts owed, for which a check is returned for insufficient or unavailable funds.

§ 1-403. Authorization to Prepare and Send Invoices. [Ord. 33, 5/14/1998, § II]

The duly elected/appointed Tax Collector shall be authorized to prepare and send invoices for said tax certifications and check charges and to do all things necessary and appropriate to impose said fees and collect same when due.

PART 5

RECREACTION BOARD

§ 1-501. Creation of Board; Membership. [Ord. 2008-02-48, 10/9/2008]

There is hereby created a Recreation Board in and for Huntington Township. The Board shall consist of five persons to be appointed by Huntington Township.

§ 1-502. Appointments; Terms of Office. [Ord. 2008-02-48, 10/9/2008]

The members of the Board shall be appointed by the Board of Supervisors of Huntington Township for terms of five years, in such order that at least one member's term shall expire annually. Notwithstanding the aforesaid terms, a Board member may stay in office until a successor qualifies or is appointed. The Board of Supervisors of Huntington Township may remove any member of the Board at the pleasure of the Board of Supervisors of Huntington Township. No more than two persons' terms may ever expire in any one calendar year.

§ 1-503. Service Without Pay; Vacancies. [Ord. 2008-02-48, 10/9/2008]

The members of the Board shall serve without pay; and vacancies in the Board, occurring otherwise than by expiration of a term, shall be filled by the Board of Supervisors of Huntington Township for the unexpired term in the same manner as the original appointment.

§ 1-504. Officers; Director of Recreation. [Ord. 2008-02-48, 10/9/2008]

1. The Recreation Board shall elect its own Chairman and Secretary and any other officers deemed necessary, to serve for a period of one year.

2. A Director of Recreation shall be nominated as its administrative officer by the Recreation Board and shall be appointed by and be directly responsible to the Board of Supervisors of Huntington Township for the performance of his or her duties.

§ 1-505. Annual Budget. [Ord. 2008-02-48, 10/9/2008]

The Recreation Board, at such times as directed by the Board of Supervisors of Huntington Township, shall annually submit for approval to the Board of Supervisors of Huntington Township a proposed budget for the ensuing year, setting forth all proposed expenditures, salaries and programs. The Recreation Board shall not in any manner obligate Huntington Township for the payment of any municipal funds until the same are appropriated and approved by the Board of Supervisors of Huntington Township.

§ 1-506. Restrictions on Authority of Board. [Ord. 2008-02-48, 10/9/2008]

The Recreation Board shall supervise, maintain and regulate parks, recreation areas and facilities within the Township. The Board may equip and operate the

parks, recreation areas and facilities and shall, for the purpose of carrying out these provisions, employ officers or employees as it deems appropriate. In addition, the Board shall have supervisory authority and responsibility over general Township recreation programs. The Board shall exercise its powers and duties in establishing standards, qualifications and salary schedules to be approved by the Huntington Township Board of Supervisors. The Board shall have the power to adopt rules and regulations for the conduct of all business within its jurisdiction.

§ 1-507. Donations. [Ord. 2008-02-48, 10/9/2008]

The Board may accept any grant, gift, bequest or donation of services, equipment, real estate, money or other property from any individual or group, to be used as specified by the donor or by the terms of acceptance.

§ 1-508. Effective Date. [Ord. 2008-02-48, 10/9/2008]

This Part 5 shall become effective on January 1, 2009.

PART 6

RECORDS, PUBLIC ACCESS TO

§ 1-601. Policy. [Res. 275, 12/11/2008]

The following policy shall be applicable to all requests for open records or public records of Huntington Township.

§ 1-602. Open Records Officer. [Res. 275, 12/11/2008]

The Secretary of Huntington Township shall be the designated Open Records Officer, but she or he may designate certain employees to process public records requests.

§ 1-603. Requests for Records. [Res. 275, 12/11/2008]

All requests for public records under this policy shall be specific in identifying and describing each public record requested. The Township shall not be required to create a record where none exists or to compile, maintain, format or organize a public record in a manner different from what is normally done. All requests for public records shall be made on a form provided by the Pennsylvania Office of Open Records and shall be made available by the Secretary to the requestor.

§ 1-604. Response. [Res. 275, 12/11/2008]

In no event shall the Township provide extraordinary staff to respond to a request, but it will respond in a manner consistent with the Township's normal administrative responsibilities.

§ 1-605. Compliance with Regulations. [Res. 275, 12/11/2008]

The Township intends to comply in full with the provisions of the Open Records Act (the Pennsylvania Right-To-Know Law), full terms of which are adopted hereunder.

§ 1-606. Availability of Records. [Res. 275, 12/11/2008]

If access to a public record is approved, the public record shall be available for access during the regular business hours of the Township. The designated employee shall cooperate fully with the requestor while also taking reasonable measures to protect Township public records from the possibility of theft and/or modification. The presence of a designated employee is required when public records are examined and inspected.

§ 1-607. Fees. [Res. 275, 12/11/2008]

Fees for the duplication of public records and all other procedures shall be as set forth on a fee structure form and policy form prepared by the Pennsylvania Office of

Open Records and attached hereto and made part hereof. Fees may be modified by resolution from time to time.[2]

2. **Editor's Note: The current fee schedule is on file in the Township offices.**

CHAPTER 2
ANIMALS

[Reserved to accommodate future enactments]

CHAPTER 3
BICYCLES

[Reserved to accommodate future enactments]

CHAPTER 4

BUILDINGS

PART 1

NUMBERING OF BUILDINGS REQUIRED

§ 4-101. Property Identification Numbers Required.
§ 4-102. Display of Numbers.
§ 4-103. Requirements for Location of a Second Set of Numbers.
§ 4-104. Administration and Enforcement.
§ 4-105. Penalties.

PART 1

NUMBERING OF BUILDINGS REQUIRED

§ 4-101. Property Identification Numbers Required. [Ord. 37, 12/13/2001, § 101]

All residential houses, places of business and other buildings located in Huntington Township shall be conspicuously numbered for identification purposes and for emergency service purposes. Every person, corporation, partnership, association or other entity owning improved real estate lying within Huntington Township shall cause the number or numbers assigned to such real estate, in accordance with the numbering system established by the Township and/or County of Adams, to be prominently displayed on the building indicated.

§ 4-102. Display of Numbers. [Ord. 37, 12/13/2001, § 102]

All building addresses and numbers shall be displayed on the building so as to be clearly and easily readable from the public street or road on which the building fronts. In the event that improvements front on two or more streets, the numbers shall be clearly and easily readable from that street designated in the numbering system map and used as the house or street number address for said building. The numbers displayed shall each comply with the following requirements:

A. Each shall be a minimum of three inches high.

B. Each shall be of a color contrasting from the background on which they are displayed and shall be made of an illuminated or reflective material.

C. Each shall be permanently attached to the building to which they are assigned by the numbering or address system of the Township and/or County, whichever is applicable.

§ 4-103. Requirements for Location of a Second Set of Numbers. [Ord. 37, 12/13/2001, § 103]

In addition to having the numbers installed on the house or other building, each person, corporation, partnership or association shall also provide a similar number on a mailbox or post in front of those houses located directly along a State highway or Township road. Where a residential house, place of business or other such building with an address is not visible from a public street and is located on a private drive or private lane, the property owner shall also place a similar number on a mailbox or post at the entrance to the lane or private drive servicing said improvement so as to allow emergency officials to readily identify the location of an improvement.

§ 4-104. Administration and Enforcement. [Ord. 37, 12/13/2001, § 104]

The administration and enforcement of this Part will be with the Huntington Township Board of Supervisors or its duly appointed representative. Huntington Township may, by ordinance or resolution establish, from time to time, all administrative and enforcement procedures necessary to properly carry out the provisions of this Part. The Huntington Township Board of Supervisors may, by resolution, establish a fee schedule and subsequently collect fees, if necessary, to cover the cost of administering and enforcing this Part.

§ 4-105. Penalties. [Ord. 37, 12/13/2001, § 105]

Any person, firm or corporation who shall violate any provisions of this Part shall, upon conviction thereof, in a summary proceeding action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not more than $300 plus all court costs and/or to imprisonment for a term not to exceed 30 days. Each day's violation of this Part following any notice that a person is not in compliance shall constitute a separate offense.

CHAPTER 5

CODE ENFORCEMENT

PART 1

CONSTRUCTION CODE

§ 5-101. Administration of Pennsylvania Uniform Construction Code.

§ 5-102. Adoption of Construction Code.

§ 5-103. Administration and Enforcement.

§ 5-104. Establishment of Board of Appeals.

§ 5-105. Status of Existing Building Code Ordinances or Portions Thereof.

§ 5-106. Fees.

PART 1

CONSTRUCTION CODE

§ 5-101. Administration of Pennsylvania Uniform Construction Code. [Ord. 2004-01-41, 4/8/2004]

Huntington Township hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, as amended from time to time, and its regulations.

§ 5-102. Adoption of Construction Code. [Ord. 2004-01-41, 4/8/2004]

The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of Huntington Township.

§ 5-103. Administration and Enforcement. [Ord. 2004-01-41, 4/8/2004]

Administration and enforcement of the Code within Huntington Township shall be undertaken in any of the following ways as determined by the governing body of Huntington Township from time to time by resolution:

A. By the designation of an employee of Huntington Township to serve as the municipal code official to act on behalf of Huntington Township.

B. By the retention of one or more construction code officials or third-party agencies to act on behalf of Huntington 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 Huntington 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.

§ 5-104. Establishment of Board of Appeals. [Ord. 2004-01-41, 4/8/2004]

A Board of Appeals shall be established by resolution of the governing body of Huntington 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, the Board of Appeals shall be established by joint action of the participating municipalities.

§ 5-105. Status of Existing Building Code Ordinances or Portions Thereof. [Ord. 2004-01-41, 4/8/2004]

1. All building code ordinances or portions of ordinances which were adopted by Huntington 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 time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

2. 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.

3. All relevant ordinances, regulations and policies of this municipality not governed by the Code shall remain in full force and effect.

§ 5-106. Fees. [Ord. 2004-01-41, 4/8/2004]

Fees assessable by Huntington Township for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the governing body by resolution from time to time.

CHAPTER 6

CONDUCT

PART 1

PORNOGRAPHY

§ 6-101. Definitions.
§ 6-102. Promoting Pornography.
§ 6-103. Promoting Pornography for Minors.
§ 6-104. Defenses.
§ 6-105. Penalties.

PART 1

PORNOGRAPHY

§ 6-101. Definitions. [Ord. 25, 5/9/1985, § I]

For the purposes of this Part, the words and phrases set forth below shall have the meaning respectively ascribed to them:

AUDIENCE — One or more persons who are permitted to view a performance (a) for valuable consideration or (b) in or from a public place.

DISPLAY PUBLICLY — The exposing, placing, posting, exhibiting or in any other fashion displaying in any location, whether public or private, material or a performance in such a manner that it may be readily seen and its content or character distinguished by normal unaided vision viewing it from a public place or vehicle.

DISSEMINATE — Manufacture, issue, publish, sell, lend, distribute, transmit, broadcast, exhibit or present material or to offer or agree to do the same, or to have in one's possession with intent to do the same.

MATERIAL — Any printed matter, visual representation or sound recording, and includes, but is not limited to, books, magazines, motion picture files, pamphlets, newspapers, pictures, photographs, drawings, three-dimensioned forms, sculptures, and phonograph, tape or wire recordings, figures, images, instruments and devices.

MINOR — Any person under 18 years of age.

NUDITY — Uncovered, or less than opaquely covered, post-pubertal human genitals or public area, the post-pubertal human female breast below a point immediately above the top of the areola or the covered human male genitals in a discernibly turgid state. For the purposes of this definition, a female breast is considered uncovered if the nipple only or the nipple and areola only are covered.

PANDER — Advertising or propagandizing in connection with the sale of material, the offering of a service or the presentation or exhibition of a performance by appealing to the prurient interest of potential customers.

PERSON — Any natural person or persons, as well as any partnership, corporation or association.

PERFORMANCE — Any live or reproduced exhibition including, but not limited to, any play, motion picture film, dance or appearance presented to or performed before an audience.

PORNOGRAPHIC — Relating to pornography.

PORNOGRAPHY — Any material or performance is "pornography" if all of the following elements are present: (a) considered as a whole, by the average person, applying the contemporary community standards of the Township of Huntington it appeals to the prurient interests; and (b) it depicts or represents in a patently offensive way, sexual conduct, or nudity, as herein defined; and (c) it lacks serious literary, artistic, political or scientific value.

PORNOGRAPHY FOR MINORS — Any material or performance is "pornography for minors" if all of the following elements are present; (a) considered as a whole by the average person applying the contemporary community standards of the Township of Huntington with respect to what is suitable for minors, it is presented in such a manner as to appeal to the minor's prurient interest; and (b) it depicts, describes or represents in a patently offensive way, nudity or sexual conduct as hereinafter defined; and (c) it lacks serious literary, artistic, political or scientific value for minors.

PUBLIC PLACE OR VEHICLE — Any of the streets, alleys, parks, boulevards, schools or other public property in the Township, or any dance hall, rental hall, theater, amusement park, liquor establishment, store, depot, place of public accommodation, or other private property generally frequented by the public for the purposes of education, recreation, amusement, entertainment, sport, shopping or travel; or any vehicle for public transportation, owned or operated by government, either directly or through a public corporation or authority, or owned or operated by a nongovernmental agency for the use, enjoyment or transportation of the general public.

PRURIENT INTEREST — Desire or craving for sexual stimulation or gratification. In determining prurient interest, the material or performance shall be judged with reference to average persons, unless it appears from the

character of the material or performance that is designed to appeal to the prurient interest of a particular group of persons including, but not limited to, homosexuals or sado-masochists. In that case, it shall be judged with reference to the particular group for which it was designed.

SADO-MASOCHISTIC ABUSE — Flagellation or torture by or upon a person who is nude or clad in undergarments or in a sexually revealing or bizarre costume, or the condition of such person being fettered, bound or otherwise physically restrained, in an apparent act of sexual stimulation or gratification.

SEXUAL CONDUCT

(a) Masturbation; (b) sexual intercourse, either heterosexual or homosexual, whether genital-genital, oral-genital, oral-anal or anal-genital; (c) any erotic fondling or touching of the covered or uncovered genitals; buttocks, pubic area, or any part thereof, the breasts of the female; whether the conduct described in (a) through (c) is engaged in alone or between members of the same or opposite sex, or between humans and animals or humans and inanimate objects; or (d) actual or simulated display or exhibition of the human pubic area or genitals or any part thereof, or (e) sexual excitement, as hereinafter defined; or (f) sado-masochistic abuse as hereinafter defined.

SEXUAL EXCITEMENT — The facial expressions, movements, utterances or other responses of a human male or female, whether alone or with others, whether clothed or not, who is in an apparent state of sexual stimulation or arousal, or experiencing the physical or sensual reactions of humans engaging in or witnessing sexual conduct.

§ 6-102. Promoting Pornography. [Ord. 25, 5/9/1985, § II]

1. It shall be unlawful for any person to promote pornography. A person commits the offense of promoting pornography if, knowing its content and character, he:

   A. Disseminates or causes to be disseminated any pornographic material in or from a public place or vehicle, or for valuable consideration; or has in his possession any pornographic material with intent to so disseminate; or knowingly allows the use of a business, building, vehicle or place owned, leased, conducted or managed by him for such dissemination of pornographic material.

   B. Sells an admission ticket, or pass to premises where there is being exhibited or is about to be exhibited material or a performance which is pornographic.

   C. Admits, by accepting a ticket or pass, a person to premises where there is being exhibited or is about to be exhibited material or a performance which is pornographic.

D. Produces, presents, directs or knowingly allows the use of any business, building, vehicle or place, owned, leased, conducted or managed by him to used for a pornographic performance before an audience.

E. Participates in that portion of a live performance before an audience which makes it pornographic.

F. Panders, displays publicly or disseminates door to door any pornographic material or performance, or causes such pandering, public display or door to door dissemination.

2. For the purpose of this Section, possession of two or more identical copies of any pornographic materials by any person engaged in the business of disseminating material, as defined above, shall be prima facie evidence of possession with intent to disseminate for valuable consideration.

§ 6-103. Promoting Pornography for Minors. [Ord. 25, 5/9/1985, § III]

1. It shall be unlawful for any person to promote pornography for minors. A person commits the offense of promoting pornography for minors if, knowing its content and character, he:

A. Disseminates or causes to be disseminated to a minor material which is pornography for minors, or knowingly allows the use of any business, building, vehicle or place owned, leased, conducted or managed by him for the dissemination to a minor of material which is pornography for minors.

B. Exhibits to a minor a motion picture film or other performance which is pornography for minors.

C. Sells to a minor an admission ticket or pass to any building, vehicle or place where there is being exhibited or is about to be exhibited a motion picture film or other performance which is pornography for minors.

D. Admits a minor to any building, vehicle or place where there is being exhibited or is about to be exhibited a motion picture film or other performance which is pornography for minors.

E. Knowingly produces, presents, directs or allows the use of any business, building, vehicle or place owned, leased, conducted or managed by him for the presentation of a performance which is pornography for minors, before an audience which includes a minor.

F. Displays publicly or disseminates door to door any material or performance which is pornography for minors, or causes such display or door to door dissemination.

2. Subsection (1)(A) through (1)(E) do not apply to a parent, guardian or other persons in loco parentis to the minor.

§ 6-104. Defenses. [Ord. 25, 5/9/1985, § IV]

It shall be an affirmative defense to a prosecution under § 102 or § 103 of this Part if the pornographic material was disseminated by a person who was acting in his capacity as:

A. A teacher of an accredited course of study related to pornography at a State approved educational institution.

B. A licensed medical practitioner or psychologist in the treatment of a patient.

C. A participant in the criminal justice system, such as a legislator, judge, prosecutor, law enforcement official or other similar related position.

D. A supplier to any person described in subsection (A) through (C) above.

§ 6-105. Penalties. [Ord. 25, 5/9/1985, § V; as amended by Ord. 32, 9/11/1997]

1. Enforcement and Remedies.

A. Enforcement Notice.

(1) 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.

(2) 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.

(3) The enforcement notice shall state at least the following:

(a) The name of the violator and, if applicable, the owner of record and any other person against whom the Township intends to take action.

(b) The location of the violation and, if applicable, the property in violation.

(c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.

(d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

(e) That the recipient of the notice has the right to appeal to the Board of Supervisors within a period of 10 days.

(f) 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.

B. Enforcement Remedies.

(1) 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 therefore 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 a 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.

(2) 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.

(3) District justices shall have initial jurisdiction over proceedings brought under this Section.

2. Injunction. The Township of Huntington may institute proceedings in equity in the Court of Common Pleas of Adams County, Pennsylvania, for the purpose of enjoining the sale, resale, distribution, exhibit, gift or show of such pornographic literature, book, magazine, pamphlet, newspaper, storypaper, comic book, drawing, photograph, figure or image, or any written or printed matter of an obscene nature, or any article or instrument of a pornographic nature, contrary to the provisions of this Section, and for such purposes jurisdiction is hereby conferred upon said Court. A preliminary injunction may issue and a hearing thereafter be held thereon in conformity with the rules of civil procedure upon the averment of the Township that the sale, resale, lending, distribution, exhibit, gift or show of such publication constitutes a danger to the welfare or peace of the community.

CHAPTER 7

FIRE PREVENTION AND FIRE PROTECTION

PART 1

OUTDOOR BURNING

§ 7-101. Short Title.
§ 7-102. Definitions.
§ 7-103. Fires Prohibited on Public Property; Exceptions.
§ 7-104. Restrictions on Fires on Private Property.
§ 7-105. Agricultural Burning.
§ 7-106. Temporary Restrictions.
§ 7-107. Violations and Penalties.

PART 1

OUTDOOR BURNING

§ 7-101. Short Title. [Ord. No. 2024-01-77, 6/13/2024]

This Part shall be known and may be cited as the "Huntington Township Outdoor Burning Ordinance."

§ 7-102. Definitions. [Ord. No. 2024-01-77, 6/13/2024]

The following words and phrases, when used in this Part, shall have the meaning ascribed to them in this section, except where the context clearly indicates or requires a different or contrary meaning:

BURN — To consume fuel and give off heat/light/and gases.

BURNING — Being on fire.

PERSON — Any natural person or persons, partnership, association, corporation, firm, fictitious name or any other individual or business entity or their agents.

SMOLDER/SMOLDERING — The same meaning as "burning," and any smoldering shall be deemed a burning.

§ 7-103. Fires Prohibited on Public Property; Exceptions. [Ord. No. 2024-01-77, 6/13/2024]

No person shall set, cause to be set, maintain or permit to be maintained any fire of any kind, including the burning of any prohibited material, upon any of the streets, sidewalks, alleys, or public grounds in Huntington Township, unless specifically authorized by the Board of Supervisors or its appointed agent, or, in the case of the municipal parks, in appliances designed for the preparation of food.

§ 7-104. Restrictions on Fires on Private Property. [Ord. No. 2024-01-77, 6/13/2024]

1. All outdoor fires and burning shall conform to the following requirements:

   A. All fires shall be maintained and kept under the supervision of an adult person actually at the scene of the fire at all times.

   B. All fires must be entirely extinguished and not permitted to burn or smolder overnight.

   C. No fire shall be located in a place where it may endanger any structure, building, or other property.

§ 7-105. Agricultural Burning. [Ord. No. 2024-01-77, 6/13/2024]

All fires set for the purposes of agriculture, such as burning orchard trees, shall be exempt from the restrictions set forth in § 7-104. Agricultural burning would still be subject to the temporary restrictions set forth in § 7-106.

§ 7-106. Temporary Restrictions. [Ord. No. 2024-01-77, 6/13/2024]

The Board of Supervisors, by resolution, when it is deemed to be in the interest of public health and safety, may impose a temporary partial or full ban on burning, including but not limited to the following: open burning, burning in receptacles, campfires, charcoal grills, exterior fireplaces, agricultural purposes and for the purpose of clearing land. In addition, the Chairman of the Board of Supervisors has the authority to impose a temporary partial or full ban on burning, as well as the lifting thereof based upon the criteria and under the circumstances deemed necessary by the same. The imposition by the Chairman of a partial or full ban on burning, as well as the lifting thereof, is to be ratified and confirmed by the Board of Supervisors, by resolution, at the next regularly scheduled meeting of the Board of Supervisors following the action taken by the Chairman.

§ 7-107. Violations and Penalties. [Ord. No. 2024-01-77, 6/13/2024]

Any person who violates or permits a violation of this Part shall, upon conviction in a summary proceeding brought before a Magisterial District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than $1,000, plus costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is

permitted to continue shall constitute a separate offense, and each section of this Part that is violated shall also constitute a separate offense.

CHAPTER 8

FLOODPLAINS

PART 1

STATUTORY AUTHORIZATION

§ 8-101. Statutory Authorization.

PART 2

GENERAL PROVISIONS

§ 8-201. Intent.
§ 8-202. Applicability.
§ 8-203. Abrogation and Greater Restrictions.
§ 8-204. Severability.
§ 8-205. Warning and Disclaimer of Liability.

PART 3

ADMINISTRATION

§ 8-301. Designation of the Floodplain Administrator.
§ 8-302. Permits Required.
§ 8-303. Duties and Responsibilities of the 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

§ 8-501. General.
§ 8-502. Elevation and Floodproofing Requirements.
§ 8-503. Design and Construction Standards.
§ 8-504. Development That May Endanger Human Life.
§ 8-505. Special Requirements for Subdivisions and Development.
§ 8-506. Special Requirements for Manufactured Homes.
§ 8-507. Special Requirements for Recreational Vehicles.

PART 6
PROHIBITED ACTIVITIES

§ 8-601. General.

PART 7
EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

§ 8-701. Existing Structures.
§ 8-702. Improvements.

PART 8
VARIANCES

§ 8-801. General.
§ 8-802. Variance Procedures and Conditions.

PART 9
DEFINITIONS

§ 8-901. General.
§ 8-902. Specific Definitions.

PART 10
ENACTMENT

§ 8-1001. Adoption.

PART 1

STATUTORY AUTHORIZATION

§ 8-101. Statutory Authorization. [Ord. No. 2020-02-71, 8/13/2020[1]]

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, 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 Board of Supervisors of the Township of Huntington does hereby order as follows.

1. **Editor's Note: This chapter also provided for the repeal of former Ch. 8, Floodplains, adopted 9/8/2016 by Ord. No. 2016-02-66, as amended.**

PART 2

GENERAL PROVISIONS

§ 8-201. Intent. [Ord. No. 2020-02-71, 8/13/2020]

The intent of this chapter is to:

1. Promote the general health, welfare, and safety of the community.

2. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.

3. Minimize danger to public health by protecting water supply and natural drainage.

4. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.

5. Comply with federal and state floodplain management requirements.

§ 8-202. Applicability. [Ord. No. 2020-02-71, 8/13/2020]

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 Huntington unless a permit has been obtained from the floodplain administrator.

§ 8-203. Abrogation and Greater Restrictions. [Ord. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

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 Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this chapter are hereby declared to be severable.

§ 8-205. Warning and Disclaimer of Liability. [Ord. No. 2020-02-71, 8/13/2020]

1. The degree of flood protection sought by the provisions of this chapter is considered reasonable for regulatory purposes and is based on accepted

engineering methods of study. Larger floods may occur or 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 areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages.

2. This chapter shall not create liability on the part of the Township of Huntington or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

PART 3

ADMINISTRATION

§ 8-301. Designation of the Floodplain Administrator. [Ord. No. 2020-02-71, 8/13/2020]

1. The Permit/Zoning Officer is hereby appointed to administer and enforce this chapter and is referred to herein as the floodplain administrator. The floodplain administrator may: (A) fulfill the duties and responsibilities set forth in these regulations; (B) delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees; or (C) enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 CFR 59.22.

2. In the absence of a designated floodplain administrator, the floodplain administrator duties are to be fulfilled by the Township Supervisor.

§ 8-302. Permits Required. [Ord. No. 2020-02-71, 8/13/2020]

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

§ 8-303. Duties and Responsibilities of the Floodplain Administrator. [Ord. No. 2020-02-71, 8/13/2020]

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 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); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended);[2] 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.

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2. Editor's Note: See 35 P.S. § 750.1 et seq.; 32 P.S. § 693.1 et seq.; and 35 P.S. § 691.1 et seq., respectively.

3. In the case of existing structures, prior to the issuance of any development/ permit, the floodplain administrator shall review the proposed cost of improvements or repairs and the pre-improvement market value of the structure, so that a substantial improvement/substantial damage determination can be made, in accordance with FEMA's Substantial Improvement/Substantial Damage Desk Reference.

4. 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 cumulative substantial damage concerns can be addressed before the permit is issued.

5. 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.

6. In the discharge of his/her duties, the floodplain administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this chapter.

7. 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 Board of Supervisors for whatever action it considers necessary.

8. The floodplain administrator shall maintain in perpetuity, or for the lifetime of the structure, all records associated with the requirements of this chapter including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.

9. The floodplain administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program as requested.

10. The responsibility, authority and means to implement the commitments of the floodplain administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the floodplain administrator/manager.

11. The floodplain administrator shall consider the requirements of the 34 PA Code and the 2015 IBC and the 2015 IRC, or the latest revision thereof as adopted by the Commonwealth of Pennsylvania.

§ 8-304. Application Procedures and Requirements. [Ord. No. 2020-02-71, 8/13/2020]

1. Application for such a permit shall be made, in writing, to the floodplain administrator on forms supplied by the Township of Huntington. 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; and

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 2015 IBC or the 2015 IRC, or the latest revision thereof as adopted by the Commonwealth of Pennsylvania.

D. The following data and documentation:

(1) Detailed information concerning any proposed floodproofing measures and corresponding elevations.

(2) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood.

(3) Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within any identified floodplain area (See § 8-401) when combined with all other existing and anticipated development, will not cause any increase in the base flood elevation.

(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 6, Storage, and § 8-504, Development That May Endanger Human Life, including:

(a) The amount, location and purpose of any materials or substances referred to in §§ 8-503, Subsection 6, 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. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

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

§ 8-309. Start of Construction. [Ord. No. 2020-02-71, 8/13/2020]

1. Work on the proposed construction or development shall begin within 180 days after the date of issuance of the development permit. Work shall also 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 issuance of development permit does not refer to the zoning approval.

2. 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. Permanent grading and/or filling of land which changes or alters the floodplain elevation is prohibited. 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.

3. Time extensions shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the floodplain administrator to approve such a request and the original permit is compliant with this chapter and FIRM/FIS in effect at the time the extension is granted.

§ 8-310. Enforcement. [Ord. No. 2020-02-71, 8/13/2020]

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 of direction of the floodplain administrator or any other authorized employee of the municipality shall be guilty of a summary offense and upon conviction shall pay a fine to Township of Huntington of not less than $25 nor more than $600 plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed 10 days. Each day during which any violation of this chapter continues shall constitute a separate offense. 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. 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 Board of Supervisors to be a public nuisance and abatable as such.

§ 8-311. Appeals. [Ord. No. 2020-02-71, 8/13/2020]

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 Zoning Hearing Board. 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 Zoning Hearing Board shall consider the appeal in accordance with the Municipalities Planning Code[3] and any other local ordinance.

3. Any person aggrieved by any decision of the Zoning Hearing Board may seek relief therefrom by appeal to court, as provided by the laws of this state including the Pennsylvania Flood Plain Management Act.[4]

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

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

PART 4

IDENTIFICATION OF FLOODPLAIN AREAS

§ 8-401. Identification. [Ord. No. 2020-02-71, 8/13/2020]

1. The identified floodplain area shall be:

   A. Any areas of Township of Huntington, classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated February 18, 2009, 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 Township of Huntington and declared to be a part of this chapter.

§ 8-402. Description and Special Requirements of Identified Floodplain Areas. [Ord. No. 2020-02-71, 8/13/2020]

The identified floodplain area shall consist of the following specific areas:

1. The floodway area shall be those areas identified in the FIS and the FIRM as floodway and which represent the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation by more than one foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those special flood hazard areas where no floodway has been identified in the FIS and FIRM.

   A. 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.

   B. Within any floodway area, no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

2. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.

A. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.

B. The AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.

(1) No encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted in an AE Zone without floodway, unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed development, together with all other existing and anticipated development, would not result in an increase in flood levels within the entire community during the occurrence of the base flood discharge.

(2) No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

3. 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 base 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 base flood 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.

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. In the absence of any of the above data or documentation, the community may require elevation of the lowest floor to be at least three feet above the highest adjacent grade.

4. The AO and AH 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 feet and three feet. In Zones AO and AH, drainage paths shall

be established to guide floodwaters around and away from structures on slopes.

5. Community-identified flood hazard areas shall be those areas where Township of Huntington has identified local flood hazard or ponding areas, as delineated and adopted on a local flood hazard map using best available topographic data and locally derived information such as flood of record, historic high water marks, soils or approximate study methodologies.

§ 8-403. Changes in Identification of Area. [Ord. No. 2020-02-71, 8/13/2020]

The identified floodplain area may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change to the special flood hazard area, 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 to the special flood hazard area by submitting technical or scientific data. § 8-501, Subsection 2, for situations where FEMA notification is required.

§ 8-404. Boundary Disputes. [Ord. No. 2020-02-71, 8/13/2020]

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Township of Huntington 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. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

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 first been 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. When Township of Huntington proposes to permit the following encroachments: any development that causes a rise in the base flood elevations within the floodway; or 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 alteration or relocation of a stream (including but not limited to installing culverts and bridges), the applicant shall (as per 44 CFR 65.12):

   A. Apply to FEMA for conditional approval of such action prior to permitting the encroachments to occur.

   B. Upon receipt of the FEMA Administrator's conditional approval of map change and prior to approving the proposed encroachments, a community shall provide evidence to FEMA of the adoption of floodplain management ordinances incorporating the increased base flood elevations and/or revised floodway reflecting the post-project condition.

   C. Upon completion of the proposed encroachments, the applicant shall provide as-built certifications. FEMA will initiate a final map revision upon receipt of such certifications in accordance with 44 CFR Part 67.

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, 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. No. 2020-02-71, 8/13/2020]

Within any identified floodplain area any new construction or substantial improvements shall be prohibited. If a variance is obtained for new construction or substantial improvements in the identified floodplain area in accordance with the criteria in Part 8, then the following provisions apply:

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 3 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 2015 International Building Code (IBC) and in the 2015 International Residential Code (IRC) or the latest edition thereof adopted by the Commonwealth of Pennsylvania, and ASCE 24 and 34 PA Code (Chapters 401 through 405, as amended) shall be utilized, where they are more restrictive.

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 3 of this chapter.

C. In AO Zones, any new construction or substantial improvement shall have their 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. There should be a statement submitted with the permit application and a statement submitted with the as-built floodproofing certificate prior to the issuance of the certificate of occupancy.

E. Any nonresidential structure that will be floodproofed must submit the following to the floodplain administrator along with the nonresidentialy floodproofing certificate and prior to the issuance of the certificate of occupancy:

(1) An inspection and maintenance plan detailing the annual maintenance of floodproofed components ensuring that all components will operate properly under flood conditions. Components that must be inspected include at a minimum:

(a) Mechanical equipment such as sump pumps and generators;

(b) Flood shields and closures;

(c) Walls and wall penetrations; and

(d) Levees and berms (as applicable).;

(2) Flood emergency operation plan detailing the procedures to be followed during a flooding event, and must include information pertaining to how all components will operate properly under all conditions, including power failures. The design professional must produce the plan. An adequate plan must include the following:

(a) An established chain of command and responsibility with leadership responsibilities clearly defined for all aspects of the plan.

(b) A procedure for notification of necessary parties when flooding threatens and flood warnings are issued. Personnel required to be at the building should have a planned and safe means of ingress and should have no other emergency response duties during a flood event. Alternates should be assigned in the event that the primary persons responsible are unable to complete their assigned duties under the plan.

(c) A list of specific duties assigned to ensure that all responsibilities are addressed expeditiously. The locations of materials necessary to properly install all floodproofing components must be included in the list.

(d) An evacuation plan for all personnel or occupants; those without duties for the flood emergency as well as those with duties for implementing the plan. All possible ingress and egress routes must be identified.

(e) A periodic training and exercise program to keep personnel and occupants aware of their duties and responsibilities. Training drills should be held at least once a year and should be coordinated with community officials.

F. The design and construction standards and specifications contained in the 2015 International Building Code (IBC) and in the 2015 International Residential Code (IRC) or the latest revision thereof as adopted by the Commonwealth of Pennsylvania, and ASCE 24 and 34 PA Code (Chapters 401 through 405 as amended) shall be utilized, where they are more restrictive.

3. Space below the lowest floor.

A. Basements are prohibited.

B. 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.

C. 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 installed on two separate walls.

(2) The bottom of all openings shall be no higher than one foot above grade.

(3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Historic Structures. 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.

§ 8-503. Design and Construction Standards. [Ord. No. 2020-02-71, 8/13/2020]

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

1. Fill. Within any identified floodplain area the use of fill shall be prohibited. No variance shall be granted.

2. 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.

3. Water and Sanitary Sewer Facilities and Systems.

A. 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.

B. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.

C. No part of any on-site waste disposal 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.

D. The design and construction provisions of the UCC and FEMA #348, "Protecting Building Utilities From Flood Damages" and "The International Private Sewage Disposal Code" shall be utilized.

4. 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.

5. Streets. The finished elevation of all new streets shall be no more than one foot below the regulatory flood elevation.

6. 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 That May Endanger Human Life, shall be stored at or above the regulatory flood elevation or floodproofed to the maximum extent possible.

7. 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.

8. Anchoring.

A. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.

B. 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.

9. Floors, Walls and Ceilings.

A. 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.

B. Plywood used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.

C. 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.

D. Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other water-resistant material.

10. Paints and Adhesives.

A. Paints and other finishes used at or below the regulatory flood elevation shall be of marine or water-resistant quality.

B. Adhesives used at or below the regulatory flood elevation shall be of a marine or water-resistant variety.

C. 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 finishing material.

11. Electrical Components.

A. Electrical distribution panels shall be at least three feet above the base flood elevation.

B. Separate electrical circuits shall serve lower levels and shall be dropped from above.

12. Equipment.

A. 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 and shall be anchored to resist flotation, collapse, and lateral movement.

B. Ductwork shall be elevated to or above the regulatory flood elevation or floodproofed to remain water resistant.

13. 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.

14. Uniform Construction Code Coordination. The Standards and Specifications contained in 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.

A. International Building Code (IBC) 2015 or the latest revision thereof as adopted by the Commonwealth of Pennsylvania: Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.

B. International Residential Building Code (IRC) 2015 or the latest revision thereof as adopted by the Commonwealth of Pennsylvania: Secs. R104, R105, R109, R322, Appendix E, and Appendix J.

§ 8-504. Development That May Endanger Human Life. [Ord. No. 2020-02-71, 8/13/2020]

Within any identified floodplain area, any structure of the kind described in Subsection 1, below, shall be prohibited. If a variance is obtained in accordance with the criteria in Part 8, then the following provisions apply (Subsections 2, 3 and 4):

1. In accordance with the Pennsylvania Flood Plain Management Act,[5] 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 list of materials and substances are considered dangerous to human life:

   A. Acetone.

   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. Sulphur and sulphur products.

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

Q. Pesticides (including insecticides, fungicides, and rodenticides).

R. Radioactive substances, insofar as such substances are not otherwise regulated.

2. 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.

3. Within any floodway area, any structure of the kind described in Subsection 1, above, shall be prohibited. Where permitted within any identified floodplain area, any new or substantially improved residential structure of the kind described in § 8-504, Subsection 1, above, shall be elevated to remain completely dry up to at least 1 1/2 feet above base flood elevation and built in accordance with §§ 8-501, 8-502 and 8-503.

4. Where permitted within any identified floodplain area, any new or substantially improved nonresidential structure of the kind described in § 8-504, Subsection 1, above, shall be built in accordance with §§ 8-501, 8-502 and 8-503 including:

A. Elevated, or designed and constructed to remain completely dry up to at least 1 1/2 feet above base flood elevation; and

B. Designed to prevent pollution from the structure or activity during the course of a base flood.

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 and Development. [Ord. No. 2020-02-71, 8/13/2020]

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 (CLOMR) and Letter of Map Revision (LOMR). Submittal requirements and processing fees shall be the responsibility of the applicant.

§ 8-506. Special Requirements for Manufactured Homes. [Ord. No. 2020-02-71, 8/13/2020]

1. Within any identified floodplain area manufactured homes shall be prohibited. If a variance is obtained in accordance with the criteria in Part 8, then the following provisions apply:

2. Within any floodway area/district, manufactured homes shall be prohibited.

3. Within any identified floodplain area manufactured homes shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.

4. 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; and

   C. Anchored to resist flotation, collapse, or lateral movement.

5. Equipment requirement:

   A. 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 and shall be anchored to resist flotation, collapse, and lateral movement.

   B. Ductwork shall be elevated to or above the regulatory flood elevation or floodproofed to remain water-resistant.

6. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2015 "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.

7. Consideration shall be given to the installation requirements of the 2015 IBC, and the 2015 IRC or the latest revision thereto as adopted by the Commonwealth of Pennsylvania, and 34 PA Code, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the proposed unit(s) installation.

§ 8-507. Special Requirements for Recreational Vehicles. [Ord. No. 2020-02-71, 8/13/2020]

Within any identified floodplain area the storage of recreational vehicles shall be prohibited. If a variance is obtained in accordance with the criteria in Part 8, then the following provisions apply:

1. Recreational vehicles in Zones A, A1-30, AH and AE must:

   A. Be on the site for fewer than 180 consecutive days; and

   B. Be fully licensed and ready for highway use.

PART 6

PROHIBITED ACTIVITIES

§ 8-601. General. [Ord. No. 2020-02-71, 8/13/2020]

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act,[6] the following activities shall be prohibited within any identified floodplain area:

1. 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:

   A. Hospitals.

   B. Nursing homes.

   C. Jails or prisons.

2. 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.

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

PART 7

EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

§ 8-701. Existing Structures. [Ord. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:

1. No expansion or enlargement of an existing structure shall be allowed within any identified floodplain area that would cause any increase in BFE. In A Area/District(s), BFEs are determined using the methodology in § 8-402, Subsection 3.

2. 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.

3. The above activity shall also address the requirements of the 34 PA Code, as amended and the 2015 IBC and the 2015 IRC or most recent revision thereof as adopted by the Commonwealth of Pennsylvania.

4. Within any Floodway Area/District (See § 8-402, Subsection 1), no new construction or development shall be allowed, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

5. Within any AE Area/District without Floodway (See § 8-402, Subsection 2), no new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.

6. Any modification, alteration, reconstruction, or improvement of any kind occurring as a result of "cumulative substantial damage," as defined in this chapter, shall be undertaken only in full compliance with the provisions of this chapter.

PART 8

VARIANCES

§ 8-801. General. [Ord. No. 2020-02-71, 8/13/2020]

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 Huntington Zoning Hearing Board may, upon request, grant relief from the strict application of the requirements.

§ 8-802. Variance Procedures and Conditions. [Ord. No. 2020-02-71, 8/13/2020]

1. Requests for variances shall be considered by the Township of Huntington Zoning Hearing Board in accordance with the procedures contained in § 8-311 and the following:

   A. No variance shall be granted within any identified floodplain area that would cause any increase in BFE. In A Area/District, BFEs are determined using the methodology in § 8-402, Subsection 3.

   B. 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 Development That May Endanger Human Life (§ 8-504).

   C. No variances shall be granted for a proposed accessory structure that exceeds 600 square feet in size. A signed non-conversion agreement is required as a condition of receiving the variance.

   D. No variance shall be granted for fill (§ 8-503, Subsection 1) and prohibited activities (Part 6).

   E. If granted, a variance shall involve only the least modification necessary to provide relief.

   F. In granting any variance, the Township of Huntington Zoning Hearing Board 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.

   G. Whenever a variance is granted, the Township of Huntington Zoning Hearing Board 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.

H. In reviewing any request for a variance, the Township of Huntington Zoning Hearing Board 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,

(b) Nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.

I. A complete record of all variance requests and related actions shall be maintained by the Township of Huntington Zoning Hearing Board. In addition, a report of all variances granted during the year shall be included in the annual report to the 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. General. [Ord. No. 2020-02-71, 8/13/2020]

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. No. 2020-02-71, 8/13/2020]

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 "100-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, 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.

CUMULATIVE SUBSTANTIAL DAMAGE — Flood related damages sustained by a structure on two or more 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.

DECLARATION OF LAND RESTRICTION (NON-CONVERSION AGREEMENT) — A form signed by the property owner to agree not to convert or modify in any manner that is inconsistent with the terms of the permit and these regulations certain enclosures below the lowest floor of elevated buildings and certain accessory structures. The form requires the owner to record it on the property deed to inform future owners of the restrictions.

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.

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 hazards 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:

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

IDENTIFIED FLOODPLAIN AREA — This term is an umbrella term that includes all of the areas within which the community has selected to enforce floodplain regulations. It will always include the area identified as the special flood hazard area on the Flood Insurance Rate Maps and Flood Insurance Study, but may include additional areas identified by the community. See §§ 8-401 and 8-402 for the specifics on what areas the community has included in the identified floodplain area.

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 non-elevation 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 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.

NEW CONSTRUCTION — Structures for which the start of construction commenced on or after the effective start date of this floodplain management

ordinance and includes any subsequent improvements to such structures. Any construction started after July 15, 1988, and before the effective start date of this floodplain management ordinance 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 July 15, 1988, 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 July 15, 1988, whichever is later, 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:

1. Built on a single chassis;
2. Not more than 400 square feet, measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light-duty truck;
4. 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. The freeboard safety factor also applies to utilities and ductwork.

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.

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 after 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 manufacture 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 re-division 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 — Any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost 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 cumulative substantial damage 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.

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.

VARIANCE — A grant of relief by a community from the terms of a floodplain management regulation.

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. Adoption. [Ord. No. 2020-02-71, 8/13/2020]

This chapter shall be effective on August 13, 2020, and shall remain in force until modified, amended or rescinded by Township of Huntington, Adams County, Pennsylvania.

CHAPTER 9
GRADING AND EXCAVATION

[Reserved to accommodate future enactments]

CHAPTER 10

HEALTH AND SAFETY

PART 1

NUISANCES

§ 10-101. Definitions; Word Usage.
§ 10-102. Motor Vehicle Nuisances Prohibited.
§ 10-103. Storage of Motor Vehicle Nuisance.
§ 10-104. Nonvehicular Nuisances Enumerated.
§ 10-105. Inspection; Notice to Comply.
§ 10-106. Township Authority to Remedy Noncompliance.
§ 10-107. Penalties.
§ 10-108. Additional Remedies.

PART 1

NUISANCES

§ 10-101. Definitions; Word Usage. [Ord. 32, 9/11/1997]

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

   LESSEE — The owner, for the purpose of this Part, when a lessor holds a lessee responsible for maintenance and repairs.

   MOTOR VEHICLE — Any type of mechanical device propelled by a motor in which persons or property may be transported upon public streets or highways, including trailers or semitrailers pulled thereby.

   NUISANCE — Any condition, structure or improvement which shall constitute a threat or potential threat to the health, safety or welfare of the citizens of the Township.

   OWNER — The actual owner, agent or custodian of the property on which the motor vehicles are stored or on which a condition, structure or improvement is allowed to exist or has been created, whether individual or partnership, association or corporation.

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

2. Word Usage. In this Part, the singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

§ 10-102. Motor Vehicle Nuisances Prohibited. [Ord. 32, 9/11/1997]

It shall be unlawful for any person, owner or lessee to maintain a motor vehicle nuisance upon public property or upon the open private grounds of such person, owner or lessee within the Township. A motor vehicle nuisance shall include any motor vehicle which is unable to move under its own power and which has no current inspection sticker or no current registration card at the time of the alleged violation or citation and has any one or more of the following physical defects:

A. Broken windshields, mirrors or other glass with sharp edges.

B. One or more flat or open tires or tubes which could permit animal harborage.

C. Missing doors, windows, hood, trunk or other body parts which could permit animal harborage.

D. Any body parts with sharp edges, including holes resulting from rust.

E. Missing tires resulting in unsafe suspension of the motor vehicle.

F. Upholstery which is torn or open which could permit animal and/or vermin harborage.

G. Broken headlamps or tail lamps with sharp edges.

H. Disassembled chassis parts apart from the motor vehicle, stored in a disorderly fashion or loose in or on the vehicle.

I. Protruding sharp objects form the chassis.

J. Broken vehicle frames suspended from the ground in an unstable manner.

K. Leaking or damaged oil pan or gas tank which could cause fire or explosion.

L. Exposed battery containing acid.

M. Inoperable looking mechanism for doors or trunk.

N. Open or damaged floorboards, including trunk and fire wall.

O. Damaged bumpers pulled away from the perimeter of the vehicle.

P. Broken grill with protruding edges.

Q. Loose or damaged metal trim and clips.

R. Broken communication equipment antennas.

S. Suspended on unstable supports.

T. A missing engine or motor or other essential parts for the operation of the vehicle which have been removed for more than 30 days.

U. Such other defects which could threaten the health, safety and welfare of the citizens of the Township.

§ 10-103. Storage of Motor Vehicle Nuisance. [Ord. 32, 9/11/1997]

Any person, owner or lessee who has one or more motor vehicle nuisances as defined in § 101, above, may store such vehicle(s) in the Township only in strict compliance with the regulations provided herein. Such person, owner or lessee must first apply for a permit for either temporary or permanent storage and pay a fee to the Township in an amount as may be established from time to time by resolution of the Board of Supervisors. The motor vehicle nuisance(s) must be stored within a garage or other enclosed building or outside within an opaque fence at least six feet high, which is looked at all times when unattended. With the special approval of the Township, motor vehicle nuisances may also be stored outside, in an area enclosed by a chain link fence at least six feet high, screened by shrubbery around the perimeter to the height of the fence, with an unobstructed gate capable of admitting fire or emergency equipment. Such gate shall remain locked at all times when unattended. In addition, all gas and oil or other flammable liquid must be removed from the motor vehicle and it shall be kept free of vermin infestation while being stored. The total area of storage of motor vehicle nuisances may not exceed 200 square feet. This Section is not intended to conflict with the provisions of any Township junkyard ordinance in effect. It is the intent of this Section to apply only to a small area for a limited number of vehicle nuisances.

§ 10-104. Nonvehicular Nuisances Enumerated. [Ord. 32, 9/11/1997]

The following uses of and activities upon real property in the Township are hereby declared to be a nuisance and are hereby prohibited:

A. The use for any premises as a trash or garbage dump.

B. The depositing, accumulating or dumping of any amount of trash or garbage upon the premises of another or in any stream or other body of water, or on a highway or upon public property.

C. The burning of or setting fire to trash, rubbish, refuse or garbage brought upon and accumulated or stored on any premises or any other location or locations.

D. The storage of gasoline, kerosene or other petroleum products in excess of 5,000 gallons, except by gasoline service stations or petroleum product companies, unless such storage is by a business holding an appropriate State or Federal license for excess storage.

E. Any use of or activity upon property that by reason of flame, smoke, odors, fumes, noise or dust unreasonably interferes with the reasonable use,

comfort and enjoyment of a neighbor's property or endangers the health and safety of the occupants of a neighboring property; offensive uses shall not include farming or other allied occupations.

F. The excessive or unreasonable accumulation of scrap, junk, trash or garbage upon any premises, causing odor, fumes or unsightly appearances.

G. The maintenance of any dangerous structure, including buildings or parts of buildings in a state of dilapidation or disrepair. A dangerous structure is defined as any building or structure which is dangerous and unsafe for human occupancy, constitutes a fire hazard, endangers surrounding buildings, shelters rats or other vermin or endangers the safety of children playing in the vicinity.

H. The maintenance or causing of any loud or excessive noise or sound which disturbs the general public. An excessive or loud noise shall be any noise or sound of such intensity as to cause sever annoyance and discomfort to any group of persons of normal sensibilities on the premises other than the premises wherein the noise is created, or upon any public highway or road within the Township, or of such intensity as to prohibit or seriously interfere with normal conversation between persons.

§ 10-105. Inspection; Notice to Comply. [Ord. 32, 9/11/1997]

1. The Township Supervisors, the Secretary, the police officers serving the Township or any enforcement officer appointed by the Township Supervisors is hereby empowered to inspect grounds to determine if there are violations of this Part.

2. If noncompliance with the provisions of this Part constitutes a nuisance, or if any condition, structure or improvement poses a threat to the health, safety or welfare of the public, said individual mentioned in subsection (1) shall issue a written notice, to be served by registered or certified mail, upon the owner of said premises or, if the owner's whereabouts or identity is unknown, by posting the notice conspicuously upon the offending premises. Said notice shall specify the condition or structure or improvement or nuisance complained of and shall require the owner to commence to remove or otherwise rectify the condition, structure or improvement as set forth therein within 10 days of mailing or posting of said notice, and thereafter to fully comply with the requirements of the notice within a reasonable time.

§ 10-106. Township Authority to Remedy Noncompliance. [Ord. 32, 9/11/1997]

If the owner of the grounds on which motor vehicles are stored or in which a nuisance, condition or structure or improvement does not comply with the notice to abate the conditions within the time limit prescribed, the Township shall have the authority to take measures to correct the conditions and collect the cost of such corrections plus 10% of all cost. The Township, in such event and pursuant to its

statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

§ 10-107. Penalties. [Ord. 32, 9/11/1997]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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.

§ 10-108. Additional Remedies. [Ord. 32, 9/11/1997]

In addition to such other remedies as shall be provided for herein, the Township shall have the right to institute proceedings in law or equity in a court of appropriate jurisdiction to enforce the provisions hereof. The remedies provided herein for the enforcement of this Part or any other remedies provided by law shall not be deemed mutually exclusive; rather, the remedies may be employed simultaneously or consecutively at the option of the Township Supervisors.

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[Reserved to accommodate future enactments]

CHAPTER 12
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[Reserved to accommodate future enactments]

CHAPTER 13

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PART 1

CABLE TELEVISION

§ 13-101. Purpose. [Ord. 24, 4/11/1985, Art. I]

It is hereby declared necessary, for the protection, benefit and safety of the general traveling public, and the inhabitants of Huntington Township, to require licenses for the construction, maintenance and operation of cable television systems, and to establish procedures and policies for the issuance of the same.

§ 13-102. Definitions. [Ord. 24, 4/11/1985, Art. II]

For the purposes of this Part the following words shall have the meaning ascribed to them as set forth in this Section:

BOARD — The Board of Supervisors, Huntington Township, Adams County, Pennsylvania.

CABLE TV OPERATION — The operation, maintenance and construction of a system for the interception, origination, distribution and sale of electronic signals.

PERSON — Any individual, firm, partnership, company, corporation, trustee, association or private entity.

TOWNSHIP — Huntington Township, Adams County, Pennsylvania.

§ 13-103. Application. [Ord. 24, 4/11/1985, Art. III; as amended by Ord. 32, 9/11/1997]

1. Any person desiring to obtain a license for a cable TV operation shall apply to the Board for the same. If the applicant's qualifications are satisfactory to the Board and it appears, after a full public hearing, that all conditions of the law are met and that the public interest will not be adversely affected,

the application shall be approved and a license shall be issued to the applicant.

2. The application for a license for cable TV operation shall be made in writing and shall contain the following:

A. Name and address of the applicant.

B. Whether the applicant is an individual, private association, partnership or a corporation.

C. The assumed name (if any) used for doing business in the Township.

D. The mailing address, including zip code and the telephone number to which all communications are to be directed.

E. The name, address and telephone number of the business office or agent within the local service area.

F. A schedule of business hours of the office or agent within the local service area.

G. A description of the facilities for which the license is requested, including:

(1) The number of channels of each type to be provided by such facilities.

(2) The number, if any, of wires, conductors and coaxial units of each type (not equipped for immediate operation) capable of providing additional channels of communication only by the construction of additional apparatus, equipment or other facilities.

H. A map or sketch showing:

(1) The route of the proposed service area.

(2) The type and ownership of structures (open air, area cable, etc.).

I. A summary of the factors showing the public need for the proposed services.

J. Economic justification for the proposed services including estimated revenues and costs, and the basis therefore.

K. One or more of the following statements, as pertinent:

(1) If the proposed facilities and services are to be constructed, the details thereof, including a summary of the cost estimate.

(2) If the proposed facilities and services are to be leased, the details thereof, including the name of the lessor, a summary of the terms of the lease agreement, anticipated lease rental and any other added cost to the applicant.

(3) If the proposed facilities are to be purchased, the name of the vendor, a detailed description of the transaction and a statement of the original cost, plus other added costs to the applicant.

L. The date of commencement of the proposed services and a schedule of the proposed availability of such services.

M. A statement by the applicant that he has read and understands the content of this Part and that he agrees to abide by its terms and to fulfill his obligations hereunder.

3. The application shall be accompanied by a binder issued by a reputable insurance company authorized to do business in the Commonwealth of Pennsylvania, stating that upon issuance of the license, the insurance company will issue a public liability policy in minimum amounts of $150,000 bodily injury or death per person; $500,000 per claim; and $50,000 property damage. The binder shall contain therein, or have contained in a rider attached thereto and made a part thereof, a clause to the effect that the insurer will notify the insured and the Township in writing 60 days prior to cancellation of the policy. The application shall also be accompanied by a certificate, the form of which shall be approved by the Township, attesting that the applicant's employees are covered by adequate Workman's Compensation insurance pursuant to the laws of the Commonwealth of Pennsylvania.

4. The application shall be accompanied by a fee in an amount as established from time to time by resolution of the Board of Supervisors.

§ 13-104. License. [Ord. 24, 4/11/1985, Art. IV; as amended by Ord. 32, 9/11/1997]

1. Upon satisfaction of the requirements of § 103 of this Part, a license shall be issued for a term of 10 years. The license shall be renewable for an additional like term of years upon application as provided in § 103. A license issued under this Part shall be nonexclusive, and shall grant to the licensee insofar as the Township is able to do, the right and privilege to construct, erect, operate and maintain across and over the streets, alleys, roads, public ways and places, and all extensions thereof, and additions thereto, in the Township, wires, poles, cables, conductors and such other fixtures necessary for the operation and maintenance of a cable television system as proposed in the application and provided in this Part.

2. The licensee agrees that its installation and operation shall be installed, located and maintained so as not to endanger or interfere with the life and property of any person or thing; nor interfere with improvements which the Township may deem proper; nor hinder or obstruct the free use of streets, alleys, bridges or other public or private property. In the event the Township relocates a street or makes any other change requiring the removal of utility installations or in the event that the licensee does interfere with the public or private property of others, the licensee, at its sole expense, will remove its installation at this location.

3. The licensee shall be solely responsible for entering into an agreement with all third parties in connection with the exercise of the license.

4. The licensee shall at all times during the term of the license maintain insurance as described in the application, per § 102, naming the Township as coinsured.

5. The licensee shall be subject to all the laws, rules and regulations of the United States of America, and the Commonwealth of Pennsylvania, and any of their instrumentalities and/or agencies which are applicable to cable TV operation including, among others, the provisions of the National Electrical Safety Code prepared by the National Bureau of Standards and the National Electrical Code of the National Board of Fire Underwriters.

6. The licensee shall indemnify and save harmless, in writing, the Township for all claims, demands, suits, actions, costs and expenses including counsel fees, arising out of or caused by the installation, erection or operation, existence or maintenance of the licenses permitted under this Part. The licensee agrees that in the event a final judgment arising out of such claims, demands, suits or actions set out above, subject to no further appeal, is entered against the Township, the licensee will immediately provide to the Township for transmittal to the plaintiff, a sum of money equal to the amount of the said judgment including any applicable interest and costs entered against the Township. It is further expressly understood that the Township has no control, standards or regulation pertaining to the subject matter of programs distributed by the licensee. The licensee agrees to indemnify and safe harmless the Township, its officers and employees, from all claims, suits and actions at law or equity, for libel, slander, patent or copyright infringement; that in the event that the Township is made a party defendant in any action arising out of the subject matter of programs transmitted by the licensee, the licensee shall, at its sole cost and expense, defend such action and appeals therefrom.

7. The licensee agrees, as a condition of the license, that it shall begin construction under the license within 90 days after issuance of the license. The licensee further agrees that over 50% of the service area, as proposed in the application, shall be receiving completed services within 18 months of the issuance of the license.

8. In consideration of the permission granted it through the license, the licensee agrees to pay to the Township an annual license fee which shall be equal to 3% of the annual gross operating revenues derived from subscribers within the Township. Payment to the Township shall be made on April 1 and October 1 for the receipts received by the licensee in the six-month period ending the last day of February and August 31, respectively. In the event that the licensee shall fail to make payment on the applicable date, a late payment fee of 10% per annum shall be incurred by the licensee, to the Township, on that amount of the license fee which is delinquent. The licensee shall keep full, true, accurate and current account books reflecting its investment and its operations under this Part, which books and records shall be made available for inspection and copying by the Township during reasonable business hours.

9. During the term of the license, the licensee shall maintain a business office or agent within the local service area, having a schedule of business hours, with a listed telephone, and have available sufficient office and maintenance personnel to provide efficient service. The local office shall be open to receive inquiries or complaints from subscribers during normal business hours. Any complaints from subscribers shall be investigated and acted upon as soon as possible, at least within three business days of their receipt. The licensee shall keep a maintenance service log which shall indicate the nature of each service complaint, the date and time it was received, the disposition of said complaint and the time and date thereof. This log shall be made available for periodic inspection by the Township.

10. The permission and rights granted under this Part shall not be assigned or sold without the express written consent of the Township. In the event of the appointment of a receiver for the licensee, or in the event the licensee is adjudged bankrupt, or in the event the facilities erected pursuant to this Part are levied upon under writ of execution, and if any such situation is not rectified within 30 days, this Part shall be deemed null and void. Subject to the foregoing provisions, a merger of the licensee with another or others whereby the assets of the licensee represent less than 1/2 of the total assets of the total company shall be deemed a sale.

§ 13-105. Revocation. [Ord. 24, 4/11/1985, Art. V]

The Township may, at any time it so determines that the licensee is violating any of the terms and/or conditions of this Part or of the license, issue a citation upon the licensee, to show cause why the license should not be revoked. A hearing shall be called by the Supervisors within 10 days from the date of the citation. If, after the hearing, it is determined that the licensee has violated any of the terms of this Part, or of the license, the license may be revoked.

§ 13-106. Penalties. [Ord. 24, 4/11/1985, Art. VIII; as amended by Ord. 32, 9/11/1997]

Any person firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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.

PART 2

JUNKYARD REGULATIONS

§ 13-201. Short Title. [Ord. 15, 12/14/1972, § 1]

This Part shall be known as the "Huntington Township Junkyard and Refuse Ordinance."

§ 13-202. Definitions. [Ord. 15, 12/14/1972, § 2; as amended by Ord. 32, 9/11/1997]

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Part to have the meanings herein indicated.

GOVERNING BODY — Board of Supervisors.

JUNK — Any discarded or used material or article and shall include, but not be limited to, scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, paper, glass, containers and structures, where stored for resale or otherwise. It shall not include refuse or garbage kept in proper containers for the purpose of prompt disposal.

JUNK DEALER — Any person who shall purchase, receive, store, accumulate, process, sell or otherwise deal in junk within the Township.

JUNKYARD — Any place where junk, as hereinafter defined, is purchased, received, stored, accumulated, processed, sold or otherwise disposed of. It shall include any place of storage or deposit which displays one or more unregistered nonoperative motor vehicles or machine or parts of any motor vehicle or machine, the sum of which shall be equal in bulk to one or more vehicles.

LICENSE — The permit granted by the Township to a person who accumulates, buys, sells, processes, stores or disposes of junk as hereinbefore defined.

MUNICIPALITY — Huntington Township.

NONOPERATIVE VEHICLE OR MACHINE — Any vehicle or machine which:

A. Cannot be demonstrably operated for useful purpose and would in normal use be registered with the Pennsylvania Department of Transportation, but is not so registered.

B. Cannot be demonstrably operated for useful purposes and would not normally be registered.

Excluded shall be:

A. Vehicles or machinery housed in a garage or barn or where said machinery is not normally visible in any part from a public road or adjacent properties.

B. Vehicles or machinery either originally intended or subsequently modified for use in agricultural or forestry pursuits, provided said machinery is demonstrably operable and owned by a person engaged in agricultural or forestry pursuits.

C. Any vehicle having up-to-date registration with the Pennsylvania Department of Transportation.

PERSON — Any individual, partnership, association, firm or corporation.

§ 13-203. License. [Ord. 15, 12/14/1972, § 3]

No person shall engage in business as a junk dealer, or maintain a junkyard without having first obtained a license from the Board of Supervisors, for which license a fee in accordance with the schedule hereinafter set forth shall be paid to the Township for the use of the Township. The license shall be issued for the twelve-month period beginning January 1 and ending January 1, of the following year, and each license shall be renewed annually on or before the first day of January of each year.

§ 13-204. Application for License. [Ord. 15, 12/14/1972, § 4]

The license provided for in this Part shall be issued by the Board of Supervisors after written application shall be made therefore by the person desiring to be licensed. Such license shall state the name of the person to whom such license is issued and the premises on which such business is to be conducted, or such junkyard is to be maintained. Such license shall be posted conspicuously upon the premises licensed thereunder. The written application for license hereinabove mentioned shall be accompanied by a form, every question of which must be answered, which form will be supplied by the Board of Supervisors. Applicant shall also submit therewith a plot of the premises used or to be used in connection with such license, illustrating how junk is to be arranged upon the premises.

§ 13-205. Issuance of License. [Ord. 15, 12/14/1972, § 5]

1. Upon receipt of the application by the Board of Supervisors, the Board of Supervisors shall issue a license or shall refuse to issue a license to the person applying therefore after an examination of the area proposed and taking into consideration the suitability of the property proposed for the purposes of the license, the character of the properties located nearby, and the effect of the proposed use upon the Township, both economic and aesthetic. In the event the Township shall issue a license, it may impose upon the license and the person applying therefore such terms and conditions in addition to the regulations herein contained and adopted pursuant to this Part as may be deemed necessary to carry out the spirit and intent of this Part.

2. It shall be unlawful for any person to have a junkyard within a distance of 500 feet from the property boundaries of a school church, cemetery, playground or housing scheme.

§ 13-206. License Fee. [Ord. 15, 12/14/1972, § 6; as amended by Ord. 32, 9/11/1997]

The license fee shall be paid immediately upon the issuance or renewal of a license. The amount of the license fee shall be established from time to time by resolution of the Board of Supervisors. No license shall be issued for the use of a tract of land in excess of 20 acres excluding set back areas.

§ 13-207. License Limitations. [Ord. 15, 12/14/1972, § 7]

No person licensed under this Part shall, by virtue of one license, keep more than one place of business in the Township or maintain more than one junkyard, for the purpose of accumulating, storing, buying, selling and dealing in junk. No person shall engage in business as a junk dealer in any other place other than the place designated upon his license, or maintain a junkyard in any other place other than designated upon his license.

§ 13-208. Transfer of License. [Ord. 15, 12/14/1972, § 8]

No license issued by the Board of Supervisors shall be transferrable to any other person unless such transfer is authorized by the Board of Supervisors. Any person desiring to transfer his license shall notify the Board of Supervisors in writing, which notification shall be accompanied by an application for a license, as described in § 204, of this Part, by the transferee.

§ 13-209. Transfer Fee. [Ord. 15, 12/14/1972, § 9; as amended by Ord. 32, 9/11/1997]

In the event the Board of Supervisors shall approve the transfer of a license, the transferee shall immediately pay to the Township a transfer fee in an amount as established from time to time by the Board of Supervisors.

§ 13-210. Records. [Ord. 15, 12/14/1972, § 10]

Every person licensed under this Part shall provide and shall constantly keep a book, in which shall be fairly written down in English language at the time of purchase of any junk, a description of every article or material purchased or received by him, the date and hour of such purchase and the person from whom such article or material was purchased, received or handled. Said records shall, at all times, be subject to the inspection of an official of the Township.

§ 13-211. Delay in Disposal. [Ord. 15, 12/14/1972, § 11]

Any person licensed under this Part shall keep and retain upon the licensed premises, for a period of 48 hours after the purchase or receipt thereof, all junk received or purchased by him, and he shall not disturb, reduce or sell the same or

alter the original form, shape or condition until such period of 48 hours shall have elapsed.

§ 13-212. Regulations. [Ord. 15, 12/14/1972, § 12]

Every person licensed under this Part shall constantly maintain the licensed premises in accordance with any special provisions imposed by the Board of Supervisors and in the manner prescribed by this Section and any subsequent regulations adopted by the Board of Supervisors.

A. Such premises shall at all times be maintained so as not to constitute a nuisance or a menace to the health or welfare of the community or a place for the breeding or rodents or vermin.

B. No garbage or other organic waste shall be stored in such premises.

C. Whenever any motor vehicle shall be received in such premises as junk, all gasoline shall be drained and removed therefore. Gasoline in the amount not to exceed 10 gallons may be stored above ground in said junkyard provided same is placed in containers approved by the Board of Supervisors.

D. The manner of storage and arrangement of junk, and the drainage facilities of the premises shall be such as to prevent accumulation of stagnant water upon the premises, and to facilitate access for firefighting purposes.

E. All junk kept, stored or arranged on the licensed premises shall at all times be kept, stored and arranged within the junkyard as described in the application for license hereunder, and as limited under subsection (d) above.

F. A person licensed under this Part, and having the necessary permits under existing burning and fire control ordinances, shall not burn more than one motor vehicle or its equivalent at any one time. No grease, oil, tires, gasoline or other similar material that might be dangerous or tend to produce obnoxious smoke or odors shall be burned within the junkyard at any time. Burning of vehicles must be attended at all times.

G. The junkyard to be licensed shall be setback within the property to distances measured at right angles from the surrounding roads and properties as follows:

(1) Front Setback.

(a) Not less than 70 feet from the presently existing center lines of Huntington Township roads.

(b) No less than 50 feet from the edge of the presently existing right-of-way of any State or United States numbered highway.

(2) Side and Rear Setbacks. No less than 40 feet from surrounding property lines.

H. Every junkyard shall be made inaccessible to the public by provision of an enclosure which will not detract from the amenity of the surroundings in the opinion of the Board of Supervisors. The use of evergreen screen plantings and substantial wire fencing equivalent to cyclone fencing, not less than six feet high shall be the basis for this provision. Such fencing shall be placed along the setback lines with entrances locked when the yard is unattended. Areas external to the fenced setback areas shall be kept clear of junk at all times and shall have definable entranceways and site landscaping planned and executed to the approval of the Board of Supervisors. The Board of Supervisors may set forth the fence and planting requirement at the time of the issuance of license or at the time of renewal or transfer of license.

I. The junkyard site shall be laid out and graded to provide positive drainage away from stored junk and existing or proposed structures.

J. The dismantling, smashing and crushing of automobile bodies and other pieces of metal scrap, loading or unloading of junk and any other activity carried out on the premises shall be conducted in such a manner as to not create excessive noise, dust, odor and vibration and not to endanger the public health and safety or disturb private and peaceful enjoyment of life.

K. Junk shall not be accumulated to a height greater than six feet except where an individual item in its normal form exceeds this limit. Items exceeding this limit shall be stored or accumulated in a specific area within the junkyard, such area to be designated on the plot plan as required in § 204.

§ 13-213. Compliance. [Ord. 15, 12/14/1972, § 13]

1. For new junkyards the provisions of this Part shall be carried out as a requirement for the issuance of a license with the setback, fencing, planting and other requirements set forth and approved by the Board of Supervisors.

2. Junkyards operating and existing in the Township on the effective date of this Part shall not be required to obtain a license prior to April 2, 1973, and the license fee for the period ending December 31, 1973, shall be only 3/4 of fee only. For existing junkyards, duly approved and licensed, all provisions of this Part shall be carried out within a period of one year from the date of this Part.

3. Annual renewals and transfer of licenses shall be subject to compliance with this Part.

§ 13-214. Penalties. [Ord. 15, 12/14/1972, § 14; as amended by Ord. 32, 9/11/1997]

Any person firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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.

§ 13-215. Abatement of Nuisances. [Ord. 15, 12/14/1972, § 15]

In addition to the remedies provided in § 214 above, any continued violation of this Part in fact or which shall in the opinion of the Board of Supervisors constitute a nuisance may be abated by proceeding against the violator in a court of equity for relief.

§ 13-216. Revocation of License. [Ord. 15, 12/14/1972, § 16]

In addition to the provisions and penalties for violations and abatement of nuisances as given in §§ 214 and 215 above, the Board of Supervisors may give reasonable notice for the remedying of violations and if such violations are not remedied within the prescribed time, the Board of Supervisors may declare the license revoked.

PART 3

BUILDING PERMITS

§ 13-301. Statement of Intent. [Ord. No. 2018-01-68, 11/8/2018]

1. It shall be unlawful for any person, partnership, business, corporation, or other legal entity to undertake or cause to be undertaken the construction, reconstruction, enlargement, alteration or relocation of any building or structure larger than 180 square feet within Huntington Township unless an approved building permit has been obtained from the Township Building Permit Officer, who shall be the Zoning Officer of the Township.

2. A building permit shall not be required for repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

§ 13-302. Definitions. [Ord. No. 2018-01-68, 11/8/2018]

For the purposes of this Part, the following definitions shall apply:

ALTERATION — Any work or rearrangement, removal or replacement of any exterior wall, roof or support that requires inspection under the Pennsylvania Uniform Construction Code.

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

PERSON — Any person, persons, partnership, business, corporation, or other legal entity.

STRUCTURE — A combination of materials to form anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, mobile homes, carports, porches, driveways, swimming pools, and other similar items.

§ 13-303. Application Procedure. [Ord. No. 2018-01-68, 11/8/2018]

1. Application for a building permit shall be made, in writing, to the Zoning Officer on forms supplied by the municipality. Such application shall contain at least the following:

   A. Name and address of the applicant.

   B. Name and address of the owner of land on which the proposed construction is to occur.

   C. Name and address of the contractor.

D. Site location.

E. Brief description of proposed work and estimate of cost.

F. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

§ 13-304. Issuance of Permit. [Ord. No. 2018-01-68, 11/8/2018]

The Zoning Officer shall issue a building permit only after it has been determined that the proposed construction will be in conformance with all applicable requirements and regulations and that the land on which the proposed construction is to be made complies with all Township rules and regulations or state rules and regulations concerning sewage facilities and on-site septic system as well as any and all regulations that would apply if construction is to occur in a floodplain. If the Zoning Officer determines that there is a potential problem with the application as submitted or with its conforming to existing state or local ordinances, the officer shall not issue the permit without first obtaining approval of the Township Supervisors at a regular or special meeting.

§ 13-305. Permit Changes. [Ord. No. 2018-01-68, 11/8/2018]

After the issuance of a building permit by the Zoning Officer of the Township, 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 Zoning Officer.

§ 13-306. Placards. [Ord. No. 2018-01-68, 11/8/2018]

In addition to the building permit, the Zoning Officer 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 building permit, the date of issuance and be signed by the Zoning Officer.

§ 13-307. Time Limitation on Building Permit. [Ord. No. 2018-01-68, 11/8/2018]

Work on the proposed construction shall begin within six months of the date of the issuance of the building permit or the permit shall expire unless a time extension is granted, in writing, by the Zoning Officer. Construction shall be considered to have started with the first placement of permanent construction on the site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure, or any part thereof on its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling, excavation for basement, footings, piers, or foundations; erection of temporary forms; the installation of piling under proposed subservice footings; or the installation of sewer, gas, water pipes or electric or other service lines from the street.

Work on the proposed construction must be completed within two years from the date of issuance of the building permit, or the permit shall expire. If construction has been commenced but not completed within the two-year time period, the person involved may apply to the Zoning Officer for an extension of time. If an extension of time is granted, there will be no additional cost or charge for the renewal of the permit. However, if valid reasons for the delay in construction cannot be shown, and no extension of time is granted, then any person desiring to continue with the construction must apply for a new building permit, at which time the Zoning Officer shall be entitled to take into account the then-existing state and local ordinances and regulations that may affect the land use, septic systems, or nature of the construction, and shall grant or deny the new application based on then existing circumstances and upon payment of all new application fees.

§ 13-308. Inspection and Revocation. [Ord. No. 2018-01-68, 11/8/2018]

During the construction period, the Zoning Officer, Township Supervisors, or other authorized officials may 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 as well as any state laws or regulations that may apply to the property, including compliance with any floodplain rules and regulations. In the event that it is discovered 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 Zoning Officer shall, at the direction of the Board of Supervisors of the Township, revoke the building permit, and the Board of Supervisors shall take whatever action it considers necessary to prosecute the applicant for violation of this Part or to bring any action at law or in equity to enjoin any continued violation or to recover any damages that may have been inflicted.

§ 13-309. Fees. [Ord. No. 2018-01-68, 11/8/2018]

Application for a building permit shall be accompanied by a fee which is set by the Board of Supervisors by resolution duly adopted at the first meeting in January or at a regularly scheduled meeting if modifications are necessary.

§ 13-310. Appeals. [Ord. No. 2018-01-68, 11/8/2018]

Any person aggrieved by the Zoning Officer's estimate of the cost of the proposed construction may appeal to the Board of Supervisors. Such appeal must be filed, in writing, within 30 days after the determination by the Zoning Officer. Upon receipt of such appeal, the Board of Supervisors shall set a time and place not less than 10 nor more than 30 days for the purpose of hearing the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties at which time they may appear and be heard. The determination of the estimated cost by the Board of Supervisors shall be final in all cases.

§ 13-311. Violations and Penalties. [Ord. No. 2018-01-68, 11/8/2018]

Any person, partnership, business, corporation, or other legal entity who fails to comply with any or all of the requirements of this Part or who fails or refuses to comply with any notice, order or direction of the Zoning Officer or any other authorized employee of the municipality shall be guilty of violation of this Part and,

upon conviction, shall pay a fine to Huntington Township in an amount not less than $25 nor more than $1,000, plus the costs. In default of such payment, such persons shall be imprisoned in Adams County Prison for a period not to exceed 10 days. Each day during which any violation of this Part continues after notice of violation is given shall constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this Part. The imposition of a fine or penalty for any violation of, or noncompliance with, this Part 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 noncompliances within a reasonable time. Any structure or building constructed, reconstructed, enlarged, altered or relocated, in violation of this Part may be declared by the Board of Supervisors of Huntington Township to be a public nuisance and abatable as such.

§ 13-312. Severability. [Ord. No. 2018-01-68, 11/8/2018]

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

§ 13-313. Compliance with Other Ordinances. [Ord. No. 2018-01-68, 11/8/2018]

This Building Permit Ordinance and the enforcement thereof and compliance therewith shall also be subject to any other ordinances of Huntington Township, Adams County, Pennsylvania.

CHAPTER 14
MOBILE HOMES AND MOBILE HOME PARKS

[Reserved to accommodate future enactments]

CHAPTER 15

MOTOR VEHICLES

PART 1

GENERAL REGULATIONS

§ 15-101. Definitions and Interpretation.
§ 15-102. Manner of Adopting Permanent Traffic and Parking Regulations.
§ 15-103. Provisions to Be the Continuation of Any Existing Regulations.
§ 15-104. Temporary and Emergency Regulations.

PART 2

TRAFFIC REGULATIONS

§ 15-201. Maximum Speed Limits Established on Certain Streets and Roads Within Huntington Township.
§ 15-202. Stop Intersections Established.
§ 15-203. Yield Intersections Established.
§ 15-204. Stop, Except Right-Hand Turn Intersections.

PART 3

NO-PARKING AREAS

§ 15-301. No-Parking Areas.

PART 1

GENERAL REGULATIONS

§ 15-101. Definitions and Interpretation. [Ord. 36, 5/11/2000, § 101]

1. Words and phrases, when used in this Part, 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 Part, the word "street" or "road" 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. In this chapter, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§ 15-102. Manner of Adopting Permanent Traffic and Parking Regulations. [Ord. 36, 5/11/2000, § 102]

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

§ 15-103. Provisions to Be the Continuation of Any Existing Regulations. [Ord. 36, 5/11/2000, § 103]

The provisions of this Part, insofar as they are the same as those of any other ordinances or regulations presently in force immediately before the enactment of this Part, are intended as a continuation of those earlier ordinances and regulations and not as new enactments. Nothing in this Part 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.

§ 15-104. Temporary and Emergency Regulations. [Ord. 36, 5/11/2000, § 104]

1. The Chairman of the Board of Supervisors of Huntington Township 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.

   B. In the case of emergency or to facilitate public work or during 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 any police officer servicing the Township 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 such notice of any such regulation shall, upon conviction thereof, be subject to the penalties set forth in the law or elsewhere in this chapter for a violation of such nature and, in the event 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.

PART 2

TRAFFIC REGULATIONS

§ 15-201. Maximum Speed Limits Established on Certain Streets and Roads Within Huntington Township. [Ord. 36, 5/11/2000, § 201; as amended by Ord. No. 2023-03-76, 10/12/2023]

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

Road	From	To	Maximum Speed Limit
Balltown Road (T-587)	Oxford Road	Ground Oak Church Road	25
Baltimore Road (T-610)	Pa. Route 94	Quaker Church Road	35
Blueberry Road (T-586)	Balltown Road	Oxford Road	25
Buttonwood Road (T-638)	Gun Club Road	Carlisle Pike	35
Cherry Hill Road (T-595)	White Oak Tree Road	Pa. Route 94	35
Cloverdale Road (T-603)	Pa. Route 94	Township line	35
CO Farm Road (T-567)	Township line	Old Harrisburg Road	35
Farm View Road (T-596)	Old Harrisburg Road	White Oak Tree Road	35
Fickes School Road (T-582)	Pa. Route 94	Wireman's Mill Road	35
Georgetown Road (T-400)	Peach Glen-Idaville Road	Township line	35
Greenbriar Road (T-619)	Gun Club Road	End	25
Greenbriar Road (T-619)	South Ridge Road	End	25

Road	From	To	Maximum Speed Limit
Ground Oak Church Road (T-588)	Upper Bermudian Road	Oxford Road	35
Gun Club Road (T-580)	Pa. Route 94	Township line	35
Lobaugh Road (T-649)	Township line	Upper Bermudian Road	35
Meals Road (T-605)	Township line	Township line	35
Mud Run Road (T-634)	Gun Club Road	Township line	35
Myerstown Road (T-600)	Idaville-York Springs Road	Township line	35
Oak Hill Road (T-607)	Farm View Road	Idaville-York Springs Road	35
Orchard View Road (T-593)	Myerstown Road	Oxford Road	25
Oxford Road (T-590)	Goodyear Road	Township line	35
Oxford Road (T-590)	Route 15	Old Harrisburg Road	35
Oxford Road (T-590)	Township line	Idaville-York Springs Road	35
Pine Swamp Road (T-591)	Oxford Road	Idaville-York Springs Road	15
Poplar Hill Road (T-598)	Oxford Road	White Oak Tree Road	35
Rolling Road (T-810)	Willow Lane	Cranberry Road	25
Smith Road (T-581)	Township line	Oxford Road	25
South Ridge Road (T-560)	Wireman's Mill Road	U.S. Route 15	35
Starner Station Road (T-390)	Peach Glen-Idaville Road	Township line	25

Road	From	To	Maximum Speed Limit
Still House Road (T-604)	Snyder Road	Goodyear Road	35
Sunset Lane (T-597)	Old Harrisburg Road	End	15
Tammy Drive	Old Harrisburg Road	Tracy Drive	35
Torway Road (T-592)	Idaville-York Springs Road	Township line	35
Tracy Drive	Tammy Drive	Old Harrisburg Road	35
Trolley Road (T-599)	Township line	White Oak Tree Road	35
Wendy Drive	Tammy Drive	Tracy Drive	35
White Church Road (T-568)	Township line	Wireman's Mill Road	35
White Oak Tree Road (T-594)	Cranberry Road	Pa. Route 94	35
Willow Lane (T-585)	Old Harrisburg Road	Township line	35

2. Any person who violates any provisions of this section shall, upon conviction before a District Justice, 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.

§ 15-202. Stop Intersections Established. [Ord. 36, 5/11/2000, § 202; as amended by Ord. 2008-01-47, 2/14/2008; by Ord. 2010-01-55-1, 5/13/2010; by Ord. 2010-02-56, 8/12/2010; by Ord. No. 2023-03-76, 10/12/2023]

1. The following intersections are established as stop intersections, and official stop signs shall be erected or are ratified if already 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
Ball Town Road (T-587)	Oxford Road	Northeast
Baltimore Road (T-610)	Quaker Church Road	North
Blueberry Road (T-586)	Ball Town Road (T-587)	Northwest
Blueberry Road (T-586)	Ground Oak Church Road (T-588)	West
Blueberry Road (T-586)	Oxford Road	East
Buttonwood Road (T-638)	Carlisle Pike, Pa. 94	East
Buttonwood Road (T-638)	Gun Club Road	Northeast
Cherry Hill Road (T-595)	Carlisle Pike, Pa. 94	East
Cherry Hill Road (T-595)	White Oak Tree Road (T-594)	Southeast
Company Farm Road (T-567)	Old Harrisburg Road	East
Cranberry Road	Oxford Road	Southwest and northeast
Cranberry Road (01011)	Carlisle Pike, Pa. 94	Northeast and southwest
Eastern Alley	Idaville-York Springs Road	South
Farm View Road	Cranberry Road	Southeast and northwest
Farm View Road	Old Harrisburg Road	East
Farm View Road	Trolley Road East	North
Farm View Road	Trolley Road West	South
Farm View Road	White Oak Tree Road (T-594)	Northwest
Fickes School Road (T-582)	Buttonwood Road	North and south
Fickes School Road (T-582)	Carlisle Pike, Pa. 94	Northeast
Fickes School Road (T-582)	Wireman's Mill Road	South

Stop Street	Intersection or Through Street	Direction of Travel
Georgetown Road (T-400)	Peach-Glen-Idaville Road	Southwest
Goodyear Road (01012)	Pa. 94	Northwest
Goodyear Road (01012)	Pa. 94	Southeast
Greenbriar Road (T-619)	Gun Club Road	East
Greenbriar Road (T-619)	South Ridge Road (T-560)	West
Ground Oak Church Road (T-588)	Oxford Road	Northeast
Ground Oak Church Road (T-588)	Upper Bermudian Road	South
Gun Club Road	Carlisle Pike	Northeast
Gun Club Road (T-580)	Wireman's Mill Road	North and south
Labor Camp Road (T-598)	Myerstown Road (T-600)	East
Labor Camp Road (T-598)	Myerstown Road (T-600)	West
Labor Camp Road (T-598)	Oxford Road (01065)	East
Labor Camp Road (T-598)	Torway Road (T-592)	South
Lime Rock Mill Road (T-555)	Cranberry Road	Northwest
Mud Run Road (T-634)	Fickes School Road (T-582) (northwest intersection of two roads)	Northwest and southeast
Mud Run Road (T-634)	Fickes School Road (T-582) (southeast intersection of two roads)	Northwest and southeast
Mud Run Road (T-634)	Gun Club Road	Northwest
Myerstown Road (T-600)	Idaville-York Springs Road (01047)	South
Oak Hill Road (T-607)	Farm View Road (T-596)	Southwest

Stop Street	Intersection or Through Street	Direction of Travel
Oak Hill Road (T-607)	Idaville-York Springs Road (01047)	Northeast
Orchard View Road (T-593)	Oxford Road (01065)	East
Oxford Road	Cranberry Road	North and south
Oxford Road	Goodyear Road (01012)	North
Oxford Road	Goodyear Road (01012)	South
Oxford Road (01065)	Idaville-York Springs Road (01047)	North and south
Oxford Road	Old Harrisburg Road	Southeast and northwest
Peach-Glen-Idaville Road (01047)	Carlisle Road, Pa. 34	East and west
Pine Swamp Road (T-591)	Idaville-York Springs Road (01047)	North
Pine Swamp Road (T-591)	Oxford Road	West
Poplar Hill Road (T-589)	Oxford Road	West
Poplar Hill Road (T-589)	White Oak Tree Road (T-594)	East
Quaker Church Road	Carlisle Pike	Southwest
Rolling Road (T-810)	Cranberry Road	North
Rolling Road (T-810)	Willow Lane	South
Smith Road	Oxford Road	Northeast
Snyder Road (01083)	Oxford Road (01065)	North
Snyder Road (01083)	Slaybaughtown Road (01081)	South
South Ridge Road (T-560)	U.S. Route 15	North
Starner Station Road (T-398)	Peach-Glen-Idaville Road	Southwest
Stillhouse Road (T-604)	Goodyear Road (01012)	Northeast
Stillhouse Road (T-604)	Snyder Road	West

Stop Street	Intersection or Through Street	Direction of Travel
Sunset Lane	Old Harrisburg Road (01082)	East
Tammy Drive	Old Harrisburg Pike	West
Tammy Drive	Tracey Drive	West
Torway Road (T-592)	Idaville-York Springs Road (01047)	Southwest
Tracey Drive	Old Harrisburg Pike	West
Tracey Drive	Tammy Drive	South
Trolley Road (T-599)	Carlisle Pike, Pa. 94	East
Trolley Road (T-599)	White Oak Tree Road (T-594)	West
Upper Bermudian Road	Idaville-York Springs Road	North
Upper Bermudian Road	Spur E	Northwest
Wendy Drive	Tammy Drive	South
Wendy Drive	Tracey Drive	North
Western Alley	Peach Glen-Idaville Road	South
White Church Road (T-568)	Wireman's Mill Road	North
White Oak Tree Road (T-594)	Carlisle Pike	Northeast and southwest
White Oak Tree Road (T-594)	Cranberry Road	South
White Oak Tree Road (T-594)	Farm View Road	North
White Oak Tree Road (T-594)	Idaville-York Springs Road (01047)	Southwest
Willow Lane (T-585)	Old Harrisburg Road	East
Willow Lane (T-585)	Oxford Road	Southwest
Wireman's Mill Road	East Berlin Road, Pa. 234	East and west

2. Any person who violates any provisions of this section shall, upon conviction before a District Justice, be sentenced to pay a fine of $3, plus costs.

§ 15-203. Yield Intersections Established. [Ord. 36, 5/11/2000, § 203]

Through Street	Yield Street	Direction of Travel
Trolley Road (T-599)	Farmview Road	East
Trolley Road (T-599)	Farmview Road	West

Any person who violates any provisions of this section shall, upon conviction before a District Justice, be sentenced to pay a fine of $35, plus costs.

§ 15-204. Stop, Except Right-Hand Turn Intersections. [Added by Ord. No. 2023-03-76, 10/12/2023]

1. The following shall be established as Stop, Except Right-Hand Turns:

Stop, Except Right-Hand Turn Street	Intersection	Direction of Travel
Fickes School Road (T-582)	Mud Run Road (T-634) (southeast intersection of two roads)	Permitted to continue without stopping by making a right-hand turn from Fickes School Road (T-582) turning right onto Mud Run Road (T-634) by traveling Fickes School Road in a southwest direction and turning onto Mud Run Road (T-634) into a northwest direction
Fickes School Road (T-582)	Mud Run Road (T-634) (northwest intersection of two roads)	Permitted to continue without stopping by making a right-hand turn from Fickes School Road (T-582) turning right onto Mud Run Road (T-634) by traveling Fickes School Road (T-582) in a northeast direction and turning into a southeast direction

2. Any person, firm or corporation who shall violate any provision of this section shall be subject to such fines and penalties as are established under the Pennsylvania Vehicle Code, 75 Pa.C.S.A. § 101 et seq., as amended.

PART 3

NO-PARKING AREAS

§ 15-301. No-Parking Areas. [Ord. 36, 5/11/2000, § 301]

1. The following areas are designated as areas of no parking:

   A. There shall be no parking within 300 feet of the intersection of State Route 34 and Idaville-York Springs Road

2. Any person who violates any provisions of this section shall, upon conviction before a District Justice, be sentenced to pay a fine of $25, plus costs.

CHAPTER 16
PARKS AND RECREATION

[Reserved to accommodate future enactments]

CHAPTER 17
STORMWATER MANAGEMENT

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Appendix D, SWM BMP Inspection Form
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PART 1

GENERAL PROVISIONS

§ 17-101. Short Title. [Ord. No. 2023-02-75, 9/14/2023[1]]

This chapter shall be known and may be cited as the "Huntington Township Stormwater Management Ordinance."

§ 17-102. Statement of Findings. [Ord. No. 2023-02-75, 9/14/2023]

The governing body of Huntington Township finds that:

A. 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.

B. Inadequate management of accelerated runoff of stormwater resulting from development throughout a watershed increases flows and velocities, contributes to erosion and sedimentation, overtaxes the carrying capacity of streams and storm sewers, greatly increases the cost of public facilities to carry and control stormwater, undermines floodplain management and flood control efforts in downstream communities, reduces groundwater recharge, threatens public health and safety, and increases nonpoint source pollution of water resources.

C. A comprehensive program of stormwater management, including reasonable regulation of development and activities causing accelerated runoff, is fundamental to the public health, safety, and welfare and the protection of people of Huntington Township, their resources, and the environment.

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1. **Editor's Note: This ordinance also superseded former Ch. 17, Stormwater Management, adopted by Ord. 2009-01-51, 2/12/2009, as amended by Ord. 2009-04-54, 9/10/2009.**

§ 17-103. Purpose. [Ord. No. 2023-02-75, 9/14/2023]

The purpose of this chapter is to promote health, safety, and welfare within Huntington Township and its watersheds by minimizing the harm and maximizing the benefits described in § 17-102 of this chapter, through provisions designed to:

A. Meet 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. Preserve the natural drainage systems as much as possible.

C. Manage stormwater runoff close to the source.

D. Provide procedures and performance standards for stormwater planning and management.

E. Maintain groundwater recharge to prevent degradation of surface and groundwater quality and to otherwise protect water resources.

F. Prevent scour and erosion of stream banks and stream beds.

G. Provide proper operation and maintenance of all stormwater management best management practices that are implemented within the municipality.

H. Provide standards to meet NPDES permit requirements.

§ 17-104. Statutory Authority. [Ord. No. 2023-02-75, 9/14/2023]

The municipality is empowered to regulate land use activities that affect stormwater impacts 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 "Stormwater Management Act."

§ 17-105. Applicability. [Ord. No. 2023-02-75, 9/14/2023]

A. All regulated activities, as defined in Part 2, and all activities that may affect stormwater runoff, including land development and earth disturbance activity, are subject to regulation by this chapter.

B. Any submission that does not require a stormwater management plan at the time of subdivision or land development will still be required to address stormwater management at the time the individual lots are developed or construction commences, unless said subdivision proposes infrastructure features, such as a cul-de-sac street, for which stormwater management controls are ordinarily required.

C. Development of the individual lots is subject to stormwater management as defined within the chapter.

§ 17-106. Repealer. [Ord. No. 2023-02-75, 9/14/2023]

Any other ordinance provision or regulation of the municipality inconsistent with any of the provisions of this chapter is hereby superseded to give this chapter full force and effect to the extent of the inconsistency only.

§ 17-107. Severability. [Ord. No. 2023-02-75, 9/14/2023]

In the event that a court of competent jurisdiction declares any section, clause or provision of this chapter invalid, such decision shall not affect the validity of any of the remaining sections, clauses or provisions of this chapter.

§ 17-108. Compatibility with Other Requirements. [Ord. No. 2023-02-75, 9/14/2023]

Approvals issued and actions taken under this chapter do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other code, law, regulation, or ordinance. In the event of a conflict, between this chapter and any other ordinance, the more restrictive ordinance shall apply.

§ 17-109. Interpretation. [Ord. No. 2023-02-75, 9/14/2023]

Unless otherwise expressly stated, the succeeding shall, for the purposes of this chapter, be interpreted in the following manner:

A. Words used in the present tense also imply the future tense.

B. Words used in the singular include the plural, and vice versa.

C. Words of masculine gender include feminine gender, and vice versa.

D. The words and abbreviation "includes," "including," "shall include," "such as," and "e.g." are not limited to the specific example(s) given but are intended to extend the words or words' meaning(s) to all other instances of like kind and character.

E. The words "shall," "required," or "must" are mandatory; the words "may" and "should" are permissive.

§ 17-110. Erroneous Permit. [Ord. No. 2023-02-75, 9/14/2023]

Any permit or authorization issued or approved based on false, misleading or erroneous information provided by an applicant is void without the necessity of any proceedings for revocation. Any work undertaken or use established pursuant to such permit or other authorization is unlawful. No action may be taken by a board, agency or employee of Huntington Township purporting to validate such a violation.

§ 17-111. Duty of Persons Engaged in Development of Land. [Ord. No. 2023-02-75, 9/14/2023]

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 shall include actions as are required to manage the rate, volume, direction, and quality of resulting stormwater runoff in a manner which adequately protects health, property and water quality.

§ 17-112. Municipal Liability Disclaimer. [Ord. No. 2023-02-75, 9/14/2023]

A. Neither the granting of any approval under this chapter, nor the compliance with the provisions of this chapter, or with any condition imposed by a municipal official hereunder, shall relieve any person from any responsibility or damage to persons or property resulting therefrom, or as otherwise imposed by law nor impose any liability upon the municipality for damages to persons or property.

B. The granting of a permit which includes any stormwater management facilities shall not constitute a representation, guarantee, or warranty of any kind by the municipality, or by an official or employee thereof, of the practicability or safety of any structure, use or other plan proposed, and shall create no liability upon or cause of action against such public body, official or employee for any damage that may result pursuant thereto.

PART 2

DEFINITIONS

§ 17-201. Definitions. [Ord. No. 2023-02-75, 9/14/2023]

ADAMS COUNTY CONSERVATION DISTRICT (ACCD) — As defined in Section 3(c) of the Conservation District Law [3 P.S. § 851(c)] that has the authority under a delegation agreement executed with DEP to administer and enforce all or a portion of the regulations promulgated under 25 Pa. Code Chapter 102.

AGRICULTURAL ACTIVITY — Activities associated with agriculture such as agricultural cultivation, agricultural operation, and animal heavy use areas. This includes the work of producing crops including 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.

APPLICANT — A landowner, developer, or other person who has filed an application to the municipality for approval to engage in any regulated activity at a project site in the municipality.

AS-BUILT PLAN — A revised set of drawings submitted by a contractor upon completion of a project or a particular job that reflect all changes made to the approved drawings during the construction process, and show the exact dimensions, geometry, location and elevation of all elements of the work completed under the approved land development plan and/or SWM site plan.

BEST MANAGEMENT PRACTICE (BMP) — 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.

BEST MANAGEMENT PRACTICE, NONSTRUCTURAL — Operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff.

BEST MANAGEMENT PRACTICE, STRUCTURAL — Measures consisting 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 retention 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 — Pennsylvania Stormwater Best Management Practices Manual, Pennsylvania Department of Environmental Protection, December 2006 (Document No. 363-0300-002), as amended and updated.

CULVERT — A structure which carries surface water through an obstruction.

DAM — An impoundment structure regulated by the Pennsylvania DEP Chapter 105 regulations.

DEP — The Pennsylvania Department of Environmental Protection.

DESIGN STORM — The magnitude and temporal distribution of precipitation from a storm event measured in probability of occurrence, e.g., a five-year storm, and duration, e.g., 24 hours, used in the design and evaluation of stormwater management systems.

DETENTION BASIN — A structure designed to retard stormwater runoff by temporarily storing and releasing the runoff at a predetermined rate.

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

DISCONNECTED IMPERVIOUS AREA (DIA) — An impervious or impermeable surface that is disconnected from any stormwater drainage or conveyance system and is redirected or directed to a pervious area, which allows for infiltration, filtration, and/or increased time of concentration.

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

DRAINAGE PLAN (also STORMWATER MANAGEMENT PLAN) — The documentation of the stormwater management system, if any, to be used for a given project site.

E&S MANUAL — The Pennsylvania DEP Erosion and Sedimentation Control Manual, as amended and updated.

EARTH DISTURBANCE ACTIVITY — A construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, operation of animal heavy use areas, timber harvesting activities, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

EASEMENT — A limited right of use granted in private land, allowing the use of private land for stormwater management purposes, wherein no structure or landscaping may be constructed.

EROSION — The natural process by which the surface of the land is worn away by water, wind, or chemical action.

EROSION AND SEDIMENTATION CONTROL PLAN (E&S PLAN) — A site-specific plan consisting of both drawings and a narrative that identifies BMPs to minimize accelerated erosion and sedimentation before, during and after earth disturbance activities.

EVAPOTRANSPIRATION — The combined process of water surface evaporation, soil moisture evaporation, and plant transpiration.

EXISTING CONDITION — The dominant land cover during the five-year period immediately preceding a proposed regulated activity.

FEMA — Federal Emergency Management Agency.

FLOODPLAIN — Any land area susceptible to inundation by water from any natural source or delineated by applicable FEMA maps and studies as being a special flood hazard area.

FLOODWAY — The channel of the watercourse and those portions of the adjoining floodplains that are reasonably required to carry and discharge the 100-year 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 100-year 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 forest land. These include conducting a timber inventory, preparation of a forest management plan, silvicultural treatment, developing or establishing a cutting budget, logging road design and construction, timber harvesting, site preparation, and reforestation.

HYDROLOGIC SOIL GROUP (HSG) — A Natural Resource Conservation Service classification system that groups together soils having similar runoff potential under similar storm and cover conditions. Soils are classified as one of four HSGs (A, B, C and D) according to soil infiltration and runoff characteristics.

IMPERVIOUS SURFACE (IMPERVIOUS AREA) — A surface that prevents the infiltration of water into the ground. Impervious surfaces and areas include but are not limited to roofs, additional indoor living spaces, patios and decks, garages, storage sheds and similar structures, streets, driveways, access drives, parking areas, and sidewalks. Any areas designed to be covered by loose surfacing materials such as gravel, stone and/or crushed stone, and intended for storage of and/or travel by vehicles, or pedestrians shall be considered impervious. Surfaces or areas designed, constructed and maintained to permit infiltration may be considered pervious.

IN-KIND REPAIR/REPLACEMENT — Repair or replacement which uses the same or similar materials in the same location.

INFILTRATION — Water flowing downward through the ground surface.

INVASIVE/EXOTIC PLANTS — Plant species on the "Invasive Exotic Plants in Pennsylvania List" published by the Pennsylvania Department of Conservation and Natural Resources, as amended.

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

LAND DEVELOPMENT — Includes 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; or

   (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.

C. 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 equal to or less than 1,000 square feet in area, including farm buildings, on a lot subordinate to an existing principal building;

   (3) Agricultural activities.

LIMIT OF DISTURBANCE — A line provided on the E&S Plan or SWM Plan that indicates the total area to be disturbed over the life of the project.

LOADING RATIO — The ratio of impervious area draining to a stormwater management facility to the area of the stormwater management facility itself.

NOXIOUS PLANT — Those species as listed in the Pennsylvania Noxious Weed Control Law (3 P.S. §§ 255.1 to 255.11), as amended and/or recodified.[2]

NPDES — National Pollution Discharge Elimination System, as authorized by the Clean Water Act [33 U.S.C. § 1251 et seq. (1972), as amended].

NPDES PERMIT — A permit required for stormwater discharges associated with construction activities, as required by the Clean Water Act [33 U.S.C. § 1251 et seq. (1972), as amended].

NRCS — USDA Natural Resources Conservation Service (previously SCS).

O&M — Operation and maintenance.

O&M PLAN — Operation and maintenance plan.

PCSM — Post-construction stormwater management after earth disturbance activities have ended and the project site is completely stabilized.

PCSM PLAN — A site-specific plan consisting of both drawings and a narrative that identifies BMPs to manage changes in stormwater runoff volume, rate and water quality after earth disturbance activities have ended and the project site is permanently stabilized. See also "stormwater management site plan."

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

PENNSYLVANIA MUNICIPALITIES PLANNING CODE — Act of 1968, P.L. 805, No. 247,[3] as reenacted and amended.

PERCOLATION RATE (PERC RATE) — The rate of downward movement, under the influence of gravity, of water under hydrostatic pressure through interstices of the soil or rock.

PERSON — An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever. Whenever used in any section prescribing or imposing a penalty, the term "person" shall include the members of a partnership, the officers, agents and servants of a corporation and the officers of a municipality.

PERVIOUS AREA — Any area not defined as impervious.

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2. **Editor's Note: 3 P.S. §§ 255.1 to 255.11 were repealed by 2017, Oct. 30, P.L. 774, No. 46, § 3(2) effective in 60 days [Dec. 29, 2017]. See now 3 Pa.C.S.A. § 1501 et seq.**

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

POINT SOURCE — Any discernible, confined, or discrete conveyance, including, but not limited to: any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, CAAP, CAFO, landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged.

POLLUTANT — Anything which causes or contributes to pollution. Pollutants may include but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

PROJECT SITE (SITE) — The specific area of land where any regulated activity in the municipality is planned for, conducted on, constructed, or maintained.

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

REDUCTION FACTOR — A form of safety factor that, when multiplied by the site tested infiltration rate, is used to help determine the design infiltration rate for a stormwater management facility.

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

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

RETENTION BASIN — An impoundment in which stormwater is stored and not released to surface waters of the commonwealth. Stored water may be released from the basin at a later time.

RETURN PERIOD — The average interval, in years, within which a storm event of a given magnitude can be expected to occur one time. For example, the twenty-five-year return period rainfall would be expected to occur on average once every 25 years; or, stated in another way, the probability of a twenty-five-year storm occurring in any one year is 0.04, i.e., a 4% chance.

RIPARIAN FOREST BUFFER — A type of riparian buffer that consists of permanent vegetation that is predominantly native trees and shrubs along surface waters that is maintained in a natural state or sustainably managed

to protect and enhance water quality, stabilize stream channels and banks, and separate land use activities from surface waters.

ROAD MAINTENANCE ACTIVITIES — See definition as found in Title 25, Chapter 102.1.[4]

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

SAFETY FACTOR — An adjustment applied to a site-tested infiltration rate to ensure that the designed infiltration rate for a stormwater management facility is less than that shown under tested conditions.

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

SIMPLIFIED APPROACH (SA) — A process that property owners proposing certain types of projects may utilize to prepare a stormwater management plan without having to conduct the detailed technical analysis and design required for larger projects.

SOIL COVER COMPLEX METHOD (SCS METHOD) — A method of runoff computation in NRCS publication "Urban Hydrology for Small Watersheds," Technical Release No. 55.

SPECIAL MANAGEMENT AREAS — Those areas outlined in Chapter 7 of the BMP Manual. Special Management Areas include: brownfields, highways and roads, karst areas, mined lands, water supply well areas, surface water supplies and special protection waters.

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.[5]

STORM SEWER — A pipe or conduit, or a system of pipes or conduits, which intercepts and carries surface stormwater runoff, but excludes sewage, industrial wastes and similar discharges.

STORM SEWER SYSTEM — Publicly or privately owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or -altered drainage channels, reservoirs, and other drainage structures.

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

4. **Editor's Note: See 25 Pa. Code § 102.1.**

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

STORMWATER MANAGEMENT FACILITY — 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 and retention basins; swales; storm sewers; pipes; and infiltration facilities.

STORMWATER MANAGEMENT PLAN (THE PLAN) — The Adams County Stormwater Management Plan, which incorporates the requirements of the Act of October 4, 1978, P.L. 864 (Act 167), as amended, and known as the "Storm Water Management Act."[6]

STORMWATER MANAGEMENT SITE PLAN (SWM SITE PLAN) — A plan prepared by the owner, developer or his/her representative indicating how stormwater runoff will be managed at the development site in accordance with this chapter. See also "PCSM plan."

SUBDIVISION — The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts or 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 of an area of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempt.

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

SWM — Stormwater management.

TOWNSHIP (MUNICIPALITY) — Huntington Township, Adams County, Pennsylvania. For the purposes of this chapter, this definition includes Planning Commission members, Board of Supervisors members, Township employees, Township engineer, or another designated representative of the Township.

USDA — United States Department of Agriculture.

WATERS OF THE COMMONWEALTH — Any and all rivers, streams, creeks, rivulets, impoundments, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all 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.

WATERSHED — Region or area drained by a river, watercourse, or other surface water of this commonwealth.

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6. Editor's Note: See 32 P.S. § 680.1 et seq.

WETLAND — Areas that are inundated or saturated by surface 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.

PART 3

STORMWATER MANAGEMENT STANDARDS

§ 17-301. General SWM Site Plan Requirements. [Ord. No. 2023-02-75, 9/14/2023]

A. For all regulated activities, unless preparation of an SWM site plan is specifically exempted in § 17-302:

(1) Preparation and implementation of an approved SWM site plan is required.

(2) No regulated activities shall commence until Huntington Township issues written approval of an SWM site plan which demonstrates compliance with the requirements of this chapter.

B. All SWM site plans for regulated activities shall include such measures as necessary to:

(1) Protect health, safety, and property.

(2) Meet the water quality goals of this chapter, as stated in § 17-103, by including measures that:

(a) Minimize disturbance to floodplains, wetlands, wooded areas, and existing vegetation.

(b) Maintain or extend riparian buffers.

(c) Avoid erosive flow conditions in natural flow pathways.

(d) Minimize thermal impacts to waters of the commonwealth.

(e) Disconnect impervious surfaces by directing runoff to pervious areas.

(f) Minimize soil disturbance and compaction.

(3) Incorporate the techniques for low-impact development practices described in the Pennsylvania Stormwater Best Management Practices Manual (BMP Manual).

C. Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, concentrated or otherwise altered without the written notification of the adjacent property owner(s) by the developer. Copies of all such notifications shall be included in the SWM site plan submission.

D. For all regulated activities where erosion and sediment control is required in accordance with Title 25 of the Pennsylvania Code and the Clean Streams

Law,[7] the SWM site plan shall include the required erosion and sedimentation control measures. Necessary E&S BMPs shall be designed in accordance with the Erosion and Sediment Pollution Control Program Manual (E&S Manual), No. 363-2134-008 (April 15, 2000), as amended and updated. Approval of the SWM site plan by Huntington Township shall be conditioned on the applicant obtaining erosion and sedimentation control approval from the appropriate agency(ies), when applicable.

E. For all regulated activities where NPDES permitting is required in accordance with the Clean Water Act [33 U.S.C. § 1251 et seq. (1972), as amended], the SWM site plan shall include the information required in the applicant's NPDES permit application. Approval of the SWM site plan by Huntington Township shall be conditioned on the applicant obtaining NPDES permit approval from the appropriate agency(ies), when applicable.

F. For all regulated activities, implementation of the volume controls in § 17-304 is required.

G. Special Management Areas. SWM site plans involving regulated activities within Special Management Areas shall be prepared in a manner consistent with the guidance provided in Chapter 7 of the BMP Manual. The SWM site plan submission shall include design details for SWM BMPs within said Special Management Area.

H. A SWM site plan may propose that stormwater related to the proposed regulated activities be accommodated by existing stormwater management facilities on adjoining or nearby properties provided that the SWM site plan documents the following.

1. The use of the stormwater management facilities located on said adjoining or nearby property is approved in writing by the owner of the property.

2. The stormwater management facilities located on said adjoining or nearby property are designed in a manner that can accommodate the stormwater management needs of the regulated activity in a manner consistent with all requirements of this chapter. The SWM site plan shall include all documentation necessary for Huntington Township to confirm such compliance.

I. The design storm volumes to be used in the analysis of peak rates of discharge shall be obtained from the Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, Version 3.0, as amended and updated, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydro meteorological Design Studies Center, Silver Spring, Maryland. NOAA's Atlas 14 can be accessed at: http://hdsc.nws.noaa.gov/hdsc/pfds/.

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

J. SWM site plans, once approved by Huntington Township, shall remain on site throughout the duration of the regulated activity and be available for review as may be necessary by representatives of the Township.

K. The design of all facilities over karst shall include an evaluation of measures to minimize the potential for adverse effects like sinkholes.

L. Huntington Township may, after consultation with DEP, 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.[8] The municipality shall maintain a record of consultations with DEP pursuant to this subsection.

M. All structural BMPs shall have an associated SWM drainage easement to encompass the facility along with a minimum ten-foot-wide easement from a public access point on the site to the BMP.

§ 17-302. Exemptions. [Ord. No. 2023-02-75, 9/14/2023]

A. A property owner or developer of any regulated activity that meets the following exemption criteria is, upon approval from Huntington Township, exempt from the formal SWM plan submission requirements of this chapter as specified herein. However, the property owner or developer shall be subject to all other requirements of this chapter other than the formal SWM plan submission requirements for which an exemption or exemptions have been authorized. The criteria for exemption in this section apply to the total development proposed, including instances in which the development is proposed to take place in phases. The date of enactment of this chapter shall be the starting point from which future development and the respective exemption criteria shall be cumulatively considered and regulated.

(1) Regulated activities that involve impervious surfaces equal to or less than those specified in the following table for the listed lot size may be exempted from the peak rate control, volume control and the SWM site plan preparation and submission requirements of this chapter. The applicant shall complete page 1 of the Municipal Stormwater Management Worksheet from the Stormwater Management Design Assistance Manual (see Appendix C[9]) and file said Worksheet with Huntington Township.

Total Parcel Size	Impervious Area (square feet)
Less than 1 acre	1,000

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

9. **Editor's Note: Said appendix is included as an attachment to this chapter.**

Total Parcel Size	Impervious Area (square feet)
1 to 2 acres	2,000
2 to 5 acres	3,000
Over 5 acres	7,500

(2) Regulated activities that involve greater than 1,000 square feet and equal to or less than 10,000 square feet of impervious area, and where all of the proposed impervious area can be entirely disconnected, may be exempted from the peak rate control, volume control, and the SWM site plan preparation and submission requirements of this chapter. The applicant shall complete pages 1 and 2 of the Stormwater Management Worksheet from the Stormwater Management Design Assistance Manual (see Appendix C[10]) and file said Worksheets with Huntington Township.

(3) Regulated activities that involve greater than 1,000 square feet and equal to or less than 5,000 square feet of impervious area may be exempted from the peak rate control and volume control preparation and submission requirements of this chapter. A minor stormwater site plan, as detailed in the Stormwater Management Design Assistance Manual (see Appendix C[11]), shall be submitted to Huntington Township instead of the submission of a full SWM site plan in accordance with Part 4 of this chapter.

(4) Agricultural activities shall be exempt from the rate control, volume control and SWM site plan preparation and submission requirements of this chapter provided the agricultural activities are performed in accordance with the requirements of 25 Pa. Code Chapter 102. Further, such activities shall not be subject to the exemption approval process of § 17-302B of this chapter.

(5) Forest management and timber operations are exempted from the rate control, volume control and SWM site plan preparation and submission requirements of this chapter provided the forest management and timber operations are performed in accordance with the requirements of 25 Pa. Code Chapter 102.

(6) Regulated activities involving domestic gardening for single-family consumption shall be exempted from volume control, rate control, and SWM site plan preparation and submission requirements of this chapter, and shall not be subject to the exemption approval process of § 17-302B of this chapter.

10. **Editor's Note: Said appendix is included as an attachment to this chapter.**

11. **Editor's Note: Said appendix is included as an attachment to this chapter.**

(7) In-kind repair, in-kind replacement, and maintenance of existing surfaces and structures shall be exempted from volume control, rate control, and SWM site plan preparation and submission requirements of this chapter, and shall not be subject to the exemption approval process of § 17-302B of this chapter.

B. Authorization of Exemptions. Huntington Township shall determine, in accordance with the following requirements and process, whether a proposed regulated activity may be exempted from any of the requirements of this chapter.

(1) The property owner or developer proposing the regulated activity shall submit, in writing, a request for said proposed regulated activity to be exempted from allowable requirements of this chapter pursuant to Subsection A. The written request shall identify the project and shall indicate the specific exemption criteria, as listed in § 17-302A, that apply to the project.

(2) Upon receipt of the exemption request form, Huntington Township or its designee shall either approve or deny the exemption request. If the exemption request is denied, Huntington Township or its designee shall direct the property owner or developer to submit the information required to demonstrate that the proposed regulated activity complies with the requirements of this chapter or meets the exemption criteria.

(3) Exemption request approval shall be at the discretion of Huntington Township, and shall be subject to the following:

(a) Huntington Township may deny any exemption request or suspend or revoke any approved exemption request at any time for any project where Huntington Township believes that the proposed regulated activity poses a threat to public health, safety, property, or the environment.

(b) Approval of an exemption request does not relieve the property owner or developer from other applicable requirements of this chapter or of other Huntington Township ordinance or regulations.

(c) Huntington Township reserves the right to deny an exemption request if a drainage problem is known or identified by Huntington Township to exist or is suspected to exist downstream from the proposed regulated activity.

§ 17-303. Modifications/Waiver Requests. [Ord. No. 2023-02-75, 9/14/2023]

A. The applicant may submit a request for a modification/waiver of one or more of the requirements of this chapter if the literal enforcement will enact undue hardship because of peculiar conditions pertaining to the project site,

provided that such modification will not be contrary to the public interest and that the purpose and intent of this chapter is observed.

B. All requests for modifications/waivers from the applicant shall be in writing and shall accompany and be part of the application for approval of a SWM site plan. The request 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/waiver necessary to afford relief.

C. The Huntington Township Board of Supervisors, after consultation with the Planning Commission and at its sole discretion, shall grant or deny the request for relief based on the conditions of the project and the hardship claimed while ensuring the protection of health, safety and welfare of the Township and its citizens.

§ 17-304. General Design Standards. [Ord. No. 2023-02-75, 9/14/2023]

A. Impervious Area.

(1) 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 phases.

(2) For development taking place in phases, the total proposed impervious area within the SWM site plan must be used in determining conformance with this chapter.

(3) For projects that add impervious area to a parcel, the total impervious area on the parcel is subject to the requirements of this chapter; except that the volume controls in § 17-305 and the peak rate controls of § 17-306 do not need to be retrofitted to existing impervious areas that are not being altered by the proposed regulated activity.

B. Normally dry, open-top storage facilities, designed as such, shall completely drain both the volume control and rate control capacities over a period of time not less than 24 hours and not more than 72 hours from the end of the design storm. However, any designed infiltration volume at such facilities is exempt from the minimum twenty-four-hour standard, i.e., may infiltrate in a shorter period of time, so long as none of the stormwater intended for infiltration is discharged into the surface waters of the commonwealth. Inordinately rapid infiltration rates may indicate the presence of fractures or other conditions for which additional soil exploration or soil buffering layer may be required.

C. Infiltration BMPs shall be spread out, 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. Infiltration areas shall be protected from compaction and sedimentation during construction activities.

§ 17-305. Volume Controls. [Ord. No. 2023-02-75, 9/14/2023]

The low-impact development practices provided in the BMP Manual shall be utilized for all regulated activities. Water volume controls shall be implemented using the Design Storm Method in § 17-305A or the Simplified Method in § 17-305B. For regulated activity involving less than one acre of impervious coverage that does not require hydrologic routing to design the stormwater facilities, the applicant may select either methodology on the basis of economic considerations, the intrinsic limitations on applicability of the analytical procedures associated with each methodology, and/or other factors. The Design Storm Method in § 17-305A shall be used for all regulated activity involving greater than one acre of impervious coverage.

A. The Design Storm Method (CG-1 in the BMP Manual) may be used for any size of regulated activity. This method requires detailed modeling to achieve the following standards.

(1) The post-development total runoff volume shall not increase over pre-development total runoff volume for all storms equal to or less than the two-year twenty-four-hour duration precipitation.

(2) For modeling purposes:

(a) Existing (pre-development), non-forested, pervious areas must be considered meadow in good condition.

(b) Twenty percent of existing impervious area, when present within the project site, shall be considered meadow in the model for existing conditions.

B. The Simplified Method (CG-2 in the BMP Manual) is independent of site conditions and may be used for projects involving regulated activities proposing equal to or less than one acre of impervious coverage and that do not require design of stormwater storage facilities. When the Simplified Method is used to address stormwater management needs of new impervious surfaces, the following design standards shall be achieved:

(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 and shall not be released into the surface waters of the commonwealth. Removal options for the first one inch of runoff include, but are not necessarily limited to, reuse, evaporation and infiltration.

(3) Infiltration facilities shall be designed to accommodate infiltration of as much of the permanently removed runoff as site conditions will allow. If the soils within the project area do not allow for infiltration of the entire first one inch of runoff from new impervious surfaces, other forms of runoff volume control shall be used to achieve the

required removal volume. Such measures may include, but are not limited to, vegetated roofs, bioretention, and capture-and-reuse systems. In addition, the infiltration alternative authorized in § 17-305C may be employed.

(4) This method is exempt from the requirements of § 17-306, Rate Controls.

C. Infiltration Alternative. Where infiltration is not possible due to soil characteristics or is not desirable given other characteristics, water quality control may be proposed as an alternative to strict adherence to the volume control standards of § 17-305 of this chapter. Where water quality control is proposed, the following standards shall be achieved.

(1) At a minimum, the following documentation shall be provided to justify the proposal to reduce the infiltration requirements:

(a) Description of and justification for field infiltration/ permeability testing with respect to the type of test and test locations.

(b) An interpretive narrative describing existing soils of the site and their structure as these relate to the interaction between soils and water characteristics of the site. In addition to providing soil and soil profile descriptions, this narrative shall identify depth to seasonal water tables and depth to bedrock and provide a description of all subsurface elements (restrictive layers, geology, etc.) that influence the direction and rate of subsurface water movement.

(c) A qualitative assessment of the site's contribution to annual aquifer recharge shall be made, along with the identification of any restrictions or limitations associated with the use of designed infiltration facilities.

(d) The provided documentation must be signed and sealed by a professional engineer or geologist.

(2) Water quality BMPs shall be implemented on all permanent stormwater discharges from the proposed project site to achieve pollutant removal efficiencies in accordance with the Table 305.1.

Table 305.1 Required Pollutant Removal Efficiencies for Infiltration Alternatives

Pollutant Load	Units	Required Removal Efficiency (%)
Total Suspended Solids (TSS)	Pounds	85%

Table 305.1 Required Pollutant Removal Efficiencies for Infiltration Alternatives		
Pollutant Load	**Units**	**Required Removal Efficiency (%)**
Total Phosphorus (TP)	Pounds	85%
Total Nitrate (NO_3)	Pounds	50%

(3) Design guidance from the most current version of the Pennsylvania Stormwater Best Management Practices Manual, or equivalent resource as pre-coordinated with Huntington Township shall be consulted when choosing design criteria for water quality BMPs.

§ 17-306. Rate Controls. [Ord. No. 2023-02-75, 9/14/2023]

A. Post-development discharge rates shall not exceed the pre-development discharge rates for the one-, two-, five-, ten-, twenty-five-, fifty-, and 100-year twenty-four-hour storms. If it is shown that the peak rates of discharge indicated by the post-development analysis are less than or equal to the peak rates of discharge indicated by the pre-development analysis for one-, two-, five-, ten-, twenty-five-, fifty-, and 100-year, twenty-four-hour storms, then the requirements of this section have been met. Otherwise, the applicant shall provide additional controls as necessary to satisfy the peak rate of discharge requirement.

B. For computation of pre-development peak discharge rates, 20% of existing impervious areas, when present within the project site, shall be considered meadow.

§ 17-307. Riparian Buffers/Riparian Forest Buffers. [Ord. No. 2023-02-75, 9/14/2023]

Where an applicant proposes to utilize riparian buffers as the means to meet the requirements of this chapter, said riparian buffers shall be established and/or maintained in accordance with the BMP Manual or the publication Riparian Forest Buffer Guidance, published November 2010, by the Pennsylvania Department of Environmental Protection, and as may be amended or updated.

§ 17-308. Prohibited Discharges and Connections. [Ord. No. 2023-02-75, 9/14/2023]

A. Any drain or conveyance, whether on the surface or subsurface, that allows any nonstormwater discharge including sewage, process wastewater, and wash water to enter the waters of the commonwealth is prohibited.

B. No person shall allow, or cause to allow, discharges into surface waters of the commonwealth which are not composed entirely of stormwater, except: 1) as provided in Subsection C below; and 2) discharges allowed under a state or federal permit.

C. The following discharges are authorized unless they are determined to be significant contributors to pollution to the waters of the commonwealth:

(1) Discharges from firefighting activities.

(2) Potable water sources including water line flushing.

(3) Irrigation drainage.

(4) Air conditioning condensate.

(5) Springs.

(6) Water from crawl space pumps.

(7) 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.

(8) Diverted stream flows.

(9) Flows from riparian habitats and wetlands.

(10) Uncontaminated water from foundations or from footing drains.

(11) Lawn watering.

(12) De-chlorinated swimming pool discharges.

(13) Uncontaminated groundwater.

(14) Water from individual residential car washing.

(15) Routine external building wash-down (which does not use detergents or other compounds).

(16) Water discharged in well testing for potable water supplies.

D. In the event that the municipality or DEP determines that any of the discharges identified in Subsection C significantly contribute to pollution of the waters of the commonwealth, the municipality or DEP will notify the responsible person(s) to cease the discharge.

§ 17-309. Roof Drains, Sump Pumps and Footer Drains. [Ord. No. 2023-02-75, 9/14/2023]

Roof drains, sump pumps, and footer drains should discharge to infiltration or vegetative BMPs and, to the maximum extent practicable, satisfy the criteria for DIAs. Discharges of each should be conveyed in such a manner as to not cause water problems for adjoining property owners.

§ 17-310. Alteration of SWM BMPs. [Ord. No. 2023-02-75, 9/14/2023]

No person shall modify, remove, fill, landscape, or alter any SWM BMPs, facilities, areas, or structures in a manner, without the written approval of Huntington Township, with the exception of necessary maintenance activities such as mowing.

PART 4

STORMWATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS

§ 17-401. SWM Site Plan Submission. [Ord. No. 2023-02-75, 9/14/2023]

A. When a property owner or developer proposes a regulated activity, said property owner or developer shall submit a SWM site plan to demonstrate compliance with the stormwater management provisions of this chapter. Said submission shall be required by Huntington Township unless said regulated activity is exempted from SWM site plan submission in accordance with the exemption criteria and exemption approval process established in § 17-302 of this chapter. Where Huntington Township determines that the property owner or developer proposing the regulated activity is eligible to employ the process established in the Stormwater Management Design Assistance Manual (Appendix C[12]) to address the stormwater management needs of a site, the submission of the required documentation from said Manual shall substitute for the SWM site plan requirements of this Part.

B. Copies of the SWM site plan shall be distributed as follows:

(1) Two copies to the municipality.

(2) One copy to the Huntington Township Engineer, when applicable.

(3) One copy to the Adams County Conservation District (if the project site is one acre or more in area).

(4) One copy to the Adams County Planning Commission (only if submitted as a component of a subdivision and land development plan).

C. Additional copies may be requested by Huntington Township.

D. The property owner or developer shall submit a review fee in accordance with Part 6. Payment of the required fee shall be considered a component of the SWM site plan submission. The SWM site plan submission shall not be considered to be complete until such time that any required fee is paid.

§ 17-402. Design Criteria. [Ord. No. 2023-02-75, 9/14/2023]

Stormwater collection systems and stormwater management systems shall be designed in accordance with the following documents:

A. U.S. Department of Agriculture, Natural Resources Conservation Service. 1986. Technical Release 55: Urban Hydrology for Small Watersheds, 2nd Edition. Washington, D.C.

12. **Editor's Note: Said appendix is included as an attachment to this chapter.**

B. Pennsylvania Department of Transportation, Design Manual Part 2, Highway Design, Publication 13M, Chapter 10, Drainage Design and Related Procedures, March 2015 as amended and updated.

C. Pennsylvania Department of Transportation, PennDOT Drainage Manual, Publication 584, 2015 edition, as amended and updated.

§ 17-403. Plan Requirements. [Ord. No. 2023-02-75, 9/14/2023]

A. The SWM site plan shall include the following information. Where the regulated activity for which a SWM site plan is being submitted is also subject to subdivision and/or land development plan review in accordance with the Huntington Township Subdivision and Land Development Ordinance,[13] the SWM site plan shall be submitted as a component of the subdivision or land development plan submission for the project and shall include the following information. Where the submission requirements of this section conflict with the submission requirements of the Huntington Township Subdivision and Land Development Ordinance, the submission requirements of this chapter shall control.

(1) The name of the development, the name and address of the owner of the property, and the name and address of the individual or firm preparing the SWM site plan. Also to be included is the name, address, signature and seal of any registered surveyor (attesting the accuracy of the boundary survey), professional engineer, landscape architect, or professional geologist (for geomorphological assessments) contributing to and/or responsible for any aspect of the SWM site plan.

(2) A graphic and written plan scale of one inch equals no more than 50 feet. For parcels of 20 acres or more, the scale shall be one inch equals no more than 100 feet.

(3) Topographical location map at a scale of 1:24,000 showing streets, landmarks, and municipal boundaries in the vicinity of the project.

(4) North point (arrow), revision date, property recording information and parcel ID.

(5) The overall stormwater management concept for the project, including any additional information required for a PCSM plan as applicable.

(6) Existing and proposed land uses within the project boundary plus 50 feet beyond the project boundary.

(7) Existing and proposed topography of the project site plus a minimum of 50 feet beyond of the project boundary. Existing and final contours

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

shall be shown at a maximum interval of two feet. In areas of slopes in excess of 15%, five-foot contour intervals may be used.

(8) The location of existing and proposed utilities (including on-lot facilities), stormwater facilities, sanitary sewers, and waterlines within the project boundary and for the entire area within the first 50 feet beyond the project boundary.

(9) Significant physical features and associated boundary limits, including flood hazard areas, sinkholes, existing drainage courses, streams, ponds, wetlands, hydric soils, areas of natural vegetation, and any other environmentally sensitive features.

(10) A determination of site conditions in accordance with the BMP Manual. A detailed site evaluation shall be completed for projects proposed in areas of carbonate geology or karst topography, as well as for other environmentally sensitive areas, whether natural or man-made, including floodplains, streams, lakes, ponds, hydric soils, wetlands, brownfields, and wellhead protection zones.

(11) The types, depth, slope, locations and limitations of the soils and geologic formations.

(12) Existing and proposed property lines, rights-of-way, structures, buildings, streets, driveways, access drives, parking areas, and any other man-made features.

(13) The location of the proposed regulated activity relative to streets, municipal boundaries, and other significant man-made features for the entire area within the first 50 feet beyond the project boundary.

(14) Stormwater runoff design computations and documentation as specified in this chapter, or as otherwise necessary, to demonstrate compliance with the requirements of this chapter.

(15) The identification of potential thermal impacts from stormwater to receiving waters and methods to avoid, minimize or mitigate thermal impacts.

(16) A description of permanent stormwater management techniques and BMPs, including the construction specifications of the materials to be used for stormwater management facilities.

(17) Plan and profile drawings of all SWM BMPs, including drainage structures, pipes, open channels, and swales.

(18) Horizontal and vertical cross-sections of all open channels, including hydraulic capacity.

(19) Construction details of all SWM BMPs.

(20) Drainage area to each stormwater management facility and BMP.

(21) Proposed changes to the land surface and vegetative cover and the type and amount of existing and proposed impervious area.

(22) Drainage flow pathways.

(23) The location of soil test pits and perc tests along with results.

(24) 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 stormwater conveyance system that may be affected by the project.

(25) A map showing all existing man-made features beyond the subject parcel's boundary lines that may be affected by the proposed regulated activities.

(26) Expected project time schedule along with a sequence of BMP construction in relation to earth disturbance activities and a schedule of inspections for critical stages of BMP installation.

(27) A riparian forest buffer management plan when required under 25 Pa. Code § 102.14 (relating to riparian buffer requirements).

(28) The following signature blocks shall be provided on the plan:

(design engineer), on this date **(date of signature)**, hereby certifies that the SWM site plan meets all design standards and criteria of the Huntington Township Stormwater Management Ordinance.

(property owner) hereby acknowledges the stormwater management BMP's to be permanent features of the site and can only be altered or removed after approval from Huntington Township.

B. A soil erosion and sediment control plan shall be prepared meeting the requirements of 25 Pa. Code Chapter 102, Erosion and Sediment Control, in accordance with the following:

(1) Earth disturbance, 0 to 5,000 square feet, implement erosion and sediment control measures on site, a written erosion and sediment control plan and Adams County Conservation District approval is not required unless required by state and/or federal permit(s) or is deemed necessary by Huntington Township. If earth disturbance is in a high quality or exceptional value watershed then a written erosion and sediment control plan and ACCD approval is required.

(2) Earth disturbance, 5,001 square feet to less than one acre, a written erosion and sediment control plan and implementation of plan on site is required. ACCD approval may be required by Huntington Township or state and/or federal permit(s). If earth disturbance is in a high

quality or exceptional value watershed than ACCD approval is required.

(3) Earth disturbance, one acre or greater, a written erosion and sediment control plan, ACCD approval and implementation of plan on site is required.

(4) In addition, under 25 Pa. Code, Chapter 92,[14] an individual or general, as applicable, DEP "NPDES Construction Activities" permit is required for regulated earth disturbance activities of one acre or greater.

C. The SWM site plan shall include an operation and maintenance plan for all existing and proposed physical stormwater management facilities and BMPs. The plan shall address long-term ownership and maintenance responsibilities as well as schedules and estimated costs for maintenance activities. The O&M plan shall be prepared in accordance with the requirements of Part 5 of this chapter. At a minimum, the following elements shall be included in the O&M plan:

(1) The location and design of all stormwater BMPs.

(2) A schedule of when inspections shall be performed.

(3) Maintenance activities and when they are required.

(4) Provisions for permanent access or maintenance easements for all physical SWM BMPs.

(5) Provide notice that the responsibility for long-term operation and maintenance of the BMPs is a covenant that runs with the land that is binding upon and enforceable by subsequent owners.

(6) A note indicating the location, and responsibility for maintenance of, SWM facilities and/or easements that would be located on adjoining properties as a result of proposed regulated activities, and the location of such facilities and/or easements, if required.

§ 17-404. Plan Review and Approval Procedure. [Ord. No. 2023-02-75, 9/14/2023]

A. Pre-Application Meeting: Prior to proceeding with SWM site plan preparation and submission, the applicant is encouraged to request a pre-application meeting with Huntington Township to discuss the plan concept and responsibility for submission of required documents and information. If the project requires an E&S plan or an NPDES permit, the applicant is

14. **Editor's Note: Chapter 92 of Title 25 of the Pennsylvania Code was reserved 10-8-2010, effective 10-9-2010. It was replaced by Chapter 92a, National Pollutant Discharge Elimination System (NPDES) Permitting, Monitoring and Compliance.**

encouraged to meet with a staff member of the Adams County Conservation District as well.

B. SWM Site Plan Review and Approval Procedure:

(1) If a SWM site plan is not submitted as a component of a subdivision and/or land development plan, the review of the SWM site plan, recommendations, approval, approval with conditions, or disapproval shall occur within 45 calendar days of submission to Huntington Township. Where the applicant submits revisions to a previously submitted SWM site plan, either because the applicant has elected to revise the SWM site plan or as a result of a determination by Huntington Township that a revision is necessary to meet the requirements of this chapter, this forty-five-day period shall be restarted. Should Huntington Township fail to render a decision on the SWM site plan within this forty-five-day time period, the application shall be deemed approved.

(2) If a SWM site plan is submitted as a component of a subdivision and/or land development plan, the SWM site plan shall be reviewed in accordance with the review process and time frame established in the Huntington Township Subdivision and Land Development Ordinance[15] and in accordance with Section 508 of the Pennsylvania Municipalities Planning Code.[16]

(3) NPDES Permit Technical Coordination: Where the project for which a SWM site plan is submitted is subject to NPDES permitting, Huntington Township shall notify the Adams County Conservation District when the applicant has achieved technical compliance with the requirements of this chapter. Upon receipt of this notification, the Adams County Conservation District will acknowledge a General NPDES permit. In the case of an Individual NPDES permit, the Adams County Conservation District will coordinate municipal reviews with the DEP Regional Office.

(4) NPDES Permits and E&S Plans: Where the project for which a SWM site plan is submitted is subject to NPDES permitting or the submission of an E&S plan, or both, any final approval of the SWM site plan by Huntington Township shall be conditioned on the applicant's receipt of the required NPDES permit or E&S plan approval, as appropriate.

(5) Decision Notification Procedure: In all cases, the decision of the Huntington Township governing body to approve, approve with conditions, or disapprove the SWM site plan shall be in writing and shall be delivered to the applicant no later than 15 calendar days

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

16. **Editor's Note: See 53 P.S. § 10508.**

following the decision. If the SWM site plan is disapproved, the written decision by the Huntington Township governing body shall specify the defects in the application, describe the requirements which were not met, and shall cite the provisions of the ordinance relied upon. If the SWM site plan is approved with conditions, the notification to the applicant shall state the acceptable conditions for approval and the time limit for satisfying such conditions. Should Huntington Township fail to notify the applicant of the decision within this fifteen-calendar-day period, the application shall be deemed approved.

C. Waiver Requests:

(1) If a SWM site plan is not submitted as a component of a subdivision and/or land development plan, Huntington Township may accept a request for waiver of one or more of the requirements of this chapter. Any such waiver requests shall comply with the following requirements.

(a) Huntington Township may accept a request for waiver of the requirements of one or more provisions of this chapter if the literal enforcement will enact undue hardship because of peculiar conditions pertaining to the land in question, provided that Huntington Township determines that such waiver will not be contrary to the public interest and that the purpose and intent of the chapter is observed.

(b) All requests for waivers from an applicant shall be in writing and shall accompany and be a part of the application for approval of a SWM site plan. The request 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 waiver or modification necessary to afford relief.

(2) Huntington Township shall act to accept or reject requests for waivers within the context of its SWM site plan decision-making process established in § 17-404B(1) of this chapter. The decision of the Huntington Township governing body regarding acceptance of each request for waiver shall be incorporated into the written decision of the Huntington Township governing body for the overall SWM site plan as required in § 17-404B(3) of this chapter. The Huntington Township governing body shall keep a written record of all action on requests for waivers.

(3) If a SWM site plan is submitted as a component of a subdivision and land development plan, requests for waiver to obtain relief from one or more of the requirements of this chapter shall be handled in accordance with the modification process established in the

Huntington Township Subdivision and Land Development Ordinance[17] and Section 512.1 of the Pennsylvania Municipalities Planning Code.[18]

§ 17-405. Revision of Plans. [Ord. No. 2023-02-75, 9/14/2023]

A. SWM Site Plan Not Submitted as a Component of a Subdivision and/or Land Development Plan: Revisions to a previously approved SWM site plan to incorporate a change in SWM BMPs or techniques, or the relocation or redesign of SWM BMPs, or different information about soil or other conditions from what was stated in the SWM site plan, shall be submitted by the applicant to Huntington Township. Huntington Township, at its sole discretion may require a resubmission of the revised SWM site plan in accordance with this chapter, including applicable review fee. For NPDES permitted sites, any revised SWM site plan shall be resubmitted to the Adams County Conservation District for its review.

In the case of a SWM site plan which contains minor deficiencies (such as a missing label, omission of a required note or minor construction detail), at its sole discretion, Huntington Township may accept a resubmission of such SWM site plan without the requirement of a full review fee, or a lesser fee, as determined by Huntington Township.

B. SWM Site Plan Submitted as a Component of a Subdivision and/or Land Development Plan: A revision of an SWM site plan approved as a component of a subdivision and/or land development plan shall be treated as a revision of the subdivision and/or land development plan and shall be subject to the review process established in the Huntington Township Subdivision and Land Development Ordinance.[19]

§ 17-406. Resubmission of Disapproved SWM Site Plans. [Ord. No. 2023-02-75, 9/14/2023]

A. SWM Site Plan Not Submitted as a Component of a Subdivision and/or Land Development Plan: A previously disapproved SWM site plan may be resubmitted with the revisions addressing the defects of the original submission as listed in Huntington Township's Decision Notification provided in accordance with § 17-404B(1). The resubmitted SWM site plan shall be reviewed and acted upon in accordance with § 17-404B. The applicable review fee must accompany the submission of a revised SWM site plan, unless such fee is waived by Huntington Township.

B. SWM Site Plan Submitted as a Component of a Subdivision and/or Land Development Plan: The resubmission of the SWM site plan originally submitted as a component of a subdivision and/or land development plan

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

18. **Editor's Note: See 53 P.S. § 10512.1.**

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

shall be treated as resubmission of said subdivision and/or land development plan and shall be subject to the review process established in the Huntington Township Subdivision and Land Development Ordinance.[20]

§ 17-407. Authorization to Construct and Term of Validity. [Ord. No. 2023-02-75, 9/14/2023]

A. SWM Site Plans Not Submitted as a Component of a Subdivision and/or Land Development Plan: Huntington Township approval of a SWM site plan, when such plan is not submitted as a component of a subdivision and/or land development plan, authorizes the regulated activities contained in the SWM site plan for a maximum term of validity of five years following the date of approval. Huntington Township may specify a term of validity shorter than five years in the Decision Notification for any specific SWM site plan, particularly if the nature of the proposed SWM facilities requires more frequent maintenance and/or short-term replacement of certain components. Terms of validity shall commence on the date Huntington Township signs the Decision Notification for an SWM site plan. If an approved SWM site plan is not completed according to § 17-408 within the term of validity, Huntington Township, and if a request to extend the permit has not been submitted to Huntington Township by the applicant, the permit terminates and Huntington Township may revoke any and all permits applicable to the project. SWM site plans for projects with expired permits may be resubmitted in accordance with § 17-406 of this chapter.

B. SWM Site Plans Submitted as a Component of a Subdivision and/or Land Development Plan: Huntington Township approval of a SWM site plan as a component of a subdivision and/or land development plan is subject to the term of validity as specified in the Huntington Township Subdivision and Land Development Ordinance.[21]

§ 17-408. Final Inspection, Completion Certificate, and As-Built Plans. [Ord. No. 2023-02-75, 9/14/2023]

A. The stormwater management facilities constructed in accordance with a SWM site plan not submitted as a component of a subdivision and/or land development plan shall be subject to the following process upon the completion of construction of said facilities.

(1) The property owner or developer shall contact Huntington Township within 30 days of the completion of the construction process to schedule a final inspection. The final inspection shall be conducted by Huntington Township or their representative. A draft copy of the as-built plan may be required to verify improvements and stormwater management facilities.

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

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

(2) The Huntington Township or their representative may inspect the completed improvements to confirm consistency with the approved SWM site plan. Following the inspection, if any, the Huntington Township may take one of the following two actions.

(a) Issue a Completion Certificate: A completion certificate may be issued when Huntington Township determines that the stormwater management facilities have been constructed in conformance with the approved SWM site plan.

(b) Issue Correspondence Regarding Discrepancies: If Huntington Township determines that the stormwater management facilities have not been constructed in accordance with the approved SWM site plan, Huntington Township shall issue correspondence addressed to the property owner or developer summarizing the discrepancies from the approved SWM site plan. Such correspondence does not by itself constitute an extension of any applicable SWM permit.

(3) Upon receipt of correspondence summarizing discrepancies in the constructed stormwater facilities, the property owner or developer shall, apply for permit extensions when necessary, and take one of the following two actions:

(a) Reconstruct the required stormwater management facilities in a manner that complies with the approved SWM site plan. Upon completion of the reconstruction work, the property owner or developer shall contact the municipality for a subsequent final inspection in accordance with the process established in § 17-408A(1).

(b) Submit a revised SWM site plan in accordance with the process established in § 17-405A. The revised SWM site plan shall be consistent with the improvements as constructed. Upon receipt, Huntington Township may review the revised SWM site plan in accordance with the review and approval process of § 17-404. If the revised SWM site plan is approved, Huntington Township shall issue the completion certificate. If the revised SWM site plan fails to demonstrate that the constructed stormwater management facilities can comply with the requirements of this chapter, Huntington Township may then require the property owner or developer to reconstruct the required stormwater facilities in accordance with the originally approved SWM site plan. If the revised SWM site plan is approved, Huntington Township shall then issue the completion certificate.

(4) Within 30 days of the completion certificate, the property owner or developer shall submit to Huntington Township an as-built plan depicting the stormwater management facilities as constructed. If

requested by the applicant, Huntington Township may grant an extension of the deadline to submit as-built plans.

(5) The as-built plan shall include a final certification statement from a licensed professional, which reads as follow:

"I (name) do hereby certify pursuant to the penalties of 18 Pa.C.S.A. § 4904 to the best of my knowledge, information and belief, that the accompanying record drawings accurately reflect the as-built conditions, are true and correct, and are in conformance with Chapter 102 of the rules and regulations of the Department of Environmental Protection and that the project site was constructed in accordance with the approved PCSM Plan, all approved plan changes and accepted construction practices."

B. The stormwater management facilities constructed in accordance with a SWM site plan submitted as a component of a subdivision and/or land development plan shall be subject to the completion of improvements requirements of the Huntington Township Subdivision and Land Development Ordinance[22] and Sections 509 through 511 of the Pennsylvania Municipalities Planning Code.[23]

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

23. **Editor's Note: See 53 P.S. §§ 10509 through 10511.**

PART 5

OPERATION AND MAINTENANCE

§ 17-501. Determination of Ownership and Maintenance Responsibility. [Ord. No. 2023-02-75, 9/14/2023]

A. Huntington Township shall make the final determination on the continuing operation and maintenance responsibilities prior to final approval of the SWM site plan. Huntington Township may require a dedication of such facilities as part of the requirements for approval of the SWM site plan. Huntington Township shall not be obligated to accept the facilities if offered for dedication. Huntington Township reserves the right to accept or reject the ownership, maintenance, and operating responsibility for any portion of the stormwater management facilities and controls.

B. If Huntington Township accepts dedication of any or all stormwater management facilities associated with a project, Huntington Township shall operate and maintain said facilities in accordance with the approved O&M plan. Huntington Township is exempt from the requirements to sign and record an O&M agreement.

C. If Huntington Township does not accept dedication of some or all of the stormwater management facilities associated with a project, the property owner shall sign an O&M agreement in accordance with § 17-502. The Township shall not approve the SWM site plan before the owner signs the O&M agreement.

§ 17-502. Operation and Maintenance Agreements. [Ord. No. 2023-02-75, 9/14/2023]

A. Prior to final approval of the SWM site plan, the property owner shall sign and record an O&M agreement binding the property owner to conduct all maintenance activities identified in the approved O&M plan for all stormwater control facilities which are to be privately owned. The O&M plan shall meet the requirements set forth in § 17-403C.

(1) The property owner, heirs, successors and assigns shall maintain all facilities in accordance with the approved maintenance schedule in the O&M plan.

(2) The property owner shall provide to Huntington Township easements to ensure access for periodic inspections and maintenance by Huntington Township as necessary.

(3) The property owner shall keep on file with Huntington Township the name, address, and telephone number of the person or company responsible for maintenance activities. In the event of a change, new

information shall be submitted by the property owner to Huntington Township within 10 working days of the change.

(4) The O&M agreement and O&M plan shall be recorded with the Adams County Recorder of Deeds.

B. The owner is responsible for operation and maintenance of the SWM BMPs. If the owner fails to adhere to the O&M agreement or the O&M plan, Huntington Township may perform the services required and charge the owner appropriate fees. Nonpayment of fees, costs and other expenses incurred in the performance of services required may result in a municipal lien against the property.

§ 17-503. Performance Guarantee. [Ord. No. 2023-02-75, 9/14/2023]

For SWM site plans submitted as a component of a subdivision and/or land development plan, the property owner or developer shall provide a financial guarantee to Huntington Township for the timely installation and proper construction of all stormwater management controls as required by the approved SWM site plan and this chapter in accordance with the completion of improvements requirements of the Huntington Township Subdivision and Land Development Ordinance[24] and the provisions of Sections 509 through 511 of the Pennsylvania Municipalities Planning Code.[25]

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

25. **Editor's Note: See 53 P.S. §§ 10509 through 10511.**

PART 6

FEES AND EXPENSES

§ 17-601. General. [Ord. No. 2023-02-75, 9/14/2023]

A. Huntington Township shall, by resolution, establish a fee schedule to defray costs incurred by Huntington Township associated with the administration and enforcement of this chapter.

B. The applicant shall be responsible for the payment of all fees, costs, and other expenses incurred in the submission, review, and decision on SWM site plans and/or other submissions pursuant to this chapter.

§ 17-602. Expenses Covered by Fees. [Ord. No. 2023-02-75, 9/14/2023]

The fee(s) may include, but are not limited to, costs for the following:

A. Administrative, clerical, engineering and legal costs.

B. Review of the SWM site plan and reports by Huntington Township and representatives or counselors of the Township.

C. Attendance at meetings by Huntington Township and representatives and counselors of the Township, as may be necessary.

D. Various inspections (such as during construction and after construction) by Huntington Township or its representatives.

E. Any additional work required to enforce any provision(s) regulated by this chapter, correct violations, and ensure proper completion of stipulated remedial actions.

PART 7

ENFORCEMENT AND PENALTIES

§ 17-701. Municipal Inspection. [Ord. No. 2023-02-75, 9/14/2023]

A. Upon presentation of proper credentials, Huntington Township officials or their designee may enter at reasonable times upon any property within the Township to inspect the condition of the stormwater structures and facilities in regard to any aspect regulated by this chapter.

B. Inspections regarding compliance with the SWM site plan may be conducted by the Township at any time when there may be a question of compliance with the approved SWM site plan, the approved O&M plan, or when any condition exists that may threaten public health, safety, or welfare.

§ 17-702. Owner Inspection. [Ord. No. 2023-02-75, 9/14/2023]

A. Huntington Township may inspect all phases of the construction, operation and maintenance of the SWM BMPs.

B. SWM BMPs shall be inspected by the landowner, or landowner's designee (which shall include Huntington Township where such facilities have been dedicated to Huntington Township), or the owner's designee, according to the following list of minimum frequencies:

(1) Annually for the first five years.

(2) Once every three years thereafter.

(3) During or immediately after the cessation of a ten-year-or-greater storm, i.e., a storm of an estimated frequency of recurrence of 10 years or greater interval of time.

(4) At any other interval as may be specified in the approved O&M agreement.

C. Inspection records shall be kept by the landowner or landowner's designee for a period of not less than five years. Said records shall be made available to the Township upon request.

§ 17-703. Suspension or Revocation of SWM Site Plan Approval. [Ord. No. 2023-02-75, 9/14/2023]

A. Any SWM site plan approval issued by Huntington Township pursuant to this chapter may be suspended or revoked for any of the following reasons.

(1) Noncompliance with or failure to implement any provision of the approved SWM site plan or O&M plan.

(2) A violation of any provision of this chapter or any other applicable law, ordinance, rule, or regulation relating to the regulated activity.

(3) The creation of any condition or the conduct of any regulated activity which constitutes or creates a hazard, nuisance, pollution, or endangers life or property.

B. A suspended SWM site plan approval may be reinstated by Huntington Township when the following conditions are met.

(1) Township officials or their designee(s) have inspected and approved the corrections to the violations that caused the suspension.

(2) The Township is satisfied that the violation has been corrected.

C. An SWM site plan approval that has been revoked by the Township shall not be reinstated. The applicant may apply for a new SWM site plan approval under the provisions of this chapter.

D. If a violation causes no immediate danger to life, public health, or property, the Township may, at its sole discretion, provide a limited time period for the owner to correct the violation. In these cases, the Township will provide the owner, or the owner's designee, with a written notice of the violation and the time period allowed for the owner to correct the violation. If the owner does not correct the violation within the allowed time period, the municipality may revoke or suspend any, or all, applicable approvals and permits pertaining to any provision of this chapter.

§ 17-704. Enforcement. [Ord. No. 2023-02-75, 9/14/2023]

Huntington Township may institute injunctive, mandamus, or any other appropriate action or proceeding at law or in equity for the enforcement of this chapter when the Township determines that a property owner or developer has initiated a regulated activity without receiving SWM site plan approval, that a property owner or developer has failed to comply with an approved SWM site plan or approved O&M plan, or that a property owner or developer has violated any other provision 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.

§ 17-705. Penalties. [Ord. No. 2023-02-75, 9/14/2023]

A. 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 $1,000 for each violation, recoverable with costs. Each day that the violation continues shall be a separate offense and penalties shall be cumulative.

B. In addition, the municipality may institute civil, 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.

§ 17-706. Appeals. [Ord. No. 2023-02-75, 9/14/2023]

A. Any person aggrieved by any action of Huntington Township or its designee, relevant to the enforcement of the provisions of this chapter, may appeal said action to the Township within 30 days of that action.

B. Any person aggrieved by any decision of the Huntington Township regarding the appeal of any action of the Township or its designee, may appeal the decision to the Adams County Court of Common Pleas within 30 days of the decision by the Township.

§ 17-707. Enactment. [Ord. No. 2023-02-75, 9/14/2023]

This chapter was enacted and ordained at a regular public meeting of the Huntington Township Board of Supervisors on the 14th day of September 2023 and is effective immediately.

PART 8

REFERENCES

§ 17-801. References and Resources.

1. AASHTO, 2005. Model Drainage Manual. AASHTO, Washington, DC.

2. AASHTO, 2006. Highway Drainage Guidelines. AASHTO, Washington, DC.

3. Act of July 31, 1968, P.L. 85, No. 247, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 et seq., as amended.

4. Federal Highway Administration, Design of Roadside Channels with Flexible Linings, HEC-15, Third Edition, as amended and updated.

5. Federal Highway Administration, Urban Drainage Design Manual, HEC-22, Third Edition, as amended and updated.

6. Pennsylvania Code Title 25 Chapter 102 Erosion and Sediment Control, as amended and updated.

7. Pennsylvania Department of Environmental Protection. No. 363-0300-002 (December 30, 2006), as amended and updated. Pennsylvania Stormwater Best Management Practices Manual. Harrisburg, PA.

8. Pennsylvania Department of Environmental Protection. No. 363-2134-008 (March 31, 2012), as amended and updated. Erosion and Sediment Pollution Control Program Manual. Harrisburg, PA.

9. Pennsylvania Department of Environmental Protection, No. 395-5600-001 (November 27, 2010), as amended and updated. Riparian Forest Buffer Guidance.

10. Pennsylvania Department of Transportation, Design Manual Part 2, Highway Design, Publication 13M, Chapter 10, Drainage Design and Related Procedures, March 2015 as amended and updated.

11. Pennsylvania Department of Transportation, PennDOT Drainage Manual, Publication 584, 2015 edition, as amended and updated.

12. Pennsylvania Department of Transportation, Stormwater Control Measure Maintenance Manual, Publication 888, 2021 edition, as amended and updated.

13. U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS). National Engineering Handbook. Part 630: Hydrology, 1969-2001. Originally published as the National Engineering Handbook, § 4: Hydrology. Available from the NRCS online at: http://www.nrcs.usda.gov/

14. U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS). Technical Release 55: Urban Hydrology for Small Watersheds, 2nd Edition. 1986. Washington, D.C.

15. U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, Hydrometeorological Design Studies Center. 2004-2006. Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, Version 3.0, Silver Spring, Maryland. Internet address: Internet address: http://hdsc.nws.noaa.gov/hdsc/pfds/.

17 Attachment 1

Township of Huntington

APPENDIX A

STORMWATER MANAGEMENT BMPs, FACILITIES, AND SYSTEMS OPERATION, MAINTENANCE AND MONITORING AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 20____, by and between _____, of _____, PA, _____, (hereinafter the "Owner"), and Huntington Township, Adams County; Pennsylvania, (hereinafter "Township");

RECITALS

WHEREAS, the Owner is the owner of certain real property described as (tax map parcel ID) _____as recorded by deed in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book _____ at Page _____, (hereinafter "Property").

WHEREAS, the Owner is proceeding to build and develop the Property, or has become the owner of the property at or after the time that the Property has been developed; and

WHEREAS, the Subdivision Plan, and/or Land Development Plan, and/or Stormwater Management Site Plan and/or Operation and Maintenance Plan (hereinafter "Plan") for the Property identified herein, as approved or to be approved by the Township, provides for management of stormwater within the confines of the Property through the use of Stormwater Management Facilities and Best Management Practices (BMPs). The Plan is identified as follows: _____ _____. The Plan is incorporated in this Agreement by reference; and

WHEREAS, the Township and the Owner agree that the health, safety, and welfare of the residents of the Township require that on-site Stormwater Management Facilities and BMPs be maintained on the Property: and

WHEREAS, for the purpose of this agreement, the following definitions shall apply:

Best Management Practices (BMPs) – stormwater structures, facilities, and techniques to maintain or improve the water quality of surface runoff.

Stormwater Management Facilities – any structure, natural or man-made, that (due to its condition, design, or construction) conveys, stores and/or otherwise affects stormwater runoff. Such facilities include, but are not limited to, detention or retention basins, open channels, storm sewers, pipes, and infiltration structures.

WHEREAS, the Township requires in its Stormwater Management Ordinance that all Stormwater Management Practices, Facilities, Systems, and BMPs be maintained;

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

1. Incorporation of Recitals. The Recitals stated above are incorporated herein.

2. Maintenance by Owner. The Owner, or his designee, shall operate and maintain the Stormwater Management Facilities and BMPs, as shown on the Plan, in good working order in accordance with the specific operation and maintenance requirements noted on the Plan, which Plan is incorporated herein by reference.

3. Entry onto Property for Inspection. The Owner hereby grants permission to the Township, its authorized agents and employees, to enter upon the Property, at reasonable times and upon presentation of proper identification, to inspect the Stormwater Management Facilities, Systems, and BMPs whenever it deems necessary. Whenever possible, the Township shall notify the Owner prior to entering the property.

4. Failure to Maintain is a Nuisance; Abatement by Township. In the event the Owner fails to operate and maintain the Stormwater Management Practices, Facilities, Systems, and BMPs as shown on the Plan in good working order, the parties hereto agree that such failure shall be deemed a nuisance. The Township may enter upon the Property and take whatever action it deems necessary to effectuate the maintenance and thereby abate the nuisance. This provision shall not be constructed to allow the Township to erect any permanent structure on the land of the Owner. It is expressly understood and agreed that the Township is under no obligation to operate, maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Township.

5. Recovery of Expenditures by Township; Municipal Lien. In the event the Township, pursuant to the 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 Owner shall reimburse the Township for all expenses incurred within 30 days of the mailing of an Invoice from the Township to the Owner at his or its last known address. If such payment is not made with the 30-day period, the Township may place a municipal lien against the Property pursuant to the procedures contained in the Pennsylvania municipal lien law, 53 P.S. §7101, et seq. as amended.

6. Indemnification by Owner. The Owner, hereby indemnifies the Township and its employees and agents against all damages, casualties, occurrences or claims which might arise or be asserted against said it or them arising

from the construction, presence, existence, or maintenance of the Stormwater Management Practices, Facilities, Systems, and BMPs by the Owner or by the Township. In the event that a claim is asserted against the Township, its employees or agents, the Township shall promptly notify the Owner and the Owner shall defend, at his or its own expense, any suit based on the claim. If any judgment or claims against the Township's employees or agents shall be entered, the Owner shall pay all costs and expenses regarding said judgment or claim.

7. Covenant Running with Property. This Agreement shall be covenant running with the Property, and shall be binding on the Owner's heirs, successors and assigns, in perpetuity.

IN WITNESS WHEREOF, the parties have hereunto either individually or by their authorized officers set their hands and seals the date and year first above written:

HUNTINGTON TOWNSHIP

Attest:

_____
, Chairman

_____
Secretary

[seal]

Witness:

_____ _____
, Owner

_____ _____
, Owner

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ADAMS

On this, the _____ day of _____, 20___, before me, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the Chairman of the Huntington Township Board of Supervisors, and that as such and being duly authorized to do so, he/she executed the forgoing instrument for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

_____
Notary Public
My commission expires:

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ADAMS

On this, the _____ day of _____, 20___, before me, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument as Owners, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

_____
Notary Public
My commission expires:

17 Attachment 2

Township of Huntington

APPENDIX B
STORMWATER MANAGEMENT
EXEMPTION REQUEST FORM

HUNTINGTON TOWNSHIP

STORMWATER MANAGEMENT EXEMPTION REQUEST FORM

OWNER'S NAME: _____ Date: _____

Property Address: _____

Mailing Address: _____

Phone Number: _____

Property Size: _____

Existing Impervious Cover Amount: _____

Proposed Additional Impervious Cover Amount: _____

Exemption Requested:

( ) Sec 302.A.1 – The proposed project meets the area limits specified in section 302.A.1. Complete Municipal Stormwater Management Worksheet Step 1.

( ) Sec 302.A.2 – The proposed project meets the area limits specified in section 302.A.2 and the proposed impervious area can be completely disconnected. Complete Municipal Stormwater Management Worksheet Steps 1 and 2.

( ) Sec 302.A.3 – The proposed project meets the area limits specified in section 302.A.3. If this exemption request is approved, complete the entire Municipal Stormwater Management Worksheet and submit a Minor Stormwater Site Plan.

( ) Exemption Request Approved

( ) Exemption Request NOT Approved

Reason for Exemption Rejection: _____

_____

_____

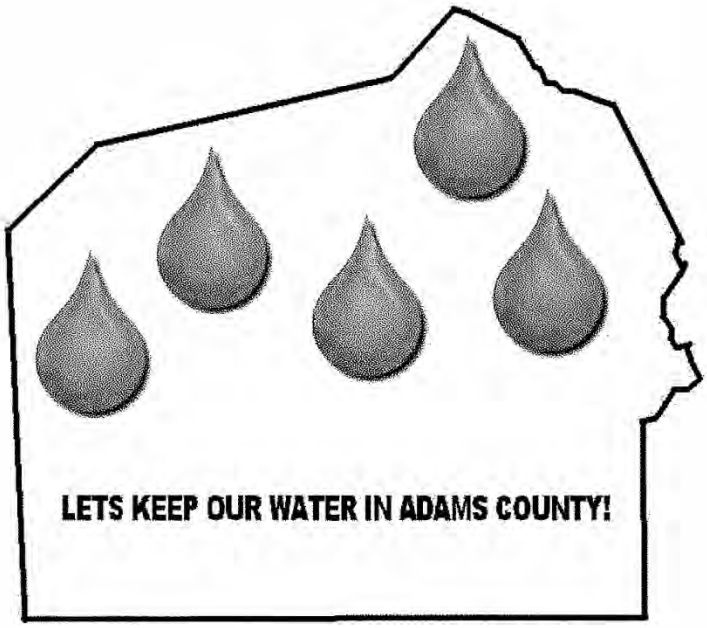
Municipal Signature: _____

Date: _____

Appendix C
Simplified Approach

STORMWATER MANAGEMENT DESIGN ASSISTANCE MANUAL

For Minor Land Development Activities in Huntington Township, Adams County, Pennsylvania



Simplified Approach

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Introduction

This design manual has been created as a tool to help property owners manage stormwater on their property and streamline the process of designing on-site stormwater management facilities for new, relatively minor residential and accessory structure projects. Through the use of this manual, residents have the ability to determine the appropriate facilities for their property, project and budget. This design method is not intended to be used with large-scale subdivision/ land development or activities that include infrastructure such as roadways.

The best management practices (BMPs) listed in this manual should be used as a guide and are not a comprehensive list of options. Residents should contact the municipality or Conservation District to discuss alternative solutions for site specific applications.

Importance of Stormwater Management

Stormwater is the runoff produced by precipitation, snow melt, or ice melt. When land is developed or changed, the flow patterns of water and quality of water are also changed. Land development activities can affect characteristics of stormwater runoff, including the rate of runoff, volume of runoff, and quality of runoff. When runoff is not managed, the increased volume may aggravate flooding.

The objective of stormwater management is to prevent or mitigate the adverse impacts of the increase in rate and volume of stormwater runoff, while also protecting health, safety, and property. Stormwater Best Management Practices aim to maintain water quality, encourage infiltration in appropriate areas, promote groundwater recharge, maintain the natural drainage characteristics of the site to the maximum extent practicable, and protect stream banks and beds.

Standard Terms Used in the Manual

Best Management Practice (BMP) - 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 Ordinance.

Disconnected Impervious Area (DIA) - An impervious or impermeable surface that is disconnected from any stormwater drainage or conveyance system and is redirected or directed to a pervious area, which allows for infiltration, filtration, and increased time of concentration.

Disturbed Area - An unstabilized land area where an earth disturbance activity is occurring or has occurred.

Flow Path – The path that stormwater flows from the discharge point to the nearest property line or channelized flow (ie stream, drainage ditch, etc.). The length of the path is measured along the ground slope.

Impervious Surface (Impervious Area) - A surface that prevents the infiltration of water into the ground. Impervious surfaces and areas include but are not limited to roofs, additional indoor living spaces, patios and decks, garages, storage sheds and similar structures, streets, driveways, access drives, parking areas, and sidewalks. Any areas designed to be covered by loose surfacing materials such as gravel, stone and/or crushed stone, and intended for storage of and/or travel by vehicles, or pedestrians shall be considered impervious. Surfaces or areas designed, constructed and maintained to permit infiltration may be considered pervious.

Karst - A type of topography or landscape characterized by surface depressions, sinkholes, rock pinnacles/uneven bedrock surface, underground drainage, and caves. Karst is formed on carbonate rocks, such as limestone or dolomite.

Minor Stormwater Site Plan – A site plan prepared and submitted to the municipality for proposed projects which qualify to use the Simplified Approach. The plan depicts existing conditions on the property, proposed impervious areas, and, if required, the location of proposed BMPs.

Regulated Activit(ies)y - Any earth disturbing activity or any activity that involves the alteration or development of land in a manner that may affect stormwater runoff.

Runoff - Any part of precipitation that flows over the land.

Determining What Type of Stormwater Management Plan is Needed

The chart on the following page provides a guide to determine what type of stormwater plan is needed. Some projects will be exempt from preparing a stormwater management plan, but documentation of the project must still be filed with the municipality. Completion of the **Municipal Stormwater Management Worksheets** will determine what type of documentation is required for each project.

This manual is designed to assist those with projects that qualify for the use of a minor stormwater site plan. If a formal stormwater management plan is required, **please consult a qualified person (ex. Engineer, Surveyor)!**

SMP Plan Requirement	Impervious Area	Disturbed Area*	Next Steps
Exempt	see table below	see table below	File Municipal Stormwater Management Worksheet step 1 with municipality
May be Exempt	1,000 to ≤ 10,000 ft², if disconnected from impervious areas	Less than 1 acre	File Municipal Stormwater Management Worksheet step 1 & 2 with municipality
Minor Stormwater Site Plan	1,000 ft² to ≤ 5,000 ft² IF connected to impervious areas	Less than 1 acre	Prepare a Minor Stormwater Site Plan
Formal Stormwater Management Plan	Greater than 5,000 ft²	1 acre or Greater.	Consult a Qualified Person

Using Municipal Stormwater Management Worksheets

Determining the impervious area of a proposed project is the first step in using this Manual. Municipal Stormwater Management Worksheets have been included in the Simplified Approach, which will assist the property owner, or applicant, and municipality determine the impervious area of a proposed project and provide guidance through the next steps.

Step 1 of the Municipal Stormwater Management Worksheet provides a table and directions on how to figure out the impervious area created. If the total proposed surface area is less than the amount in the following table, the project may be exempt from the requirements in this guide. The owner will sign the Acknowledgement at the top of the sheet and file it withthe municipality. The municipality will use this as a record of exempt projects and keep arunning total of proposed impervious area since the adoption of the StormwaterManagement Ordinance.

Total Parcel Size	Impervious Area (sq. ft.)
Less than 1 acre	1,000
1 to 2 acres	2,000
2 to 5 acres	3,000
Over 5 acres	7,500

If the proposed impervious area is larger than noted in the above table for a given parcel size, the applicant will go on to Step 2 to determine the Disconnected Impervious Area (DIA). DIA is explained on page C-6. The applicant will need to prepare a minor stormwater site plan to show how far the proposed project is from things like property lines and existing impervious surfaces. If DIA requirements can be met, projects of this size may be exempt from the requirement to prepare and submit a formal stormwater management (SWM) site plan. The applicant should take the worksheets and plan to the municipality for review and approval.

If stormwater runoff needs to be managed on the property, Best Management Practices (BMPs) will have to be installed if the project is between 1,000 square feet and 5,000 square feet. If the project is between 5,000 and 10,000 square feet and the entire volume of stormwater runoff cannot be managed within the property without using BMPs, then the project is not qualified to use the Simplified Approach. The applicant should fill out the rest of the worksheets and determine which BMPs will be used. The size and location.

of proposed BMPs will be added to the minor stormwater site plan. The worksheets, site plan, and Owner Acknowledgement are brought to the municipality for approval. Each municipality has an approval process for exemptions and the minor stormwater site plans. The municipality may also require the submission of the Stormwater Management/ BMP Facilities & Maintenance Agreement.

Minor Stormwater Site Plan Requirements

A minor stormwater site plan depicts the existing conditions of a property and the location of proposed impervious surfaces. Depicting the relationship between the proposed activities and distances to things like property lines, streams, and vegetated areas will help determine if the stormwater runoff created by the proposed project can be managed naturally within the property or if additional best management practices (BMPs) are needed to accommodate the stormwater runoff.

If a project qualifies for use of a minor stormwater site plan, the applicant may prepare and submit to the Municipality a minor stormwater site plan and the Municipal Stormwater Management Worksheet. The Adams County GIS Office can also provide assistance to applicants to obtain property maps of existing features. A minor stormwater site plan depicting the key features of the site must be drawn, or depicted, to scale to show the following:

- Property boundary.
- Location of all existing and proposed structures (house, shed, addition, etc.) and any proposed downspouts. Include the dimensions of proposed structures.
- Site conditions (grassed areas, agricultural fields, direction of slope and stormwater flow on the property).
- Distance from proposed downspouts to property line.
- All existing and proposed driveways and impervious areas (stone and gravel driveways are considered impervious).
- Natural features such as streams, wetlands, tree lines and other vegetation on the property and within 50 feet of the property line for lots smaller than 5 acres.
- Distance from proposed structures or downspouts along the stormwater flow path to any stream or wooded area.
- Any other pertinent information that may be significant to the project site (existing drainage ways, steep slopes, etc.).
- Wells and on-site septic systems.

If BMPs are required, the following information must also be shown on the plan:

- Location and size of proposed stormwater BMPs.

Other Considerations for Minor Plans:

- While soil testing is not mandatory for the simplified approach, soil testing is highly recommended to select and apply the appropriate stormwater BMPs. The use of soil maps, infiltration tests, and/ or perc tests may provide the applicant basic information about soil characteristics.
- Proposed stormwater management facilities must be designed to handle flows from the contributing area.
- The site shall not have any pre-existing stormwater drainage-related problems (as verified by the municipality), at the discretion of the Municipality.
- Water quality shall be protected per Chapter 93 of PA Code.
- The municipality may inspect all BMPs during and after construction/ installation.
- Infiltration BMPs should not be constructed nor receive runoff until the entire contributory drainage area has achieved final stabilization.
- Ensure that infiltration in geologically susceptible areas such as, but not limited to, carbonate geology/ karst topography do not cause adverse effects. The minor stormwater site plan should incorporate steps to ensure that salt or chloride will not contaminate the groundwater.
- Selected BMPs shall be designed, constructed, and maintained in accordance with the manufacturer's recommendation, the BMP Manual, or other written guidance acceptable to the municipality.
- Proposed sump pumps shall discharge to infiltration or vegetative BMPs to the maximum extent practicable.

DISCONNECTED IMPERVIOUS AREA (DIA)

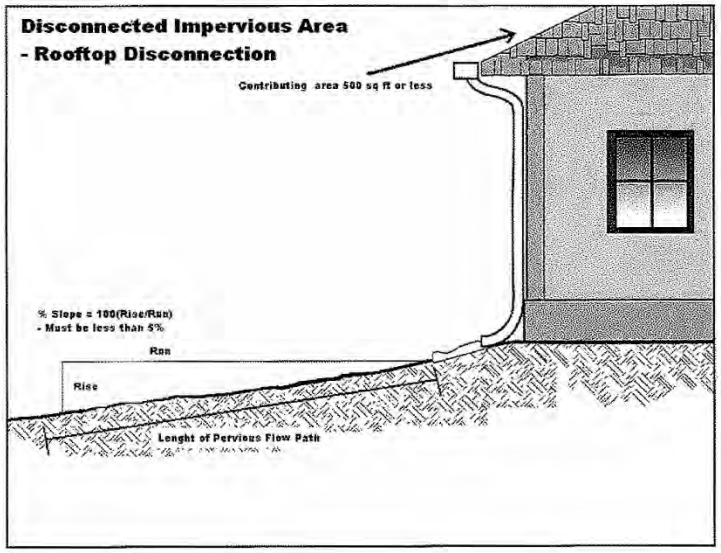
When impervious surface areas like rooftops and paved areas are directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the impervious surface areas may qualify to be treated as Disconnected Impervious Area (DIAs).

Impervious Area is defined as: A surface that prevents the infiltration of water into the ground. Impervious surfaces and areas shall include roofs, home additions, patios and

decks, garages, storage sheds and similar structures, driveways, access drives, parking areas, walkways and sidewalks. Any areas designed to be covered by loose surfacing materials such as gravel, stone and/or crushed stone, and intended for storage of and/or travel by vehicles, or pedestrians shall be considered impervious. Surfaces or areas designed, constructed and maintained to permit infiltration may be considered pervious.

Rooftop Disconnection A rooftop is considered to be completely disconnected if it meets the requirements listed below:

- The contributing area of rooftop to each disconnected discharge (downspout) is 500 square feet or less.
- The overland flow path from roof runoff discharge point has a positive slope of five percent (5%) or less.
- The length of the overland flow path is greater than 75 feet.
- Soils along the overland flow path are not classified as hydrologic group "D" (See NRCS Soil Map). i.e. infiltration is at least 1 inch per 24-hour day.
- The receiving pervious area shall not include another person's property unless written permission has been obtained from the affected property owner.



Note: Downspout not required.

Determining Status of DIA

Step 1: Determine contributing area of the roof to each disconnected discharge (downspout). If it's 500 ft^2 or less, continue to step 2. If it's greater than 500 ft^2, the area does not qualify as DIA.

Step 2: Determine the length of down slope pervious flow path available for each disconnected discharge.

Step 3: Determine the % slope of the pervious flow path, % slope = (rise/ run) x 100. Must be 5% or less.

Step 4: See the table on the next page to determine the percentage of the area that can be treated as disconnected. If the available length of the flow path is equal to or greater than 75 ft, the discharge qualifies as entirely disconnected.

Partial Rooftop Disconnection		
Length of Pervious Flow Path* (ft) Lots 10,000 ft^2 and Under	Length of Pervious Flow Path* (ft)	Roof Area Treated as Disconnected
0 – 7.9	0 – 14	0%
8 – 15.9	15 – 29	20%
16 – 22.9	30 – 44	40%
23 – 29.9	45 – 59	60%
30 – 34.9	60 – 74	80%
35 or more	75 or more	100%
*Pervious flow path must be at least 15 feet from any impervious surface and cannot include impervious surfaces.		

Paved Disconnection When runoff from paved surfaces is directed to a pervious area that allows for infiltration, filtration, and increased time of concentration, the contributing pavement area may qualify as disconnected. This applies generally to only small or narrow pavement structures such as driveways and walkways. Paved surfaces can be considered disconnected if they, or the adjacent areas, meet the following requirements:

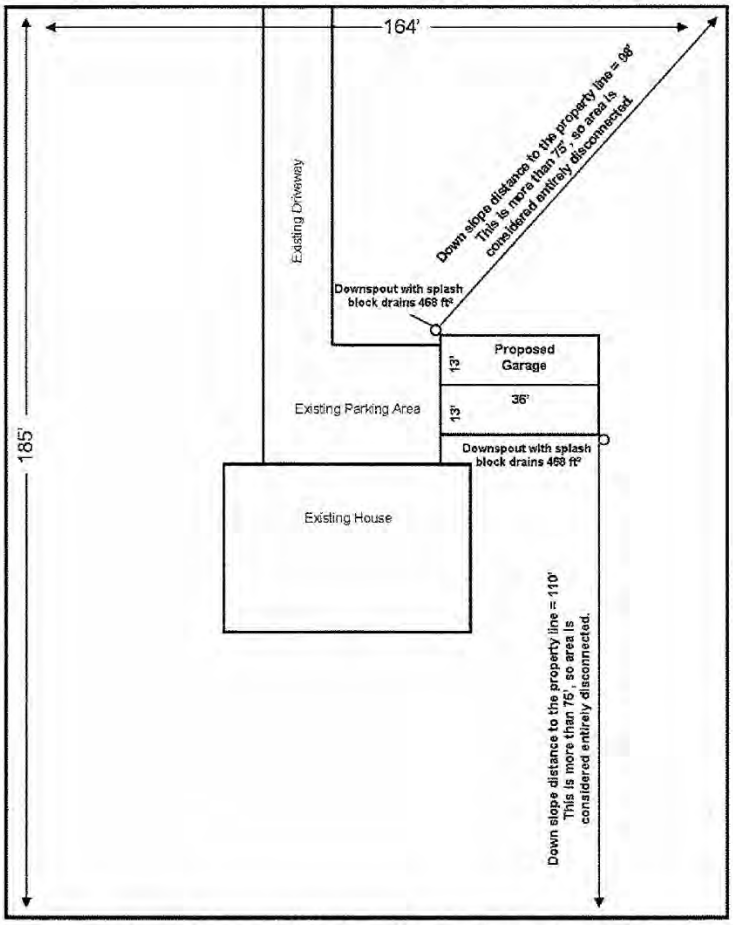
- The contributing flow path over the impervious area is not more than 75 feet
- The length of overland flow is greater than or equal to the maximum length of flow over the impervious area
- The slope of the contributing impervious area is five percent (5%) or less
- The slope of the overland flow path is five percent (5%) or less

- If discharge is concentrated at one or more discrete points, no more than 500 ft² may discharge to any one point. In addition, a gravel strip or other spreading device is required for concentrated discharges. For non-concentrated discharges along the entire edge of paved surface, a level spreader is not required; however, there must be provisions for the establishment of vegetation along the paved edge and temporary stabilization of the area until the vegetation is established.

REFERENCE: Philadelphia Water Department. 2006 & 2011. Stormwater Management Guidance Manual. Section 4: Integrated Site Design. Philadelphia, PA.

The following example determines the status of DIA for a proposed 936 ft² garage.

This example meets the criteria to use the Simplified Approach.



Step 1: Determine the area to each disconnected discharge. The area draining to each downspout is 468 ft^2. This is less than 500 ft^2, proceed to step 2.

Step 2: The discharge on the north side of the garage has a 98 ft pervious flow path available. The south discharge has 110 ft pervious flow path available.

Step 3: The rise of the north discharge is 2 ft and the run is 75 ft for a slope of 2.6%. This is 5% or less so it qualifies. For the south discharge the rise is 4 ft and the run is 100 ft equaling a slope of 4%. This is 5% or less, so it qualifies.

Step 4: Both of these discharges have pervious flow paths greater than 75 ft, so they qualify as entirely disconnected.

Selecting BMPs

If BMPs are required, the Owner/ Designer should review the compiled information in "Guide to Choosing Stormwater BMPs", as taken from the *PA Handbook of Best Management Practices for Developing Areas* and the *PA Stormwater Management BMP Manual*. These documents identify stormwater BMPs that have been deemed to be of a nature and cost that will accomplish the goals of the Adams County Stormwater Management Plan, while not unduly burdening the residents. It will then be the Owner's responsibility to select a facility, determine the appropriate size and agree to construct and maintain that facility or facilities. The property owner is encouraged to utilize both multiple and hybrid versions of the facilities, as outlined in the documents mentioned above.

Municipal Stormwater Management Worksheets

Municipal Stormwater Management Worksheet

For Municipal Use and Record of Project Area

Property Owner's Name _____

Address of Property _____

Parcel ID # _____ Municipality _____

Phone Number _____ New Impervious Area Associated with this Project _____

Stormwater Project Type: _____ Exempt _____ Minor Plan _____ Project Requires Formal SWM Plan

Total New Impervious Area Since Adoption of SWM Plan _____

Acknowledgement - I declare that I am the property owner, or representative of the owner, and that the information provided is accurate to the best of my knowledge. I understand that stormwater may not adversely affect adjacent properties or be directed onto another property without written permission. I also understand that false information may result in a stop work order or revocation of permits. Municipal representatives are also granted reasonable access to the property for review and/ or inspection of this project if necessary.

Signature _____ Date _____

Step 1: Determine the amount of new impervious area created by the proposed project. This includes any new surface areas that prevent infiltration of stormwater into the ground. New stone and gravel areas are considered impervious. Impervious areas existing before July 6, 2023 are not included in this calculation. Use additional sheets if necessary

Calculate new impervious area by completing this table.

Surface	Length (ft)	x	Width (ft)	=	Impervious Area (ft²)
Buildings		x		=	
Driveway		x		=	
Parking Areas		x		=	
Patios/ walkways		x		=	
Other		x		=	
			Total Proposed Impervious Surface Area (Sum of all impervious areas)		

- If the total new impervious surface area meets the area requirements in the following table, the project is exempt from the requirement to submit a plan for approval. Sign Acknowledgement and file this sheet with municipality.

Total Parcel Size	Impervious Area (sq. ft.)
Less than 1 acre	1,000
1 to 2 acres	2,000
2 to 5 acres	3,000
Over 5 acres	7,500

- If the total impervious surface area is **1,001 ft² to 10,000 ft²**, and the parcel size is smaller than listed in the table above, continue to Step 2.
  - If project area can be entirely disconnected, sign Acknowledgement and file worksheets with municipality.
  - If project is between 1,000 ft² and 5,000 ft² and requires BMPs, complete step 3.
  - If project area is 5,000 ft² - 10,000 ft² and can't be disconnected, the project does not qualify for the Simplified Approach.

Municipal Stormwater Management Worksheet

Step 2: Determine Disconnected Impervious Area (DIA). All or parts of proposed impervious surfaces may qualify as Disconnected Impervious Area if runoff is directed to a pervious area that allows for infiltration, filtration, and increased time of concentration. The volume of stormwater that needs to be managed could be reduced through DIA. Prepare a minor stormwater site plan (see pg C-5 for requirements).

Criteria

- Overland flow path from the discharge area or impervious area has a positive slope of 5% or less.
- Contributing area to each rooftop discharge (downspout) is 500 ft² or less.
- Soils are not classified as hydrologic soil group "D".
- The receiving pervious area shall not include another person's property unless written permission has been obtained from the affected property owner.

Partial Rooftop Disconnection		
Length of Pervious Flow Path (ft) Lots ≤ 10,000 ft²	Length of Pervious Flow Path (ft)	DIA Credit Factor
35 or more	75 or more	0
30 – 34.9	60 – 74	0.2
23 – 29.9	45 – 59	0.4
16 – 22.9	30 – 44	0.6
8 – 15.9	15 – 29	0.8
0 – 7.9	0 - 14	1.0
Pervious flow path must be at least 15 feet from any impervious surface		

Paved Disconnection Criteria: Paved surfaces (driveways, walkways, etc.) and gravel can be considered disconnected if it meets the criteria above and:

- Runoff does not flow over impervious area for more than 75 feet.
- The length of overland flow is greater than or equal to the contributing flow path.
- The slope of the contributing impervious areas is 5% or less.
- If discharge is concentrated at one or more discrete points, no more than 500 ft² may discharge to any one point. In addition, a gravel strip or other spreading device is required for concentrated discharges. Non-concentrated discharges along the entire edge of paved surface must include provisions for the establishment of vegetation along the paved edge and temporary stabilization of the area until the vegetation is established.
- If these criteria can be met, the DIA credit = 0

Using the calculations from Step 1, complete the table below. This will determine the impervious area that may be excluded from the area that needs to be managed through stormwater BMPs. If the total impervious area to be managed =0, the area can be considered entirely disconnected.

Surface	Proposed Impervious Area	x	DIA Credit	=	Impervious Area (ft²) to be Managed
Buildings (area to each downspout)		x		=	
Driveway		x		=	
Parking Areas		x		=	
Patios/ walkways		x		=	
Other		x		=	
Total Proposed Impervious Surface Area to be managed (Sum of all impervious areas)					

If total surface area to be managed is greater than 0, continue to Step 3.

Municipal Stormwater Management Worksheet

Step 3: Calculate the volume of stormwater runoff created by proposed impervious surfaces or see Simple BMP Sizing in Step 4.

Impervious Area (ft^2) to be Managed (Sum of Step 2)	X	2.9 in/12 in = 0.24 (2.9 in is 2-year 24-hour rainfall	=	Amount of Stormwater to be Managed (ft^3)
	X	0.24	=	

Best Management Practices need to be used to manage the volume of stormwater created by the proposed impervious areas. The cubic feet of stormwater that need to be managed may also be further reduced by planting new trees. If the criteria below can be met, the amount of stormwater to be managed can be reduced per the following:

Deciduous Trees = 6 ft^3 per tree **Evergreen Trees = 10 ft^3 per tree**

Criteria:

- Trees must be PA native species (See PA Stormwater BMP Manual for a list)
- Trees shall be a minimum 1" caliper tree and 3 feet tall shrub (min)
- Trees shall be adequately protected during construction
- No more than 25% of the required capture volume can be mitigated through the use of trees
- Dead trees shall be replaced by the property owner within 12 months
- Please consider the specifications for each tree species when determining location and spacing

Amount of Stormwater to be Managed (ft^3) (Sum of Step 3)	-	Tree Planting Credit (ft^3)	=	Amount of Stormwater to be Managed (ft^3)
	-		=	

Step 4: Select BMPs and size according to the volume of stormwater that needs to be managed. The Guide to Choosing Stormwater BMPs, included in the Simplified Approach, includes sizing calculations for specific techniques. ***Simple BMP Sizing*** - Sizing BMPs may also be simplified through the use of this chart. Take the sum of Step 2 and match it to the "Amount of New Impervious Area to be Managed" in white boxes in the table below (rounding **up** to the next value if the number is between two values). Then look in the light grey box to determine the cubic footage based on the type of BMP (bioretention or infiltration). For example, if a proposed 1,000 square foot impervious area must handle 240 cubic feet of stormwater in a bioretention system, a 13'x 13'x 1.5' rain garden or a 36'x 2'x 3.5' vegetated swale could be used. Show the location and size of proposed BMPs on the minor stormwater site plan. (The following was based on a chart from the Lycoming Co. Planning Dept)

BMP Type		Simple BMP Sizing - Amount New Impervious Area to be Managed (ft^2)											
		250	500	750	1000	1500	2000	2500	3000	3500	4000	4500	5000
Bioretention	Ex. Rain garden, Vegetated swale	60 ft^3 or	120 ft^3 or	180 ft^3 or	240 ft^3 or	360 ft^3 or	480 ft^3 or	600 ft^3 or	720 ft^3 or	840 ft^3 or	960 ft^3 or	1,080 ft^3 or	1,200 ft^3 or
Infiltration	Ex. Dry well, infiltration trench	180 ft^3	360 ft^3	540 ft^3	720 ft^3	1,080 ft^3	1,440 ft^3	1,800 ft^3	2,160 ft^3	2,520 ft^3	2,880 ft^3	3,240 ft^3	3,600 ft^3

Bring the worksheets, plan, and Stormwater Management BMP Maintenance Agreement to Huntington Township. If an area greater than 5,000 square feet of earth is disturbed, an erosion and sedimentation (E & S) control plan must be prepared. The municipality may require that the E&S plan be submitted to, reviewed, and approved by the Adams County Conservation District.

Stormwater Management BMP Maintenance Agreement

OWNER ACKNOWLEDGMENT

(Municipality may decide if the Owner Acknowledgement should be notarized and/ or recorded, based on municipal process)

- Development activities shall begin only after the municipality approves the plan.
- The installed BMPs will not adversely affect any property, septic systems, or drinking water wells on this or any other property.
- If a stormwater management alternative to the approved minor stormwater site plan is used, the applicant will submit a revised plan to the municipality for approval. If a site requires a more complex system or if problems arise, the applicant may need the assistance of a licensed professional.
- The applicant acknowledges that the proposed stormwater management BMPs will be a permanent fixture of the property that can not be altered or removed without approval by the Township.
- The applicant agrees to provide all necessary operation and maintenance activities for the successful performance of the BMPs.
- If the applicant does not perform the necessary operation and maintenance activities, the Municipality may enter onto the property to perform said operation and maintenance and bill the applicant/ owner for the cost thereof.

I (we) _____, hereby acknowledge the above statements and agree to assume full responsibility for the implementation, construction, operation, and maintenance of the proposed stormwater management facilities and BMPs. Furthermore, I (we) also acknowledge that the steps, assumptions, and guidelines provided in this simplified approach package (minorstormwater site plan & Municipal Stormwater Worksheet(s)) will be adhered to.

Signature: _____ Date: _____

Signature: _____ Date: _____

17 Attachment 4

Township of Huntington

APPENDIX D

SWM BMP Inspection Form

(example)

Property Address: _____ Date: _____

Inspector: _____ Weather: _____

Name of BMP: _____

Condition	Maintenance Needed	Maintenance Completed (date)
Vegetation: _____	☐	☐ _____
Erosion: _____	☐	☐ _____
Trash/ Debris: _____	☐	☐ _____
Standing Water: _____	☐	☐ _____
Sediment: _____	☐	☐ _____
Pipes/ Culverts: _____	☐	☐ _____
Outlet Structure: _____	☐	☐ _____
Channel/ Ditch: _____	☐	☐ _____
Other: _____	☐	☐ _____
Other: _____	☐	☐ _____

Corrective Actions Taken: _____

_____

Comments: _____

_____

Note: This is only a basic, general form. Each BMP has differing, specific maintenance needs to remain functional.

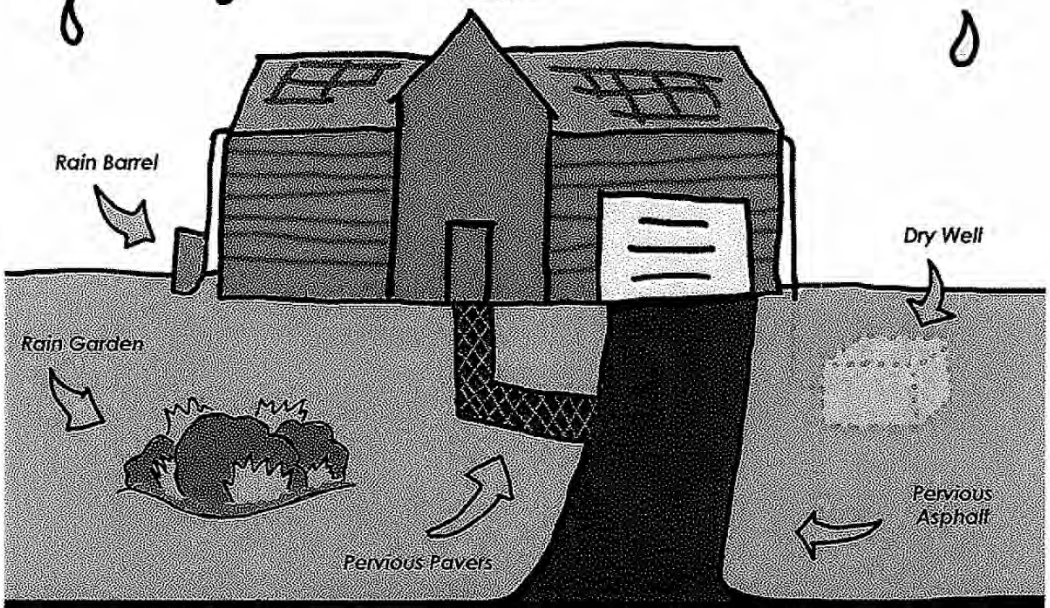
17 Attachment 5

Township of Huntington

APPENDIX E

Homeowners Guide to Stormwater BMP Maintenance

What You Need to Know to Take Care of Your Property



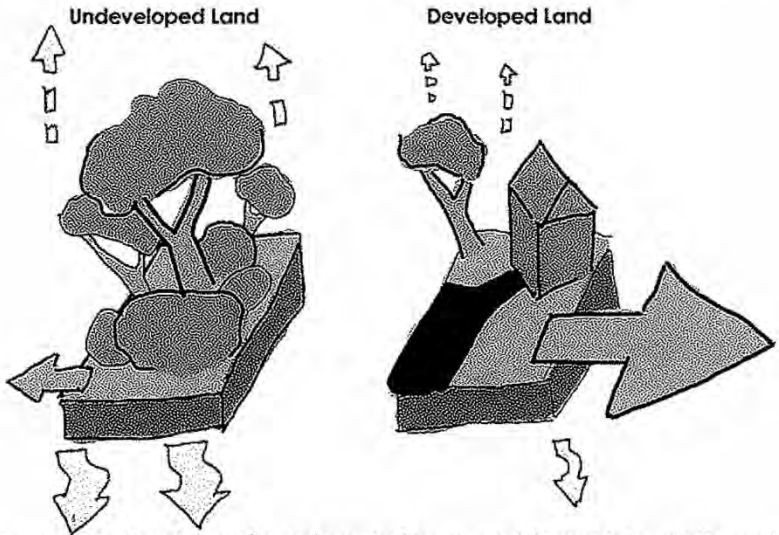
About Stormwater Management Pages **1 - 4**
SW **Regulations** for Homeowners Pages **5 - 6**
Home Stormwater **BMP Descriptions** Pages **8 - 22**

What is Stormwater?

Stormwater is the water that runs off the land after precipitation, either rain or snowmelt. Rain or snow can drain down into the soil (called infiltration), evaporate back into the atmosphere, be used by plants, or flow into streams or water bodies. The water that runs off the land to streams or lakes is referred to as stormwater runoff.

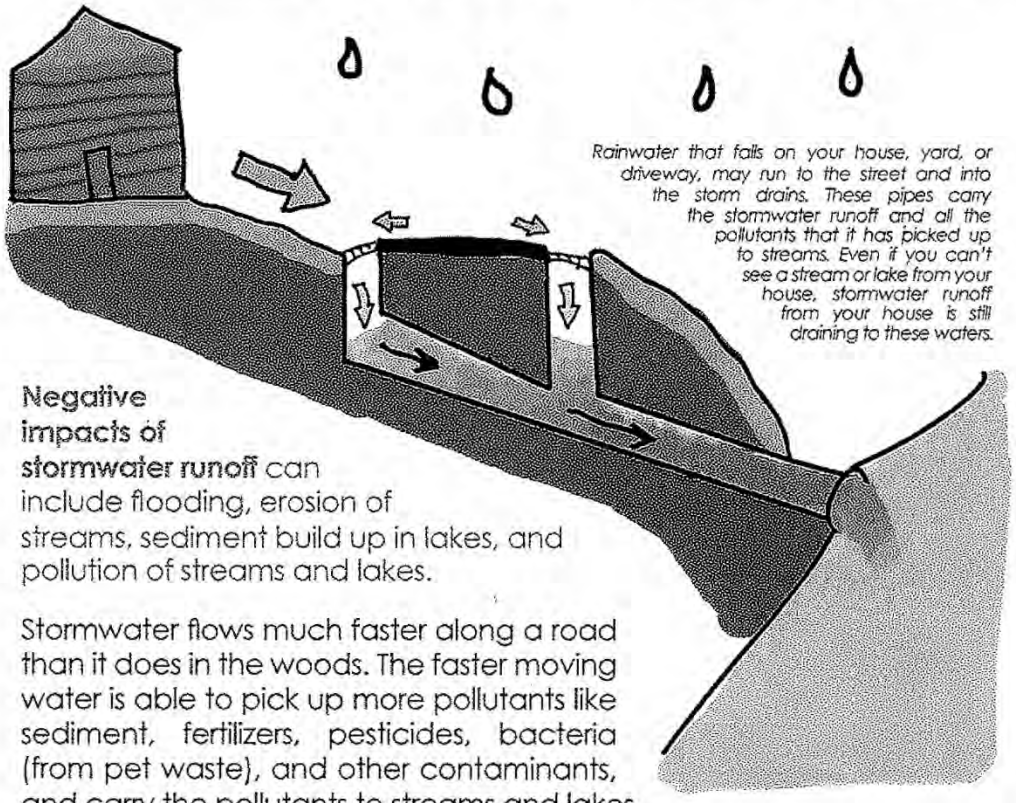
Stormwater runoff happens in natural, undeveloped areas, but typically only for larger storms. For most areas in Pennsylvania that are wooded or natural meadows, it takes about an inch or more of rain to produce runoff.

After development, the natural wooded or meadow areas are replaced with roofs, driveways, sidewalks, and streets. These hard surfaces are called impervious surfaces, and they do not allow water to drain through them, unlike how rain can drain into soil (which is called a pervious surface). When rain falls on impervious surfaces, it runs off rather than infiltrating into the soil or being taken up by vegetation.



When it rains on an undeveloped piece of property, much of the rainwater infiltrates into the soil or is evapotranspired back into the atmosphere. When vegetation is replaced with streets, driveways, sidewalks, houses, and lawns, less rainwater is able to infiltrate or return to the atmosphere, and more of the rain turns into runoff.

Why should you care about Stormwater Management?



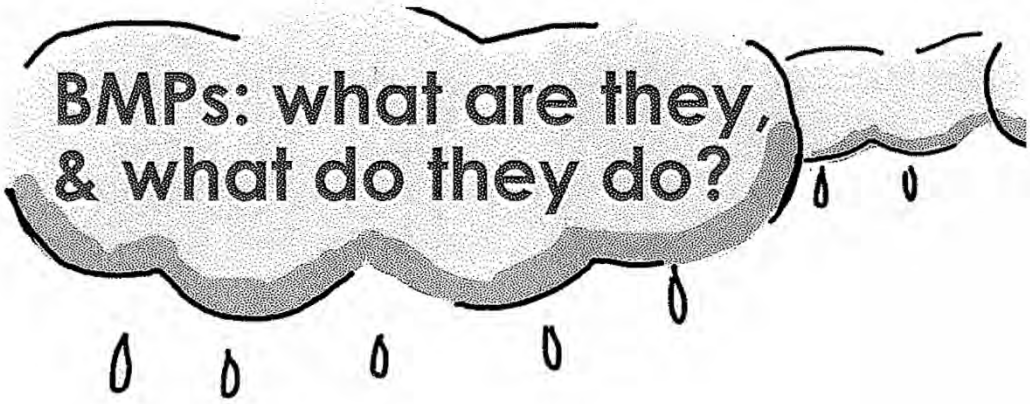
Rainwater that falls on your house, yard, or driveway, may run to the street and into the storm drains. These pipes carry the stormwater runoff and all the pollutants that it has picked up to streams. Even if you can't see a stream or lake from your house, stormwater runoff from your house is still draining to these waters.

Negative impacts of stormwater runoff can include flooding, erosion of streams, sediment build up in lakes, and pollution of streams and lakes.

Stormwater flows much faster along a road than it does in the woods. The faster moving water is able to pick up more pollutants like sediment, fertilizers, pesticides, bacteria (from pet waste), and other contaminants, and carry the pollutants to streams and lakes.

An increase in the amount of water that runs off after development and how quickly it runs off can cause erosion and instability in streams. Stormwater runoff can cause streams to become wider, deeper, and straighter, losing their natural bends (or meanders) and decreasing habitat for fish and other animals that live in streams. Stormwater from developed areas can also be hotter than natural stream sources. Warmer water holds less dissolved oxygen so stormwater can be harmful to fish like trout that need more oxygen.

It's easy to notice the flooding impacts of large rain storms, but over time, smaller storms can have an impact on streams, too. Across the state, about 95% of the rainfall volume occurs in small events (less than 2.4 to 3.2 inches depending on your location.)



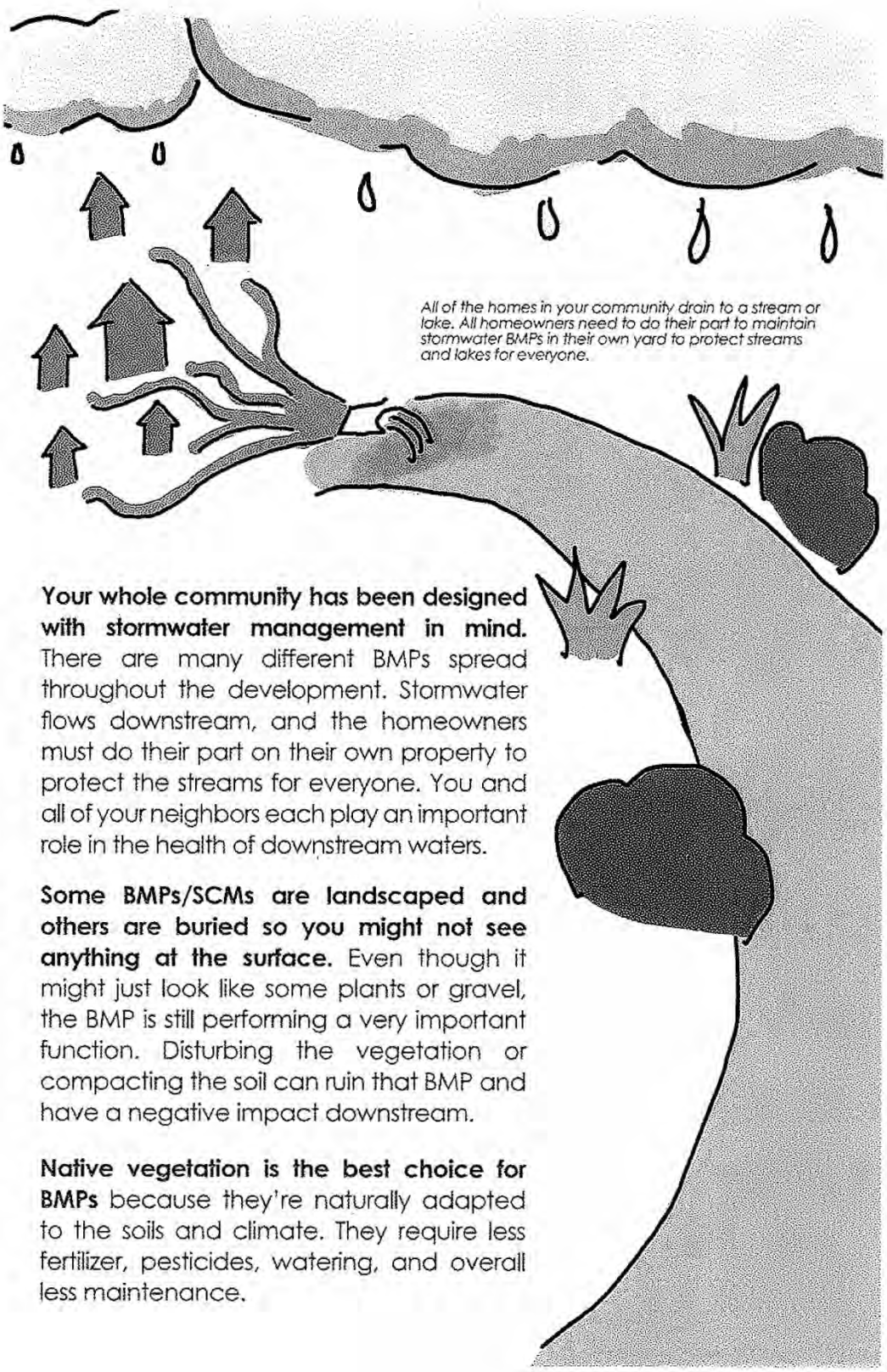
BMP stands for Best Management Practice, and includes designed "things" like detention basins, as well as non-engineered approaches like protecting open space to manage stormwater. SCMs are Stormwater Control Measures, which are engineered facilities that are designed and constructed to manage stormwater. For the most part, the terms BMP and SCM can be used interchangeably.

The goal of BMPs or SCMs is to reduce the impact of development on downstream streams and lakes by:

- **minimizing the amount of runoff,**
- **slowing down the runoff,**
- **infiltrating runoff,**
- **evapotranspiring runoff,** or
- **filtering runoff.**

Many BMPs or SCMs will use vegetation for their ability to use water, put water back into the atmosphere, or help it infiltrate into the ground, rather than allow it to become runoff.

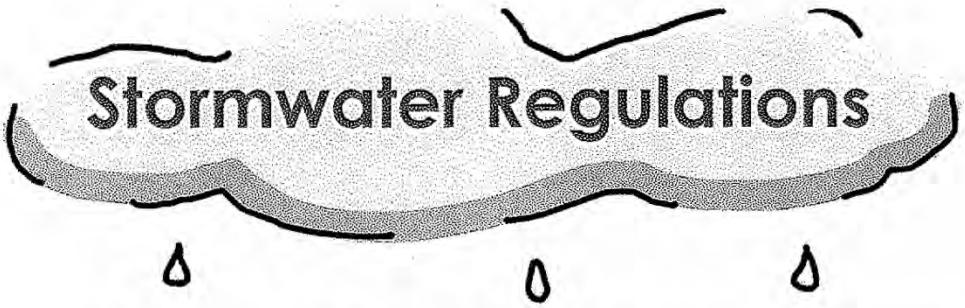
If you've ever walked through a meadow or shaken a tree branch after a rain, you got wet with intercepted water. When it rains, some of the water is trapped on plants. This "intercepted" water never even makes it to the ground where it could be infiltrated. Plants also use water as part of the photosynthesis process where they use the sun's energy to create their own food. This water used by plants is called evapotranspiration. Larger plants with broader leaves and deeper roots like trees, shrubs, or decorative grasses will intercept and evapotranspire more water than a grass lawn.



Your whole community has been designed with stormwater management in mind. There are many different BMPs spread throughout the development. Stormwater flows downstream, and the homeowners must do their part on their own property to protect the streams for everyone. You and all of your neighbors each play an important role in the health of downstream waters.

Some BMPs/SCMs are landscaped and others are buried so you might not see anything at the surface. Even though it might just look like some plants or gravel, the BMP is still performing a very important function. Disturbing the vegetation or compacting the soil can ruin that BMP and have a negative impact downstream.

Native vegetation is the best choice for BMPs because they're naturally adapted to the soils and climate. They require less fertilizer, pesticides, watering, and overall less maintenance.

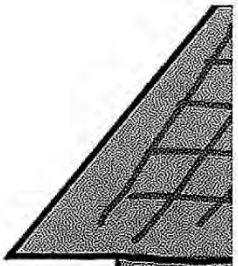


When a property is developed, the developer must incorporate stormwater management facilities. He/she must design Erosion and Sediment Control (E&S) BMPs that are used during construction to prevent soil from running off the site and polluting downstream waters. When the construction period is over, Post-Construction Stormwater Management (PCSM) BMPs will have been constructed, and the developer must provide a way for these BMPs to be properly maintained over time.

When the developer finished the project, they will have turned over the maintenance responsibilities for the BMPs to someone else, which could be the property owner, a nonprofit organization, the local municipality, an authority, a private corporation, or another person. The developer will also have produced a plan that must include drawings, which show the location and dimensions of each PCSM BMP. Accompanying this PCSM Plan will be a long-term operation and maintenance schedule, which provides for inspection of PCSM BMPs, including the repair, replacement, or other routine maintenance of the PCSM BMPs to ensure proper function and operation. This maintenance program must describe how access to the PCSM BMPs will be achieved.

The developer will be following the rules of PA Code, Title 25, Chapter 102, which defines rules for both Erosion and Sediment Control, and Post Construction Stormwater Management. These regulations can be found by going to PA Code online at www.pacode.com and then browsing to Title 25, Chapter 102.

What's the Homeowner's Legal Responsibility?

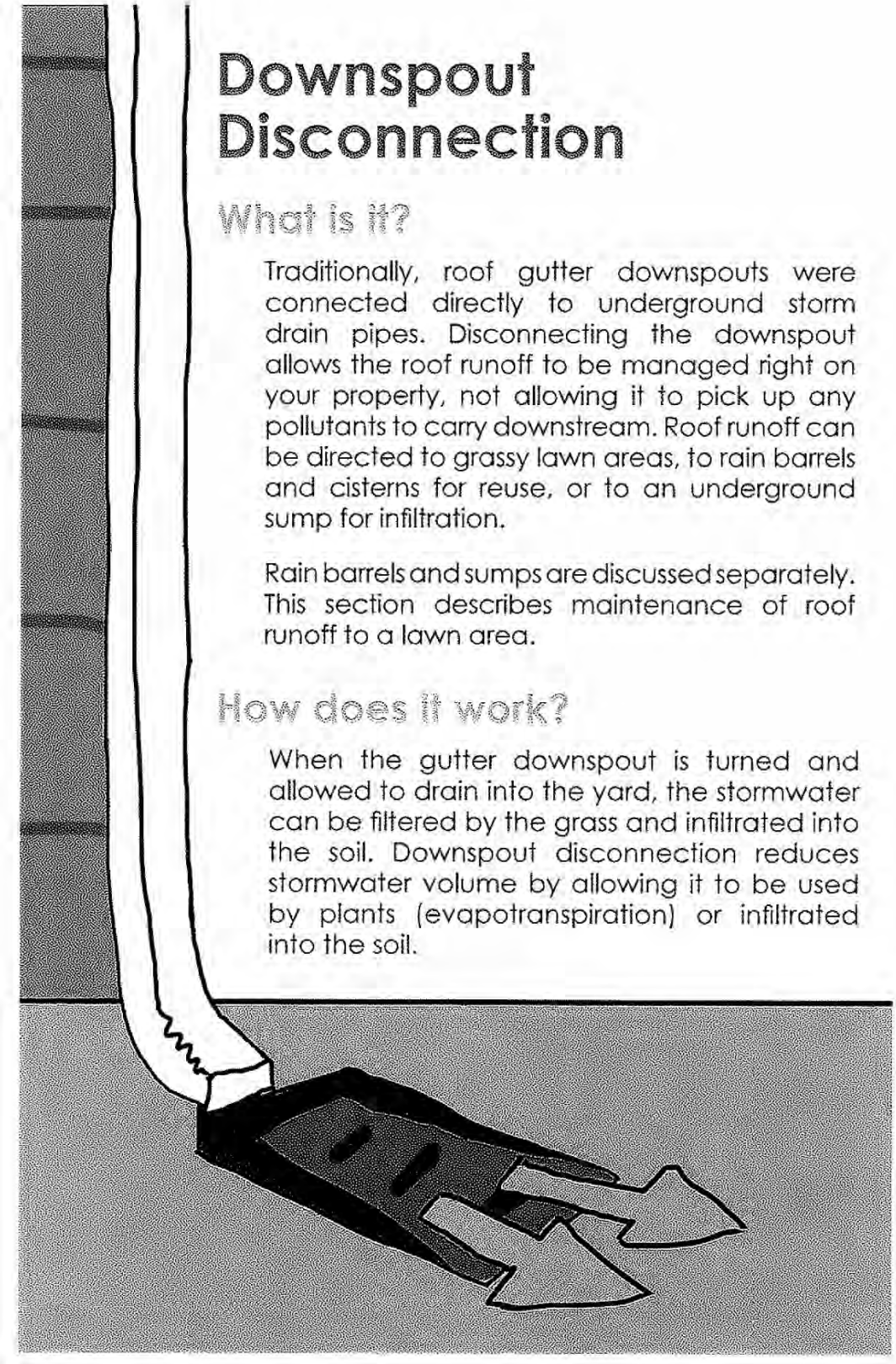


If your home was constructed after 2010, and your property contains any Post Construction Stormwater Management (PCSM) BMPs, the developer will have recorded details about them with your property's deed. State regulation requires that the information recorded with the deed identifies the PCSM BMP, provides for access to the BMPs for maintenance and inspection purposes, and provides notice that the responsibility for long-term operation and maintenance of the PCSM BMP is a legal requirement that runs with the property. You can view your property records at the Recorder of Deeds office at your county courthouse to determine if you are responsible for the maintenance of any BMPs.

If you are the person designated as the responsible-party for operation and maintenance, you must ensure that the BMPs continue to function properly and follow the maintenance schedule provided by the developer and recorded with your deed. The responsibility to maintain the BMPs includes the cost of plants or material for upkeep or replacement. You should have been provided a maintenance plan by the developer if you're the first owner of the home. If your home was constructed after 2010, you may need to check the property records for information if you're not the first owner and didn't receive the maintenance plan at the time of purchase.

If you're not doing the necessary maintenance and required documentation, you may be billed by your municipality for the cost of having someone else do the work, or you could face a summary offense and daily fine until the maintenance work is complete.

If responsibility has been transferred to someone else, you need to provide access for maintenance and inspection. You also must leave any BMPs in place. For example, you can't remove the vegetation of a rain garden, level it, and plant lawn grass.



Downspout Disconnection

What is it?

Traditionally, roof gutter downspouts were connected directly to underground storm drain pipes. Disconnecting the downspout allows the roof runoff to be managed right on your property, not allowing it to pick up any pollutants to carry downstream. Roof runoff can be directed to grassy lawn areas, to rain barrels and cisterns for reuse, or to an underground sump for infiltration.

Rain barrels and sumps are discussed separately. This section describes maintenance of roof runoff to a lawn area.

How does it work?

When the gutter downspout is turned and allowed to drain into the yard, the stormwater can be filtered by the grass and infiltrated into the soil. Downspout disconnection reduces stormwater volume by allowing it to be used by plants (evapotranspiration) or infiltrated into the soil.

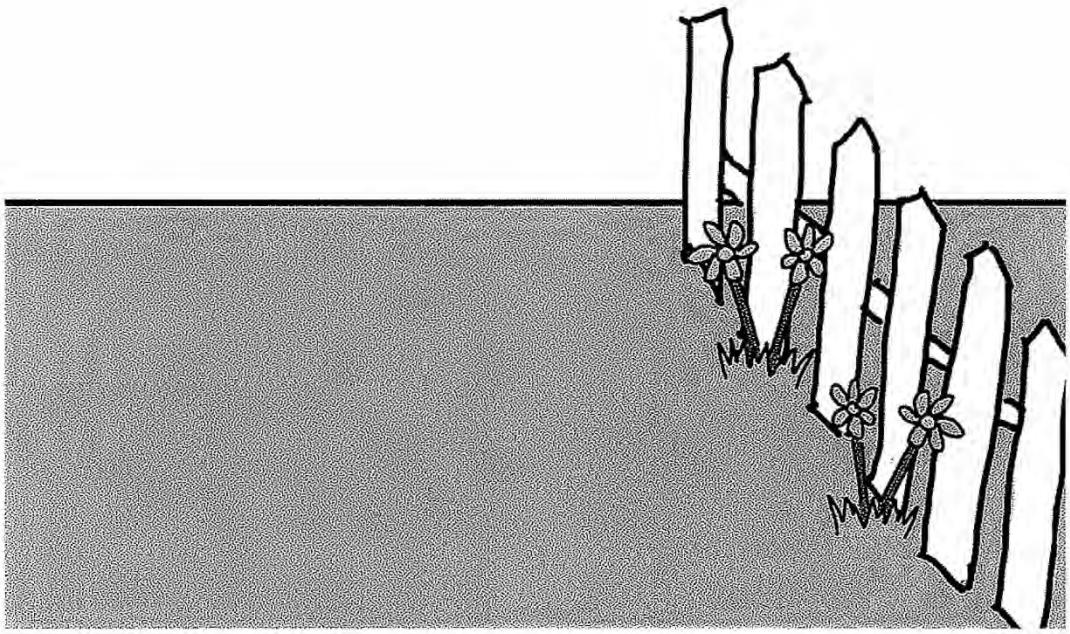
How does a Homeowner maintain it?

Regularly:

- Maintenance for a downspout draining to a lawn area is generally part of the typical yard maintenance.
- Mow the lawn in this area at the same time interval that the rest of the yard is mowed.
- Check for bare spots and reseed if needed.

Additional Information:

- A splash guard or small pile of rocks may be needed at the location where the water leaves the drain to slow the water down and prevent erosion.
- The downspout could be directed to a rain garden rather than the lawn, in which case the Rain Garden maintenance (page 9) should be followed.



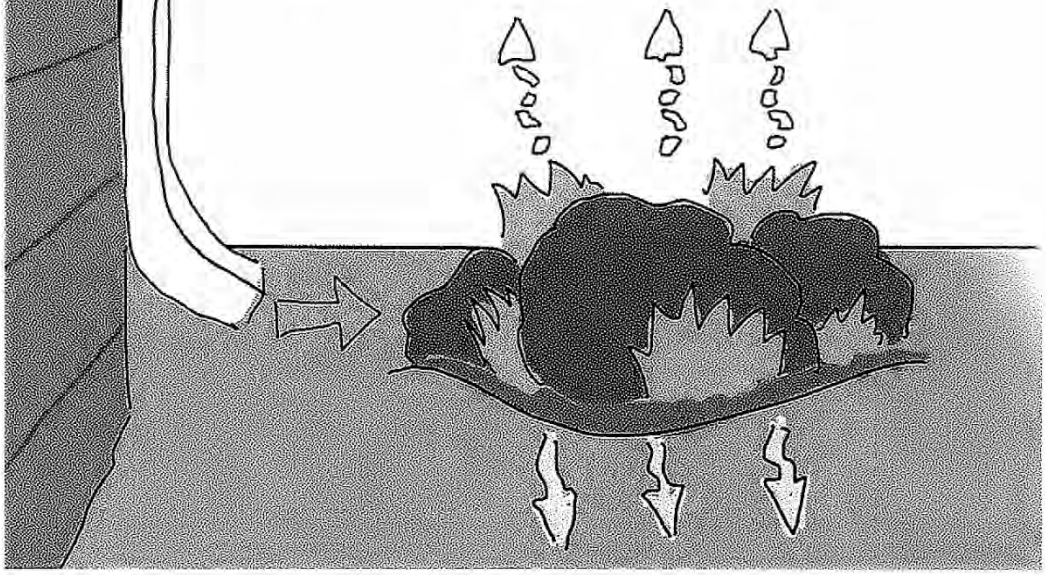
Rain Gardens & Small Bioretention

What is it?

A rain garden or bioretention area is a shallow depression that will hold runoff. It is planted with specially selected native vegetation that will filter and use runoff, as well as increase infiltration.

How does it work?

Rain gardens reduce the amount of runoff and remove pollutants. As the water pools in the depression, it can infiltrate deeper into the soil, or be used by the vegetation through evapotranspiration. The deep and dense root system of perennial vegetation increases the amount of water that infiltrate as compared to the shallow roots of lawn grasses. Even in a larger event during which the rain garden may overflow, runoff is still filtered through the vegetation removing pollutants.



How does a Homeowner maintain it?

Twice a year:

- Vegetation needs to be checked to make sure that it's healthy. Any bare spots need to be replanted.
- Check the inflow area to make sure that there isn't any sediment building up. Remove any accumulated sediment.
- Mulch should be re-spread when erosion is evident and be replenished as needed.

Annually:

- Perennial plants should be cut back if needed by species type and any dead vegetation should be removed at the end of the growing season.

Every Three Years:

- Apply mulch in the spring as needed to cover soil. Mulch should be 1-3 inches deep. Do not use mulch to "fill-in" the depression of the rain garden. That depression area is needed for stormwater management.

Additional Information:

- While vegetation is being established in the first few years, weeding may be required.
- If any plants die, they need to be replaced. Refer to the Post-Construction Stormwater Management Plan for what types of plants to use.
- During periods of extended drought, bioretention areas may require watering.
- Rain gardens should be checked after large rain storms to make sure that they are draining within 72 hours. If water remains in the rain garden longer than 72 hours, you could have mosquito problems, and should contact your county conservation district for guidance on fixing or replacing your rain garden.

Rain Barrels & Cisterns

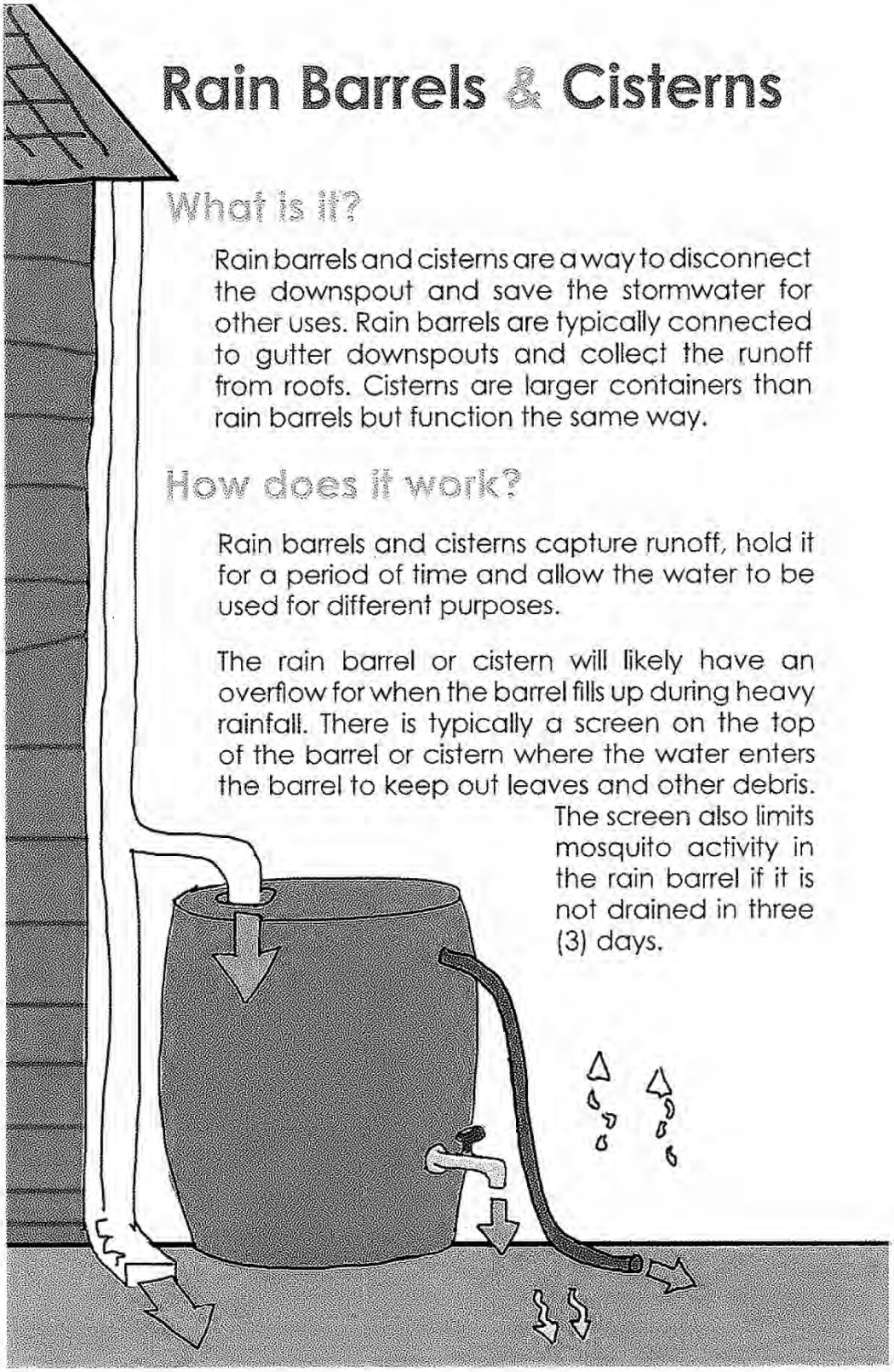
What is it?

Rain barrels and cisterns are a way to disconnect the downspout and save the stormwater for other uses. Rain barrels are typically connected to gutter downspouts and collect the runoff from roofs. Cisterns are larger containers than rain barrels but function the same way.

How does it work?

Rain barrels and cisterns capture runoff, hold it for a period of time and allow the water to be used for different purposes.

The rain barrel or cistern will likely have an overflow for when the barrel fills up during heavy rainfall. There is typically a screen on the top of the barrel or cistern where the water enters the barrel to keep out leaves and other debris. The screen also limits mosquito activity in the rain barrel if it is not drained in three (3) days.



How does a Homeowner maintain it?

After Rain Events:

- Clean the screen by removing any leaves that could block the flow of water into the barrel/cistern.
- Use the water in the barrel/cistern so that it's empty and ready to collect runoff from the next rain.

Annually:

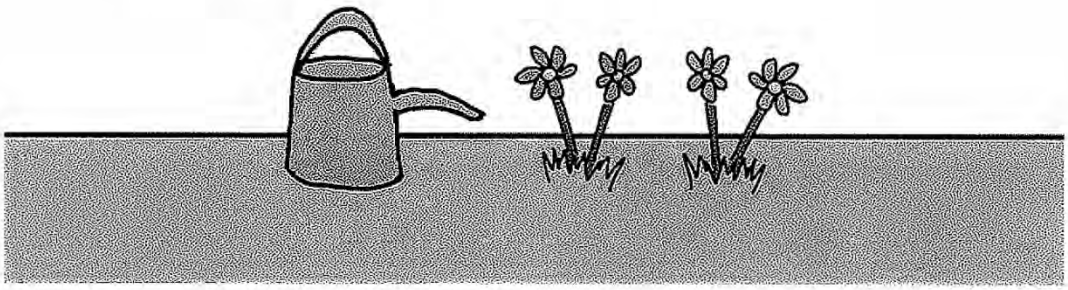
- Clean gutters to remove leaf debris that could clog the barrel/cistern.

❄ Special Winter Needs:

- In the fall, empty the rain barrel/cistern before the water could freeze.
- Rinse out the barrel/cistern to remove any accumulated sediment.
- Do not reconnect the barrel/cistern until spring. During the winter months, connect a piece of flexible gutter to the end of the downspout and direct the outlet to a grassy area of the yard.

Additional Information:

- **Rain barrels and cisterns are great (and economical!) water sources for watering plants.** The spigot can fill a watering can or be connected to a standard garden or irrigation hose.
- **Safety note!** The water in a rain barrel or cistern is **not safe for consumption** without prior treatment.



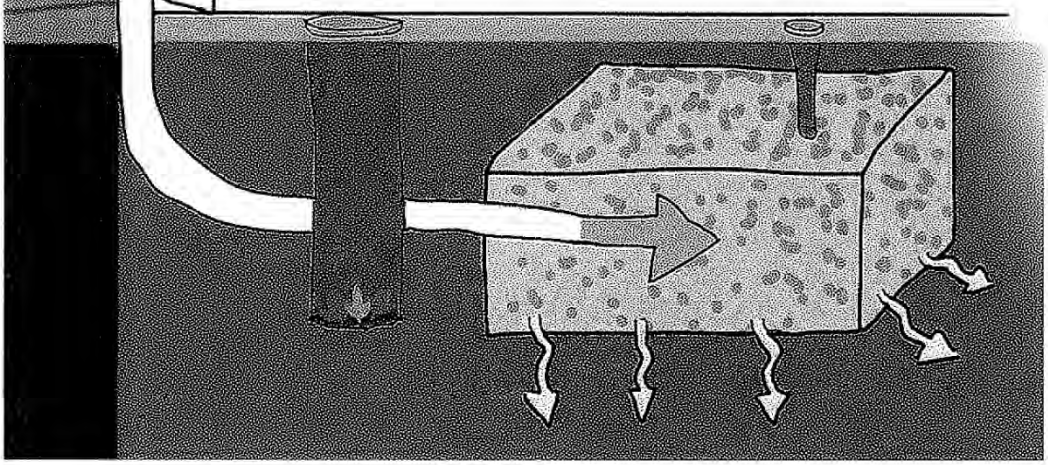
Dry Well

What is it?

Roof runoff can be directed through the gutter downspout to an underground dry well to be infiltrated without taking up any surface yard space. Dry wells are also sometimes called sumped downspouts.

How does it work?

Dry wells reduce stormwater volume by allowing it to be infiltrated into the soil. The water is held in the underground storage facility and then can drain slowly into the surrounding soil. The runoff drains from the gutter into either a gravel filled pit or a prefabricated plastic or concrete tank. There may be a sump, or smaller chamber, located before the gravel pit or tank. This sump collects leaves and other debris to prevent clogging of the dry well.



How does a Homeowner maintain it?

After storms with larger than 1 inch of rain:

- There is typically a screen where the downspout enters the dry well. Clean the screen by removing any leaves that could block the flow of water into the dry well.
- Inspect the sump for accumulation of sediment, trash, or any other material. Remove any material that is in the sump to prevent it from clogging the dry well.

Quarterly:

- There should be an above ground cap that allows access to the dry well. Four times a year, view down the access pipe to make sure that the dry well is not accumulating sediment, trash, or other material. Over time the accumulation of sediment or trash may be vacuumed or may require excavation. Contact your county conservation district for guidance on cleaning out your dry well.

Annually:

- Clean gutters to keep leave debris out of the sump and dry well.

Additional Information:

- After large rain events, check the access pipe to ensure that the dry well is draining within 72 hours. If the drain times are more than 72 hours, the dry well may need to be cleaned out or replaced. Contact your county conservation district for guidance on fixing or replacing your dry well.

Infiltration Trench

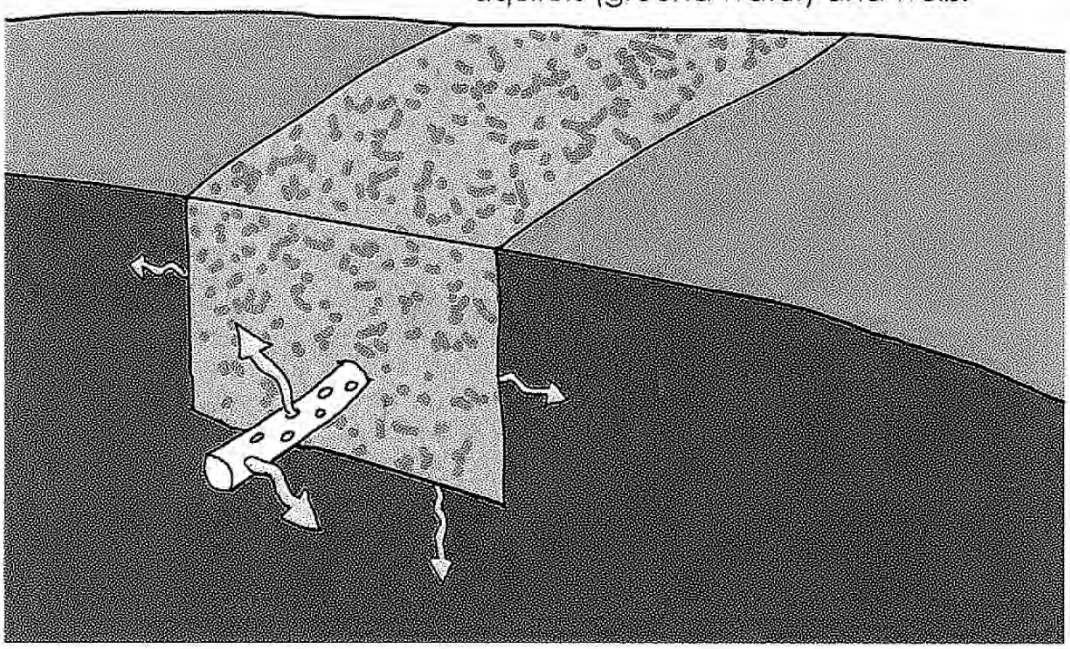
What is it?

Infiltration trenches are essentially leaky pipes in a stone-filled trench. Surface runoff or gutter downspouts can be directed to infiltration trenches.

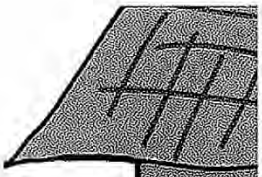
How does it work?

An infiltration trench contains a perforated pipe in a stone trench. It can be thought of as the opposite of a French drain. In a French drain, water flows from the soil into a perforated pipe and away from the wet spot. For an infiltration trench, stormwater runoff is directed into a perforated pipe that is surrounded by gravel. The water then drains out of the perforated pipe into the trench.

During small rain events with a small amount of runoff, stormwater flows out of the pipe through the perforations into the gravel and then into the soil. During larger storms that produce more runoff, some stormwater will be stored in the stone trench, but water will also flow through the pipe to a larger BMP or SCM. Runoff that moves into the soil can help recharge aquifers (ground water) and wells.



How does a Homeowner maintain it?



Protection:

- You should be careful to not regularly drive over an infiltration trench so as to not cause compaction or crush the perforated pipe.

Annually:

- If the trench has an access pipe, it should be checked annually to make sure that the trench isn't clogged.

Additional Information:

- Ponding of water on the surface over the trench indicates that there is a problem with the trench and you should contact your county conservation district for guidance on fixing or replacing the infiltration trench.

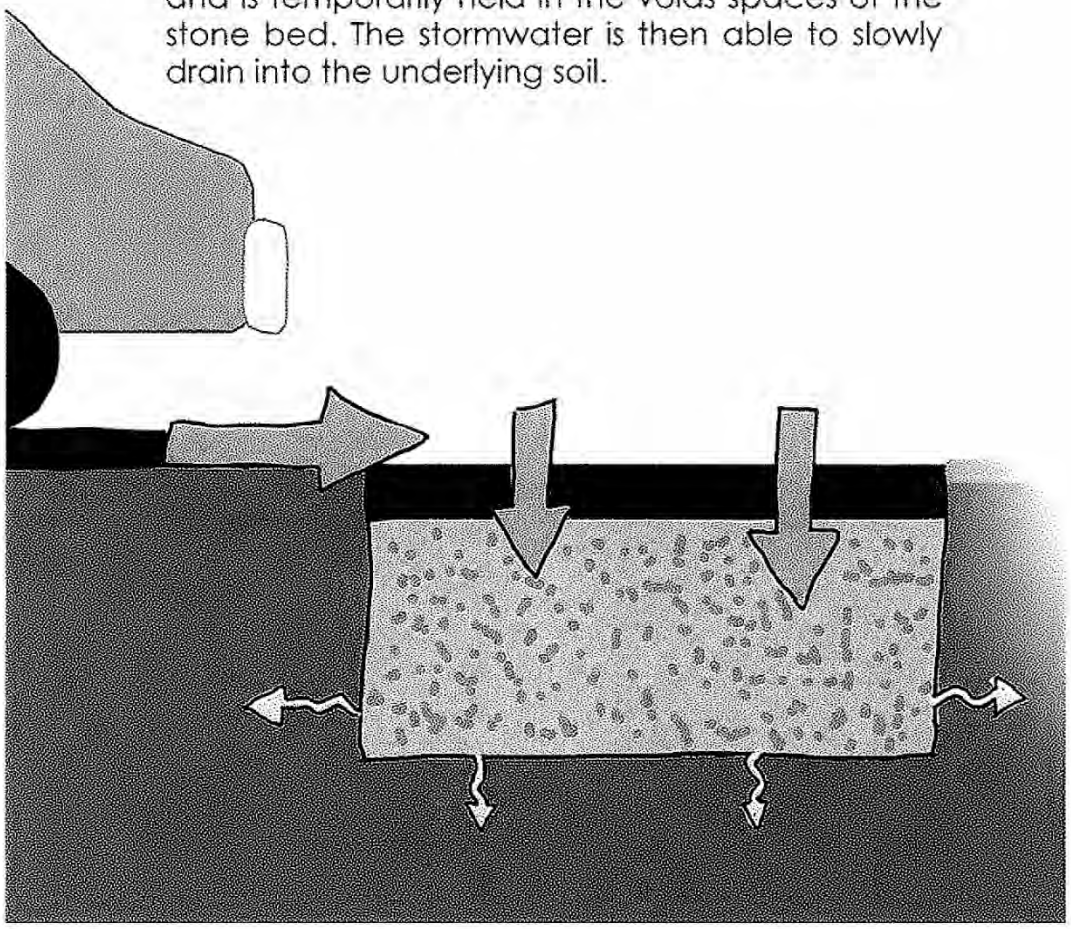
Pervious Pavements

What is it?

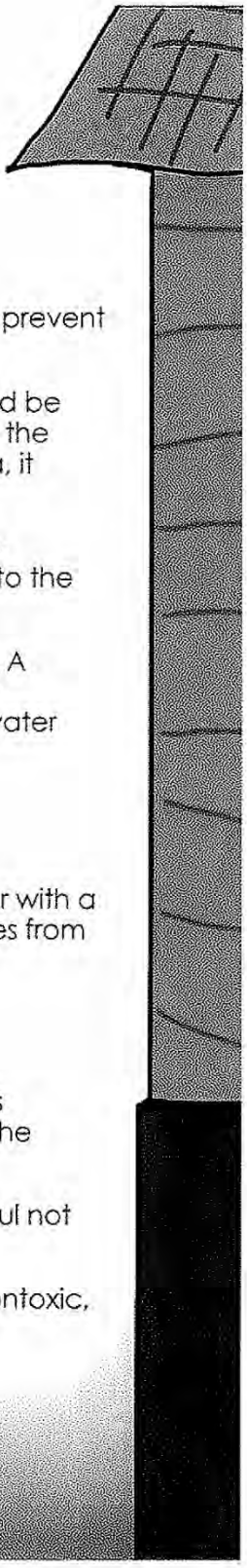
Pervious pavements are a modification to typical pavement that allow water to drain through the surface rather than run off it. Pervious pavements include porous asphalt or porous concrete which are poured over a gravel bed, or porous pavers on uncompacted soil.

How does it work?

Stormwater drains through the pervious surface and is temporarily held in the voids spaces of the stone bed. The stormwater is then able to slowly drain into the underlying soil.



How does a Homeowner maintain it?



Protection:

- The key to maintaining pervious pavements is to prevent the surface from getting clogged.
- Planted areas near the pervious pavement should be well maintained to prevent soil from washing into the pavement. If you see a bare spot or eroded area, it should be replanted to prevent soil wash off.
- If soil does wash onto the pavement, it should be immediately cleaned off before it gets ground into the surface.
- It is very important to never apply a sealing coat. A sealing coat over a pervious asphalt driveway or walkway will clog all the openings and prevent water from draining through it.

Biannually:

- The surface needs to be vacuumed twice a year with a commercial cleaning unit to remove fine particles from the surface.

❄ Special Winter Needs:

- Sand or cinders should not be used with pervious pavement because the small particles will clog the surface.
- Snow shoveling and plowing is fine, but be careful not to scrape the surface.
- Salt can be used on pervious pavements, but nontoxic, organic deicers or magnesium chloride-based products are better than sodium chloride.

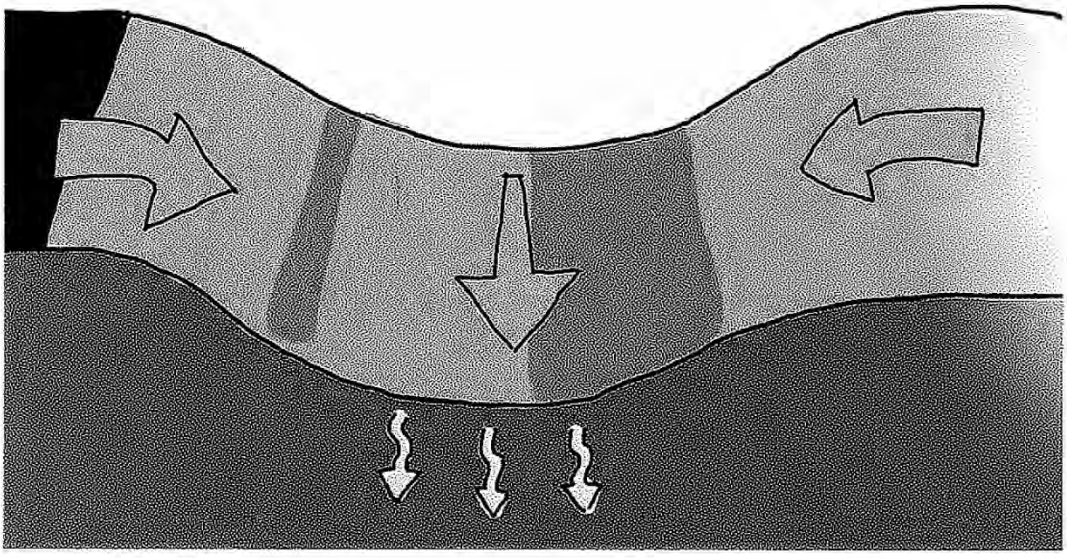
Vegetated Swale

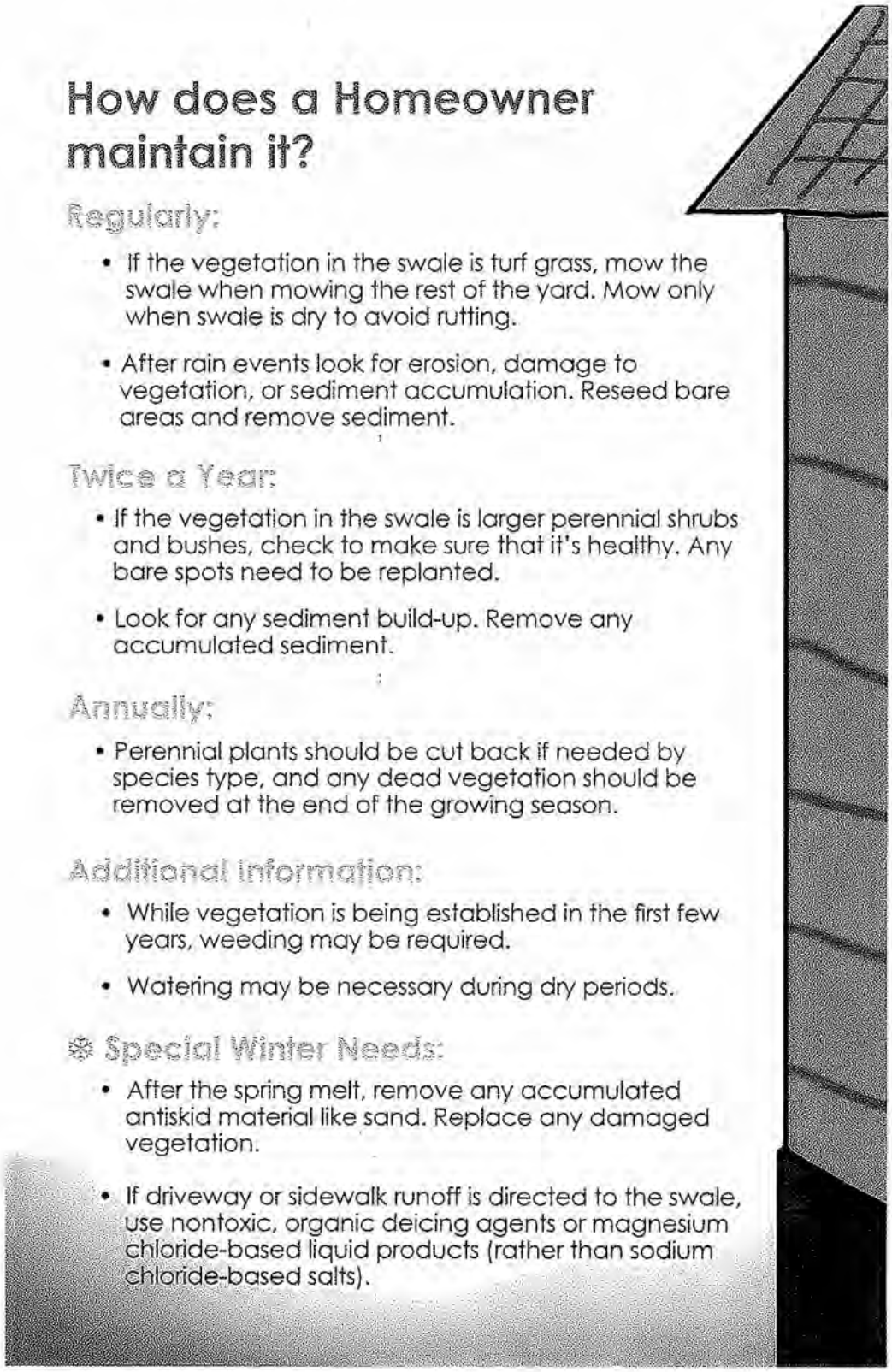
What is it?

A vegetated swale is a wide, shallow channel, planted with grass or shrubs. A swale conveys runoff like a ditch, but a swale is much shallower and wider than a typical drainage ditch. If the swale is located on a steeper slope, rocks may be used to prevent erosion.

How does it work?

The wide, shallow design of swales allows runoff to flow more slowly than it would in a narrow, deep ditch or in a pipe. Vegetated swales slow runoff, promote infiltration, and filter pollutants and sediment in the process of conveying runoff. They can be used instead of conventional curb and gutter.





How does a Homeowner maintain it?

Regularly:

- If the vegetation in the swale is turf grass, mow the swale when mowing the rest of the yard. Mow only when swale is dry to avoid rutting.
- After rain events look for erosion, damage to vegetation, or sediment accumulation. Reseed bare areas and remove sediment.

Twice a Year:

- If the vegetation in the swale is larger perennial shrubs and bushes, check to make sure that it's healthy. Any bare spots need to be replanted.
- Look for any sediment build-up. Remove any accumulated sediment.

Annually:

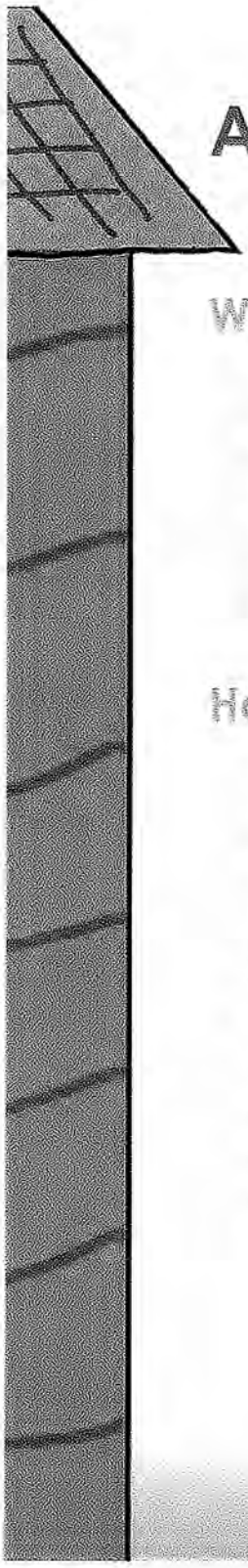
- Perennial plants should be cut back if needed by species type, and any dead vegetation should be removed at the end of the growing season.

Additional Information:

- While vegetation is being established in the first few years, weeding may be required.
- Watering may be necessary during dry periods.

❄ Special Winter Needs:

- After the spring melt, remove any accumulated antiskid material like sand. Replace any damaged vegetation.
- If driveway or sidewalk runoff is directed to the swale, use nontoxic, organic deicing agents or magnesium chloride-based liquid products (rather than sodium chloride-based salts).



Amended Soils

What is it?

Much of the management of stormwater relies on soil that can infiltrate runoff. Disturbed soils that have been compacted through construction activities or soils with poor organic content can be restored and amended through loosening the soil and adding material like compost.

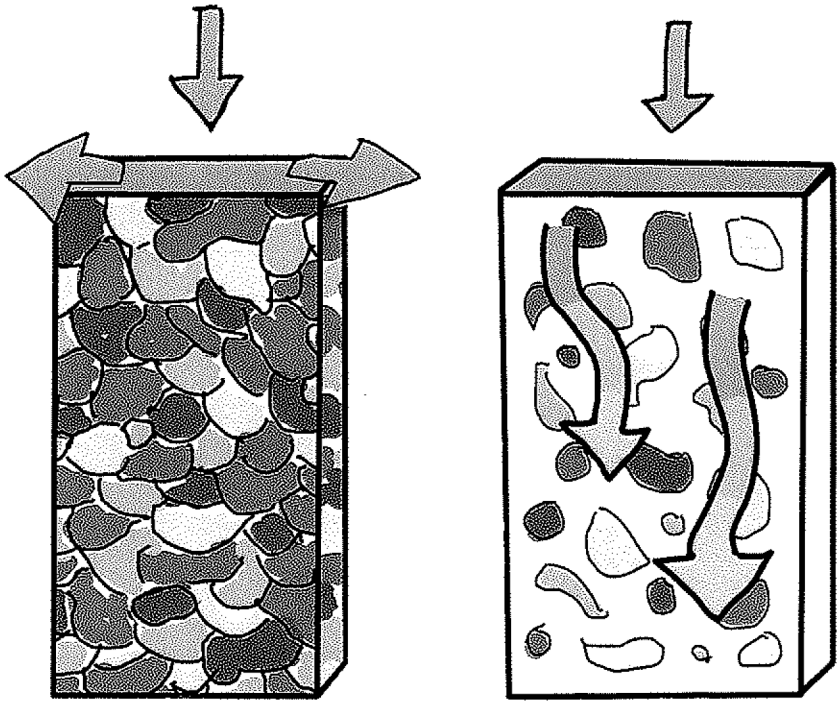
How does it work?

Little spaces between soil particles called pores or voids allow water to both be stored in the soil and move through the soil as infiltration. When the soil is compacted through the process of development, the pores or void spaces are reduced. Compaction of soil prevents water from infiltrating. Loosening the soil or tilling can reduce compaction and increase the soils ability to infiltrate runoff. Adding organic material like compost, sand, or manufactured soil media to the soil increases the pore spaces in the soil, which increases its ability to hold water.

How does a Homeowner maintain it?

Protection:

- The key to maintaining amended soils is to protect and preserve them.
- Compaction of the soil should be avoided. Don't use as an extra parking area or storage for a recreational vehicle.
- Amended soils that are a BMP can't be removed. For example, the area cannot to be converted to a patio or other use that would prevent stormwater infiltration.



Regular Soil **Amended Soil**

There needs be air spaces in between soil particles for water to be infiltrated. Amended soils have increased air space, but these air spaces are lost if the soil is compacted by heavy equipment or vehicle parking.

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Southwest Regional Office
400 Waterfront Drive, Pittsburgh, PA 15222-4745
24 Hour Emergency Number: (412) 442-4000

Additional Resources

- **Landscaping with Native Plants.**
  www.dcnr.state.pa.us/forestry/plants/nativeplants/
- **PA Stormwater Best Practices Manual (2006).**
  www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305

CHAPTER 18

SEWERS AND SEWAGE DISPOSAL

PART 1

HOLDING TANKS

§ 18-101. Purpose.
§ 18-102. Definitions.
§ 18-103. Rights and Privileges Granted.
§ 18-104. Rules and Regulations.
§ 18-105. Rules and Regulations to be in Conformity with Applicable Law.
§ 18-106. Rates and Charges.
§ 18-107. Requirements for Holding Tanks and Control of Rights and Privileges.
§ 18-108. Duties of Improved Property Owner.
§ 18-109. Penalties.
§ 18-110. Abatement of Nuisance.

PART 2

ONLOT SEWAGE DISPOSAL SYSTEMS

§ 18-201. Short Title, Statutory Basis, Purpose.
§ 18-202. Permit Requirement.
§ 18-203. Permit Fee.
§ 18-204. Effective Date of Permit Contingent Upon Satisfactory Completion of Work.
§ 18-205. Conformity to Regulations.
§ 18-206. Enforcement.
§ 18-207. Definitions.

PART 1

HOLDING TANKS

§ 18-101. Purpose. [Ord. 31, 7/13/1995, § 101]

The purpose of this Part is to establish procedures for the use and maintenance of existing and new holding tanks designed to receive and retain sewage, whether from residential or commercial uses, where the existing onsite septic system is malfunctioning and there are no other means of correcting such malfunction. 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 Huntington Township.

§ 18-102. Definitions. [Ord. 31, 7/13/1995, § 102]

BOARD OF SUPERVISORS — The Board of Supervisors of Huntington Township, Adams County, Pennsylvania.

HOLDING 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.

IMPROVED PROPERTY — Any property within Huntington 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 sewage shall or may be discharged.

OWNER — Any person vested with ownership, legal or equitable, sole or partial, in any property located in Huntington Township.

PERSON — Any individual, partnership, company, association, corporation, group or other legal entity.

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 the domestic water supply or for recreation.

TOWNSHIP — Huntington Township, Adams County, Pennsylvania.

§ 18-103. Rights and Privileges Granted. [Ord. 31, 7/13/1995, § 103]

The Board of Supervisors is hereby authorized and empowered to undertake within the Township the control and methods of holding tank usage, sewage disposal and sewage collection and transportation thereof.

§ 18-104. Rules and Regulations. [Ord. 31, 7/13/1995, § 104]

The Board of Supervisors is hereby authorized and empowered to adopt such rules and regulations concerning holding tanks, and the sewage collected therein, which it may deem necessary from time to time to carry out the purposes of this Part or to comply with State rules and regulations concerning the same.

§ 18-105. Rules and Regulations to be in Conformity with Applicable Law. [Ord. 31, 7/13/1995, § 105]

All such rules and regulations adopted by the Board of Supervisors shall be in conformity with the provisions of this Part, with all other ordinances of the Township and with all applicable rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

§ 18-106. Rates and Charges. [Ord. 31, 7/13/1995, § 106]

The Board of Supervisors shall have the right and power to fix, alter, charge and collect rates, assessments and other levies for the use of holding tanks within the Township. The Board of Supervisors shall also have the right and power to regulate the rates, charges and assessments made by such persons as may be authorized to transport sewage from a holding tank located within the Township to its ultimate place of disposal.

§ 18-107. Requirements for Holding Tanks and Control of Rights and Privileges. [Ord. 31, 7/13/1995, § 107; as amended by Ord. 32, 9/11/1997]

1. No person shall be entitled to install and use a holding tank on improved property unless such property is an existing improved property with an existing onsite sewage disposal system which was properly permitted when originally installed or was installed prior to the legal requirement of obtaining a permit, where the system is malfunctioning and where it can not be corrected by any other onsite system or method of sewage disposal other than a holding tank and where no community sewage system is available. Commercial properties with existing systems that are malfunctioning may apply for a holding tank permit as long as they comply with the regulations for commercial holding tanks as promulgated by the Department of Environmental Protection.

2. The holding tank must meet the requirements set forth in the Pennsylvania Code.

3. The collection and transportation of all sewage from any improved property using a holding tank shall be solely by an entity in possession of a permit from the Department of Environmental Protection of the Commonwealth of Pennsylvania for the transportation of sewage, 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.

4. The Board of Supervisors will receive, review and retain pumping receipts from permitted holding tanks.

5. The Board of Supervisors will retain annual inspection reports for each permitted tank.

§ 18-108. Duties of Improved Property Owner. [Ord. 31, 7/13/1995, § 108; as amended by Ord. 32, 9/11/1997]

The owner of an improved property that utilizes a holding tank shall:

A. Maintain the holding tank in conformance with this Part or any ordinance of Huntington Township, the provisions of any applicable law and the rules and regulations of the Township and any administrative agency of the Commonwealth of Pennsylvania.

B. Permit the Board of Supervisors or its agent to inspect the holding tanks on an annual basis.

C. Permit only an entity in possession of a permit from the Department of Environmental Protection of the Commonwealth of Pennsylvania to collect, transport and dispose of the sewage.

D. Forward copies of all pumping receipts to the Township within 15 days of their receipt.

§ 18-109. Penalties. [Ord. 31, 7/13/1995, § 109; as amended by Ord. 32, 9/11/1997]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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 $200 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.

§ 18-110. Abatement of Nuisance. [Ord. 31, 7/13/1995, § 110]

In addition to any other remedies in this Part, any violation hereof shall constitute a nuisance and shall be abated by the Township by either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

PART 2

ONLOT SEWAGE DISPOSAL SYSTEMS

§ 18-201. Short Title, Statutory Basis, Purpose. [Ord. 32, 9/11/1997]

1. This Part shall be known as the "Huntington Township Onlot Sewage Disposal System Permit Ordinance."

2. This Part is adopted pursuant to the Pennsylvania Sewage Facilities Act, as amended (35 P.S. § 750.7).

3. The purpose of this Part is to provide for the permitting of all onlot sewage disposal systems within the Township in accordance with the standards and regulations of the Township, the Department of Environmental Protection and all applicable statutes of the Commonwealth of Pennsylvania, including those systems otherwise eligible for an exemption from the permitting requirements of the Sewage Facilities Act, as authorized by said Act.

§ 18-202. Permit Requirement. [Ord. 32, 9/11/1997]

1. From and after the effective date of this Part, all persons proposing to install an onlot sewage disposal system on any lot within the Township, including those persons proposing to install such a system on a lot of 10 acres or larger and who are otherwise qualified for a permit exemption in accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P.S. § 750.7), shall apply to the Township for a permit for the installation of such system. In addition, prior to the alteration, replacement, repair or extension of any such existing sewage system, a similar application for a permit shall be filed with the Township. Provided, however, that every such sewage system installed shall be subject to approval by the Pennsylvania Department of Environmental Protection.

2. Applications for a permit to install an individual sewage system shall be made prior to the expected date of commencement of construction of such facilities on forms provided by the Township, which the applicant shall submit with any plans, specifications or other information deemed necessary by the Sewage Enforcement Officer. No person shall install or commence any construction, replacement or repair of an onlot sewage disposal system which requires a written permit until such permit has been issued by the Sewage Enforcement Officer for Huntington Township and until the fee for issuing such permit has been paid in full.

§ 18-203. Permit Fee. [Ord. 32, 9/11/1997]

A permit and inspection fee in an amount as established by resolution of the Board of Supervisors shall be paid at the time when the application for a permit is filed.

§ 18-204. Effective Date of Permit Contingent Upon Satisfactory Completion of Work. [Ord. 32, 9/11/1997]

A permit for an individual sewage system shall not become effective until the installation is completed to the satisfaction of the Sewage Enforcement Officer. The Sewage Enforcement Officer shall be permitted to inspect the work at any stage of construction and the applicant shall notify him or her when the work is ready for final inspection, and before any underground portions are covered.

§ 18-205. Conformity to Regulations. [Ord. 32, 9/11/1997]

The type, capacities, location and layout of an individual sewage system shall comply with the recommendations of the Sewage Enforcement Officer, the rules and regulations of the Township and of the Department of Environmental Protection, and all applicable statutes of the Commonwealth of Pennsylvania.

§ 18-206. Enforcement. [Ord. 32, 9/11/1997]

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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.

2. In addition to the penalties for noncompliance as above set forth, it is further provided that all civil and equitable remedies authorized by law shall be applicable to violations of this Part.

§ 18-207. Definitions. [Ord. 32, 9/11/1997]

DEPARTMENT — Department of Environmental Protection of the Commonwealth of Pennsylvania.

INDIVIDUAL SEWAGE SYSTEM — Single system of piping, tanks or other facilities serving one or two lots and collecting and disposing of sewage in whole or in part into the soil of the property or into any waters of the Commonwealth.

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.

PERSON — Any natural person, partnership, association or corporation. When used in any clause prescribing and imposing a penalty, or imposing a fine and imprisonment or both, the term "person" shall include the members of an association and officers of a corporation.

SEWAGE ENFORCEMENT OFFICER — A person or agency appointed to perform inspections and issue permits in connection with individual sewage systems and community sewage systems.

CHAPTER 19
SIGNS AND BILLBOARDS

[Reserved to accommodate future enactments]

CHAPTER 20

SOLID WASTE

PART 1

COLLECTION, TRANSPORTATION, PROCESSING AND DISPOSAL OF MUNICIPAL SOLID WASTE

§ 20-101. Definitions.
§ 20-102. Mandatory Municipal Waste Collection.
§ 20-103. Collection by Unauthorized Personnel Unlawful.
§ 20-104. Collection of Municipal Waste.
§ 20-105. Maintenance of Containers Other than Bags.
§ 20-106. Location of Municipal Waste for Collection.
§ 20-107. Recycling.
§ 20-108. Fees for Municipal Waste Collection.
§ 20-109. Dumping or Storage Unlawful.
§ 20-110. Penalties and Remedies.

PART 1

COLLECTION, TRANSPORTATION, PROCESSING AND DISPOSAL OF MUNICIPAL SOLID WASTE

§ 20-101. Definitions. [Ord. 34, 9/10/1998, § 1]

For the purpose of this Part, the following terms, phrases or words shall have the meanings ascribed to them in this Section, except where the context in which the word is used clearly indicates otherwise:

ASHES — Residue from the burning of wood, coal, coke or other combustible material.

COMMERCIAL CUSTOMER — Any customer, whether a commercial establishment, dwelling or dwelling unit, normally requiring more than five 32 gallon containers per week to hold the refuse to be collected.

COMMERCIAL ESTABLISHMENT — The use of any premises as other than a dwelling and shall include hotels, boarding and lodging houses, tourist cabins, motels and trailers. Commercial establishment shall also include any multifamily residences occupied by more than two families.

CONTAINER — The receptacle in which the refuse is placed for collection, including cans, boxes and plastic bags; provided, however, that they are so

constructed so as to be fit for permanent use or in the case of bags, for one time use.

COUNTY — The County of Adams, Commonwealth of Pennsylvania.

DEBRIS — Waste materials consisting of stones, brick, plaster, broken concrete or earth in such quantity and size as shall not violate the restriction hereinafter set forth with respect to the size and weight of containers.

DWELLING — A building used for residential purposes but shall not include hotels, boarding and lodging houses, tourist cabins, motels and trailers which shall be considered commercial establishments. Dwelling also shall not include more than two attached dwelling units.

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

MUNICIPAL WASTE — Garbage, rubbish, ashes, debris, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments or from community activities.

PERSON — Any person, firm, partnership, association, corporation, company or organization of any kind.

RECYCLABLE MATERIALS — Those materials which may be processed or refabricated for reuse and which are specified by the Township and the County for separation from the regular municipal waste. Such materials may include, but not be limited to, aluminum cans, bi-metal or tin containers, clear and colored glass containers, newspapers and plastic beverage containers.

RECYCLING — The collection, separation, recovery and sale or reuse of recyclable materials which would otherwise be disposed or processed as municipal waste.

RENTAL UNIT — Any residential unit occupied by person other than the owners of the property on a lease basis.

RESIDENTIAL CUSTOMER — An customer, whether a commercial establishment, dwelling or dwelling unit, normally requiring five or less 32 gallon containers per week to hold the municipal waste to be collected.

RUBBISH — All solid household wastes, except body wastes, other than garbage, ashes, yard waste and debris, such as magazines, glass other than containers, ceramics, plastics other than beverage containers and laundry detergent containers, small scraps of wood, etc.

TOWNSHIP — The Township of Huntington, Adams County, Pennsylvania, and the Board of Supervisors of the Township of Huntington.

TOWNSHIP COLLECTOR — That individual, partnership, firm, corporation or business entity designated by the Board of Supervisors by means of an independent contract as the person having the exclusive right to collect refuse within the Township, but shall not be construed as meaning that said person is an employee, official or representative of the Township.

YARD WASTE — Grass clippings, leaves, garden residues, shrubbery, tree trimmings and similar biodegradable organic matter.

§ 20-102. Mandatory Municipal Waste Collection. [Ord. 34, 9/10/1998, § 2]

1. It shall be mandatory for every rental unit and commercial establishment within the Township to have all their municipal waste collected in accordance with the schedule set forth in § 104 of this Part. Said collection shall be performed by the Township collector and the owner of the rental unit and/or commercial customer shall be responsible for the payment of the costs of said collection in accordance with this Part.

2. Municipal waste collection for residential customers, other than those occupying rental units, shall be voluntary. Any residential customer desiring municipal waste collection shall contract with the Township collector.

§ 20-103. Collection by Unauthorized Personnel Unlawful. [Ord. 34, 9/10/1998, § 3]

It shall be unlawful for any person other than the Township collector to collect and haul municipal waste within or from the Township. No person may contract with any hauler of municipal waste unless such hauler is authorized to collect municipal waste within the Township pursuant to this Part.

§ 20-104. Collection of Municipal Waste. [Ord. 34, 9/10/1998, § 4]

1. All municipal waste, excluding those items set forth in subsection (B) of this Section, generated by residential customers shall be collected once a week at a time set by the Township collector and approved by the Township. The maximum quantity of municipal waste allowed for each dwelling and/or dwelling unit for each collection day shall be five containers weighing not more than 75 pounds each nor exceeding a volume of 32 gallons each, unless the Township collector and the residential customer may otherwise agree, from time to time.

2. All tree trimmings, hedge clippings and similar yard waste shall be cut in lengths not exceeding three feet and shall be securely tied in bundles not exceed 40 pounds in weight.

3. All commercial customers shall be required to make arrangements directly with the Township collector for collection of their municipal waste. Such collection shall not be less often than weekly and shall be at intervals short enough to prevent unsafe, unsightly or unsanitary accumulations of municipal waste. Commercial customers shall be permitted to place a dumpster or other similar container for the disposal of municipal waste on its premises; provided, such container does not interfere with the flow of traffic around the commercial establishment.

§ 20-105. Maintenance of Containers Other than Bags. [Ord. 34, 9//10/1998, § 5]

Containers shall be of durable, watertight, rust-resistant material having a close-fitting lid and handles to facilitate collection. All containers shall be kept in good and sanitary condition without the accumulation of residue of liquids, solids or a combination of such material on the bottom or sides of the container. Any container that does not conform with this Part or that is likely to inure the Township collector or his employees or hamper the prompt collection of municipal waste shall be replaced upon notice. Failure to replace said defective container may result in the loss of municipal waste collection until such time as the container is replaced.

§ 20-106. Location of Municipal Waste for Collection. [Ord. 34, 9/10/1998, § 6]

Containers shall be placed for collection at ground level on the property, not within the cartway of a street or alley and accessible to and not more than 10 feet from the side or curb of the street or alley from which collection is made. No containers shall be placed for collection at the curbside or along a public right-of-way earlier than 8:00 p.m. the evening prior to a scheduled collection date, nor shall any such container be permitted to remain at the curbside or along a public right-of-way for more than 10 hours after such collection.

§ 20-107. Recycling. [Ord. 34, 9/10/1998, § 7]

Every residential customer and commercial customer within the Township desiring recyclable materials collections shall be required to separate all recyclable materials from municipal waste and place such recyclable materials in a specially designated container to be provided by the Township collector at the residential customer's or the commercial customer's expense. The residential customer and the commercial customer shall separate the following recyclable materials:

A. Newspapers.

B. Aluminum cans.

C. Bi-metal cans.

D. Clear and colored glass containers.

E. Plastic PET #1 and HDPE #2 beverage containers.

F. Detergent containers.

All recyclable materials shall be placed at the curbside for collection in the same manner and at the same time as other municipal waste.

§ 20-108. Fees for Municipal Waste Collection. [Ord. 34, 9/10/1998, § 8]

1. Fees for Residential Customers.

   A. The fees for collection and disposal of municipal waste and recyclable materials from residential customers shall be at a rate as established by contract between the Township and the Township collector.

   B. The fees set forth herein shall be billed and collected by the Township collector. Such fees shall be billed not less often than quarterly. The fee for municipal waste disposal shall be the responsibility of the residential customer.

2. Fees for Commercial Customers.

   A. The fees for collection and disposal of municipal waste from commercial customers shall be negotiated by the commercial customers with the Township collector.

   B. The fees set for collection of municipal waste of commercial customers shall be paid by the owner, tenant, lessee or occupant of the premises as billed by the Township collector.

§ 20-109. Dumping or Storage Unlawful. [Ord. 34, 9//10/1998, § 9]

On or after the passage of this Part, it shall be unlawful at any place within the confines of the Township to dump or deposit, except for collection, garbage, ashes, rubbish or any other municipal waste of any nature.

§ 20-110. Penalties and Remedies. [Ord. 34, 9//10/1998, § 10]

1. Any person violating any of the provisions of this Part shall, upon conviction therefore, be sentenced to pay a fine of not more than $1,000 and costs of prosecution and, in default therefore, to suffer imprisonment for not more than 30 days. A separate offense shall be deemed committed on each period of 10 days during which a violation of this Part continues.

2. In addition to the foregoing penalty, the Township may require the owner or occupier of the property to remove any accumulation of municipal waste and should said person fail to remove the same within 10 days of written notice, the Township may cause the same to be done and collect the costs thereof, together with a penalty of 10% of such costs in the manner provided by law for the collection of municipal claims or by civil action or may seek relief by bill in equity.

CHAPTER 21

STREETS AND SIDEWALKS

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HIGHWAY OCCUPANCY PERMIT

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§ 21-102. Application for Permit.
§ 21-103. Permit Fee and Security Deposit.
§ 21-104. Approval of Permit.
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PART 2

OPENING OF STREETS

§ 21-201. Permit Required.
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§ 21-205. Inspection.
§ 21-206. Penalties.

PART 1

HIGHWAY OCCUPANCY PERMIT

§ 21-101. Permit Required. [Ord. 18, 2/13/1975, § 1]

No person, firm or corporation shall grade, construct, install or erect a drain, culvert, footwalk, drive or driveway, or other means of ingress or egress, or affecting discharge or passage of drainage water, onto or along a Township road unless and until the Township has granted a permit for such grading, construction, installation or erection.

§ 21-102. Application for Permit. [Ord. 18, 2/13/1975, § 2]

Application for such permit shall be made by the owner or occupier, or by his contractor or agent, in writing, on a form provided by the Township and in accordance with such rules and regulations as may be established by the Township. There shall be appended to each application a drawing or plan showing the outlines of the property affected with existing improvements thereon, existing drains,

culverts, footwalks, drives and driveways, with the proposed drain, culvert, footwalk, drive or driveway, proposed to be added, and the relationship of the foregoing to the Township road, particularly with relationship to the effect on the drainage of said road.

§ 21-103. Permit Fee and Security Deposit. [Ord. 18, 2/13/1975, § 3; as amended by Ord. 32, 9/11/1997]

The costs of filing such application and permit to be issued thereon, and the costs of any inspection deemed necessary by the Supervisors, shall be determined according to a schedule of fees which will be adopted by the Supervisors by resolution and all such fees and costs shall be paid into the Township treasury. In addition, in order to guarantee full compliance with this Section, such sum as shall be set by resolution of the Board of Supervisors, from time to time, shall be deposited with the Township at the time application is made for permit. This deposit will be refunded to the applicant upon final inspection and approval by the Township Supervisors that the construction has been completed in accordance with the application and the regulations and standards adopted from time to time by the Township. When any part of the construction contemplated by this Section is underground, the applicant must notify the Supervisors prior to covering the drain, culvert or other item which would be under the surface of the ground, to allow inspection by the Supervisors.

§ 21-104. Approval of Permit. [Ord. 18, 2/13/1975, § 4; as amended by Ord. 18A, 2/13/1980]

The Supervisors may alter plans filed with the application, and specify any changes or modifications of any kind which they deem necessary, and make its approval of the granting of any permits subject to any such alterations, changes or modifications. In the case of new construction, where access to a Township Road is required, full compliance with this Part shall be a prerequisite to the issuance of a building permit.

§ 21-105. Compliance. [Ord. 18, 2/13/1975, § 5]

All grading, construction, installation and erection shall be in strict compliance with the plans and specifications on the basis of which the permit is granted.

§ 21-106. Penalties. [Ord. 18, 2/13/1975, § 6; as amended by Ord. 18A, 2/13/1980; and by Ord. 32, 9/11/1997]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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.

PART 2

OPENING OF STREETS

§ 21-201. Permit Required. [Ord. 16, 5/9/1974, § 1]

In accordance with the provisions of § 1156 of Article XI of the Second Class Township Code, as amended, no railroad or street railway shall hereafter be constructed upon any Township road, nor shall any railroad or street railway crossing, nor any gas pipe, water pipe, electric conduit or other piping, be laid upon or in, nor shall any telephone, telegraph or electric light or power poles, or any coal tipples or any other obstructions be erected upon or in, any portion of a Township road except under such conditions, restrictions and regulations relating to the installation and maintenance thereof as may be prescribed in permits granted by the Township for such purpose.

§ 21-202. Application for Permit. [Ord. 16, 5/9/1974, § 2]

The application for a permit shall be on a form prescribed by the Township and submitted to the Township in triplicate. The application shall be accompanied by a fee in accordance with the schedule of fees set forth by the Department of Transportation, for highway occupancy permits and restoration charges. In addition, the applicant shall submit three copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street.

§ 21-203. Issuance of Permit. [Ord. 16, 5/9/1974, § 3]

A permit shall be issued to the applicant after all the aforementioned requirements have been filed.

§ 21-204. Completion of Work; Written Notice Required. [Ord. 16, 5/9/1974, § 4]

Upon completion of the work, the applicant shall give written notice thereof to the Township.

§ 21-205. Inspection. [Ord. 16, 5/9/1974, § 5]

Upon completion of the work authorized by the permit, the Township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect within 60 days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the cost thereof, together with an additional 20% of such cost.

§ 21-206. Penalties. [Ord. 16, 5/9/1974, § 6; as amended by Ord. 32, 9/11/1997]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice 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.

CHAPTER 22
SUBDIVISION AND LAND DEVELOPMENT

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§ 22-101. Short Title.

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PART 1

SHORT TITLE

§ 22-101. Short Title. [Ord. 2008-03-49, 12/11/2008]

These regulations shall be known and may be cited as "the Huntington Township Subdivision and Land Development Ordinance."

PART 2

PURPOSE, AUTHORITY, APPLICABILITY AND INTERPRETATION

§ 22-201. Purpose. [Ord. 2008-03-49, 12/11/2008]

The purpose of this chapter is to perfect and provide for the public health, safety and general welfare of the Township and to provide for harmonious development of the Township by:

A. Ensuring the orderly and efficient integration of subdivisions into the development of the Township of Huntington in accordance with the Comprehensive Plan and Chapter 27, Zoning.

B. Ensuring sites suitable for building purposes and human habitation.

C. Ensuring conformance of subdivision plans with public improvement plans.

D. Ensuring coordination of intermunicipal public improvement plans and programs.

E. Ensuring the protection of water resources and drainageways.

F. Ensuring the protection of other natural resources.

G. Ensuring the protection of cultural resources.

H. Ensuring the efficient movement of traffic by the avoidance of congestion in the streets and providing safe and appropriate pedestrian access.

I. Ensuring the management of stormwater runoff and floodplains.

J. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.

K. Ensuring the greater health, safety and welfare of the citizens of the Township of Huntington.

L. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.

M. Encouraging and promoting flexibility, economy and ingenuity in the layout and design of subdivisions and land developments.

N. Encouraging the use of renewable energy systems and energy-conserving building design.

§ 22-202. Authority. [Ord. 2008-03-49, 12/11/2008]

1. The Township of Huntington shall have the authority to approve or disapprove all preliminary and final subdivision or land development plat applications as required herein.

2. The Township of Huntington Planning Commission is hereby designated as the agency which shall review and make recommendations on all subdivision and land development plat applications as required herein, prior to action on same by the Township, and when provided by ordinance, make other recommendations.

§ 22-203. County Review. [Ord. 2008-03-49, 12/11/2008]

Applications for subdivision and land development located within the Township shall be forwarded by the applicant, with the appropriate review fee, to the county for review and report. The Township shall not approve such applications until the county review report is received or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission. As evidence of their review and report, officials of the County Planning Commission will sign final plats which have been formally approved by the Township before such plats are presented for recording at the office of the Recorder of Deeds in Adams County.

§ 22-204. Applicability of Regulations. [Ord. 2008-03-49, 12/11/2008]

1. Land development, as herein defined, must comply with the regulations contained herein. Such compliance shall include but not be limited to: the filing of preliminary and final plats; the execution of a developer's agreement; submission of required improvement: guaranties; the dedication and improvement of rights-of-way, sanitary sewers, waterlines and stormwater facilities; streets and roads; and the payment of fees and charges as established by the Township. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas and improvements, all easements appurtenant to each unit, and improvements to public rights-of-way. All land developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features, which shall be indicated on the land development plans.

2. No subdivision or land development of any lot, tract or parcel of land located in the Township of Huntington shall be effected and no street, sanitary sewer, storm sewer, water main or other improvement 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 subdivision or land development plat has been approved by the Board of Supervisors and publicly recorded in the manner prescribed herein, nor otherwise except in strict conformance with the provisions of this chapter.

3. 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 or land development plat has been approved by the Township of Huntington and recorded in the office of the Recorder of Deeds in Adams County and until construction of the improvements required and in the manner prescribed herein.

§ 22-205. Interpretation. [Ord. 2008-03-49, 12/11/2008]

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience and greater welfare. Where provisions of this chapter impose greater restrictions than those of any statute, other ordinance, restriction or regulation, then the provisions of this chapter shall be controlling. Where the provisions of a statute, other ordinance, restriction or regulation impose greater restrictions than this chapter, the provisions of such statute, resolution, ordinance or regulation shall be controlling.

§ 22-206. Township Liability. [Ord. 2008-03-49, 12/11/2008]

The granting of any permit or approval of any subdivision or land development plan as authorized by this chapter shall not constitute a representation, guaranty or warranty of any kind by the Township or by any official(s), agent(s) or employee(s) thereof of the practicability or safety of the proposed use and shall create no liability upon the Township, its official(s), agent(s), or employee(s).

§ 22-207. Amendments. [Ord. 2008-03-49, 12/11/2008]

The Board of Supervisors may, on its own motion or upon recommendation of the Planning Commission, amend, supplement or repeal any portion of this chapter. Amendments to this chapter shall become effective only after a public hearing held pursuant to public notice. In addition, in case of an amendment other than that prepared by the Township Planning Commission, the Board of Supervisors shall submit each such amendment to the Planning Commission for recommendations at least 30 days prior to the date fixed for the public hearing on such proposed amendment.

PART 3

DEFINITIONS

§ 22-301. § 301. Definitions [Ord. 2008-03-49, 12/11/2008]

Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meanings herein indicated. The present tense shall include the future; the singular number shall include the plural of the singular; words used in the masculine gender shall include the feminine and the neuter; the word "shall" is always mandatory; and the word "may" is always permissive.

ACCESSORY BUILDING OR STRUCTURE — A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

ALLEY — A minor way which may or may not be legally dedicated and is used for vehicular and/or pedestrian access to the rear or along the side of properties and which is not intended for the purpose of through vehicular traffic.

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, tentative 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 the approval of a development plan.

BLOCK — An area bounded by streets and divided into lots.

BOARD OF SUPERVISORS — The Board of Supervisors of Huntington Township, Adams County, Pennsylvania.

BUILDING — Any permanent structure having a roof supported by columns or walls.

BUILDING SETBACK LINE — The line within a property defining the required minimum distance permitted between any principal or accessory structure and the adjacent right-of-way and the line defining side and rear yards, where required.

CARTWAY — The portion of a street or alley which is improved, designated or intended for vehicular use.

CHAIRMAN — The Chairman of the Huntington Township Planning Commission.

CLEAR SIGHT TRIANGLE — An area of unobstructed vision at street intersections, as defined by the center lines of the streets and by a line of sight between points on their center lines at a predetermined distance from the intersection of the center lines.

COMMISSION — The Huntington Township Planning Commission.

COMMON ELEMENTS — Land amenities, parts of buildings, central services and utilities and any other elements and facilities owned and used by all unit owners and which are designated as common elements. These elements may include but are not limited to:

A. The land on which the building is located and portions of the building which are not included in a unit;

B. The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways, 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; and

G. Such other facilities as are designated as common elements.

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.

COMPREHENSIVE PLAN — The Development Policy Plan (Master Plan) and/or Future Land Use 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 of Huntington in which the subdivision or land development is located.

CONDOMINIUM — Ownership in common with others of a parcel of land with any improvements 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 others of a parcel of land and of a building or buildings thereon which would normally be used by all the

occupants, together with individual rights of occupancy of a particular unit or apartment in such building or buildings or on such parcel of land, and 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 — The County of Adams, Pennsylvania.

COUNTY PLANNING COMMISSION — The Planning Commission of the County of Adams.

CROSSWALK — A right-of-way, publicly or privately owned, intended to furnish access for pedestrians.

CUL-DE-SAC — A minor street open at one end for vehicular and pedestrian access, with the opposite end terminating in a vehicular turnaround.

CULTURAL RESOURCE — Any district, site, building, structure or object significant in local, state or natural history, architecture, archaeology or culture.

CULVERT — A drain, ditch or conduit, not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, pedestrian walk or public way.

CURB — A stone or concrete boundary usually marking the edge of the cartway or paved areas.

CURB CUT — The opening along the curbline at which point vehicles may enter or leave the roadway.

CURB RAMP — A short ramp cutting through a curb or built up to it.

CUT — An excavation; the difference between a point on the original ground and a designated point of lower elevation of the final grade; also, the material removed in excavation.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) — The Pennsylvania Department of Environmental Protection, its bureaus, divisions, and/or agencies, as may from time to time be established, or such department or departments as may in the future succeed it.

DEPARTMENT OF TRANSPORTATION (PennDOT) — The Pennsylvania Department of Transportation, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such department or departments as may in the future succeed it.

DETENTION POND — An area in which surface water runoff is temporarily stored pending its release at a controlled rate.

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.

DEVELOPER'S AGREEMENT — A written agreement between the Township and the developer of the land subject to a subdivision or other land development plan to be approved under this chapter, containing the terms of such developer's performance of the requirements of such final approval.

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 space, public facilities and infrastructure. The phrase "provisions of a development plan," when used in this chapter, shall mean the written and graphic materials referred to in this definition.

DRAINAGE

A. Surface water runoff.

B. The removal of surface water or groundwater from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving the water supply and the prevention or alleviation of flooding.

DRAINAGE EASEMENT — The lands required for the installation and maintenance of stormwater sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DRAINAGE FACILITY — Any swale, ditch, gutter, culvert, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision or contiguous land areas.

DRIVEWAY — A private roadway providing access from a public street or alley for vehicles to a parking space, garage, dwelling or other structure; vehicular entrance or egress to a land use.

DWELLING — A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING, EARTH-SHELTERED — Any completed dwelling that was designed to be built partially or wholly underground; a completed building or structure which was not intended to serve as a substructure or foundation for a building.

DWELLING, INDUSTRIALIZED HOUSING — Any structure designed primarily for residential occupancy on a permanent foundation, except a mobile home, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site in such a manner that all concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

DWELLING, 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 issued without a permanent foundation.

DWELLING, MULTIFAMILY — A building consisting of two or more dwellings.

DWELLING, SINGLE-FAMILY ATTACHED (TOWNHOUSES) — A one-family dwelling, including end units, attached to two or more one-family dwellings by common vertical walls.

DWELLING, SINGLE-FAMILY DETACHED — A dwelling which is designated for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

DWELLING, SINGLE-FAMILY SEMIDETACHED — A dwelling used by one family, having one side yard and one party wall common with another dwelling.

DWELLING, TWO-FAMILY DETACHED (DUPLEX) — A building used by two families, with one dwelling unit arranged over the other, and having two side yards.

DWELLING, TWO-FAMILY SEMIDETACHED (DOUBLE DUPLEX) — A building for two families, with one dwelling unit arranged over the other, having one side yard and one party wall in common with another building.

EASEMENT — A grant of limited use of private land for a public or quasipublic purposes.

ENGINEERING LAND SURVEYS — Surveys for:

A. The development of any tract of land, including the incidental design of related improvements, such as line and grade extension of roads, sewers, and grading, but not requiring independent engineering judgment; provided, however, that tract perimeter surveys shall be the function of the professional land surveyor;

B. The determination of the configuration or contour of the earth's surface or the position of fixed objects thereon or related thereto by means of measuring lines and angles and applying the principles of mathematics, photogrammetry or other measurement methods;

C. Geodetic or cadastral surveys, underground surveys and hydrographic surveys;

D. Sedimentation and erosion control surveys;

E. The determination of the quantities of materials;

F. Tests for water percolation in soils; and

G. The preparation of plans and specifications and estimates of proposed work as described herein.

ENGINEERING SPECIFICATIONS — The Design Standards and Improvements and Construction Requirements of the Township regulating the installation of any required improvements or for any facility installed by any owner subject to public use. In the absence of a specification regulating a specific improvement, the requirements of the Adams County Planning Commission shall govern.

ENGINEER, PROFESSIONAL — An individual licensed and registered under the laws of the commonwealth to engage in the practice of engineering.

ENGINEER, TOWNSHIP — A registered professional engineer in Pennsylvania designated by the Township of Huntington to perform the duties of Engineer as herein specified.

EROSION — The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice, gravity or any other method.

EXCAVATION — Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting therefrom.

EXISTING GRADE — The vertical location of the ground surface prior to excavation or filling.

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 and shall include the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; the material used to make a fill.

FINISHED GRADE — The proposed elevation of the land surface of a site after completion of all site improvement work.

FLOOD — A temporary inundation of normally dry land areas.

FLOOD-FRINGE DISTRICT — The area inundated by the regulatory flood which is not included within the Floodway District, which has been adopted as a part of Chapter 27, Zoning, and which is shown on the Huntington Township Official Floodplain and Floodway Map.

FLOOD, ONE-HUNDRED-YEAR — A flood that has one chance in 100 or a one-percent chance of being equaled or exceeded in any year. For the purposes of this chapter, the one-hundred-year flood (base flood) is as defined by the Federal Insurance Administration, U.S. Department of Housing and Urban Development; also the regulatory flood.

FLOODPLAIN

A. A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundating; or

B. An area subject to the unusual and rapid accumulation of runoff or surface waters from any source.

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 floodwaters 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 causing an increase in water surface elevation greater than one foot.

FLOODWAY DISTRICT — The designated part of the area inundated by the regulatory flood required to carry and discharge the floodwaters of the regulatory flood without causing a rise in the elevation of that flood of more than one foot, which has been adopted as a part of Chapter 27, Zoning, and which is shown on the Huntington Township Official Floodplain and Floodway Map.

FUTURE RIGHT-OF-WAY

A. Right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; or

B. A right-of-way established to provide future access to or through undeveloped land.

GOVERNING BODY — The Board of Supervisors of Huntington Township, Adams County, Pennsylvania.

GRADE, EXISTING — See definition of "existing grade."

GRADE, FINISHED — See definition of "finished grade."

IMPROVEMENTS — Those physical additions, installations and changes required to render real estate suitable for the use intended, including but not limited to grading, paving, curbing, streetlights and signs, fire hydrants, water mains, electric service, gas service, telephone and communication cables, sanitary sewers, stormwater facilities, sidewalks, crosswalks, driveways and street shade trees.

INFRASTRUCTURE — The fundamental public facilities serving the Township of Huntington, such as communication systems, roads and transportation, water supply, sanitary sewers, stormwater facilities and gas and electricity distribution.

LAND DEVELOPMENT

A. Any of the following activities:

(1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(a) 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; or

(b) 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.

(2) A subdivision of land.

B. Land development does not include development which involves:

(1) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than two residential units, unless such units are intended to be a condominium or a cooperative;

(2) The addition of an accessory building, including a farm building, on a lot or lots subordinate to an existing principal building; or

(3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, 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 the 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 condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or another person having a proprietary interest in land.

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.

LOT AREA — The area contained within the property lines of a lot as shown on a subdivision plan, excluding space within any rights-of-way, but including the area of any easement.

LOT, CORNER — A lot abutting upon two or more streets at their intersections.

LOT, DOUBLE-FRONTAGE — An interior lot having frontage on two streets.

LOT, INTERIOR — A lot fronting on a street but where the side lot lines do not abut on any street.

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 OF RECORD — A lot, described in a deed or shown on a plan of lots, which has been recorded in the office of the Recorder of Deeds of Adams County, Pennsylvania.

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.

MAINTENANCE GUARANTY — Any security, other than cash, which may be accepted by the Township for the maintenance of any improvements required by this chapter.

MASTER DEED — A legal instrument under which title to real estate is conveyed and by which a condominium or a planned unit development is created and established.

MOBILE HOME DWELLING — See definition of "dwelling, mobile home."

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.

MUNICIPAL AUTHORITY — A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945."[1]

MUNICIPALITIES PLANNING CODE — The Act of Assembly of July 31, 1968, P.L. 805, No. 247, as reenacted and amended by the acts of assembly dated December 2, 1988, P.L. 1329, Act No. 170, and December 14, 1992, P.L. 815, No. 131; 53 P.S. § 10101 et seq.

OPEN SPACE, COMMON — See definition of "common open space."

OPEN SPACE, PUBLIC — Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

PERFORMANCE GUARANTY — Any security which may be in lieu of a requirement that certain improvements be made before the Board of Supervisors approves a final land development plan, including performance bonds, escrow agreements and other similar collateral or surety agreements.

PERSON — Any individual or group of individuals, partnership, copartnership or corporation.

PLANNED RESIDENTIAL DEVELOPMENT — An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of this chapter.

PLANNING COMMISSION — The Huntington Township Planning Commission, Adams County, Pennsylvania.

PLAT — The map or plan of a subdivision or land development, as follows:

A. FINAL — a complete and exact subdivision or land development plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

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

B. PRELIMINARY — a tentative subdivision or land development plan, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PRINCIPAL BUILDING OR PRINCIPAL USE — The basic purpose for which a building or land area is occupied or intended to be occupied, as opposed to accessory or incidental uses.

PROFILE LINE — The elevations along the center line of the finished surface of the street, which shall be midway between the sidelines of the street.

PUBLIC GROUNDS — Includes:

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; or

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 Commission, intended to inform and obtain public comment prior to taking formal 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," as amended, 65 P.S. § 271.

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.

REAL ESTATE — Any fee, leasehold or other estate or interest in, over or under land, including structures, fixtures and other improvements and interests which, by custom, usage or law, pass with a conveyance of land though not described in the contract of sale or instrument of conveyance.

RECREATIONAL VEHICLE — A vehicle which is designed for human occupancy under transient circumstances, such as camping, travel or other recreation; sometimes variously known as a "travel trailer," "camping trailer" or "motor home."

REGULATORY FLOOD — The flood which has been selected as the basis for the floodplain management regulations; for the purpose of this chapter, the one-hundred-year flood (base flood).

REGULATORY FLOOD ELEVATION — The elevation of the regulatory flood at a point.

RENEWABLE ENERGY SOURCE — Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including but not limited to biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy, and excluding those sources of energy used in the fission and fusion processes.

RESERVE STRIP — A strip of land adjacent to a street, intended to control access to the street from an adjacent property.

RESUBDIVISION — Any replatting or resubdivision of land limited to a change in lot lines on an approved final plan or recorded plan.

RETENTION POND — An area in which surface water runoff is stored with no direct discharge. Discharge is through infiltration or evaporation.

RIGHT-OF-WAY — A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, sidewalk, bikeway, crosswalk, railroad, electric transmission line, oil or gas pipeline, waterline, sanitary or 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.

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.

SANITARY SEWER (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.

SEDIMENTATION — The process by which mineral or organic matter is accumulated or deposited by wind, water or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment."

SEPTIC SYSTEM — An individual sewage system with a septic tank used for the decomposition of domestic wastes; also referred to as an "on-lot system."

SERVICE DRIVE (PRIVATE) — A service way providing a secondary means of private access to abutting property and not intended for general traffic circulation.

SHADOW ANALYSIS — A graphic representation of shadows cast by natural landscaping, screening and structures plotted with regard to topography, slope and direction at 9:00 a.m., 12:00 noon and 3:00 p.m. on the date of the Winter Solstice.

SIDEWALK — A paved or concrete area, parallel to and usually separated from the street, used as a pedestrian walkway.

SIGHT DISTANCE — 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.

SKETCH PLAN — An informal plan, not necessarily to exact scale, indicating existing features of a tract, its surroundings and the general layout of a proposed subdivision or land development.

SLOPE — The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

SOIL STABILIZATION — Vegetative, chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

SOLAR ENERGY — Radiant energy (direct, diffused or reflected) received from the sun at wavelengths suitable for conversion into thermal, chemical or electrical energy.

SOLAR ENERGY COLLECTOR — Any device, structure or part of a device or structure which is used primarily to transform solar energy into thermal, chemical or electrical energy, including any space or structural component specifically designed to retain heat derived from solar energy.

SOLAR ENERGY SYSTEM — A complete design or assembly consisting of a solar energy collector, an energy storage facility (where appropriate) and components for the distribution of transformed energy to the extent that they cannot be used jointly with a conventional energy system. Passive solar energy systems, which use the natural properties of materials and architectural components to collect and store energy without using any external mechanical power, are included in this definition if they do not fulfill structural or other functions.

SOLAR SKY SPACE — The three-dimensional space between a given location and the sun, which must remain unobstructed between 9:00 a.m. and 3:00 p.m., mean solar time, on the date of the Winter Solstice in order to

permit sufficient solar energy to impinge on the location to allow efficient solar utilization.

SOLAR SKY SPACE EASEMENT — A right, expressed as an easement, covenant or condition or other property interest in any deed or other instrument executed by or on behalf of anyone, which protects the solar sky space of an actual, proposed or designated solar energy collector at a described location by forbidding or limiting activities or land uses that interfere with access to solar energy.

STORMWATER DETENTION — Any storm drainage technique that retards or detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

STORMWATER MANAGEMENT — A plan showing all present and proposed grades and facilities for stormwater drainage.

STREAM — A watercourse having a source and terminus, banks and a channel through which waters flow at least periodically.

STREET — Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private.

STREETS, MAJOR

A. ARTERIAL STREET — a major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for intercommunications among large areas.

B. COLLECTOR STREET — a major street or highway which carries traffic from minor streets to the major system of arterial streets, including principal entrance streets of a residential, commercial or industrial development and streets for major circulation within such developments.

C. LIMITED-ACCESS HIGHWAY — a major street or highway which carries large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.

STREETS, MINOR

A. MINOR STREET — a street used primarily for access to abutting properties.

B. MARGINAL-ACCESS STREET — a minor street which is parallel and adjacent to limited-access highways or arterial streets and which provides access to abutting properties and protection from through traffic.

C. CUL-DE-SAC — a street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STREET WIDTH — The shortest distance between the lines delineating the right-of-way of a street.

STRUCTURE — Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER — The owner or authorized agent of the owner of a lot, tract or parcel of land to be subdivided for sale or development under the terms of this chapter.

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 or access or any residential dwellings, shall be exempted.

A. MAJOR SUBDIVISION — any subdivision not classified as a minor subdivision.

B. MINOR SUBDIVISION — the subdivision of a single lot, tract or parcel of land into three or fewer lots located on an existing improved street that does not involve installation of improvements as required by this chapter; extension of utilities; frontage on an arterial or collector street; adverse effect on the development of the remaining parcel; adverse effect to adjoining properties; or conflict with the Township's present or future Comprehensive Plan, Chapter 27, Zoning, any portion of this chapter or other state, county, or Township ordinance, law or regulation.

SUBSTANTIALLY COMPLETED — Where, in the judgment of the Township Engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this chapter) 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.

SURVEYOR, PROFESSIONAL LAND — An individual licensed and registered under the laws of Pennsylvania to engage in the practice of land surveying.

SWALE — A low-lying stretch of land characterized as a depression used to carry surface water runoff.

TOPOGRAPHIC MAP — A map showing the elevations of the ground by contours of elevations.

TOPOGRAPHY — The configuration of a surface area showing relative elevations.

TOPSOIL — Surface soils and subsurface soils, which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the "A" horizon.

TOWNSHIP — Huntington Township, Adams County, Pennsylvania.

UNDEVELOPED LAND — Any lot, tract or parcel of land which has no improvements.

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 an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements which are assigned to the property, structure or building.

UTILITY, PUBLIC OR PRIVATE

A. Any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service;

B. A closely regulated private enterprise with an exclusive franchise for providing a public service.

WATERCOURSE — A permanent stream, intermittent stream, river, brook, creek or a channel or ditch for water, natural or man-made.

WATER SURVEY — An inventory of the source, quantity, yield and use of groundwater and surface water resources within the Township.

WETLANDS — 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 shall be deemed to include the definition of a wetland area as controlled by any governmental agency having jurisdiction.

WIND ENERGY CONVERSION SYSTEM (WECS) — A device which converts wind energy to mechanical or electrical energy.

WIND ROTOR — The blades, plus the hub to which the blades are attached, that are used to capture wind for purposes of energy conversion. The wind

rotor is generally used on a pole or tower and, along with other generating and electrical storage equipment, forms a wind energy conversion system.

PART 4

APPLICATION PROCEDURES AND PLAT REQUIREMENTS

§ 22-401. Preapplication Procedures. [Ord. 2008-03-49, 12/11/2008]

1. This chapter shall be available for use by any person seeking information concerning land development and/or subdivision standards and procedures in effect within the Township. Any prospective developer or subdivider may meet with the Township Planning Commission to discuss and review tentative plans and/or any provisions of this chapter. Copies of this chapter are available upon request at a cost set by the Board of Supervisors.

2. Prior to the final plan submission, the prospective developer must have complied with the planning requirements of the Pennsylvania Sewage Facilities Act,[2] as administered by the Pennsylvania Department of Environmental Protection. It is suggested that the prospective developer consult the Municipal Sewage Enforcement Officer or the Pennsylvania Department of Environmental Protection as to the requirements of that Act.

3. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development. At the same time, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development. Land that is located in a flood zone shall not be approved for subdivision unless the nature of the use of the land is set forth in detail and unless any construction is in full compliance with Chapter 8, Floodplains.

4. Before going ahead with the preliminary plan procedure or with steps to acquire land or subdivide, it is suggested that the subdivider or developer be familiar with these regulations and consult with the Township Planning Commission about the following factors:

   A. The suitability of the site for development.

   B. The demand for a development of the type proposed in the particular location proposed.

   C. The accessibility of the site.

   D. The availability of public facilities (schools, parks, water, sanitary and storm sewerage, etc.) and public services (police, fire, refuse disposal, etc.).

   E. The effect on the project of any contemplated improvements or the proposal of any comprehensive plan and these regulations.

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

F. Sewage facilities requirements of the Department of Environmental Protection and the Township.

G. Erosion and sedimentation plans and permits as required by the Department of Environmental Protection and as reviewed by the Adams County Conservation District.

H. Requirements of Chapter 27, Zoning.

I. Precautionary measures to preserve or protect historic and natural features.

J. Approvals by all appropriate state and federal agencies.

§ 22-402. Sketch Plans. [Ord. 2008-03-49, 12/11/2008]

1. Prior to the filing of a subdivision or land development plat for review and approval, the applicant is encouraged to submit a sketch plan to the Planning Commission for advice on the requirements necessary to achieve conformity with the standards of this chapter and other applicable Township ordinances, as well as to alert the applicant to other factors which must be considered in the design of the subdivision or land development. A sketch plan will be considered as submitted for informal review and discussion purposes. A sketch plan shall not be considered as a formal plan, nor shall such sketch plan constitute a formal filing of a plan with the Township of Huntington.

2. The plan shall be clearly labeled "sketch plan" and should include sufficient information to clearly indicate the character and extent of the proposed subdivision or land development and its relationship to existing conditions and facilities within the area in which it is to be located. In order for meaningful review, it is recommended that sketch plan submissions include a map covering sufficient area to establish the location of the site and an informal plan of any existing or proposed streets, buildings, lot arrangement, utilities, significant natural features and other elements within the subdivision or land development, including topographic contours. In addition, a sketch plan should include the name and address of the developer, a North arrow and sufficient scale, existing tract boundaries, existing and proposed streets, general lot layout, number of lots, and existing and proposed vehicular entrances.

3. If it is known that the parcels being created will be used for development requiring a special permit, variance, special exception, conditional use, expansion of a nonconforming use or other zoning relief for development that is considered dangerous to human life or which could violate a provision of any Township ordinance, including Chapter 27, Zoning, prospective developers should review the provisions contained in Chapter 27, Zoning, which pertain specifically to such development and restrictions thereon.

§ 22-403. Preliminary Plat Procedures. [Ord. 2008-03-49, 12/11/2008]

1. The applicant, 38 calendar days prior to the meeting of the Commission at which consideration is desired, shall file with the Zoning Officer eight copies of a preliminary plat of the proposed subdivision or land development and other required documents, data and maps. The applicant shall submit, concurrently with the preliminary plat, four copies of the sewage "plan revision module for land development," if applicable.

2. The Zoning Officer may require the subdivider to submit copies of the preliminary subdivision plan and supporting data to any or all of the following:

   A. One copy to be retained by the Secretary of the Planning Commission for the record.

   B. One copy and a feasibility report on water and sewer facilities transmitted to the local office of the Pennsylvania Department of Environmental Protection for review and recommendations where on-lot individual subsurface sewage disposal systems and/or wells are to be utilized in the proposed subdivision.

   C. One copy transmitted to the local office of the Pennsylvania Department of Transportation for review and recommendations concerning the proposed highway system as it will affect existing or proposed extensions of the official state highway system.

   D. One copy to the Township Engineer for review.

   E. One copy transmitted to the Adams County Office of Planning and Development.

   F. One copy to all affected public utilities which shall be requested to make recommendations as to the suitability of installing underground systems.

   G. One copy to the Bermudian Springs School District for review and comment.

3. The Board of Supervisors shall take official action on a preliminary subdivision plan after it has received the report of the Township Planning Commission. The Board of Supervisors shall render its decision and communicate it to the applicant in such time so that no more than 90 days shall elapse from the date of the first regular meeting of the Planning Commission following the filling of the plan. If the first regular meeting of the Planning Commission is more than 30 days after the filing of the application, the ninety-day period shall be measured from the 30th day following the date when the application was filed. In the event that any alteration of requirements from this subsection is requested by the applicant or is deemed necessary by the Township Planning Commission for approval,

the alteration shall be in writing, signed by the applicant, and the reason for its necessity shall be entered in the records of the Township Planning Commission.

4. The Adams County Planning Commission shall review the preliminary plat and data and shall return one copy of a written request stating its suggestions for modifications and design changes to the Planning Commission within 30 days from the date a completed application was submitted to the County Planning Commission.

5. The Board of Supervisors shall determine whether the preliminary plat shall be approved or disapproved and shall notify the applicant, in writing, at his last known address thereof, including, if approved with conditions or disapproved, a statement of reasons for such action, not later than 15 days following the decision.

6. Before acting on any subdivision plat, Board of Supervisors may hold a public hearing thereon after public notice.

7. When the application is not approved 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 this chapter.

8. 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 have like effect.

9. Approval of the preliminary plat constitutes approval of the proposed subdivision or land development with respect to the general design, the approximate dimensions and other planned features. Preliminary approval binds the developer to the general scheme of the plat as approved. Preliminary approval does not authorize the recording of the preliminary plat, the sale, lease, license or transfer of lots or the installation of improvements on such plat. However, such approval does authorize the developer to proceed with the preparation of the final plan and installation and construction of improvements, subject to obtaining all necessary permits from the Township of Huntington and/or the posting of a bond guaranty or sufficient security as specified herein.

10. The date of preliminary plat approval shall be specifically set forth on the preliminary plat with the appropriate signatures of Township officials authorized to approve such plat. The date of preliminary plat approval shall constitute the public meeting wherein Board of Supervisors approved the plat, with or without conditions. In the event of conditional approval, the

applicant shall meet or obtain sufficient written documentation demonstrating compliance with all conditions of preliminary plat approval.

11. Preliminary plat approval shall expire within five years after being granted. Any improvements constructed without prior review and approval of the Township of Huntington are done at the sole risk of the developer or the applicant.

§ 22-404. Preliminary Plat Specifications. [Ord. 2008-03-49, 12/11/2008]

1. The preliminary plan shall show:

   A. The development or property name.

   B. The owner's or applicant's name, address and telephone number.

   C. The name, address, telephone number and seal of the professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of the plat survey.

   D. The date of original submission and of each subsequent revised submission.

   E. The true or magnetic North point.

   F. A graphic and written scale.

   G. The municipality's name in which the plat is located.

   H. Certification of ownership and a dedicatory statement signed by the owner.

   I. A key map, at a scale of 2,000 feet to the inch or as agreed upon by the Board of Supervisors, locating the property or general area of the property with respect to major highways, cities, landmarks, governmental boundaries, etc. A title, scale and North point shall be indicated.

   J. A location map, for the purpose of locating the property being subdivided, showing the relation of the property to adjoining properties, all streets, roads, municipal boundaries, etc., drawn at a scale not less than one inch equals 1,000 feet or as agreed upon by the Board of Supervisors. A title, scale and North point shall be indicated.

   K. The total tract boundary lines of the area being subdivided, accurate to hundredths of a foot and bearings to seconds of a degree. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one foot in 10,000 feet; provided, however, that the boundaries adjoining additional unplatted land of the subdivider (for example, between

separately submitted final plan sections) are not required to be based upon field survey and may be calculated. The location of all boundary line (perimeter) monuments shall be indicted, along with a statement of the total area (gross and net) of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

L. A public notary signature and recording statement.

M. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.

N. The date of recording, base tax parcel number, and deed reference to the parcel being subdivided and/or developed, as recorded in the Recorder of Deeds' office of Adams County, Pennsylvania.

O. Boundaries of adjacent properties and their recorded name and deed reference. When adjacent properties are part of a recorded plat, only the lot number and subdivision name need be shown.

P. Approval blocks to be signed by the Planning Commission, the Board of Supervisors, and the Adams County Planning Commission.

Q. Contour lines at vertical intervals of at least two feet for land with an average natural slope of 4% or less, at intervals of at least five feet for land with an average slope of 4% to 12%, and at intervals of at least 10 feet for land with an average slope exceeding 12%. All contours shall be taken from field-run topography unless subdivision is for add-on purposes or agricultural use with no new structures.

R. The location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be U.S.G.S.

S. The layout(s), names, state or Township route number and cartway width and lines of all existing and/or proposed public streets, alleys, easements, and private roads within the property.

T. If the subdivision proposes a new street intersection with a state route, the intersection occupancy permit number(s) shall be indicated for all such intersections. If lots abut a state highway and do not have their ingress and egress onto a new street as aforesaid, and if access to and from the state highway is by a driveway servicing only the lot fronting on the state highway, no final plan shall be approved unless the plan contains a notice that a state highway occupancy permit is required pursuant to the State Highway Law and before driveway access is permitted. No building permit shall be issued for that lot until the highway occupancy permit has been obtained.

U. If the subdivision proposes a new street intersection with a Township route, the intersection occupancy permit number(s) shall be indicated

for all such intersections. If lots abut a Township highway and do not have their ingress and egress onto a new street as aforesaid, and if access to and from the Township highway is by a driveway servicing only the lot fronting on the Township highway, no final plan shall be approved unless the plat contains a notice that a Township highway occupancy permit is required pursuant to the Township Highway Law and before driveway access is permitted. No building permit shall be issued for that lot until the highway occupancy permit has been obtained.

V. The location and description of all existing and proposed monuments.

W. The location and widths of proposed rights-of-way and easements.

X. The layout of lots, showing dimensions, lot numbers and a statement (or chart) of the total number of lots and parcels, lot areas (gross and net), and type of dwelling units.

Y. The building setback lines for each lot or other site.

Z. For developments where on-site sewage disposal systems will be used, the location where all soils evaluation tests were conducted for each lot.

AA. A statement of the intended use of all lots and the type of dwelling units, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

BB. The location and size of existing and proposed utility structures and/or transmission lines, including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.

CC. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.

DD. The location, size and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.

EE. Existing natural features, such as watercourses, marshes, ponds, rock outcrops, streams, wooded areas or similar conditions.

FF. Parks, playgrounds and other areas to be dedicated or reserved for public use, with any conditions governing such use.

GG. Zoning district(s), including the exact boundary lines of the district(s).

HH. All existing buildings, sanitary and storm sewers, water mains, fire hydrants, culverts and other significant man-made features on or adjacent to the tract.

II. A statement should be included on the plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary permits for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Disturbance of wetlands shall include but not be limited to filling, dredging, draining or any building activities.

JJ. Floodplain Areas.

(1) Where the subdivision and/or land development lies partially or completely within any identified floodplain area or district or where such activities border on any identified floodplain area or district, the preliminary plat shall include the following information:

(a) The location and elevation of proposed roads, utilities and building sites, fills, and flood- or erosion-protection facilities;

(b) The one-hundred-year flood elevations; and

(c) Other areas subject to special deed restrictions.

(2) All such plats shall show contours at intervals of two or five feet, depending upon the slope of the land, and shall identify accurately the boundaries of the identified floodplain areas or districts.

2. Supplementary Data Required. The preliminary plan shall be accompanied by the following supplementary data, where applicable:

A. A plan revision module for land development as required by the Pennsylvania Department of Environmental Protection; if necessary, a completed sewage "plan revision module for land development" to comply with the planning requirements of the Pennsylvania Sewage Facilities Act and Section 71.16 of Chapter 71 of Title 25 of the Pennsylvania Code for submission by the Township of Huntington to the PA DEP.

B. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act; a preliminary erosion and sedimentation control plan together with a report of the County Conservation District indicating whether a permit for earthmoving activity is required from

the PA DEP under the Rules and Regulations, Chapter 102, Erosion Control, P.L. 1987, June 22, 1937, as amended.

C. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

D. Typical street cross-section drawings for all proposed streets.

E. Tentative profiles along the center line of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the preliminary plan. Such profiles shall show natural and finished grades and, where applicable, the regulatory flood elevation.

F. The applicant shall, if requested, submit a feasibility report concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be prepared by a registered professional engineer and be submitted in conjunction with the preliminary plan for review and recommendations by the local office of the Pennsylvania Department of Environmental Protection.

G. The applicant shall submit a stormwater management plan for the proposed subdivision or land development. The completeness of the stormwater plan shall be as required by the Township Engineer, the Planning Commission or the Board of Supervisors in accordance with this chapter and Township ordinances.

H. Where the preliminary plan covers only a part of the entire land holdings, a sketch of the future street system of the unsubmitted part shall be submitted. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.

I. Where the land included in the subject application has an electric transmission line, a gas pipeline or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.

J. Where 100 or more dwelling units are proposed in a subdivision or land development, evidence, in writing, from the school district in which the subdivision or land development is located containing the review and comments of the school district on the proposed development.

K. A traffic impact study or a copy of a report, where deemed necessary by the Board of Supervisors or Township Engineer, indicating an estimated volume of vehicular traffic movement and the adequacy or inadequacy or the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development, including possible solutions to such problems as may be thereby identified.

L. All required filing fees as required herein or as set by the Board of Supervisors.

M. Proof of any modifications or waivers which may have been granted by the Board of Supervisors or the Zoning Hearing Board for matters within their respective jurisdiction which are relevant to plat approval.

N. If the developer proposes to impose restrictions on future lot owners by deed restrictions or covenants, the text of such provisions shall be shown on the plan, referred to on the plan or in an attached document.

O. A stormwater management report or a copy of a report, where deemed necessary by the Board of Supervisors or Township Engineer, indicating the general arrangement for stormwater drainage, the estimated volume of water to be generated and the effect of such volumes on the drainageways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.

P. In the event that the plans propose enlargement of utility and other services extending from another municipality, a statement or certificate indicating that the proposal and a PA DEP planning module for land development, if required, have been submitted by the developer for review and have been approved by the municipality or municipal authority concerned and are considered to be reasonable. Approval by the utility will be required when deemed necessary by the Board of Supervisors.

§ 22-405. Final Plat Procedures. [Ord. 2008-03-49, 12/11/2008]

1. The applicant shall, not later than five years after the date of approval of the preliminary plat for that portion intended to be developed, file with the Township's Zoning Officer a final plat. Such filing shall include, as part of the formal submission, all the material, documents, and other data required under the final plat specifications as listed in § 406.

2. The final plat shall incorporate all the changes and modifications required by the Board of Supervisors; otherwise it shall conform to the approved preliminary plat, and it may constitute only that portion of the approved

preliminary plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all the requirements of this section.

3. Six copies and one high-quality reproducible Mylar copy of the plat prepared by a registered surveyor or professional engineer on sheets no larger than 18 inches by 24 inches, clearly labeled "final plat," shall be filed by the applicant with the Township's Zoning Officer 38 days prior to the meeting of the Planning Commission at which meeting consideration is desired.

4. The Zoning Officer may require the subdivider to submit copies of the final subdivision plan and supporting data to any or all of the following:

   A. One copy to be retained by the Secretary of the Planning Commission for the record.

   B. One copy and a feasibility report on water and sewer facilities transmitted to the local office of the Pennsylvania Department of Environmental Protection for review and recommendations where on-lot individual subsurface sewage disposal systems and/or wells are to be utilized in the proposed subdivision.

   C. One copy transmitted to the local office of the Pennsylvania Department of Transportation for review and recommendations concerning the proposed highway system as it will affect existing or proposed extensions of the official state highway system.

   D. One copy to the Township Engineer for review.

   E. Two copies transmitted to the Adams County Office of Planning and Development.

   F. One copy to all affected public utilities which shall be requested to make recommendations as to the suitability of installing underground lines.

   G. One copy to the Bermudian Springs School District for review and comment.

5. Before acting on any subdivision plat, the Board of Supervisors may hold a public hearing thereon after public notice.

6. The Board of Supervisors shall determine whether the final plat shall be approved or disapproved and shall notify the applicant, at his last known address, in writing thereof, including, if approved with conditions or disapproved, a statement of reasons for such action, not later than 15 days following the decision.

7. Action on the final plan shall be taken in the same manner as for preliminary plans (§ 403). However, if the DEP has not approved the

planning module within the standard review period for the Township as set forth in this chapter, the Township shall disapprove the plan and require its resubmission, unless the developer agrees, in writing, or states for the minutes of the meeting that he agrees to an extension of time for the Township to give final approval, which extension shall be until the next regular-time public meeting after receipt of the letter from the DEP. In addition, if a final plan is approved, the Planning Commission Chairman and Secretary shall sign the record plan and all prints. Thereafter, the Township Supervisors shall also sign the plan if approved by them.

8. When the application is not approved 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 this chapter.

9. Failure of 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 or communication of the decision, in which case, failure to meet the extended time or change in a manner of presentation or communication shall have like effect.

10. No changes, erasures, modifications or revisions shall be made on any final plat of a subdivision or land development after approval has been given by the Board of Supervisors and endorsed in writing on the plat, unless the plat is first resubmitted to the Board of Supervisors.

11. Upon the approval of a final plat and receipt of sufficient evidence that the applicant has complied with all conditions of final plat approval, the Township shall release the plan to the applicant, who shall, within 90 days of such final approval, record such plat in the office of the Recorder of Deeds of Adams County. One recorded copy of the plat shall be returned to the Township by the applicant.

12. 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.

13. In accordance with Section 8508(4) of the Pennsylvania Municipalities Planning Code, as amended, when an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five years from such approval.

§ 22-406. Final Plat Specifications. [Ord. 2008-03-49, 12/11/2008]

1. The final plan shall show:

   A. The development or property name.

   B. The name and address and telephone number of the subdivider.

   C. The name, address, telephone number and seal of the registered professional engineer certifying engineering aspects and the professional land surveyor certifying accuracy of the plat survey, or a registered surveyor who prepared the drawings.

   D. The date of original submission and of each subsequent revised submission.

   E. The true or magnetic North point.

   F. A graphic and written scale.

   G. The municipality in which the plat is located.

   H. Certification of ownership and a dedicatory statement signed by the owner.

   I. A key map, at a scale of 2,000 feet to the inch or as agreed upon by the Board of Supervisors, locating the property or general area of the property with respect to major highways, cities, landmarks, governmental boundaries, etc. A title, scale and North point shall be indicated.

   J. A location map, for the purpose of locating the property being subdivided, showing the relation of the property to adjoining properties, all streets, roads, municipal boundaries, etc., drawn at a scale not less than one inch equals 1,000 feet or as agreed upon by the Board of Supervisors. A title, scale and North point shall be indicated.

   K. The total tract boundary lines of the area being subdivided, accurate to hundredths of a foot and bearings to seconds of a degree. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one foot in 10,000 feet; provided, however, that the boundary(ies) adjoining additional unplatted land of the subdivider (for example, between separately submitted final plan sections) are not required to be based upon a field survey and may be calculated. The location of all boundary-line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan and the placement of the monuments.

   L. A notary public signature and recording statement.

M. A plot, drawn to a legible scale, showing the entire existing tract boundary and the location of the lots being subdivided for said tract.

N. Boundaries of adjacent properties and their recorded name and deed reference. When adjacent properties are part of the recorded plat, only the lot number and subdivision name need be shown.

O. Contour lines at vertical intervals of at least two feet for land with an average natural slope of 4% or less, at intervals of at least five feet for land with an average slope of 4% to 12%, and at intervals of at least 10 feet for land with an average slope exceeding 12%.

P. The location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established benchmark.

Q. The layout(s), state or Township route numbers, and cartway width and lines of all existing and/or proposed public streets, alleys, easements and private roads within the property.

R. The following data for the cartway edges (curblines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets and for the right-of-way lines of all existing streets within the property:

(1) The length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines).

(2) The width (in feet) of the cartway, right-of-way and, if required, of the ultimate right-of-way, and (in degrees, minutes and seconds) of the delta angle of all curved lines, including curved lot lines.

(3) All straight lot lines defined (in feet and hundredths of a foot) by distances and (in degrees, minutes and seconds) either by magnetic bearings or by angles of deflection from other lot and street lines.

S. If the subdivision proposes a new street intersection with a state route, the intersection occupancy permit number(s) shall be indicated for all such intersections. If lots abut a state highway and do not have their ingress and egress onto a new street as aforesaid, and if access to and from the state highway is by a driveway servicing only the lot fronting on the state highway, no final plan shall be approved unless the plan contains a notice that a state highway occupancy permit is required pursuant to the State Highway Law and before driveway access is permitted. No building permit shall be issued for that lot until the highway occupancy permit has been obtained.

T. If the subdivision proposes a new street intersection with a state route, the intersection occupancy permit number(s) shall be indicated for all such intersections. If lots abut a state highway and do not have their ingress and egress onto a new street as aforesaid, and if access to and from the state highway is by a driveway servicing only the lot fronting on the state highway, no final plan shall be approved unless the plan contains a notice that a state highway occupancy permit is required pursuant to the State Highway Law and before driveway access is permitted. No building permit shall be issued for that lot until the highway occupancy permit has been obtained.

U. The location and description of all existing and proposed monuments.

V. The location and widths of existing and proposed rights-of-way, easements and driveways.

W. The layout of lots, showing dimensions, lot numbers and a statement (or chart) of the total number of lots and parcels, lot areas, and type of dwelling units.

X. The building setback lines for each lot or other site.

Y. For developments where on-site sewage disposal systems will be used, the location where all soils evaluation tests were conducted for each lot.

Z. The location of all proposed private wells, along with a one-hundred-foot-radius isolation perimeter shown on the plan.

AA. A statement of the intended use of all lots, and the type of dwelling units, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

BB. The location and size of existing and proposed utility structures and/or transmission lines, including water, gas, electric, petroleum, etc., and all easements or rights-of-way connected with such structures and/or lines.

CC. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and on-site sewage facilities for such buildings or structures), public facilities and any other man-made or natural features within or near the proposed subdivision.

DD. The location, size and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines) and the location of all manholes, inlets and culverts. (This data may be submitted as a separate plan.]

EE. The location, size and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.

FF. Parks, playgrounds and other areas to be dedicated or reserved for public use, with any conditions governing such use.

GG. The zoning district(s), including exact boundary lines of the district(s).

HH. The date of recording, base tax parcel number, and deed reference to the parcel being subdivided and/or developed, as recorded in the Recorder of Deeds' office of Adams County, Pennsylvania.

II. Existing natural features, such as watercourses, marshes, ponds, rock outcrops, streams, wooded areas or similar conditions.

JJ. All existing buildings, sanitary and storm sewers, water mains, fire hydrants, culverts and other significant man-made features on or adjacent to the tract.

KK. An approval block for the use of the Adams County Planning Commission, the Huntington Township Planning Commission and the Huntington Township Board of Supervisors.

LL. A statement should be included on plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary permits for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Disturbance of wetlands shall include but not been limited to filling, dredging, draining or any building activities.

MM. Floodplain Areas.

(1) Where the subdivision and/or land development lies partially or completely within any identified floodplain area or district or where such activities border on any identified floodplain area or district, the preliminary plat shall include the following information:

(a) The location and elevation of proposed roads, utilities and building sites, fills, and flood- or erosion-protection facilities;

(b) The one-hundred-year flood elevations; and

(c) Other areas subject to special deed restrictions.

(2) All such plats shall show contours at intervals of two or five feet, depending upon the slope of the land, and shall identify

accurately the boundaries of the identified floodplain areas or districts.

NN. A statement by the owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated.

OO. Streetlighting facilities.

PP. The purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.

QQ. A final stormwater management/erosion and sedimentation control plan pursuant to the rules and regulations of the PA DEP (Title 25, Part 1, Subpart C, Article II, Chapter 102, of the Pennsylvania Code) and evidence that any required erosion and sedimentation control permit has been issued. If any erosion and sedimentation control permit is not required, the applicant shall provide evidence that the stormwater management/erosion and sedimentation control plan has been reviewed and approved by the County Conservation District Office; however, if the District Office does not desire to review the plan, the Board of Supervisors may, at its discretion, have the plan reviewed by the Township Engineer. The cost of the review shall be paid by the applicant.

2. Supplementary Data Required. The final plan shall be accompanied by the following supplementary data, where applicable:

A. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawing(s) may be shown either on the final plan or on the profile sheets.

B. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:

(1) The existing (natural) profile along both cartway edges or along the center line of each street.

(2) The proposed finished grade of the center line, proposed finished grade at the top of both curbs or proposed finished grade at both cartway (pavement) edges.

(3) The length of all vertical curves.

(4) Existing and proposed sanitary sewer mains and manholes.

(5) Existing and proposed storm mains, inlets, manholes and culverts.

(6) Existing and proposed water mains, valves and hydrants.

C. Typical cross sections of each type of street, minor streets, collector, etc., showing the width of right-of-way, width of cartway, location and width of curbs and sidewalks, if required, and the location and size of utility mains.

D. Plans and profiles of proposed sanitary and stormwater sewers, with grades and pipe size indicated, and a plan of any proposed water-distribution system, showing pipe sizes and the location of valves and fire hydrants.

E. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks.

F. Final designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection, the Pennsylvania Department of Transportation, and Huntington Township ordinances.

G. Where the final plan covers only part of the entire land holdings, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.

H. Water and sewer feasibility reports as may be required, including any updated information which may have become available since the submission of the preliminary plan.

I. A plan for the control of erosion and sedimentation approved by the County Conservation District Office as required by the Pennsylvania Clean Streams Act.

J. The applicant shall submit a stormwater management plan for the proposed subdivision or land development. The completeness of the stormwater plan shall be as required by the Township Engineer, the Planning Commission or the Board of Supervisors in accordance with this chapter.

K. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.

L. Any other certificates, affidavits, endorsements or dedications, etc., that may be required by the Board of Supervisors.

§ 22-407. Additional Requirements for a Land Development Plat. [Ord. 2008-03-49, 12/11/2008]

In addition to the requirements set forth in this Part 4, the final plat for a land development involving either multifamily dwellings or commercial, industrial or other nonresidential uses shall also indicate the following:

A. The location and general exterior dimensions of principal and accessory buildings.

B. The location and dimensions of vehicular entrances, exits, access drives, access barriers, and acceleration and deceleration lanes.

C. The location, arrangement and dimensions of automobile parking spaces, width of aisles, width of bays, and angle of parking.

D. The location and dimensions of pedestrian entrances, exits and walks.

E. The location, arrangement and dimensions of truck loading and unloading spaces and docks.

F. The location, dimensions and materials of walls, fences, buffers, screen plantings and landscaped areas.

G. The location and dimensions of unenclosed storage areas and screening (if applicable).

H. The location, size, height and orientation of all signs other than signs flat on building facades.

I. The location and appropriate dimensions of all other significant proposed facilities and structures.

J. Finished grades, slopes and banks.

K. The stages, if any, to be followed in the construction of the land development.

L. A table of site and development data, including statements of total acreage of the property, proposed use of the property, density, proposed building coverage, proposed lot coverage, proposed landscaped area, proposed type of sewage disposal and water supply, number of off-street parking spaces required and number of off-street parking spaces proposed.

M. Copies of National Pollutant Discharge Elimination System (NPDES) permits and any other stormwater management permits as required and approved by the Environmental Protection Agency and the PA DEP either where the discharge of stormwater associated with an industrial activity is proposed or if the plan has proposed the disturbance of five acres or more.

N. All setback and other zoning requirements of Chapter 27, Zoning, of the Township of Huntington or any other Township ordinance in effect at the date of filing a land development plan.

§ 22-408. Minor Subdivision and Land Development Applications. [Ord. 2008-03-49, 12/11/2008]

Where three or fewer lots are proposed to be subdivided from a tract of land or where land is being transferred to be combined with an existing lot, the Board of Supervisors, being advised by the Planning Commission, in response to a written request by the applicant, may waive the preliminary plat requirements, provided that such proposal is on an existing improved street that does not involve installation of new streets or other public improvements as required by this chapter; extension of utilities; frontage on an arterial or collector street; adverse effect to the development of the remaining parcel; adverse effect to adjoining properties; or conflict with the Township's Comprehensive Plan, Chapter 27, Zoning, any portion of this chapter or other state, county or Township ordinances, laws or regulations. In such cases, the applicant shall submit a final plat as follows:

A. The final plat for a minor subdivision or land development shall be submitted and processed as required by § 405, Final Plat Procedures, and contain the following data and plat specifications:

(1) Submit a stormwater management/erosion and sedimentation control plan as required by the Pennsylvania Clean Streams Law and the PA DEP Erosion Control Rules and Regulations (Title 25, Part I, Subpart C, Article 11, Ordinance 102, Erosion Control). The plan content shall be prepared in accordance with the erosion control measures set forth in the Erosion and Sediment Pollution Control Program Manual prepared by the PA DEP and Adams County and applicable provisions herein.

(2) Eight copies and one high-quality reproducible Mylar copy of the plat, prepared by a registered surveyor or professional engineer, on sheets no larger than 18 inches by 24 inches, clearly labeled "final plat," shall be submitted, containing the following information:

(a) The development or property name.

(b) An outline of the property from which the lot or lots are being subdivided or combined.

(c) Bearings and distances of the property taken from the property deed, including the primary control point.

(d) Adjacent landowner's names.

(e) the location on the property map of existing streets, streams and woods.

(f) A separate drawing of the proposed lot(s) (maximum scale of one inch equals 100 feet), with lot area, bearings and distances of lot lines, lot numbers and minimum distances of lot lines, existing street right-of-way width, cartway width and street

name and number, easements, existing man-made features, building setback lines and contours, with a two-foot interval.

(g) A location map on the plat (minimum scale of one inch equals 1,000 feet), showing property location, streets and other pertinent information.

(h) The name of the zoning district in which the site is located.

(i) Additional data required on the plat:

[1] The name, address and telephone number of the owner or applicant, including a deed reference to the existing tract which is proposed for subdivision.

[2] The name, address and telephone number and seal and signature of a professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of the plat survey (as defined herein).

[3] The date of plat preparation.

[4] The date the parcel being subdivided and/or developed was recorded in the Adams County Recorder of Deeds' office.

[5] The municipality where the property is located.

[6] A North point and scale.

[7] Certification of ownership and a dedicatory statement signed by the owner.

[8] A notary public and recording statement.

[9] Approval blocks to be signed by the Planning Commission and the Board of Supervisors.

[10] The location and description of survey monuments shown on the plat.

[11] The locations and size of existing and/or proposed public utilities.

[12] Existing natural features, such as watercourses, wetlands, marshes, rock outcrops and wooded areas.

[13] Proposed protective covenants running with the land, if any, existing easements or rights-of-way, and proposed easements or rights-of-way.

[14] Reference to recorded subdivision plats of adjoining platted land by record name, date and number.

[15] When applicable, five copies of the "sewage module for land development" or other equivalent documentation required by the PA DEP in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Chapter 71 of Title 25 of the Pennsylvania Code.

[16] A statement shall be included on the plat regarding the presence of wetlands. The statement should note that no development is proposed within wetlands or that the necessary permits for the disturbance of wetlands have been obtained from the appropriate federal and state regulating agencies. Where the subdivision and/or land development lies partially or completely within any wetlands, all necessary permits required by federal and state agencies for disturbance of such wetlands shall be obtained prior to approval of the final plan. Disturbance of wetlands shall include but not be limited to filling, draining, dredging or any building activities.

[17] All other requirements of § 407 of this chapter, including all requirements pertaining to applications located in a flood hazard area.

[18] Where the proposed subdivision abuts a state highway (Pennsylvania route or United States route), evidence, in writing, from the PA DEP indicating the Department's concurrence with the proposed design for driveway access and drainage required for issuance of the Department's highway occupancy permits. In lieu of written approval from PennDOT, a note should appear on the plan stating: "Before access may be constructed to any lot, a highway occupancy permit is required from PennDOT."

[19] Such other data as may be required by the Planning Commission or Board of Supervisors in the enforcement of this chapter.

§ 22-409. Resubdivision Procedure. [Ord. 2008-03-49, 12/11/2008]

Any replatting or resubdivision, including changes to a recorded plan, shall be considered as a new application and shall comply with all requirements of this chapter.

§ 22-410. Additions to Existing Lots. [Ord. 2008-03-49, 12/11/2008]

For the purpose of straightening lot lines and additions of small, nonbuildable parcels of property to existing recorded lots, said lots shall possess the following characteristics:

A. The parcel to be added must be contiguous to the existing lot.

B. The addition must maintain or improve the overall straightness of lot lines.

C. The plan prepared for the addition of this parcel shall follow the procedures outlined in this chapter.

D. The plan shall stipulate that the parcel is for the sole purpose of enlarging an existing lot and may not be separately sold or retained.

§ 22-411. Effect of Final Plat Approval. [Ord. 2008-03-49, 12/11/2008]

1. Approval of the final plat by the Board of Supervisors constitutes final approval of the land development as to the character and intensity of the development and the layout and dimensions of streets, lots and other planned features. This approval binds the applicant to the scheme on the final plat.

2. Final plat approval shall not be granted until such improvements as required by this chapter and shown on such final plan have been completed or a sufficient guaranty, performance guaranty or other form of financial security as required by this chapter has been posted and all required fees are paid in accordance with this chapter.

3. The date of final plat approval shall be specifically set forth on the final plan, with the appropriate signatures of Township officials authorized to approve such plat. The date of final plat approval shall constitute the public meeting wherein the Board of Supervisors approved the plat, with or without conditions. In the event of conditional approval of any preliminary final plat, the applicant shall meet or obtain sufficient written documentation demonstrating compliance with all conditions of plat approval. Upon receipt of such documentation, the Township shall release the plat to the applicant for recording purposes, who shall be solely responsible for recording the plan within 90 days from approval or conditional approval of the plat by the Board of Supervisors. Failure of the applicant to record the plat within 90 days from the date of final approval shall require that the applicant file a subsequent plat with the Commission or Board of Supervisors for subsequent review so as to comply with all time requirements of the Pennsylvania Municipalities Planning Code.[3]

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

PART 5

DESIGN STANDARDS

§ 22-501. Application of Standards and Requirements. [Ord. 2008-03-49, 12/11/2008]

1. The following principles, standards and requirements will be applied by the Board of Supervisors and Planning Commission in their review and evaluation of all subdivision and land development plat applications.

2. The standards and requirements contained herein shall be considered the minimum for the promotion of the public health, safety, convenience and general welfare.

3. Where literal compliance with the standards and requirements contained herein is clearly impractical, the Board of Supervisors may modify or waive such through the alteration of requirements process set forth in Part 9 of this chapter. Any such waiver shall only be made following receipt of written approval from the Township Engineer.

4. Subdivision and land development plats shall give due consideration to official plans of the Township of Huntington, Adams County, and region or to such parts thereof as may be adopted pursuant to statute.

5. Proposed land uses shall conform to Chapter 27, Zoning, or subsequent zoning ordinances, in effect at the time of the submission of any plat to the Township of Huntington.

6. Land subject to hazards to life, health or property, such as may arise from fire, flood, disease, or other causes, shall not be platted for development purposes unless such hazards have been eliminated or unless the plat shall show adequate safeguards against them, which shall be approved by the appropriate federal, state or local regulatory agencies.

7. Subdivision and/or land development plans should encourage and promote site designs with flexibility, economy and ingenuity in layout and other practices which are in accordance with modern and evolving principles of site planning and development.

§ 22-502. Streets. [Ord. 2008-03-49, 12/11/2008]

1. General Standards.

   A. Proposed streets shall be properly related to any street plans or parts thereof as have been officially adopted by Huntington Township and shall be coordinated with existing or proposed streets in adjoining subdivisions or land developments. Further, proposed streets shall be

properly related to county, regional or state transportation plans as have been prepared and adopted as prescribed by law.

B. Streets shall be laid out to preserve the integrity of their design. Local access streets shall be laid out to discourage their use by through traffic; and, where possible, collector and arterial streets shall be designed for use by through traffic.

C. Streets shall be related to the topography so as to establish usable lots and satisfactory street grades.

D. Proposed street arrangements shall make provisions for the continuation of existing streets in adjoining areas, the proper projection of streets into adjoining undeveloped or unplatted areas, and the continuation of proposed streets to the boundaries of the tract being subdivided.

E. New half or partial streets shall be prohibited except where essential to reasonable subdivision or development of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained; a cul-de-sac shall be constructed at the end of such half street, which shall be of a permanent nature, unless a temporary cul-de-sac is approved.

F. Names of new streets shall not duplicate existing or platted streets names or approximate such names by the use "drive," "court," or suffixes such as "lane," "way," or "avenue." In approving the names of streets, cognizance should be given to existing or planned street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or platted street.

G. Insofar as possible, streets which structures utilizing solar access are proposed to front upon shall be oriented along an east-west axis with maximum deviations permitted up to 25°, provided that such orientations are feasible based on soil and slope conditions and are a practical means of providing safe and convenient access and circulation.

H. Private streets are prohibited. All lands subdivided within the Township of Huntington shall have immediate access to a public street.

I. Private service access for purposes of providing a means of secondary access to a lot is permitted as deemed appropriate by the Board of Supervisors and the Township Engineer.

2. Street Classification. Three functional classifications of streets and roads, classified as regional highways, major and minor collectors, and local roads, are established as follows:

   A. Arterial. This classification includes the regional highways or highways which provide intracounty or intermunicipal traffic of substantial volumes. Generally, these highways should accommodate operating speeds of 55 miles per hour.

   B. Collector. This classification is intended to include major and minor collectors or those highways which connect minor streets to arterial highways and generally serve intracounty and intramunicipal traffic. They may serve as traffic corridors connecting residential areas with industrial, shopping and other services. They may penetrate residential areas. Generally, these highways will accommodate operating speeds of 35 to 45 miles per hour or under.

   C. Minor. This classification is intended to include local streets and roads that provide direct access to abutting land and connections to higher classes of roadways. Traffic volumes will be low and travel distances generally short. These streets and roads should be designed for operating speeds of 25 miles per hours or under.

3. Street Widths.

   A. Minimum street right-of-way and cartway widths shall be required as follows:

Street Type	Right-of-Way (feet)	Cartway Width (Curb to Curb) (feet)
Arterial streets	As determined by the Township after consultation with the PennDOT	
Collector streets	60	36
Lot frontage less than 80 feet	50	36
Lot frontage 80 feet to 149 feet	50	32
Lot frontage greater than 150 feet	50	28
Lots in developments with parking lots	50	20
Alleys	16	10

   B. The Township shall reserve the right to restrict parking along streets or to require additional width to accommodate on-street parking.

   C. Provision for additional street width or shoulder (right-of-way, cartway, or both) may be required when determined to be necessary by the Board of Supervisors to facilitate for aspects such as:

(1) Public safety and convenience.

(2) Traffic in commercial and industrial areas and in areas of high density.

(3) Widening of existing street where the width or alignment does not meet the requirements of the preceding subsections.

(4) Where topographic conditions require excessive cuts and fills.

(5) When curbs will not be required.

(6) To accommodate on-street parking.

(7) Where the street adjoins neighboring municipalities' roads.

D. In the case where conditions warrant alternate design standards, the design may be required to consider the parameters as a function of design speed. Alternate design standards may be referenced from either AASHTO or PennDOT.

E. In the case of a plan for a land development fronting on an existing public or private road of improper right-of-way and/or cartway width, the developer shall provide the following:

(1) Any required dedication of land for increasing the existing right-of-way to meet the requirements of this chapter. The right-of-way must be centered from the center line of the existing road.

(2) Improvement of the roadway to meet cartway, curb, gutter or other standards of this chapter. In lieu of making such improvements, the Township may, at its discretion, require a fee to cover the cost of future improvements, as established by the developer's engineer and approved by the Township Engineer.

4. Pavement Type. All streets shall be constructed with flexible pavement as required according to the following:

Pavement Courses	**Arterial Collectors**	**Local Roads**
Bituminous surface	3 1/2	3 1/2
CABC, CABC-DG	8	6
Subbase	6	6
Bituminous surface	3 1/2	3 1/2
AGG CEM or	5	5
A-L-P	5	5
Subbase	6	6
Bituminous surface	3 1/2	1 1/2
BCBC	4	4 1/2
Subbase	6	6

Pavement Courses	Arterial Collectors	Local Roads
Bituminous surface	3 1/2	1 1/2
AGG-BBC	5	5
Subbase	6	6

Legend:

AGG CEM	Aggregate — cement base course
Bituminous surface	Bituminous surface (1 1/2-inch wearing course and 2-inch binder course)
CABC	Crushed aggregate base course
CABC — DG	Crushed aggregate base course, dense-graded
A-L-P	Aggregate — lime — Pozzolan base course
BCBC	Bituminous concrete base course
AGG — BBC	Aggregate — bituminous base course

5. Street Grades.

A. The center-line grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

Type of Street	Minimum Grade	Maximum Grade
All streets	1.0%	As determined by the governing body after consultation with the Commission and PennDOT
Collector streets	1.0%	8%
Minor streets	1.0%	10%
Service drives	1.0%	12%
Street intersections	1.0%	5%

B. In all grades exceeding 1%, vertical curves shall be used in changes of grade and shall be designated for proper site distance.

C. On permission of the Township, minor street grade under special topographic conditions may exceed 10% for distances less than 100 feet, provided that the grade does not in any case exceed 15%.

D. Standards for minimum and maximum grade refer to both positive and negative grades.

6. Horizontal Curves.

A. Where connecting street lines deflect from each other at any point, 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 (feet)
Arterial	500
Collector street	300

Type of Street	Minimum Radius (feet)
Minor street	150

B. Straight portions of the street must be tangent to the beginning or end of the curve. Except for minor streets, there must be a tangent of at least 100 feet between reverse curves. For curves on arterial streets (or as otherwise determined by the Township Engineer), proper superelevation must be provided as required by the Township or PennDOT.

C. The Township may require that sight easements be provided in order to have adequate stopping sight distances.

D. The Township may require that the development be provided with speed limit signs in which speeds have been determined by the required engineering studies to be recommended for the horizontal curve design.

7. Vertical Curves and Sight Distance.

A. Changes in grade shall be joined by vertical curves, and the maximum rate of grade shall be 5% per 100 feet of road, provided that the clear sight distances specified below are maintained at all points.

B. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections. The sight distance, measured from the center line 3.5 feet above grade, shall be as follows:

Type of Street	Sight Distance (feet)
Arterial	400
Collector	300
Minor	200

C. There shall be provided and maintained at all intersections a clear sight triangle with a line of sight between points 100 feet from the intersection of the street center lines. No building or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.

D. A safe sight distance is required for the intersection of all roads and driveways. The safe sight distance shall be measured according to current PennDOT guidelines and shall meet current PennDOT requirements.

8. Crowns. All streets shall be designed so as to provide for the discharge of surface water from the right-of-way. The slope of the crown on a street shall be 3/8 of an inch per foot, or as determined by the Township Engineer. Where a curve is banked to reduce lateral vehicular acceleration as required by the design speed of the road, the crown required is eliminated. Adequate

facilities shall be provided at low points along the street and other points necessary to intercept runoff.

9. Intersections.

A. No intersection shall involve the junction of more than two streets.

B. Right-angle intersections shall be used wherever possible. In no instance, however, shall streets intersect at an angle of less than 75° nor more than 105°. Intersections of two arterial streets shall be subject to PennDOT requirements.

C. Intersections shall be improved on all sides by leveling areas. Such leveling areas shall have the minimum length of 100 feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of 5%. Where a through street exists or is proposed, the five-percent leveling area may be waived pending review of the Township Engineer.

D. All streets intersecting a state road (US, PA, or SR) shall be subject to the approval of PennDOT. The developer shall furnish evidence of such approval in the form of a PennDOT highway occupancy permit or other written form.

E. Design of the curb or edge of pavements must take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb or edge of pavement be less than the following:

Intersection	Curve Radius (feet)
Minor with minor street	25
Minor with collector street	30
Collector with collector street	35
Any street with arterial street	35 or as determined after consultation with PennDOT

F. Distances between intersections shall be as follows:

	TYPE OF INTERSECTION				
	Arterial/ Arterial (feet)	Arterial/ Collector/ Minor (feet)	Collector/ Collector (feet)	Collector/ Minor (feet)	Minor/ Minor (feet)
Minimum distance between center lines of intersections	800	800	600	500	500
Minimum distance separation of center lines for streets not in alignment	Must be in alignment with planned or proposed streets entering from opposite side			200	200

G. Clear sight triangles.

(1) Clear sight triangles shall be provided at all intersections. Measured along the center line of the street, there shall be a clear sight triangle with side lengths as follows:

Type of Street	Minimum Clear Sight Triangle Side (feet)
Arterial	150
Collector	100
Minor	100

(2) No building or construction, other than utility poles, streetlights, street signs, or traffic signs, shall be permitted within such triangles. Whenever a portion of such line occurs behind the building setback line, such portion shall be shown on the plan and shall be considered a building setback line.

H. Where determined to be necessary due to speed considerations, clear sight triangle side may increase. Increased values shall be in accordance with PennDOT or AASHTO Standards.

I. Safe sight distances shall be provided at all intersections. Standards for design shall comply with AASHTO and the Pennsylvania Department of Transportation, whichever shall be most applicable, as determined by the Township Engineer.

10. Slopes of Banks Along Streets. The slope of banks along streets, measured perpendicular to the street center line, shall be no steeper than the following:

A. One foot of vertical measurement for three feet of horizontal measurement for fills.

B. One foot of vertical measurement for two feet of horizontal measurement for cuts.

11. Cul-de-Sac or Dead-End Streets.

A. Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.

B. Any dead-end street for access to an adjoining property or because of authorized phased development shall be provided with a temporary, all-weather (paved) turnaround within the subdivision or/and land development; and the use of such turnaround shall be guaranteed to the public until such time as the street is extended.

C. Cul-de-sac streets serving residential uses, permanently designed as such, shall not exceed 800 feet in length, measured from the center

line of the intersecting street to the center point of said cul-de-sac, and shall not furnish access to more than 24 dwelling units.

D. Cul-de-sac streets serving commercial and/or industrial uses shall be adequate for the type of use to be serviced as approved by the Township Engineer but in no case shall exceed 800 feet in length.

E. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.

F. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround. The minimum radius to the pavement edge or curbline shall be 50 feet, and the minimum radius of the right-of-way line shall be 60 feet.

G. Drainage of cul-de-sac streets shall be in accordance with current engineering standards.

H. The center-line grade on a cul-de-sac street shall not exceed 10%, and the grade of the diameter of the turnaround shall not exceed 5%.

12. Driveways.

A. Private driveways on corner lots shall be located at least 40 feet from the point of intersection of the nearest street right-of-way lines.

B. In order to provide a safe and convenient means of access, grades on private driveways shall be so designed to allow for the unimpeded flow of stormwater runoff. In addition, driveways must be stabilized to their full width to prevent erosion.

C. All driveways shall be located, designed and constructed in such a manner as not to interfere or be inconsistent with the design and maintenance and drainage of the street or the safe and convenient passage of traffic.

D. All driveways shall be constructed of an impervious, all-weather paved surface.

E. All driveways shall meet the criteria as set forth in Chapter 27, Zoning.

13. Names of Streets. Names of new streets shall not duplicate or approximate existing or platted street names or approximate such names by the use of suffixes such as "lane," "way," "drive," "court," or "avenue." In approving the names, consideration shall be given to existing or platted street names within the postal delivery district served by the local post office. New streets

shall bear the same name or number of any continuation or alignment with an existing street. All street names shall be subject to Township approval.

14. Reserve Strips. Controlling access to streets by reserve strips is prohibited, except where their control is definitely given to the Township and is under control and/or approved by the Township. A reserve strip is a parcel of ground in separate ownership separating a street from other adjacent properties or from another street.

15. Alleys.

    A. Alleys or service drives are prohibited in single-family, detached or semidetached residential development, except where they are required to access the rear of lots which front on existing arterial streets, when topographical conditions exist to justify their use, or as part of an alternative layout where their use has been recommended by the Adams County Planning Commission and the Township Planning Commission. In cases where alleys are to be allowed, design standards shall be as recommended by the Township Engineer and Planning Commission.

    B. Where alleys or service drives dead-end, they shall be provided with a turnaround of 80 feet in diameter minimum.

    C. Intersection involving alleys shall be provided with a minimum radius of 10 feet.

    D. Alleys are to be provided in all townhouse developments for access to the rear.

16. Pedestrian Crosswalks.

    A. Crosswalks shall be required wherever necessary to facilitate circulation and to give access to community facilities.

    B. Crosswalks shall have an easement width of not less than 12 feet and a paved walk of not less than four feet. At a minimum, all crossings shall be constructed to comply with ADA requirements.

    C. A line-stripe crosswalk shall be painted at street intersections where required by the Township Engineer and the Board of Supervisors.

    D. Crosswalks in midblock shall be provided with warning devices.

§ 22-503. Off-Street Parking. [Ord. 2008-03-49, 12/11/2008]

1. Off street vehicular parking facilities shall be provided in accordance with Chapter 27, Zoning.

    A. The following additional standards shall apply:

(1) Commercial and industrial parking facilities shall be adequately illuminated if designed for use by more than 10 cars after dusk.

(2) Commercial and industrial parking facilities shall be surfaced with a durable bituminous or concrete paving material.

(3) All multifamily, commercial, public and industrial uses shall provide handicapped parking spaces as follows or as required by the applicable regulatory agency or by the Americans with Disabilities Act:

Total Parking Spaces	Number of Handicapped Spaces
5 or fewer	1
6 to 25	2
26 to 50	3
51 to 80	4
81 and over	5 of total

(Handicapped parking spaces shall be 12 feet wide minimum.)

2. For uses which are not addressed in Chapter 27, Zoning, the required parking spaces shall be based on a study as prepared by the developer and approved by the Township Engineer. The study shall address the following:

A. The type of use and estimated number of trips generated during peak conditions (inbound and outbound).

B. Estimated parking duration per vehicle (turnover rate).

C. Based on estimated number of trips generated and average parking duration per trip, calculate the number of spaces required. In addition, one space shall be provided for every two employees working during the maximum shift.

3. The minimum aisle width for ninety-degree parking shall be 24 feet. For angled parking, aisle width shall be as determined by the Township Engineer.

§ 22-504. Blocks. [Ord. 2008-03-49, 12/11/2008]

1. The length, width, shape and design of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, the land use and/or zoning requirements of the Township of Huntington, the topography of the land being subdivided or developed and the requirements for safe and convenient vehicular and pedestrian circulation.

2. Blocks shall not exceed 1,600 feet in length nor be less than 500 feet in length. Where practical, blocks along collector or arterial streets shall be not less than 1,000 feet in length.

3. Residential blocks shall generally be of sufficient depth to accommodate two tiers of lots, except where reverse-frontage lots bordering an arterial or collector street are used or where, due to the contour of the land or the necessary layout of the subdivision, there is insufficient depth between intersecting streets for such two-tier design.

4. Blocks for commercial and industrial areas may vary from the elements of design contained in this section if the nature of the use requires other treatment. In such cases, off-street parking for employees and customers shall be provided along with safe and convenient limited access to the street system. Space for off-street loading shall also be provided with limited access to the street system. Extension of streets, railroad access rights-of-way and utilities shall be provided as necessary.

5. Crosswalks or interior pedestrian walks shall be required in blocks exceeding 1,000 feet in length to provide for pedestrian circulation or access to community facilities. Such walks shall be paved for a width of not less than four feet, shall be located in easements not less than 10 feet in width and shall, insofar as possible, be located in the center of any such block.

§ 22-505. Lots. [Ord. 2008-03-49, 12/11/2008]

1. General Standards.

   A. The size, depth, width and orientation of lots shall conform to applicable zoning regulations of Huntington Township.

   B. Lot lines will follow municipal boundaries and established zoning boundaries.

   C. If, after subdividing, there exist remnants of land, they shall be either:

      (1) Incorporated in existing or proposed lots; or

      (2) Legally dedicated to public use, if acceptable to the Township.

2. Lot Frontage.

   A. All lots shall abut an existing or proposed public street.

   B. Double- or reverse-frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.

C. No residential lots shall be created which front upon a limited-access highway. Furthermore, no major subdivisions and/or land developments shall be created which front upon an arterial street.

3. Building Setbacks. Front, side and rear setbacks shall begin conformance with the present or subsequent amendments to Chapter 27, Zoning, effective or pending at the date of filing any application for approval of a plat.

§ 22-506. Easements. [Ord. 2008-03-49, 12/11/2008]

1. Easements shall be provided for drainage facilities, overhead or underground public utility facilities in consultation with the Township Engineer, the electrical, telephone and water utilities, PennDOT and any municipal authority.

   A. The minimum width of such easements shall be 20 feet. Additional width may be required by the Commission, depending on the purpose and use of the easements.

   B. Wherever possible, such easements shall be centered on the side or rear lot lines or along the front lot lines.

2. Where a subdivision and/or land development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement, width to be determined by the Township Engineer, conforming substantially with the line of such watercourse, drainageway, channel or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening or deepening, or for the purpose of installing a stormwater sewer. Under no circumstances shall the easement be less than 25 feet.

3. Where a subdivision or land development involves the use of solar access, solar sky space easements shall be provided, shall be in writing and shall be subject to the same conveyance and instrument recording requirements as other easements. Any such easements shall be appurtenant, shall run with the land benefited and burdened, and shall be defined and limited by conditions stated in the instrument of conveyance. Any solar sky space easements shall be shown on the plans. Instruments creating a solar sky space easement shall include but not be limited to:

   A. A permanently identifiable description of the sky space above the burdened land into which trees, buildings and/or other obstructions as specified by the easement shall not be permitted to encroach;

   B. Any terms or conditions under which the solar sky space easement is granted or will be terminated; and

   C. Any provision for compensation by the owner of the land benefiting from the solar sky space easement or compensation of the owner of the

land burdened by the solar sky space easement for maintaining the easement.

4. Where necessary for access to public or common lands, a pedestrian easement shall be provided with a width of no less than 10 feet. Additional width may be required by the Commission, depending on the purpose and use of the easement.

5. All such easements as depicted or shown on any subdivision or land development plat shall be obtained and publicly recorded prior to approval of any final plat. The Commission or Board may require that an applicant obtain and provide sufficient evidence that an easement has been obtained and recorded prior to approval of a preliminary plat.

§ 22-507. Erosion and Sedimentation Control. [Ord. 2008-03-49, 12/11/2008]

1. General Requirements and Standards.

   A. In the event that any person shall intend to make changes in the contour of any land or engage in earth-moving activity, whether for subdivision, land development or any purpose, such person, who is required to obtain an permit, shall obtain such a permit from the PA DEP in accordance with the requirements of the Rules and Regulations, Chapter 102, Erosion Control, authorized under P.L. 1987, June 22, 1937.

   B. Furthermore, under the requirements noted above, Huntington Township shall notify the PA DEP immediately upon receipt of an application for a building permit involving earth-moving activity which affects five acres or more of land.

   C. The Township shall not issue a building permit to those engaged in earth-moving activities requiring a PA DEP permit until the Department has issued the permit.

   D. An erosion and sedimentation control plan must be prepared for a single lot or more where subdivision, land development or other earth-moving activity is proposed. The plan must be submitted:

      (1) As required by the rules and regulations of the PA DEP noted above; and

      (2) As required by the Pennsylvania Clean Streams Law, Act 222, July 31, 1970, as amended.[4]

   E. Such erosion and sedimentation control plan shall be submitted to the Township Engineer and County Conservation District for review, and

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

a copy of the plan and review comments shall be submitted to the Commission as part of the preliminary and final plat applications.

F. In the preparation of erosion and sedimentation control plans, the person preparing such plans shall consult with the County Conservation District to determine the measures needed to control erosion and sedimentation. The current Soil Erosion and Sediment Pollution Control Program Manual, prepared by the PA DEP, shall be used in the preparation of such plans.

§ 22-508. Stormwater Management. [Ord. 2008-03-49, 12/11/2008]

1. Stormwater management facilities shall be designed to convey the stormwater runoff in a safe and efficient manner. The system shall ensure drainage at all points along streets and provide positive drainage away from buildings and on-site water-disposal sites.

2. The design and construction of the stormwater management system shall comply with the requirements as set forth in Chapter 17, Stormwater Management.

§ 22-509. Design Standards in Floodplains. [Ord. 2008-03-49, 12/11/2008]

1. General Standards.

A. Where not prohibited by this chapter or any other laws or ordinances, land located in flood-prone area(s) may be platted for development with the provision that the developer construct all buildings and structures to preclude flood damage in accordance with this chapter and any other laws and ordinances regulating such development.

B. No subdivision and/or land development, or part thereof, shall be approved if the proposed development and/or improvements will, individually or collectively, increase the regulatory flood elevation more than one foot at any point.

C. Building sites for residences or any other type of dwellings or accommodations shall not be permitted in any Floodway District. Sites for these uses may be permitted outside the Floodway District if the sites of dwelling units are elevated to a height at least one foot above the elevation of the regulatory flood. If fill is used to raise the elevation of a site, the fill area shall extend out laterally for a distance of at least 15 feet beyond the limits of the proposed structures. No fill or other obstruction to the free flow of floodwaters shall be placed in any Floodway District, except as provided by Chapter 27, Zoning.

D. Building sites or fill for structures or buildings other than for residential uses shall not be permitted in any Floodway District. Also, such sites for structures or buildings outside the floodway shall be

protected as provided for in Subsection 1C above. However, the Board of Supervisors may allow the subdivision and/or development of areas or sites for commercial and industrial uses at an elevation less than one foot above the regulatory flood if the developer otherwise protects the area to one foot above or assures that the buildings or structures will be floodproofed at least up to that height, in conformance with the Building Code.

E. If the Township of Huntington determines that only a part of a proposed plat can be safety developed, it shall limit development to that part and shall require that development proceed consistent with this determination.

F. When a developer does not intend to develop the plat himself and the Township of Huntington determines that additional controls are required to ensure safe development, it may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.

2. Excavation and Grading. Where any excavation or grading is proposed or where any existing trees, shrubs or other vegetative cover will be removed, the developer shall consult the County Conservation District representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that a determination can be made as to the type and degree of development the site may accommodate. Before undertaking any excavation or grading, the developer shall obtain an erosion and sedimentation control permit from the Commonwealth of Pennsylvania, if required. An erosion and sedimentation control plan must be prepared, whether or not a permit is required.

3. Drainage Facilities.

A. Storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The system shall ensure drainage at all points along streets and provide positive drainage away from buildings.

B. Plans shall be subject to the approval of the Huntington Township Board of Supervisors. The Board may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less-frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties. If subdivision or land development plans include any relocation or alteration of an existing watercourse, an analysis prepared by a professional engineer shall be submitted. The analysis shall show clearly the effect of the proposed relocation or alteration on the flood-carrying capacity of the watercourse and shall

consider flooding of a magnitude up to and including the one-hundred-year flood. No relocation or alteration will be approved if the flood-carrying capacity of the watercourse in question is reduced.

C. The developer shall notify adjacent communities and the state coordinating office prior to any alteration or relocation of a watercourse and submit copies of such specifications to the Administrator.

D. The developer shall assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

4. Streets. The finished elevation of proposed streets shall be established with due consideration given to the need for access to developed properties during times of flooding. The Board of Supervisors may require, where necessary, profiles and elevations of streets to determine compliance with this requirement. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.

5. Sewer Facilities. All new or replacement sanitary sewer systems located within the Floodway or Flood-Fringe Districts, whether public or private, shall be floodproofed up to an elevation one foot above the regulatory flood elevation.

6. Water Facilities. All new or replacement water systems located in Floodway or Flood-Fringe Districts, whether public or private, shall be floodproofed to a point one foot above the regulatory flood elevation.

7. Other Public Utilities and Facilities. All other new or replacement public and/or private utilities and facilities shall be elevated or floodproofed to a point one foot above the regulatory flood elevation, except for individual services to existing structures, which shall meet the requirements of the Building Code.

8. Mobile Home Parks. For all new mobile home parks and mobile home subdivisions, for expansions to existing mobile parks and mobile home subdivisions, and for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50% of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced the following requirements shall be met for any construction within the Flood-Fringe Zone:

A. Stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of each mobile home will be at least one foot above the regulatory flood elevation.

B. Adequate surface drainage and access for a mobile home hauler shall be provided.

When mobile homes are to be elevated on pilings, lots shall be large enough to permit steps, piles shall be placed in stable soil no more than 10 feet apart, and reinforcement shall be provided for pilings more than six feet above ground level.

§ 22-510. Traffic Impact Studies. [Ord. 2008-03-49, 12/11/2008]

1. Where deemed necessary by the Township, the developer shall submit a traffic impact study for review. Traffic impact studies (TIS) shall be prepared in accordance with the following criteria.

A. In determining the need for a traffic impact study, the Township will consider:

(1) If trip generation estimates are sufficient to warrant a TIS;

(2) If there are existing traffic problems in the local area;

(3) If the project will significantly affect the existing level of service;

(4) If the project may affect adjacent neighborhoods or sensitive areas;

(5) If the adjacent roadway has limited capacity or limited potential for improvement;

(6) If the proposed access may affect nearby drives or intersections; or

(7) If there are problems or deficiencies that may be affected by the project.

B. General Content.

(1) The TIS should consider several functions.

(a) First, it should identify the contribution a certain development project would make to local transportation impacts.

(b) Second, it should identify roadway improvements required to mitigate those impacts.

(c) And third, it should consider the compatibility of the project with local transportation plans.

(2) The TIS, in general, should be in accordance with standards of PennDOT, the Institute of Transportation Engineers, and this chapter. The TIS should provide general information on the following: capacity, safety, circulation patterns, traffic control needs, neighborhood impacts, parking adequacy, pedestrian and bicycle movements, and service and delivery vehicle access.

C. TIS Preparer. The TIS should be prepared by a qualified traffic engineer. The preparer should have sufficient documented training and experience in traffic engineering to establish qualifications to perform the study and shall be a registered professional engineer.

D. Additional Information. The report should provide the following elements:

(1) Project narrative.

(2) Indicate the size and nature of the development.

(3) Location of all transportation access points.

(4) Eventual traffic demand.

(5) Describe the study area and existing land use and transportation facilities, including details of the existing roadway network, physical features, traffic control devices, the presence of safety hazards and restricted sight distances.

(6) The preparer should consult with local, county, and state officials to determine any proposed changes which may affect conditions in the study area.

(7) The TIS shall analyze at least three scenarios; existing conditions, future conditions without the project, and future conditions with the project.

(8) Data for each scenario should be developed as discussed below.

2. The specific data to be collected and analyzed will vary depending on the nature of the project and the conditions in its vicinity. In all cases, peak-hour traffic volumes shall be evaluated. Peak hours include the peak traffic periods of the study area roadways and the proposed project, which may coincide with the roadway peaks. Normally, weekday morning and afternoon peaks will be considered.

3. For some uses, it may be appropriate to consider midday peaks or weekend peaks. Turning movement counts shall be collected at critical intersections during these periods. In addition, total daily traffic may be required, including volumes for other hourly periods. Besides traffic volumes, other

data may be required, such as accident history, vehicle mix, signal phasing, operating speeds, vehicle gaps and acceptance, and pedestrian activity.

4. The data must be recent, either collected specifically for the current TIS or a verifiable source. If appropriate, adjustments should be applied to the actual counts for monthly or day-of-week variations. If significant variation is noted, the analysis should consider both "typical" and "worst-case" conditions.

5. In evaluating a "future year without project" (or background) scenario, the preparer shall project future conditions based on an acceptable methodology. Unless otherwise specified, a short-term projection factor, based on the recent pattern of travel growth, shall be applied to the existing volumes. Separate factors may be applied to different roadways, for example, based on different functional classifications. If there is knowledge of other proposed developments or roadway improvements affecting travel in the study area, these factors must be considered.

6. In evaluating a "future year with development," total traffic shall include site-generated traffic and background traffic.

7. The site-generated volumes should be applied to the local network based on justifiable procedures. The process includes several distinct stages: trip generation, trip distribution, and route assignment.

8. The number of vehicle trips, unless otherwise specified, shall be computed from the current edition of Trip Generation as prepared by the Institute of Transportation Engineers. This reference must be used with caution. It may be appropriate to evaluate both average anticipated conditions and worst-case conditions when the underlying data is highly variable or not truly representative of the proposed use and location.

9. Trip distribution indicates the direction of travel from or to the site. It may be difficult to estimate the actual destination of trips originating at the proposed development, but the study must justify the assumed distribution using sound principles.

10. It may be appropriate to consider different potential trip distributions and evaluate each to determine worst-case impacts.

11. Route assignment is derived from trip distribution. The preparer shall assign all trips to roadway links based on the established distribution pattern. Unless otherwise specified, the shortest path or travel time shall be used in assigning the trips.

12. Impact must be analyzed based on traffic conditions for each study period in each scenario. At a minimum, the preparer shall consider levels of service. At intersections, level of service must be considered for each approach and movement. Other factors may also be required, including potential impacts on safety.

13. Based on impacts occurring during the "future year with development" scenario, the preparer shall offer recommendations for improvements. These improvements may include traffic controls (such as signals and signs) and roadway improvements (such as roadway widening and turning lanes).

14. Unless otherwise specified, the improvements must be considered for any roadway segment or intersection where the project has an adverse impact compared to the background level of service. For new intersections, a minimum level of service of "C" shall be provided, and the proposed design must provide that capacity.

15. Adequate controls must be provided to address any safety concerns. The TIS must also include engineering studies required to justify the recommended traffic control devices.

16. The costs of any roadway improvements, including the design and construction, shall be the responsibility of the developer (subdivider). The costs for the maintenance of any automated and/or energized signs, signals, or traffic control devices shall be from a maintenance fund established, funded and bonded by the developer (subdivider).

§ 22-511. Water Supply Feasibility Study. [Ord. 2008-03-49, 12/11/2008]

1. The Board of Supervisors, with or without a recommendation of the Planning Commission, may require a water supply feasibility study. The Board of Supervisors will approve the use of on-lot water supply systems (wells) when:

   A. This report indicates that justification of the project necessitates consideration of this type of water supply.

   B. The anticipated water supply yield is adequate for the type of development proposed.

   C. The installation of such systems will not endanger or decrease the groundwater supplies to adjacent properties.

2. The water supply feasibility study shall contain information relative to the above items and may be required for any development regardless of size. The information contained in the report shall be prepared by an engineer licensed in the State of Pennsylvania or a qualified hydrogeologist. The Board of Supervisors may require certification of yield projections and groundwater supplies by the engineer retained by the developer.

3. This study shall be submitted to the Township Engineer for review. Following review of the report, when determined to be necessary by the Township Engineer, the developer may be required to provide at least one test well for each 10 lots. Such wells should be drilled, cased, and grout-sealed into bedrock at least 50 feet deep, having a production capacity of at least five gallons per minute of safe potable drinking water, as certified by

the developer's engineer through laboratory testing; all findings shall be submitted to the Township. For institutional, commercial, industrial or other major plans, the Township Engineer shall specify specific criteria and tests to be provided of on-site water supply systems on a case-by-case basis.

PART 6

IMPROVEMENTS AND CONSTRUCTION REQUIREMENTS

§ 22-601. Improvements Required. [Ord. 2008-03-49, 12/11/2008]

All applications for any subdivision or land development shall provide for all improvements as required by these regulations. The specifications for the improvements contained herein shall comply with the following principles, standards and requirements.

§ 22-602. Monuments and Markers. [Ord. 2008-03-49, 12/11/2008]

1. Monuments must be set:

   A. At the intersection of all street and right-of-way lines.

   B. At the intersection of lines forming angles in the boundaries of the subdivision or land development.

   C. At such intermediate points as may be required by the Township Engineer.

2. Markers must be set:

   A. At all corners except those monumented.

   B. By the time the property is offered for sale.

3. Monuments and markers shall be the following sizes and made of the following materials:

   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 three-fourths-inch square or 3/4 inch in diameter and 30 inches long. Markers shall be made of 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 must 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.

5. Removal. Any monuments or markers that are removed must be replaced by a professional land surveyor at the expense of the person removing them.

§ 22-603. Street Construction. [Ord. 2008-03-49, 12/11/2008]

1. Pavement and Construction. Streets shall be designed in accordance with Part 5 herein and shall be surfaced to the grades and dimensions drawn on the plans, profiles and cross sections submitted by the applicant and approved by the Board of Supervisors. Before paving the street surface, the developer shall install the required utilities and provide, where necessary, adequate underdrains and stormwater drainage for the streets, as acceptable to the Board of Supervisors. The pavement base and wearing surface must be constructed as outlined in Part 5.

2. In general, all streets shall be designed and constructed in conformance with all specifications of Pennsylvania Department of Transportation Publication Nos. 408 and 70, as amended. The Board of 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 subdivider is responsible for constructing the additional width required.

3. Where an existing Township road is deemed by the Board of Supervisors to be inadequate to handle any increase in traffic as a result of the proposed development, the subdivider is responsible for either constructing or the cost of constructing the required improvements to the roadway.

4. Driveway Entrances. Driveway entrances or aprons within the street right-of-way shall have an all-weather surface (paved) to their full width and in no case shall be less than 12 feet wide for residential developments and 24 feet wide for commercial or industrial developments. In no case shall the driveway entrance be more than two feet wider than the driveway. The type of surface shall be either plain cement concrete (minimum depth of four inches) or the same depth of bituminous pavement as the adjacent street. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

    A. Where proposed driveways provide access onto a state highway (Pennsylvania route or United States route) the design of such driveway access and drainage shall be prepared in accordance with the PennDOT standards and shall be subject to the approval and issuance of permits by the Department. A note shall be placed on the plan, "that a highway occupancy permit is required pursuant to Section 420 of the State Highway Law before driveway access to a state highway is permitted." The Board of Supervisors may issue a final plat approval if a permit has been secured or the notice of requirement for such a permit is placed on the plan. No building permit will be issued for affected lots until such a highway occupancy permit has been secured.

    B. The curb height at driveway entrances shall be reduced to 1 1/2 inches for driveway entrances along streets. The minimum width of reduced curb height shall be 12 feet and the maximum width of reduced curb

height shall be 20 feet for residential driveways; and nonresidential driveways shall have a minimum width of 24 feet and a maximum as per PennDOT specifications. Sidewalks across driveway entrances, where required, shall be constructed in accordance with the requirements in § 607 herein.

§ 22-604. Sewer and Water Systems. [Ord. 2008-03-49, 12/11/2008]

1. Sewers.

   A. The developer shall provide the subdivision or land development with a complete sanitary sewerage system to be connected to the existing sanitary sewerage system in accordance with Township specifications. All termini shall be capped in a manner which will ensure that all collector mains, laterals and house connections shall be watertight pending connection with the public sanitary sewerage system. The system shall be designed by a professional engineer and approved by the Township Engineer. The Township Engineer shall also inspect construction of all sanitary sewers to ensure that said sewers will coordinate and have congruity with the Township's overall comprehensive sewerage plan. All sewage pumping stations and interceptors to be installed by the developer shall be reviewed and approved by the Township Engineer, who shall inspect the construction thereof. PA DEP planning module approval and required permits shall be obtained prior to final approval by the Board of Supervisors.

   B. Design, approval of design, supervision and inspection fees for services rendered on behalf of the developer by the Township Engineer shall be paid by the developer in accordance with the fee schedule as set by Board of Supervisors, which schedule shall be available for review in the Township offices by any interested party.

   C. Sanitary sewers and sewage disposal systems shall not be combined with stormwater sewers and shall not be constructed to receive effluent from any stormwater collection system.

2. Water. The applicant/developer shall provide the subdivision or land development with a complete water main supply system to be connected to the existing water main supply system in accordance with Township and/or utility specifications. DEP planning module approval and required permits shall be obtained prior to final approval by the Board of Supervisors.

§ 22-605. Storm Sewers. [Ord. 2008-03-49, 12/11/2008]

1. The applicant/developer shall install a stormwater sewer system in accordance with approved plans and profiles. The system shall be designed in accordance with Chapter 17, Stormwater Management, by a professional engineer and be approved by the Township Engineer. The developer shall

submit engineering calculations upon which the size of conduits, culverts and other portions of the proposed storm sewer system have been based.

2. Pipes, Inlets and Manholes. Pipes, inlets and manholes shall be constructed in accordance with the specifications set forth in PennDOT Publication 408, as amended, and as detailed on the Roadway Construction Standard Drawings.

§ 22-606. Curbs and Gutters. [Ord. 2008-03-49, 12/11/2008]

1. In any proposed subdivision or land development with an average lot size or area per dwelling unit of 22,000 square feet or less, 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.

2. Curbs may also be required along any existing or proposed street regardless of lot size where curbs are necessary to control the flow of surface water and regulate traffic, where the evidence indicates that sidewalks are necessary for the public safety and/or where lot widths are 100 feet or less.

3. Curbs shall be provided in all streets and parking compounds located within multifamily development projects.

4. In areas where curbing is not required, suitable gutters shall be installed to avoid erosion.

5. All curbs shall be constructed of Portland cement concrete. The construction of vertical curbs shall conform to requirements of Section 715, Plain Cement Concrete Curb, Type A, of PennDOT, or as amended. Rolled-gutter-type curbs may also be constructed if approved by the Township Engineer and the Board of Supervisors.

6. Construction of all curbing shall meet all ADA requirements.

§ 22-607. Sidewalks. [Ord. 2008-03-49, 12/11/2008]

1. In any proposed subdivision or land development with an average lot size or area per dwelling unit of 22,000 square feet or less, or where a subdivision is immediately adjacent to or within 1,000 feet of any existing or recorded subdivision having sidewalks, sidewalks may be required on each side of the street in accordance with Township specifications.

2. The Planning Commission and/or Board of Supervisors may require installation of sidewalks in any subdivision or development where the evidence indicates that sidewalks are necessary for the public safety.

3. Sidewalks shall be within the right-of-way of the street.

4. Sidewalks must be at least four feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks must be at least five feet wide.

5. Construction of all sidewalks shall meet all ADA and PennDOT standards.

§ 22-608. Fire Hydrants. [Ord. 2008-03-49, 12/11/2008]

Fire hydrants shall be installed as an integral part of any public water supply system.

A. Fire hydrants shall be in accordance with specifications set forth by the National Fire Protection Association, or as amended.

B. Fire hydrants shall be placed at intervals of not more than 600 feet or as specified by the National Fire Protection and/or the PA DEP.

§ 22-609. Street Signs. [Ord. 2008-03-49, 12/11/2008]

The subdivision or land development shall be provided with street name signs at all intersections. Such signs shall conform to PennDOT and Township specifications and shall be installed by the developer in a manner specified by the Township Engineer.

§ 22-610. Streetlights. [Ord. 2008-03-49, 12/11/2008]

1. Streetlights shall be provided with the construction of all new streets. A plan for streetlights shall be provided by the applicant upon submission of final subdivision or land development plans.

2. Streetlights shall be provided at all street intersections and at all other locations considered necessary for safety reasons.

§ 22-611. Electric, Telephone and Cable Television Lines. [Ord. 2008-03-49, 12/11/2008]

All electric, telephone and cable television service lines, including streetlighting, shall be placed underground within any subdivision or land development of five or more lots and/or dwelling units.

§ 22-612. Street Trees. [Ord. 2008-03-49, 12/11/2008]

The Board of Supervisors may require that shade trees be planted in a development to conform to the following specifications:

A. The trees shall be located between the sidewalk and building setback line and at least five feet from the sidewalk. Trees shall be planted between the sidewalk and curb only if the curb and sidewalk are at least 10 feet apart.

B. Each tree shall be at least eight feet in height and have a diameter of at least 1 1/2 inches.

C. Trees shall be uniformly spaced not less than 50 feet nor more than 70 feet apart, with at least one tree per lot. Tree varieties shall be acceptable to the Planning Commission.

D. Individual lot owners shall be responsible for future maintenance of trees. The developer will be responsible until the expiration of the maintenance bond.

§ 22-613. Recreation Fees. [Ord. 2008-03-49, 12/11/2008]

1. Recreation areas are not to be developed or dedicated to the Township unless requested by and/or agreed to by the Board of Supervisors.

2. The developer shall make a payment to the Township, as a condition of approval, as a recreation fee. The amount is as set forth by resolution of the Board of Supervisors in the Township's Recreation Fee Ordinance.

§ 22-614. Inspection of Improvements. [Ord. 2008-03-49, 12/11/2008]

Construction of all improvements shall be subject to inspection for conformity with this chapter and the approved plans.

A. Construction of all improvements covered by this chapter is subject to inspection by the Township or its authorized representative.

B. Where inspection of improvements is required to determine compliance with approved plans, the cost and fees for said inspection shall be paid by the developer in accordance with the fee schedule as adopted by the Township.

C. No person shall interfere with or obstruct the ingress or egress to or from any such site or premises by an authorized representative or agent of the Township of Huntington engaged in the inspection of work for compliance with the approved plans.

§ 22-615. As-Built Plans. [Ord. 2008-03-49, 12/11/2008]

1. Within 45 days after completion of improvements and approval of same by the Township, the landowner or developer shall submit to the Board of Supervisors a set of as-built plans and profiles. In the event the as-built plan is not submitted in a complete and accurate form, all funds being withheld by means of a completion guaranty shall not be released until such plan has been satisfactorily completed.

2. The as-built plan shall be reproducible and drawn to the same scale as the final plan and shall be certified to by an engineer or surveyor and approved by the Township Engineer.

3. Said plan shall indicate the actual location, dimensions and/or elevations of all completed improvements.

§ 22-616. Completion of Improvements or Guaranty Thereof; Perquisite to Final Plan Approval. [Ord. 2008-03-49, 12/11/2008]

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 streetlights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this chapter or the Board of Supervisors have been installed in accordance herewith. In lieu of the completion of any improvements required as a condition for the final approval of a plat, the Planning Commission and/or the Township shall require, for deposit with the Township, financial security in an amount sufficient to cover the costs of any 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.

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 satisfactory financial security. The final plat or record plan shall not be signed or 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 is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

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 amounts in such lending institutions shall be deemed acceptable financial security for the purpose of this chapter. Such financial security shall be posted with a bonding company or federal- or commonwealth-chartered lending institution chosen by the party posting the financial security, provided that said bonding company or lending institution is authorized to conduct such business within the commonwealth.

4. 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 such improvements.

5. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion of the required improvements estimated as of 90 days following the date

scheduled for completion by the developer. The Township may, annually, 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 financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection.

6. 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.

7. If the party posting the financial security requires more than one year from the date of posting of the financial security to compete the required improvements, the amount of financial security may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year prior by using the above procedure.

8. In a situation where development is projected over a period of years, the Township may authorize submission of final plats by sections or stages of development, subject to such requirements or 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.

9. 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, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such request 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 the release by the bonding company or lending institution of

any 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 the 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.

10. Where the Township accepts dedication of all or some of the required improvements following completion, the Board of Supervisors may require the posting of financial security to secure the 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 the financial security shall not exceed 15% of the actual cost of the installation of said improvements.

11. 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.

12. 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 buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted thereon. If 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 the 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, if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

§ 22-617. Release From Improvement Bond. [Ord. 2008-03-49, 12/11/2008]

1. When the developer has completed all the necessary and appropriate improvements, the developer shall notify the Township, in writing, by certified mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Township 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 Township 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 by the Township; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part; and if 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 Township shall notify the developer, within 15 days of the receipt of the Engineer's report, in writing, by certified or registered mail, of the action of the Township with relation thereto.

3. If the Township or Township Engineer fails to comply with the time limit contained herein, all improvements shall 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 Township, the developer shall proceed to complete the same; and upon completion, the same procedure of notification, as outlined in this chapter, shall be followed.

5. Nothing in this chapter, however, shall be construed in limitation of the developer's right to contest or question, by legal proceedings or otherwise, any determination of the Township or the Township Engineer.

6. Where reference is made in this chapter to the Township Engineer, he shall be a duly registered professional engineer in Pennsylvania employed by the Township or engaged as a consultant to the Township.

7. Prior to being released from the improvement bond, the applicant shall reimburse the Township for the reasonable and necessary expenses incurred for the inspection of the 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 or 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 in cases where 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 ten 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 or 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 the Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the 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 shall 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 Adams County, Pennsylvania, 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.

§ 22-618. Remedies to Effect Completion of Improvements. [Ord. 2008-03-49, 12/11/2008]

In the event that any improvements which are required have not been installed as provided in this chapter or in accord with the approved final plan, the Board of Supervisors is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by such security, the Township 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 to 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 Township purpose.

§ 22-619. Dedication of Improvements. [Ord. 2008-03-49, 12/11/2008]

Upon installation of the improvements and subsequent inspection by the Township Engineer, the developer shall take final steps to dedicate the improvements and have them accepted by the Township. The recording of the final plan, following approval by the Township, has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty on the Township concerning maintenance of improvements until the proper authorities of the Township have made actual acceptance, either by ordinance or resolution. The developer must maintain streets and/or other improvements for a period of 18 months to be eligible for dedication to the Township.

PART 7

MOBILE HOME PARK REGULATIONS

§ 22-701. Purpose, Authority and Jurisdiction. [Ord. 2008-03-49, 12/11/2008]

The purpose, authority and jurisdiction for a mobile home park as a land development are the same as those contained in Part 2 of this chapter.

§ 22-702. Plat Requirements and Processing Procedure. [Ord. 2008-03-49, 12/11/2008]

The plat requirements and processing procedure for a mobile home park as a land development shall be in accordance with the requirements contained in Part 4, §§ 402-407, of this chapter in addition to the following plat requirements:

A. The number and location of each mobile home lot, dimensions for each and the proposed location of each mobile home.

B. The location and number of off-street parking spaces.

C. The location of all plantings and landscaping.

D. The location, dimensions and proposed use of all service and accessory structures.

E. The location and type of all fire extinguishers and waste containers.

F. The location of both sewer riser pipe and water riser pipe.

G. Plans and specifications for refuse disposal facilities.

§ 22-703. Design Standards. [Ord. 2008-03-49, 12/11/2008]

The arrangement and other design standards of streets, easements, blocks, lots, stormwater management and erosion and sedimentation control shall be in accordance with the requirements contained in Part 5 herein, except as specified herein.

A. Street Widths.

(1) All streets located within mobile home parks shall remain private and shall be maintained by the park owner or legal or equitable owner. The minimum street cartway width for mobile home park streets shall be 32 feet in width.

(2) Provision for additional street width (right-of-way, cartway, or both) may be required when determined necessary by the Board of Supervisors for the following specific situations:

(a) Public safety and convenience.

(b) Where the number of mobile homes proposed to be located in the mobile home park exceeds 100 units.

(c) Widening of existing streets where the width does not meet the requirements of the preceding subsections.

(3) Direct driveway access from a mobile home lot to existing and/or proposed public streets shall not be permitted but shall be by way of an internal park street.

B. All mobile home parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.

(1) A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of four feet.

(2) All mobile home stands shall be connected to common walks, streets, driveways or parking spaces. Such individual walks shall have a minimum width of three feet.

C. Lots in Mobile Home Parks.

(1) Lots in a mobile home park shall be served by both public water supply and sanitary sewerage collection systems.

(2) Mobile home lots shall be not less than 50 feet wide, measured at the minimum required setback line, nor less than 5,500 square feet in area per mobile home unit, exclusive of streets and other public areas.

D. Building Setback Lines. In a mobile home park, the minimum building setback line from the cartway line of a private street shall be 20 feet.

E. Side and Rear Building Lines.

(1) The minimum spacing between mobile home units, including attached accessory structures, shall be no less than 20 feet. On a corner lot, the side yard abutting the street shall have a width equal to the depth of the front yard required and shall be subject to all front yard requirements of this chapter.

(2) The minimum rear yard shall be 10 feet, measured from the rear lot line of each mobile home lot.

(3) Detached accessory structures shall be located on the lot no closer than five feet from a mobile home and shall comply with the required front, side and rear setback lines.

(4) Mobile home units shall not be located closer than 25 feet from the mobile home park property lines on the sides and rear not adjacent to a street. Mobile home units adjacent to a public street shall not be located closer than 35 feet to the right-of-way line and shall contain a buffer yard in accordance with § 704A herein.

F. Off-Street Parking Requirements.

(1) Paved off-street parking areas shall be provided at the rate of at least two vehicular parking spaces for each mobile home lot.

(2) Each such off-street parking space shall contain at least 200 square feet of area and shall be located on the lot it is intended to serve.

G. Open Space Requirements.

(1) Not less than 10% of the total land area shall be provided for useable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.

(2) Such open space shall be maintained with a durable vegetative cover that is capable of preventing soil erosion and the emanation of dust during dry weather.

H. Stormwater Management.

(1) The ground surface in all parts of a park shall be graded and equipped to drain surface water in a safe, efficient manner. Where necessary, storm sewers, culverts and related facilities shall be provided to permit the adequate drainage of all locations within the park.

(2) A stormwater plan in accordance with the provisions of this chapter shall be prepared and submitted prior to the granting of a plat approval or a license for any mobile home park.

(3) All stormwater facilities shall be kept completely separate from any sanitary waste facilities.

I. Park Areas for Nonresidential Uses. No part of the mobile home 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, for property management and for maintenance of the park.

§ 22-704. Improvement and Construction Requirements. [Ord. 2008-03-49, 12/11/2008]

All improvements, construction requirements and engineering specifications for the improvements required shall be provided in accordance with Part 6 of this chapter in addition to those required herein.

A. Buffer Yard. A suitably screened or landscaped buffer yard of at least 10 feet wide, recommended for approval by the Planning Commission, shall be provided by the developer along all of the property lines separating the mobile home park from adjacent land uses and public streets. Said buffer yard shall be planted with dense screen plantings as specified in Chapter 27, Zoning.

B. Signs and Lighting.

(1) Signs may be permitted in accordance with standards set forth in Chapter 27, Zoning.

(2) All parks shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night:

(a) All parts of the street systems: an average of 0.6 footcandle with a minimum of 0.1 footcandle.

(b) Potentially hazardous locations, such as major street intersections and steps or step ramps; individually illuminated with a minimum of 0.3 footcandle.

C. Other Site Improvements and Requirements.

(1) Methods for Stabilization.

(a) Each mobile home site shall be provided a structurally stabilized foundation for mobile home placement approved by the Township Engineer.

(b) Each stand shall have a minimum of 980 square feet. The stand shall be concrete with a minimum thickness of four inches, shall have a minimum of 6 x 6 welded wire mesh and shall have a minimum subbase of four inches of compacted, crushed aggregate.

(2) 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.

(3) Each mobile home lot shall be provided with a four-inch concrete slab on 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.

(4) Individual tenants of the mobile home park may construct attached enclosures or covered patios to individual mobile homes, provided that such enclosures do not encroach into the front, side or rear yard areas.

(5) Tie-downs shall be installed at strategic locations so as to prevent movement of the mobile home by natural causes. Each unit shall have a minimum of four anchorage devices, either cast in the concrete pier or footing or of a screw-type acceptable to the Township Engineer, which comply with the manufacturer's home foundations as recommended by the Department of Housing and Urban Development.

(6) Provisions shall be made by the park operator to have garbage and waste collected at least once every week, and it shall be deposited at an approved disposal site.

(7) There shall be provided such other improvements as the Board of Supervisors may deem necessary, whereby such requirements shall at all times be in the best interests of the park residents.

D. Water Supply.

(1) Water Distribution System.

(a) The water system of the mobile home park shall be connected by pipes to all mobile homes, buildings and other facilities requiring water.

(b) The water piping system shall not be connected with nonpotable or questionable water supplies and shall be protected against the hazards of backflow or backsiphonage.

(c) The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch and a maximum of 80 pounds per square inch, under normal width of a diameter approved by the Township Engineer.

(2) Individual Water Riser Pipes and Connections.

(a) Individual water riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position.

(b) The water riser pipe shall extend at least four inches above the pad elevation. The pipe shall be at least 3/4 inch. The water

outlet shall be capped when a mobile home does not occupy the lot.

(c) Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of the ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.

(d) A shutoff valve below the frost line shall be provided near the water riser pipe of each mobile home lot.

(e) Underground stop and waste valves shall not be installed on any water service.

E. Sewage Disposal. An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. All such systems shall make connection to the public sanitary sewer system upon review and approval by the PA DEP and the Municipal Authority.

(1) Individual Sewer Connections.

(a) Each mobile home lot shall be provided with at least a three-inch-diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.

(b) The sewer connection shall have a nominal inside diameter of not less than three inches, and the slope of any portion thereof shall be at least 1/4 inch per foot. All joints shall be watertight.

(c) All materials used for sewer connections shall be semirigid, corrosive-resistant, nonabsorbent and durable. The inner surface shall be smooth.

(d) Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be diverted away from the riser. The rims of the riser pipe shall extend at least four inches above the pad elevation.

(2) Sewer Lines.

(a) All sewer lines shall be cased in trenches with a minimum depth of four feet and shall be separated from the park water supply system and stormwater drainage systems and shall have watertight joints.

F. Electrical Distribution System. Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances, which

shall be installed and maintained in accordance with local electrical power company specifications regulating such systems.

(1) Power Distribution Lines.

(a) All power lines shall be placed underground at least 18 inches below the ground surface and shall be insulated and specifically designed for such installation. Such lines shall be located not less than one foot in distance from any other utility lines, facility or installation.

(b) Meter poles shall have a maximum height of six feet.

(2) Individual Electrical Connections. Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

(3) Required Grounding. All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

G. Fuel Supply and Storage.

(1) Natural Gas System.

(a) Natural gas piping systems, when installed in mobile home parks, shall be maintained in conformity with the specifications of the gas company serving the area.

(b) Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

(2) Liquefied Petroleum Gas Systems. Liquefied petroleum gas (LPG) systems provided for mobile homes, service buildings or other structures, when installed, shall be maintained in conformity with any applicable rules and regulations and shall include the following:

(a) Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

(b) Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

(c) All LPG piping located outside of the mobile home shall be well-supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.

(d) Vessels of more than 12 U.S. gallons' gross capacity may be installed on a mobile home lot and shall be securely fastened.

(e) No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the authority having jurisdiction.

(3) Fuel Oil Supply Systems.

(a) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with any applicable rules and regulations.

(b) All piping from outside storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

(c) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shutoff valves located within five inches of storage tanks.

(d) Storage tanks located in areas subject to traffic shall be protected against physical damage.

H. Other Utilities. Any other utility, such as telephone or cable, servicing a mobile home park shall be installed underground, as applicable, and maintained in accordance with the respective utility company specifications regulating such systems.

I. Service Buildings and Other Park Service Facilities. The requirements of this section shall apply to service buildings, recreation buildings and other community service facilities as follows:

(1) Facilities.

(a) Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.

(b) Service and accessory buildings located in a mobile home park shall be used only by the residents of the mobile home park.

(2) Structural Requirements for Buildings.

(a) All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed as to prevent entrance or penetration of moisture and weather.

(b) All rooms containing lavatory facilities shall:

[1] Have sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions in lavatories and other plumbing fixture shall be constructed of dense, nonabsorbent, waterproof material or be covered with moisture-resistant materials.

[2] Have at least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall be not less than 10% of the floor area served by them.

[3] Have at least one window, which can be easily opened, or a mechanical device, which will adequately ventilate the room.

(c) Toilets shall be located in separate compartments equipped with self-closing doors.

J. Refuse Handling. The storage, collection and disposal of refuse in the mobile home park shall be the responsibility of the mobile home park owner or manager and shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with all applicable Township and state regulations.

K. Insect and Rodent Control. Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall comply with all applicable Township and state regulations.

L. Fire Protection.

(1) Local Regulations. The mobile home park area shall be subject to any local fire protection rules and regulations.

(2) Litter Control. Mobile home park areas shall be kept free of litter, rubbish and other flammable materials.

(3) Fire Extinguishers. Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in public service buildings under park control, and a sufficient number shall be maintained throughout the park in readily accessible and well-marked positions.

(4) Fire Hydrants.

(a) Fire hydrants shall be installed in accordance with National Fire Protection Association and/or PADEP requirements.

(b) Fire hydrants shall be located within 600 feet of any home, service building or other structure in the park.

§ 22-705. Standards for Mobile Home Parks in Floodplain Areas. [Ord. 2008-03-49, 12/11/2008]

Where permitted within any identified floodplain area, all mobile home parks and additions thereto shall be in accordance with Part 5, § 508, of this chapter in addition to those standards required by the Township.

§ 22-706. Permits and Certificate of Registration. [Ord. 2008-03-49, 12/11/2008]

1. Permits Required. It shall be unlawful for any person to maintain, construct, alter or extend any mobile home park within the limits of the Township unless he holds a valid certificate of registration issued by the PA DEP in the name of such person and also an annual permit issued by the Township.

2. Application to PA DEP. All applications for a certificate of registration shall be made by the owner of the mobile home park or his authorized representative in accordance with the Rules and Regulations, Commonwealth of Pennsylvania, PA DEP, Chapter 4, Article 415, Regulations for Mobile Home Parks, adopted October 30, 1959, amended January 22, 1965, or as hereafter amended.

3. Application to the Township. A copy of the said PA DEP application shall be concurrently filed with the Township of Huntington. Using the form furnished by the Township, the applicant shall also submit an application for a permit to operate a mobile home park in the Township of Huntington.

4. Renewal Permits.

A. Renewal permits shall be issued by Huntington Township on an annual basis, upon the applicant furnishing proof that his park continues to meet the standards prescribed by the PA DEP and this chapter.

B. A representative of the Township may inspect a mobile home park at reasonable intervals and at reasonable times to determine compliance with this chapter.

C. The permit shall be conspicuously posted in the office or on the premises of the mobile home park at all times.

5. Compliance of Existing Mobile Home Parks.

A. Mobile home parks in existence at the date of adoption of this chapter and being duly authorized to operate as same by the PA DEP may be continued so long as they otherwise remain lawful.

B. Existing mobile home parks shall be required to submit an existing plot plan, drawn to scale, when applying for a mobile home park permit as required under § 706A and C of this chapter.

C. Any subsequent new construction, alteration or extension of an existing mobile home park shall comply with the provisions of this chapter.

D. Any existing mobile home park which, in the opinion of Huntington Township, creates a fire or health hazard shall be required to comply with this chapter within a reasonable period of time as determined by Huntington Township.

6. Individual Mobile Homes.

A. Individual mobile homes not located in a mobile home park shall not be required to obtain a mobile home park permit; however, they shall be required to obtain a building permit as prescribed by the Building Permit Ordinance of Huntington Township.

B. Individual mobile homes shall comply with all other applicable ordinances and regulations that govern single-family homes in the Township.

§ 22-707. Fees. [Ord. 2008-03-49, 12/11/2008]

1. An initial permit fee for each mobile home park will be assessed, plus additional fees for each mobile home space shown by the plot plan. These fees will be established by the Board of Supervisors and will be due when the plot plan is filed.

2. The annual renewal permit fee for each mobile home park shall also be established by a resolution of the Board of Supervisors.

§ 22-708. Management and Supervision. [Ord. 2008-03-49, 12/11/2008]

1. Responsibilities of the Park Management. The person to whom a permit for a mobile home park is issued shall operate the park in compliance with this chapter and shall provide adequate management and supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition and shall:

A. Supervise the placement of each mobile home stand, which includes securing its stability and installing all utility connections.

B. Give Huntington Township and its representatives free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspections.

C. Maintain a register containing the names and addresses of all park occupants. Such register shall be available to any authorized person inspecting the park.

D. Notify the PA DEP immediately for any suspected communicable or contagious disease within the park.

E. Comply with any rules and regulations governing mobile home parks as established by the Adams County Commissioners.

F. Notify the park residents of all applicable provisions of this chapter and inform them of their duties and responsibilities relating to the need for sanitary conditions, the proper placement of mobile home units, the control of pets, the prior approval of porches, skirting, awnings and accessory structures, the periodic storage of garbage and maintenance of fire extinguishers.

G. The park management shall give the Township Zoning Officer or other authorized Township representative free access to all mobile home lots, service buildings and other community service facilities for inspection purposes.

§ 22-709. Revocation of Permit. [Ord. 2008-03-49, 12/11/2008]

1. Whenever, upon inspection of any mobile home park, Huntington Township determines that there are reasonable grounds to believe that conditions or practices exist which are in violation of any provision of this chapter or of any regulations adopted pursuant thereto, the Township of Huntington and/or its representative shall give notice, in writing, to the person to whom the permit was issued, advising him or her that, unless such conditions or practices are corrected within a period of time specified in the notice, the permit to operate shall be suspended.

2. At the end of such period, such mobile home park shall be reinspected; and if such conditions or practices have not been corrected, Huntington Township shall suspend the permit and give notice, in writing, of such suspension to the person to whom the permit is issued.

3. Whenever Huntington Township finds 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 require that such action be taken as it may deem necessary to meet the emergency, including the suspension of the permit or license.

4. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately.

PART 8

FEES

§ 22-801. Filing Fees. [Ord. 2008-03-49, 12/11/2008]

At the time of filing, all plats shall be accompanied by a filing fee, in the form of a check payable to the Township of Huntington, in the amount specified herein or as promulgated by the Board of Supervisors by resolution in accordance with this Part 8.

§ 22-802. Fee Schedule. [Ord. 2008-03-49, 12/11/2008]

1. The Board of Supervisors shall establish, by resolution, a Schedule of Review and Inspection Fees to be paid by the applicant at the time of filing a preliminary or final plat.

2. The Schedule of Fees shall be posted in the office of the Township Zoning Officer and in such other placed as the Township may designate.

3. No plat shall be finally approved by the Board of Supervisors and released to the applicant unless all fees and charges are paid in full or a review procedure has been commenced in accordance with this Part 8.

4. Review Fees and Inspection Fees.

   A. Review Fees. Review fees shall include the reasonable charges by the Township's professional consultants or Township Engineer for review and report to the Township of Huntington and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges 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 Township Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

   B. Dispute of Review Fees.

      (1) In the event that the applicant disputes the amount of any such review fees, the applicant shall, within 10 days of the billing date, provide written notification to the Township of Huntington that such fees are disputed. Upon receiving such written notice, the Township shall not delay or disapprove a subdivision and development application due to the applicant's request over disputed fees.

      (2) If, within 20 days from the date of billing. The Township and the applicant or developer cannot agree on the amount of expenses which are reasonably necessary, then the applicant

and Township shall, 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.

(3) If necessary, 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 immediately required to pay the entire amount determined in the decision.

(4) In the event that the Township and the applicant or developer 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 Adams County 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 or developer within the preceding five years.

(5) 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. Inspection Fees. Inspection fees shall include the reasonable charges by the Township's professional consultants or Township Engineer for inspection of any public improvements shown, completed or depicted on any subdivision or land development plat. Such expenses 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 Township Engineer or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

D. Dispute of Inspection Fees.

(1) In the event any applicant or developer disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within 10 days of the billing

date, provide written notification to the Township of Huntington that such fees are disputed. Upon receiving such written notice, the Township shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

(2) If, within 20 days from the date of billing, the Township and the applicant or developer cannot agree on the amount of expenses which are reasonably necessary, then the applicant and Township shall, 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.

(3) If necessary, 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 immediately required to pay the entire amount determined in the decision.

(4) In the event that the Township and the applicant or developer 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 Adams County 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 or developer within the preceding five years.

(5) 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.

§ 22-803. Other Fees. [Ord. 2008-03-49, 12/11/2008]

The applicant shall be responsible for paying all other review fees. The applicant shall, upon filing any preliminary or final plat with the Adams County Planning Commission, accompany any such plat filing with the appropriate review fee as charged by the Adams County Planning Commission. Likewise, the applicant shall

be responsible for paying all recording fees as charged by the Adams County Recorder of Deeds' Office for recording any final plat.

PART 9

MODIFICATION OF REQUIREMENTS

§ 22-901. Modifications. [Ord. 2008-03-49, 12/11/2008]

1. The Board of Supervisors may grant a modification of the requirements of one or more provisions of this chapter if the literal enforcement will cause 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.

2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this chapter involved and the minimum modification necessary.

3. The request for modification shall be referred to the Township Planning Commission for advisory comments.

4. The Board of Supervisors shall keep a written record of all action on all requests for modifications.

PART 10

ENFORCEMENT REMEDIES, AMENDMENTS AND RECORDING

§ 22-1001. Preventive Remedies. [Ord. 2008-03-49, 12/11/2008]

1. In addition to other remedies, the Township of Huntington may institute and maintain appropriate actions at 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 or land development of real property in violation of 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.

3. 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 require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

§ 22-1002. Enforcement Remedies. [Ord. 2008-03-49, 12/11/2008]

1. Any person, partnership or corporation who or which has violated the provisions of this chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township of Huntington, pay a judgment of not more than $500 plus all court costs, including reasonable attorneys' 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 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 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 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.

2. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per-diem judgment pending a 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 of Huntington 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 of this chapter.

§ 22-1003. Effect of Ordinance Changes. [Ord. 2008-03-49, 12/11/2008]

1. Changes in this chapter shall affect plats as follows:

   A. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this chapter and while such application is pending approval or disapproval, no change or amendment of this chapter, Chapter 27, Zoning, or any other governing ordinance or plan shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. The applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulation.

   B. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this chapter, Chapter 27, Zoning, or any other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the

approved development in accordance with the terms of such approval within five years from such approval.

2. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in accordance with the provisions of this chapter as they stood at the time when the application for such approval was duly filed.

3. Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five-year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of any ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.

4. In case of a preliminary plat calling for the installation of improvements beyond the five-year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant, on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted; and any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors in its discretion.

5. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Board of Supervisors in its discretion; provided that the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with the landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five years shall apply; and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period, the aforesaid protections shall apply for an additional term or terms of five years from the date of final plat approval for each section.

6. Failure of the landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in this chapter, Chapter 27, Zoning, and other governing ordinances enacted by the Township of Huntington subsequent to the date of the initial preliminary plan submission.

§ 22-1004. Recording Plats and Deeds. [Ord. 2008-03-49, 12/11/2008]

1. Upon the approval of a final plat and completion of all conditions of approval, if any, the applicant shall, within 90 days of such final plat approval, record such plat in the office of the Recorder of Deeds in Adams County. 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 County Planning Agency. All recording fees shall be paid by the applicant.

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.

§ 22-1005. Effect of Plat Approval on Official Map. [Ord. 2008-03-49, 12/11/2008]

After a plat has been approved and recorded as provided in this chapter, all streets and public grounds on such plat shall be and become a part of the Official Map of the Township of Huntington, without public hearing, upon their substantial completion by the applicant.

PART 11

EFFECTIVE DATE AND ENACTMENT

§ 22-1101. Codification Statement. [Ord. 2008-03-49, 12/11/2008]

It is the intention of the Board of Supervisors and it is ordained that the provisions of this chapter shall become and be made a part of the Code of Ordinances of the Township of Huntington, and the sections of this chapter may be renumbered to accomplish this intention.

§ 22-1102. Severability. [Ord. 2008-03-49, 12/11/2008]

In the event that any provision, section, sentence, clause or part of this chapter shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this chapter or other ordinances affected by this chapter, it being the intent of the Township of Huntington that such remainder shall be and shall remain in full force and effect.

§ 22-1103. Repealer. [Ord. 2008-03-49, 12/11/2008]

All other ordinances, parts of ordinances or parts of resolutions inconsistent herewith shall be and the same expressly are repealed.

§ 22-1104. Effective Date. [Ord. 2008-03-49, 12/11/2008]

This chapter shall take effect on the 11th day of January 2009.

CHAPTER 23
SWIMMING POOLS

[Reserved to accommodate future enactments]

CHAPTER 24

TAXATION, SPECIAL

PART 1

PER CAPITA TAX

§ 24-101. Authority for Enactment.
§ 24-102. "Resident" Defined.
§ 24-103. Imposition of Tax.
§ 24-104. Collection.
§ 24-105. Enforcement and Remedies.

PART 2

EARNED INCOME AND NET PROFITS TAX

§ 24-201. Short Title.
§ 24-202. Intent; Applicable Rules.
§ 24-203. Definitions.
§ 24-204. Imposition of Tax.
§ 24-205. Declaration and Payment of Tax.
§ 24-206. Registration.
§ 24-207. Filing and Payment of Tax by Employer; Withholding.
§ 24-208. Powers and Duties of Tax Officer.
§ 24-209. Compensation of Tax Officer.
§ 24-210. Suit for Collection of Tax.
§ 24-211. Interest and Penalties.
§ 24-212. Violations and Penalties.
§ 24-213. Applicability.
§ 24-214. Severability.
§ 24-215. Purpose; Effect on Prior Provisions and Actions.
§ 24-216. Effective Date; Initial Current Year.

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.
§ 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. Lien.
§ 24-316. Enforcement.
§ 24-317. Regulations.

PART 4

PROPERTY TAX PENALTY WAIVER

§ 24-401. Compliance Required.
§ 24-402. Definitions.
§ 24-403. Waiver.

PART 1

PER CAPITA TAX

§ 24-101. Authority for Enactment. [Res. 113, 12/14/1972; as revised by Ord. 32, 9/11/1997]

This Part is enacted under authority of the Local Tax Enabling Act, P.L. 1257, No. 511, December 31, 1965, 53 P.S. § 6901 et seq., as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania.

§ 24-102. "Resident" Defined. [Res. 113, 12/14/1972; as revised by Ord. 32, 9/11/1997]

The word "resident" as used in this Part shall mean every adult 18 years of age or older who lives within the Township.

§ 24-103. Imposition of Tax. [Res. 113, 12/14/1972; as revised by Ord. 32, 9/11/1997]

Every resident shall pay $5 for the present calendar year and each year hereafter.

§ 24-104. Collection. [Res. 113, 12/14/1972; as revised by Ord. 32, 9/11/1997]

All taxes, interests, costs and penalties imposed by this Part shall be collected by the Township tax collector.

§ 24-105. Enforcement and Remedies. [Res. 113, 12/14/1972; as revised by Ord. 32, 9/11/1997]

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 therefore 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 a violation by a 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 any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

C. District justices shall have initial jurisdiction over proceedings brought under this Section.

PART 2

EARNED INCOME AND NET PROFITS TAX

§ 24-201. Short Title. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

This Part 2 shall be known as the "Huntington Township Earned Income and Net Profits Tax Ordinance," referred to herein as "Part 2."

§ 24-202. Intent; Applicable Rules. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. It is the intent and purpose of this Part 2 to include all of the applicable language and provisions of 53 P.S. § 6924.501 et seq., the Act of General Assembly of July 2, 2008 (P.L. 197), and known as "Act No. 32," as may be amended and supplemented from time to time. In all enforcement of the administration of this Part 2, the language and intent of Act 32, as amended, shall take precedence.

2. The tax imposed by this Part 2 shall be collected and administered in accordance with all applicable laws and regulations and regulations, policies and procedures adopted by the TCC or tax officer. This includes any regulations, policies and procedures adopted in the future to the maximum extent allowed by 1 Pa.C.S.A. § 1937.

§ 24-203. Definitions. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

All words and phrases shall have the meanings as set forth in Act 32, as amended. The following words and phrases, when used in this Part 2, shall have the meanings ascribed to them as follows:

BUSINESS — An enterprise, activity, profession or any other undertaking of an unincorporated nature conducted for profit or ordinarily conducted for profit, whether by a person, partnership, association or any other entity.

BUSINESS ENTITY — A sole proprietorship, corporation, joint-stock association or company, partnership, limited partnership, limited liability company, association, business trust, syndicate or other commercial or professional activity organized under the laws of this commonwealth or any other jurisdiction.

CORPORATION — A corporation or joint-stock association organized under the laws of the United States, the Commonwealth of Pennsylvania or any

other state, territory, foreign country or dependency. This term shall include an entity which is classified as a corporation for federal income tax purposes.

CURRENT YEAR — The calendar year for which the tax is levied.

DEPARTMENT — The Pennsylvania Department of Community and Economic Development or successor agency charged with any duties under the Act, as may be amended and supplemented.

DOMICILE — The place where one lives and has his permanent home and to which he has the intention of returning whenever he is absent. Actual residence is not necessarily domicile, for domicile is the fixed place of abode which, in the intention of the taxpayer, is permanent rather than transitory. Domicile is the place in which a man has voluntarily fixed the habitation of himself and his family, not for a mere special or limited purpose, but with the present intention of making a permanent home, until some event occurs to induce him to adopt some other permanent home. In the case of businesses or associations, the domicile is that place considered as the center of business affairs and the place where its functions are discharged.

EARNED INCOME — The compensation as required to be reported to or as determined by the Pennsylvania Department of Revenue under Section 303 of the Act of March 4, 1971 (P.L. 6, No. 2), known as the "Tax Reform Code of 1971," and rules and regulations promulgated under that section. For purposes of earned income, employee business expenses are allowable deductions as determined under Article III of the Tax Reform Code of 1971. The term does not include offsets for business losses. The amount of any housing allowance provided to a member of the clergy shall not be taxable as earned income.

EARNED INCOME AND NET PROFITS TAX — The tax levied herein by the municipality on earned income and net profits; also referred to as "tax" herein.

EMPLOYER — A person, business entity or other entity employing one or more persons for a salary, wage, commission or other compensation. The term includes the commonwealth, a political subdivision and an instrumentality or public authority of either. For purposes of penalties hereunder, this term includes a corporate officer.

MUNICIPALITY — A city of the second class, city of the second class A, city of the third class, borough, town, township of the first class or township of the second class. For purposes of this Part 2, such term shall mean Huntington Township, Adams County, Pennsylvania.

NET PROFITS — The net income from the operation of a business, except corporations as required to be reported to or as determined by the Department of Revenue under Section 303 of the Act of March 4, 1971 (P.L. 6, No. 2), known as the "Tax Reform Code of 1971," and rules and regulations promulgated under such section. The term does not include income which is

not paid for services provided and which is in the nature of earnings from an investment. The term shall not include:

A. Any gain on the sale of farm machinery;

B. Any gain on the sale of livestock held 12 months or more for draft, breeding or dairy purposes; and

C. Any gain on the sale of other capital assets of the farm.

NONRESIDENT — A person, partnership, association or other entity domiciled outside of the municipality.

PERSON or INDIVIDUAL — A natural person.

PRECEDING YEAR — The calendar year before the current year.

RESIDENT — A person, partnership, association or other entity domiciled in the municipality.

SUCCEEDING YEAR — The calendar year following the current year.

TAX BUREAU — A public, nonprofit entity established by a tax collection committee for the administration and collection of earned income and net profits tax.

TAX COLLECTION COMMITTEE (herein referred to as "TCC") — The committee established to govern each tax collection district for the purpose of income tax collection. This term shall include a joint tax collection committee.

TAX COLLECTION DISTRICT (herein referred to as "TCD") — The Adams Tax Collection District established under Act 32.

TAX OFFICER — A political subdivision, public employee, tax bureau, county, excluding a county of the first class, or private agency which administers and collects earned income and net profits for one or more tax collection districts. Unless otherwise specifically provided, for purposes of an employer and the obligations of an employer, the term shall mean the tax officer or tax collector for the tax collection district within which the employer is located or, if an employer maintains workplaces in more than one tax collection district, the tax officer for each such tax collection district with respect to employees principally employed therein.

TAXPAYER — A person, partnership, association, business or any other entity required hereunder to file a return of earned income or net profits or to pay a tax thereon.

§ 24-204. Imposition of Tax. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. A tax of 1% for general revenue purposes is hereby imposed on earned income and net profits earned by residents of the municipality.

2. A tax of 1% for general revenue purposes is hereby imposed on earned income and net profits earned by nonresidents, exclusive of domestic servants and Maryland residents.

3. The earned income and net profits tax levied under this Part 2 shall be applicable to earned income received and to net profits earned during the period beginning January 1 of the current year and ending December 31 of the current year or for taxpayer fiscal years beginning in the current year. The earned income and net profits tax shall continue in force on a calendar-year or taxpayer-fiscal-year basis without the need for annual enactment or reenactment, unless the rate of the tax is subsequently changed. For a taxpayer whose fiscal year is not a calendar year, the tax officer shall establish deadlines for filing, reporting and payment of taxes which provide time periods equivalent to those provided for a calendar-year taxpayer.

§ 24-205. Declaration and Payment of Tax. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. Application.

   A. Income taxes shall be applicable to taxable income earned or received based on the method of accounting used by the taxpayer in the period beginning January 1 of the current year and ending December 31 of the current year; except that taxes imposed for the first time and changes to existing tax rates shall become effective on January 1 or July 1, as specified in this Part 2, and the tax shall continue in force on a calendar year or taxpayer-fiscal-year basis, without annual reenactment, unless the rate of the tax is subsequently changed.

   B. For a taxpayer whose fiscal year is not a calendar year, the tax officer shall establish deadlines for filing, reporting and payment of taxes which provide time periods equivalent to those provided for a calendar-year taxpayer.

2. Partial Domicile. The taxable income subject to tax of a taxpayer who is domiciled in a political subdivision for only a portion of the tax year shall be an amount equal to the taxpayer's taxable income multiplied by a fraction, the numerator of which is the number of calendar months during the tax year that the individual is domiciled in the political subdivision, and the denominator of which is 12. A taxpayer shall include in the numerator any calendar month during which the taxpayer is domiciled for more than 1/2 the calendar month. A day that a taxpayer's domicile changes shall be included

as a day the individual is in the new domicile and not the old domicile. If the number of days in the calendar month in which the individual lived in the old and new domiciles is equal, the calendar month shall be included in calculating the number of months in the new domicile.

3. Declaration and Payment. Except as provided in Subsection 1B, taxpayers shall declare and pay income taxes as follows:

A. Every taxpayer shall, on or before April 15 of the succeeding year, make and file with the resident tax officer a final return showing the amount of taxable income received during the period beginning January 1 of the current year and ending December 31 of the current year, the total amount of tax due on the taxable income, the amount of tax paid, the amount of tax that has been withheld under § 207 below and the balance of tax due. All amounts reported shall be rounded to the nearest whole dollar. At the time of filing the final return, the taxpayer shall pay the tax officer the balance of the tax due or shall make demand for a refund or credit in the case of overpayment.

B. Every taxpayer making net profits shall, by April 15 of the current year, make and file with the tax officer a declaration of the taxpayer's estimated net profits during the period beginning January 1 and ending December 31 of the current year and shall pay to the tax officer in four equal quarterly installments the tax due on the estimated net profits. The first installment shall be paid at the time of filing the declaration, and the other installments shall be paid on or before June 15 of the current year, September 15 of the current year and January 15 of the succeeding year, respectively.

C. Any taxpayer who first anticipates any net profits after April 15 of the current year shall make and file the declaration required on or before June 15 of the current year, September 15 of the current year or December 31 of the current year, whichever date next follows the date on which the taxpayer first anticipates such net profits, and shall pay to the tax officer in equal installments the tax due on or before the quarterly payment dates that remain after the filing of the declaration.

D. Every taxpayer shall, on or before April 15 of the succeeding year, make and file with the tax officer a final return showing the amount of net profits earned or received based on the method of accounting used by the taxpayer during the period beginning January 1 of the current year and ending December 31 of the current year, the total amount of tax due on the net profits and the total amount of tax paid. At the time of filing the final return, the taxpayer shall pay to the tax officer the balance of tax due or shall make demand for a refund or credit in the case of overpayment. Any taxpayer may, in lieu of paying the fourth quarterly installment of the estimated tax, elect to make

and file with the tax officer, on or before January 31 of the succeeding year, the final return.

E. The Department, in consultation with the Department of Revenue, shall provide by regulation for the filing of adjusted declarations of estimated net profits and for the payment of the estimated tax in cases where a taxpayer who has filed the declaration required under this subsection anticipates additional net profits not previously declared or has overestimated anticipated net profits.

F. Every taxpayer who discontinues business prior to December 31 of the current year shall, within 30 days after the discontinuance of business, file a final return as required under this Part 2 and pay the tax due.

G. Every taxpayer who receives any other taxable income not subject to withholding under Section 512(3) of the Act shall make and file with the resident tax officer a quarterly return on or before April 15 of the current year, June 15 of the current year, September 15 of the current year, and January 15 of the succeeding year, setting forth the aggregate amount of taxable income not subject to withholding by the taxpayer during the three-month periods ending March 31 of the current year, June 30 of the current year, September 30 of the current year, and December 31 of the current year, respectively, and subject to income tax, together with such other information as the Department may require. Every taxpayer filing a return shall, at the time of filing the return, pay to the tax officer the amount of income tax due. The Department shall establish criteria under which the tax officer may waive the quarterly return and payment of the income tax and permit a taxpayer to file the receipt of taxable income on the taxpayer's annual return and pay the income tax due on or before April 15 of the succeeding year.

H. The TCC may, by regulation, waive the requirements for a quarterly return and payment of income tax under specified circumstances, including those instances where a taxpayer's annual taxable income is less than a specified amount.

§ 24-206. Registration. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the municipality, having imposed a tax on earned income or net profits within its municipal boundaries, who employs one or more persons, other than domestic servants, for a salary, wage commission or other compensation, who has not previously registered, shall, within 15 days after becoming an employer, register with the tax officer or

other designated tax officer his/her or its name and address and such other information as the Department or tax officer may require.

2. Every employer shall require each new employee to complete a certificate of residency form, which form shall be an addendum to the federal employee's withholding allowance certificate (Form W-4 or successor form). An employer shall also require any employee who changes his/her address or domicile to complete a certificate of residency form, which forms are available from the Department or the tax officer upon request. The purpose of said form shall be to help identify the political subdivision where an employee lives and works.

§ 24-207. Filing and Payment of Tax by Employer; Withholding. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. Every employer having an office, factory, workshop, branch, warehouse or other place of business within the municipality imposing a tax on earned income or net profits within the municipality who employs one or more persons, exclusive of domestic servants and Maryland residents, for a salary, wage, commission or other compensation shall deduct at the time of payment thereof the greater of the employee's resident tax or the employee's nonresident tax imposed by this Part 2 on the earned income due to his employee or employees and shall, on or before April 30 of the current year, July 31 of the current year, October 31 of the current year and January 31 of the succeeding year, file a quarterly return and pay to the tax officer the amount of taxes deducted during the preceding quarterly periods ending March 31 of the current year, June 30 of the current year, September 30 of the current year and December 31 of the current year, respectively. Such return, unless otherwise agreed upon between the tax officer and employer, shall show the name and social security number of each such employee, the compensation of such employee during such preceding three-month period, the tax deducted therefrom, the political subdivisions imposing the tax upon such employee, the total compensation of all such employees during such preceding quarterly period, and the total tax deducted therefrom and paid with the return as well as any other information prescribed by the Department or tax officer.

2. Any employer who, for two of the preceding four quarterly periods, has failed to deduct the proper tax or any part thereof or who has failed to pay over the proper amount of tax to the tax officer may be required by the tax officer to file his return and pay the tax monthly. In such cases, payments of tax shall be made to the tax officer on or before the last day of the month succeeding the month for which the tax was withheld.

3. Notwithstanding the provisions of Subsection 1 above, the provisions of this Subsection 3 shall apply if any employer has more than one place of employment in more than one tax collection district. Within 30 days

following the last day of each month, the employer may file the return required by Subsection 1 above and pay the total amount of tax due from employees in all work locations during the preceding month to the tax officer for either the tax collection district in which the employer's payroll operations are located or as determined by the Department. The return and tax deducted shall be filed and paid electronically. The employer must file a notice of intention to file combined returns and make combined payments with the tax officer for each place of employment at least one month prior to filing its first combined return or making its first combined payment. This subsection shall not be construed to change the location of an employee's place of employment for purposes of nonresident tax liability.

4. Every employer shall deduct or withhold from employees, exclusive of domestic servants and Maryland residents, at the following rates:

   A. For resident taxpayers, at the applicable rates imposed by Huntington Township and the Bermudian Springs School District for the resident taxpayer's earned income and net profits.

   B. For nonresident taxpayers, at the rate of no less than 1% of the nonresident taxpayer's earned income and net profits.

5. On or before February 28 of the succeeding year, every employer shall file with the tax officer or other designated tax officer to whom tax has been deducted and remitted as required herein:

   A. An annual return showing the total amount of compensation paid, the total amount of tax deducted, the total amount of tax paid to the tax officer for the period beginning January 1 of the current year and ending December 31 of the current year, and any other information prescribed by the Department.

   B. An individual withholding statement, which may be integrated with the federal wage and tax statement (Form W-2 or successor form), for each employee employed during all or any part of the period beginning January 1 of the current year and ending December 31 of the current year, setting forth the employee's name, address and social security number, the amount of compensation paid to the employee during said period, the amount of tax deducted, the numerical code prescribed by the Department representing the tax collection district where payments required herein were remitted, and any other information required by the Department, and the amount of tax paid to the tax officer. Every employer shall furnish two copies of the individual return to the employee for whom it is filed.

6. Every employer who discontinues business prior to December 31 of the current year shall, within 30 days after the discontinuance of business, file the returns and withholding statements hereinabove required and pay the tax due.

7. Except as otherwise provided for in this Part 2, every employer who willfully or negligently fails or omits to make the deductions required by this section shall be liable for payment of the taxes which the employer is required to withhold to the extent that such taxes have not been recovered from the employee. The failure or omission of any employer to make the deductions required by this section shall not relieve any employee from the payment of the tax or from complying with the requirements of this Part 2 relating to the filing of declarations and returns.

8. No employer shall be required to register, deduct or withhold taxes, file returns or pay taxes with regard to residents of Maryland.

§ 24-208. Powers and Duties of Tax Officer. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. It shall be the duty of the tax officer to collect and receive the taxes, fines and penalties imposed by this Part 2. It shall also be the tax officer's duty to keep a record showing the amount of tax received from each taxpayer paying the tax and the date of such receipt.

2. Each tax officer, before entering upon official duties, shall give and acknowledge a bond to the tax collection committee(s) appointing such tax officer. The bond provided shall be subject to the following:

   A. The tax collection committee(s) shall fix the amount of the bond in an amount equal to the maximum amount of taxes that may be in the possession of the tax officer at any given time or an amount sufficient, in combination with fiscal controls, insurance and other risk management and loss prevention measures used by the tax collection district(s), to secure the financial responsibility of the tax officer in accordance with guidelines adopted by the Department; provided, however, that the bond shall be revised annually by the tax collection committee(s) based upon the annual audit required by the Act.

   B. Each bond shall be joint and several, with one or more corporate sureties, which shall be surety companies authorized to do business in this commonwealth and duly licensed by the Insurance Department of this commonwealth.

   C. Each bond shall be conditioned upon the faithful discharge by the tax officer, his clerks, assistants and appointees, of all trusts confided in him by virtue of his office, upon the faithful execution of all duties required of him by virtue of his office, upon the just and faithful accounting or payment over according to law of all moneys and all balances thereof paid to, received or held by him by virtue of his office and upon the delivery to his successor or successors in office of all books, papers, documents or other official things held in right of his office.

D. Each such bond shall be taken in the name of the tax collection district(s) and shall be for the use of tax collection district(s) appointing the tax officer and for the use of any other political subdivision or tax collection district for whom taxes shall be collected or received hereunder, or as his or her interest shall otherwise appear, in case of a breach of any of the conditions thereof by the acts or neglect of the principal on the bond.

E. The political subdivision or political subdivisions appointing the tax officer or any person may sue upon said bond for the payment and distribution of taxes.

F. Each bond shall contain the name or names of the surety company or companies bound thereon.

G. The tax collection committee(s) appointing the tax officer may, at any time, upon cause shown and due notice to the tax officer and his surety or sureties, require or allow the substitution or the addition of a surety company acceptable to the tax collection committee(s) for the purpose of making the bond sufficient in amount, without releasing the surety first approved from any accrued liability or previous action on such bond.

H. The tax collection committee shall designate the custodian of the bond required to be given by the tax officer.

I. The tax collection committee shall file copies of all bonds in effect with each political subdivision in the tax collection district(s).

3. The tax officer shall comply with all resolutions, policies and procedures adopted by the tax collection committee(s) and shall comply with all regulations adopted by the Department under the Act.

4. The tax officer shall refund, on petition of and proof by the taxpayer, earned income tax paid on the taxpayer's ordinary and necessary business expenses to the extent that such expenses are not paid by the taxpayer's employer.

5. The tax officer and agents designated by him are hereby authorized to examine the books, papers and records of any employer or of any taxpayer or of any person whom the tax officer reasonably believes to be an employer or taxpayer in order to verify the accuracy of any declaration or return or, if no declaration or return was filed, to ascertain the tax due. Every employer and every taxpayer and every person whom the tax officer reasonably believes to be an employer or taxpayer is hereby directed and required to give to the tax officer or to any agent designated by him any means, facilities and opportunity for such examination and investigations as are hereby authorized. Such examination or audits shall be conducted by the tax officer and any agents designated by the tax officer and shall be conducted in accordance with 53 Pa.C.S.A., Chapter 84, Subchapter C (relating to the local taxpayers' bill of rights).

6. Any information gained by the tax officer, his agents or by any other official or agent of the taxing district as a result of any declarations, returns, investigations, hearings or verifications required or authorized by this Part 2 shall be and remain confidential, except for official purposes and except in accordance with a proper judicial order or as otherwise provided by law.

7. The tax officer is authorized to establish different filing, reporting and payment dates for taxpayers whose fiscal years do not coincide with the calendar year, provided that any filing, reporting or payment dates shall provide time periods equivalent to those time periods set forth for taxpayers whose fiscal year coincides with a calendar year.

§ 24-209. Compensation of Tax Officer. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

The tax officer shall receive such compensation for his, her or its services and expenses as shall be determined by the tax collection district(s).

§ 24-210. Suit for Collection of Tax. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. The tax officer may sue in the name of the political subdivision within the tax collection district for the recovery of taxes due and unpaid under this Part 2.

2. Any suit brought to recover the tax imposed by this Part 2 shall be begun within three years after: (a) such tax is due; or (b) the declaration or return has been filed; or (c) a redetermination of compensation or net profits by the Pennsylvania Department of Revenue, whichever date is later; provided, however, that this limitation shall not prevent the institution of a suit for the collection of any tax due or determined to be due in the following cases:

   A. Where no declaration or return was filed by any person although a declaration or return was required to be filed by him under the provisions of this Part 2, there shall be no limitation.

   B. Where an examination of the declaration or return filed by any person or of other evidence relating to such declaration or return in the possession of the tax officer reveals a fraudulent evasion of taxes, there shall be no limitation.

   C. Where any person has deducted taxes under the provisions of this Part 2 and has failed to pay the amounts so deducted to the tax officer or where any person has willfully failed or omitted to make the deductions required by this Part 2, there shall be no limitation.

   D. Where an employer has intentionally failed to make deductions required by this Part 2.

E. In the case of substantial understatement of tax liability of 25% or more and no fraud, suit shall be begun within six years.

3. The tax officer may sue for recovery of an erroneous refund, provided that such suit is begun two years after making such refund, except that the suit may be brought within five years if it appears that any part of the refund was induced by fraud or misrepresentation of material fact.

4. This section shall not be construed to limit the municipality from recovering delinquent taxes by any other means provided by the Act. Further, nothing set forth herein shall be construed to limit a tax officer, a tax collection district or a political subdivision from recovering delinquent taxes by any other means provided by the Act.

§ 24-211. Interest and Penalties. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. Except as may be provided for in Subsection 2 below, in the event that any tax imposed in this Part 2 is not paid when due, interest shall accrue at the same rate a taxpayer is required to pay to the commonwealth as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176), known as the "Fiscal Code," or such successor legislation, on the amount of said tax; and an additional penalty of 1% of the unpaid tax for each month or fraction thereof during which the tax remains unpaid shall be added and collected; but the amount of penalty shall not exceed 15% in the aggregate. Where an action is brought for the recovery of tax, the taxpayer liable for the tax shall, in addition, be liable for the costs of collection, interest and penalties, including but not limited to court costs and attorney's fees.

2. Pursuant to the Act, the Department may establish conditions under which a tax officer, with the concurrence of the tax collection committee(s), may abate interest or penalties that would otherwise be imposed for the nonreporting or underreporting of income tax liabilities or for nonpayment of taxes previously imposed and due if the taxpayer files delinquent returns and pays the tax in full.

3. The provisions of Subsection 2 above shall not affect or terminate any petitions, investigations, prosecutions or other proceedings pending under this Part 2, or prevent the commencement or further prosecution of any proceedings by the appropriate authorities for violations of this Part 2. However, no proceedings shall be commenced on the basis of delinquent returns filed pursuant to § 210 above if the returns are determined to be substantially true and correct and the tax due is paid within the prescribed time.

§ 24-212. Violations and Penalties. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. Any person who fails, neglects or refuses to make any declaration or return required by this Part 2, any employer who fails, neglects or refuses to register or to pay the tax deducted from his employees or fails, neglects or refuses to deduct or withhold the tax from his employees, any person who refuses to permit the tax officer or any agent designated by him to examine his books, records or papers, and any person who knowingly makes any incomplete, false or fraudulent return or attempts to do anything whatsoever to avoid the full disclosure of the amount of his net profits or earned income in order to avoid the payment of the whole or any part of the tax imposed by this Part 2 shall, upon conviction thereof before any District Justice or court of competent jurisdiction in Adams County, be sentenced to pay a fine of not more than $2,500 for each offense, and costs, and, in default of payment of said fine and costs, to be imprisoned for a period not exceeding six months.

2. Any employer who is required under this Part 2 to collect, account for and distribute taxes and who willfully fails to collect or truthfully account for and distribute such tax, commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine not exceeding $25,000 or to imprisonment not exceeding two years, or both.

3. Any person who divulges any information which is confidential under the provisions of this Part 2 shall, upon conviction thereof before any District Justice or court of competent jurisdiction, be sentenced to pay a fine of not more than $2,500 for each offense, and costs, and, in default of payment of said fines and costs, to be imprisoned for a period of not more than one year, or both.

4. The penalties imposed under this section shall be in addition to any other penalty imposed by any other section of this Part 2.

5. The failure of any person to receive or procure forms required for making the declaration or returns required by this Part 2 shall not excuse him or her from making such declaration or return.

6. The municipality hereby approves and adopts the cost of collection schedule, attached hereto and made a part hereof, to be imposed by the designated tax officer for the collection of taxes on earned income and net profits, upon any taxpayer whose taxes are or become delinquent and/or remain due and unpaid; provided, however, that the Tax Collection Committee may approve amendment to said fee schedule by resolution from time to time. Amendments to the collection schedule shall become effective upon adoption by the Tax Collection Committee. The designated tax officer is hereby authorized to retain such costs of collection as set forth in the attached schedule, as may be amended and supplemented from time to time, in recovering delinquent taxes and as permitted to be assessed to delinquent taxpayers pursuant to law.

§ 24-213. Applicability. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

This Part 2 shall not apply to any person or property as to whom or which it is beyond the legal power of the municipality to levy, assess and impose the tax or duties as herein provided.

§ 24-214. Severability. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

The provisions of this Part 2 are severable; and should any of its provisions be determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall not affect or impair any of the remaining provisions of this Part 2. It is hereby declared to be the intention of the Board of Supervisors that this Part 2 would have been adopted if such invalid or unconstitutional provision had not been included.

§ 24-215. Purpose; Effect on Prior Provisions and Actions. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

1. The primary purpose of this Part 2 is to conform the local income tax currently levied on earned income and net profits by the municipality with the Act and to do so within the time frame set forth in the Act.

2. Any prior ordinance levying such tax is hereby amended and restated in its entirety to read as set forth in this Part 2: To the extent that any previous ordinance or portion thereof is inconsistent or conflicts with this Part 2, such ordinance(s) or portion thereof shall be repealed to the extent of such inconsistency and/or conflict. To the extent that any prior ordinance levying such tax is in force immediately prior to enactment of this Part 2, this Part 2 is intended as a continuation of such prior ordinance and not as the enactment of an ordinance imposing a new tax. In the event that this Part 2 or any portion thereof is determined to be unconstitutional or otherwise invalid, the prior ordinance, or portion thereof, levying a similar tax shall remain in full force and effect and shall not be affected by the adoption of this Part 2. Nothing contained herein shall affect, impair or otherwise abrogate any act done or liability incurred, nor shall any provision of this Part 2 affect, impair or preclude any suit or prosecution pending, whether or not currently initiated, to enforce any right, penalty or violation under the authority of any previous ordinance in force prior to adoption of this Part 2.

§ 24-216. Effective Date; Initial Current Year. [Res. 106, 4/8/1971; as amended by Res. 156, 2/11/1988; by Ord. 32, 9/11/1997; by Ord. 2003-02-40, 12/11/2003; by Ord. 2005-03-44, 9/8/2005; and by Ord. 2011-01-57, 11/10/2011]

The effective date of this Part 2 and beginning of the initial current year shall be January 1, 2012.

PART 3

REALTY TRANSFER TAX

§ 24-301. Short Title. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

This Part shall be known as the "Realty Transfer Tax Ordinance" of Huntington Township.

§ 24-302. Authority. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

A realty transfer tax for general revenue purposes is hereby imposed upon the transfer of real estate or interest in real estate situated within the Township, regardless of where the documents making the transfer are made, executed or delivered, or where the actual settlements on such transfer took place, as authorized by Article XI-D, "Local Real Estate Transfer Tax," 72 P.S. § 8101 et seq.

§ 24-303. Definitions. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

ASSOCIATION — A partnership, limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons 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 of real estate, but does not include wills, mortgages, deeds of trust or other instruments of 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 of time exceeding 30 years, or instruments which solely grant, vest or confirm a public utility easement. "Document" shall also include a declaration of acquisition required to be presented for recording under § 202.

FAMILY FARM CORPORATION — A corporation of which at least 75% of its assets are devoted to the business of agriculture and at least 75% of each class of stock of the corporation is continuously owned by members of the same family. The business of agriculture shall not be deemed to include:

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; or

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, 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.

MUNICIPALITY — The Township of Huntington, Adams County, Pennsylvania.

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.

REAL ESTATE

A. All lands, tenements or hereditaments within this Township, including without limitation, buildings, structures, fixtures, mines, minerals, oil, gas, quarries, spaces with or without upper or lower boundaries, trees and other improvements, immovables or interests which by custom, usage or law pass with a conveyance of 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; or,

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; or

B. Any interest in real estate enduring for a fixed period of years but which, either by reason of the length of the term or the grant of a right to extend the term by renewal or otherwise, consist of a group of rights approximating 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 of real estate at arm's length for actual monetary worth, the amount of the actual consideration therefore, 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 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 without consideration or for consideration less than the actual 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 subsections (A) or (B), the actual monetary worth of such interest; or,

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 persons existing before the transfer and not removed thereby or between the grantor, the agent or principal of the grantor of a related corporation, association or partnership and the grantee existing before or effective with the transfer.

§ 24-304. Imposition of Tax; Interest. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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 of deeds 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 Board of Supervisors 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 shall become effective without any action on the part of the Board of Supervisors; provided, however, that the Township and any other political subdivision which impose such tax on the same person or transfer may agree that, instead of limiting their respective rates to 1/2 of 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.

§ 24-305. Exempt Parties. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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.

§ 24-306. Excluded Transactions. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

The tax imposed by § 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 or confirmation in connection with condemnation proceedings, or a reconveyance by the condemning body of the property condemned to the owner of 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 the 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 or division in kind for no or nominal actual consideration of property passed by testate or intestate succession and held by cotenants; however, if any of the parties take shares greater in value than their undivided interest, tax is due on the excess.

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 or 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 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 decedent to the decedent's devisee or heir.

H. A transfer for no or nominal actual consideration to a trustee of 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 subsection.

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 in 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 a grantee of property conveyed by the grantee to that agency or authority as security for a debt 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: (i) 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; and (ii) 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 if 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 1986, (68A 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 is $1 or less.

V. Leases for the production or extraction of coal, oil, natural gas or minerals and assignments thereof. In order to exercise any exclusion provided in this 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.

§ 24-307. Documents Relating to Associations or Corporations and Members, Partners, Stockholders or Shareholders Thereof. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

Except as otherwise provided in § 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 Section, corporations and associations are entities separate from their members, partners, stockholders and shareholders.

§ 24-308. Acquired Company. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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 Tax Declaration of Acquisition may be submitted for this purpose.

§ 24-309. Credits Against Tax. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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 to him 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 a 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, a credit for the amount of the 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.

§ 24-310. Extension of lease. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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.

§ 24-311. Proceeds of Judicial Sale. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

The tax herein imposed shall be fully paid and have priority out of the proceeds of 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.

§ 24-312. Duties of Recorder of Deeds. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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 Township based on a redetermination of the amount of tax due by the Commonwealth of Pennsylvania of the Pennsylvania realty transfer tax, without compensation from the Township.

2. In order to ascertain the amount of the 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 Township.

3. On or before the tenth of each month, the recorder shall pay over to the 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.

4. Upon a redetermination of the amount of realty transfer tax due by the Commonwealth of Pennsylvania, the recorder shall rerecord the deed or record the additional realty transfer tax form only when both the State and local amounts and a rerecording or recording fee has been tendered.

§ 24-313. Statement of Value. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

Every document lodged with or presented to the recorder 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.

§ 24-314. Civil Penalties. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

1. If any part of any underpayment of taxes 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 therefore, 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 an additional 5% for each additional month or fraction thereof during which such failure continues, not exceeding 50% in the aggregate.

§ 24-315. Lien. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

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 the 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 discharged 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 Adams 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.

§ 24-316. Enforcement. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

All taxes imposed by this Part together with interest and penalties prescribed herein, shall be recoverable as other debts of like character are recovered.

§ 24-317. Regulations. [Res. 70, 9/24/1964; as revised by Ord. 32, 9/11/1997]

The Recorder of Deeds of Adams County is charged with enforcement and collection of tax and is empowered to promulgate and enforce reasonable regulations for enforcement and collection of the tax. The regulations which have been promulgated by the Pennsylvania Department of Revenue under 72 P.S. § 8101-C et seq., are incorporated into and made a part of this Part.

PART 4

PROPERTY TAX PENALTY WAIVER

§ 24-401. Compliance Required. [Res. No. 334, 10/13/2022]

The Tax Collector of Huntington Township shall comply with the provisions of Act 57[1] and this Part for tax years beginning on or after January 1, 2023.

§ 24-402. Definitions. [Res. No. 334, 10/13/2022]

The following words and phrases shall have the meanings given to them within this Part unless the context clearly indicates otherwise:

ADDITIONAL CHARGE — Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

QUALIFYING EVENT

1. For the purposes of real property, the date of transfer of ownership.
2. For manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a manufactured or mobile home on a parcel of land not owned by the owner of the manufactured or mobile home. The term does not include the renewal of a lease for the same location.

TAX COLLECTOR — The elected tax collector for Huntington Township, Adams County, any authorized or designated delinquent tax collector, the Adams County Tax Claim Bureau, or any alternative collector of taxes as provided for in the Act of July 7, 1947 (P.L. 1368, No. 542), known as the "Real Estate Tax Sale Law,"[2] an employee, agent or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of, or take any action at law or in equity against the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

§ 24-403. Waiver. [Res. No. 334, 10/13/2022]

1. The Tax Collector shall, for tax years beginning on or after January 1, 2023, grant a request to waive additional charges for real estate taxes if the taxpayer does all of the following:

   A. Provides a waiver request of additional charges, on a form provided by the state Department of Community and Economic Development, to

1. **Editor's Note: See 72 P.S. § 5511.7.**
2. **Editor's Note: See 72 P.S. § 5860.101 et seq.**

the Tax Collector in possession of the claim within 12 months of a qualifying event;

B. Attests that a tax notice was not received; and

C. Provides the Tax Collector in possession of the claim with one of the following:

(1) A copy of the deed showing the date of real property transfer; or

(2) A copy of the title following the acquisition of a mobile or manufactured home subject to taxation as a real estate showing the date of issuance or a copy of an executed lease agreement between the owner of a mobile or manufactured home and the owner of a parcel of land on which the mobile or manufactured home will be situated showing the date the lease commences; and

D. Pays the face value amount of the tax notice for the real estate tax with the waiver request.

CHAPTER 25
TREES

[Reserved to accommodate future enactments]

CHAPTER 26

WATER

PART 1

WELLS

A. General Provisions.

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§ 26-101. Purpose.
§ 26-102. Scope.
§ 26-103. Municipal Liability Disclaimer.
§ 26-104. Repealer.
§ 26-105. Severability.

B. Definitions.

§ 26-110. Interpretation.
§ 26-111. Definitions.

C. Well Standards.

§ 26-120. Well Drilling Permit Required.
§ 26-121. Geothermal Wells.
§ 26-122. Well Depth and Location Standards.
§ 26-123. Environmental Concerns.
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D. Administrative Requirements.

§ 26-130. Drilling Permits.
§ 26-131. Inspections; Reviews.
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E. Violations.

§ 26-140. Violations and Penalties.

F. Effective Date.

§ 26-150. Effective Date.

PART 1

WELLS

A. General Provisions.

§ 26-100. Short Title. [Ord. 2016-02-66, 9/8/2016]

This Part shall be known and may be cited as the "Huntington Township Well Ordinance."

§ 26-101. Purpose. [Ord. 2016-02-66, 9/8/2016]

1. The purpose of this Part is to:

   A. Promote and protect the health and welfare of the residents of Huntington Township by conserving the water supply and protecting the quality, quantity, and suitability of groundwater resources.

   B. Secure and maintain the minimum required isolation distances between individual water supplies and potential sources of contamination.

   C. Set forth standards for the construction of wells and boreholes that are not otherwise regulated.

§ 26-102. Scope. [Ord. 2016-02-66, 9/8/2016]

1. This Part applies to the construction, alteration, and abandonment of all wells and boreholes that penetrate more than 20 feet below grade (hereinafter "wells and/or boreholes"), including, but not limited to, domestic water supply wells, vertical closed-loop geothermal wells and/or boreholes, geotechnical borings, test borings, agricultural wells, irrigation wells, commercial wells, monitoring wells, and industrial wells. The following are exempt from this Part:

   A. Wells and/or boreholes associated with water supply wells for public water systems (defined by DEP as consisting of at least 15 service connections or regularly serving no fewer than 25 individuals daily at least 60 days out of the year).

   B. Horizontal geothermal systems constructed in pits, trenches, ditches, or in horizontal directional borings.

   C. Monitoring wells whose construction and operation is overseen by the DEP.

D. Borings/boreholes, including, but not limited to, shot holes and exploratory borings, at a mining site associated with mining activities whose construction and operation are overseen by the DEP.

E. Utility trenches.

F. Foundations, pilings, and other soil and/or bedrock penetrations which are an integral part of building construction.

G. Normal routine maintenance and minor repairs to keep a well or borehole in good working order.

H. Wells that are completed and fully operational as of the effective date of this Part.

§ 26-103. Municipal Liability Disclaimer. [Ord. 2016-02-66, 9/8/2016]

Approval granted under this Part for a well or boring does not constitute any guarantee or warranty by Huntington Township regarding the quality or quantity of water that may be obtained as a result of any well drilled. No responsibility or liability for the construction of any well or borehole shall be deemed to be placed upon Huntington Township, or its officers, agents, or employees, by virtue of the terms of this Part. The drilling permit solely provides the approval to drill a well or boring at the site shown on the application in compliance with this Part and the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems and does not provide any other guarantees, approval, or warranties to the construction of the well or boring, the success of finding a water source, or future productivity of the well.

§ 26-104. Repealer. [Ord. 2016-02-66, 9/8/2016]

Any other Huntington Township ordinance provision or regulation inconsistent with any of the provisions of this Part is hereby repealed to give this Part full force and effect to the extent of the inconsistency only.

§ 26-105. Severability. [Ord. 2016-02-66, 9/8/2016]

In the event that a court of competent jurisdiction declares any section, clause, or provision of this Part invalid, such decision shall not affect the validity of any of the remaining sections, clauses, or provisions of this Part.

B. Definitions.

§ 26-110. Interpretation. [Ord. 2016-02-66, 9/8/2016]

1. Unless otherwise expressly stated, the succeeding shall, for the purposes of this Part, be interpreted in the following manner:

   A. Words used in the present tense also imply the future tense.

B. Words used in the singular include the plural, and vice versa.

C. Words of masculine gender include feminine gender, and vice versa.

D. The words and abbreviation "includes," "including," "shall include," "such as," and "e.g.," are not limited to the specific example(s) given but are intended to extend the words or words' meaning(s) to all other instances of like kind and character.

E. The words "shall," "required," or "must" are mandatory; the words "may" and "should" are permissive.

§ 26-111. Definitions. [Ord. 2016-02-66, 9/8/2016]

As used in this Part, the following terms shall have the meanings indicated:

ADAMS COUNTY CONSTRUCTION STANDARDS AND MATERIAL SPECIFICATIONS FOR WELLS & GEOTHERMAL SYSTEMS — Those standards and material specifications adopted by the Adams County Conservation District Board of Directors on June 25, 2013, as may be amended from time to time.

ALTERATION — Any action which necessitates entering a well with drilling tools; treating a well to increase yield; altering the physical structure or depth of the well; blasting; removal or replacement of a well casing; or conversion of a well to another use (such as geothermal).

BORING/BOREHOLE — A penetration of soil and/or rock that is augured, drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed, which is generally cylindrical in shape and whose diameter is generally smaller than its depth of penetration.

BUILDING CODE OFFICER — The person designated by Huntington Township to enforce and administer the ordinances and codes of Huntington Township, including, but not limited to, this Part.

CLOSED-LOOP GEOTHERMAL — A type of geothermal heating and/or cooling system that utilizes a pressurized heat exchanger consisting of pipe, a circulating pump, and a water-source heat pump in which the heat transfer fluid is not exposed to the atmosphere. The heat transfer fluid is potable or beneficial reuse water and may have approved antifreeze added.

DCNR — The Pennsylvania Department of Conservation and Natural Resources.

DEP — The Pennsylvania Department of Environmental Protection.

GEOTHERMAL — A system that uses a heat pump to extract heat from the earth in heating mode and/or reject heat into the earth in cooling mode.

GROUNDWATER — Water within the earth below the water table.

OPEN-LOOP GEOTHERMAL — A type of geothermal heating and/or cooling system that utilizes a water-supply well and a water pump to deliver groundwater to a water-source heat pump. The discharge water from the water-source heat pump may be returned to the subsurface through a recharge well or infiltration bed or may be discharged into a pond, lake, or stream. A spring may also be the source of the groundwater supply.

OWNER — Any person vested with sole or partial, legal or equitable ownership of the subject property.

PERSON — Any individual, partnership, company, association, corporation or other group or legal entity.

WATER SUPPLY WELL — Any well that is constructed to remove or return water to the ground.

WELL — Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition or monitoring of groundwater. This includes, but is not limited to, test wells, test borings, monitoring wells, geothermal wells, domestic wells, irrigation wells, or commercial wells.

WELL DRILLER — An individual or company that is permitted or licensed by the Commonwealth of Pennsylvania to drill wells in Pennsylvania.

C. Well Standards.

§ 26-120. Well Drilling Permit Required. [Ord. 2016-02-66, 9/8/2016]

No person, firm, or corporation shall make a penetration of soil and/or rock that is augured, drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed that is regulated by this Part until a drilling permit has been issued.

§ 26-121. Geothermal Wells. [Ord. 2016-02-66, 9/8/2016]

1. All sections and provisions of this Part shall apply to any and/or all phases or processes included in the construction of all wells developed for the purpose of utilization of geothermal resources. This section does not apply to horizontal geothermal as exempted from § 26-102, Subsection 1B, of this Part.

2. Geothermal wells shall only be constructed as part of closed-loop geothermal systems. Open-loop geothermal systems are prohibited.

§ 26-122. Well Depth and Location Standards. [Ord. 2016-02-66, 9/8/2016]

1. Minimum Water Supply Well Depth. The source of supply for a new water supply well shall be from a water-bearing formation drawn from a depth of not less than 20 feet below the ground surface.

2. Water Supply Well Construction in a Floodplain. Wells shall not be located within a one-hundred-year FEMA FIRM floodplain unless the well is fitted with a waterproof and airtight cap.

3. Minimum Setback Distance. Wells and boreholes regulated by this Part shall be located using the minimum setback distances to existing or potential sources of pollution, whether or not on the applicant's or neighboring property, listed in Table 1.

Table 1

Minimum Well and Borehole Setback Distances

Minimum Setback From	Potable Water Supply Wells (feet)	Boreholes (feet)
Lakes, ponds, streams or other surface waters	25	25
Storm drains, retention basins, stabilization ponds or stormwater management facilities	25	25
Preparation area or storage area of hazardous spray materials, fertilizers, chemicals, or salt piles	100	100
Public or on-lot gravity sewer lines and drains carrying domestic sewage or industrial waste	50	10 or according to easement
Existing water and forced sewer buried utilities and/or utility trenches	Outside existing easement or, if no easement exists, no less than 15 feet from the utility or trench center line	
Septic tanks, aerobic tanks or holding tanks	50	25
Subsurface sewage disposal systems, elevated sand mounds, other sewage disposal fields	100	25
Sewage seepage pits, cesspools	100	25
Farm silos, barnyards, privies and fuel tanks	100	25
Rainwater pits, ditches	25	10
Domestic spray irrigation sites, sewage sludge and septage disposal sites	100	25

Table 1
Minimum Well and Borehole Setback Distances

Minimum Setback From	Potable Water Supply Wells (feet)	Boreholes (feet)
Dedicated public right-of-way	20	10
Building foundations (except for buildings enclosing water wells, water well pumps, and/or any other source of pollution as approved)	20	10
Existing well		15

§ 26-123. Environmental Concerns. [Ord. 2016-02-66, 9/8/2016]

During all activities and/or phases related to the construction of any well, including, but not limited to, site preparation, drilling/boring processes, fracturing operations (if needed), and any other completion operations needed to bring the well into service, the well driller shall use environmentally sound practices to contain any and all products or residues resulting from processes required for the well construction, including, but not limited to, soil, rock fragments or pulverized rock, brines, fluids and/or water. The containment measures shall be in accordance and in compliance with all federal, state, local, PADEP, or Adams County Conservation District regulations and/or guidelines.

§ 26-124. Construction Requirements. [Ord. 2016-02-66, 9/8/2016]

All well and borehole construction projects shall be constructed in accordance with the technical standards of the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems.

§ 26-125. Well Abandonment. [Ord. 2016-02-66, 9/8/2016]

Existing wells that are being replaced that are not grouted with approved grout or do not have a sanitary well cap shall be decommissioned or mitigated in accordance with the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems.

D. Administrative Requirements.

§ 26-130. Drilling Permits. [Ord. 2016-02-66, 9/8/2016]

1. Drilling Permit Application. Applications may be completed by the property owner, the property owner's representative, or the well driller contracted by the property owner. The following information shall be included with drilling permit applications:

   A. Application form.

B. Site Layout. A site layout drawn reasonably to scale on letter-size (8.5" x 11") paper, unless a larger sheet is necessary. Electronic submission of the site layout is permitted (optional). The following information is depicted on the layout:

(1) Property lines.

(2) Existing and proposed features.

(3) Proposed well location.

(4) Setback distances: the measurements of the distance from the proposed well to the features referenced in Table 1 of § 26-122, Subsection 3.

C. Waiver(s). If an applicant is requesting a waiver from any of the provisions of § 26-122, the request shall state the grounds and facts of unreasonableness or hardship on which the request is based, the provision(s) of this Part involved, and the minimum waiver necessary. Requests for waivers shall be in writing and shall become a part of the drilling permit application.

D. Fee. The drilling permit application will not be considered complete until the application fee is paid.

2. Municipal Action on Drilling Permit Application.

A. Action on Application. The Code Enforcement Officer shall examine and take action on the drilling permit application and revisions to the application.

B. Action on Waiver(s). The Huntington Township Board of Supervisors may grant a waiver of requirements of one or more provisions of § 26-122 if the literal enforcement will exact undue hardship because of peculiar conditions, provided that such waiver will not be contrary to the public interest and that the purpose and intent of this Part is observed.

(1) The action shall be recorded in the minutes of the Huntington Township Board of Supervisors.

(2) A copy of the action and any conditions of approval of will be transmitted to the applicant and attached to the application.

C. Time Limitation on Municipal Action. A drilling permit shall be approved or denied within 15 days of the filing date of a complete application. Reasons for denial shall be in writing and given to the applicant.

D. Time Limitation on Incomplete Application. An incomplete drilling permit application shall be deemed to have been abandoned after the passage of 180 days after the date of filing, unless such application has been pursued in good faith. The Building Code Officer is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each if there is a justifiable cause to extend the application. The extension shall be requested in writing by the applicant.

E. Revisions to Application. The applicant may submit revisions to a submitted drilling permit application. Where such revision is submitted during the review period established in this § 26-130, Subsection 2, the time limitation shall be reset to the date of the revised submission. Where such revision is submitted for an application that has been formally approved or denied, the revision shall constitute a new submission, subject to all the administrative requirements of Subpart D of this Part.

3. Applicant Responsibilities.

A. Commencement of Work. The applicant may initiate work in accordance with the drilling permit application and the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems after the drilling permit has been issued and the Building Code Officer has conducted the preliminary inspection of the site.

B. Placement of Permit. The drilling permit or copy shall be kept on the site of the work until the completion of the project.

C. Complications. If complications related to drilling or field conditions arise and a new drilling location is required, the Building Code Officer shall be contacted. A revision to the application may be required.

D. Emergency Situations. In situations where there is an urgent need for water (ex., well runs dry or contaminated) and no other source of water is available, the property owner, at his own risk, may have the well drilled without going through the permit process beforehand. However, this provision does not alleviate the responsibility of the property owner to develop the well in accordance with Subpart C of this Part. The property owner, property owner's duly authorized representative, or the well driller is still responsible for obtaining a drilling permit, as described in § 26-130, within 15 business days. New home construction with no prior source of water is not considered an emergency situation.

4. Validity of Drilling Permit. The issuance of a drilling permit shall not be construed to be a permit for, or an approval of, any violation of any provisions of this Part or any other ordinance. The Building Code Officer is

authorized to prevent use of the well or other borehole in violation of this Part or of any other ordinances.

5. Expiration. A drilling permit shall become invalid unless the authorized work is commenced within 180 days after its issuance, or if the work is suspended or abandoned for a period of 180 days after the time the work began. The Building Code Officer is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing by the applicant.

6. Suspension or Revocation. The Building Code Officer is authorized to suspend or revoke a drilling permit wherever the drilling permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this Part, until the error is corrected.

§ 26-131. Inspections; Reviews. [Ord. 2016-02-66, 9/8/2016]

1. The Building Code Officer shall conduct all inspections required by this Part.

2. The issuance of the drilling permit authorizes the Building Code Officer to enter a property during daylight hours for the purpose of conducting an inspection. The presence of the landowner(s), owner's representative or the well driller at the well site is not required to witness the inspection process.

3. Prior to any inspection(s), the site must be clearly staked-out or markers placed to indicate the location of all existing and proposed features that require setback distances on the property or on adjoining properties as found on Table 1 of § 26-122, Subsection 3. The property owner is responsible for identifying the location of any underground feature that requires a setback.

4. A preliminary/preconstruction inspection shall be conducted at the site before any well or borehole drilling is commenced. At this inspection, the following shall be determined:

   A. Consistency of approved site plan to site layout.

   B. Compliance with setback distances as found in Table 1 of § 26-122, Subsection 3.

   C. Consistency with any other conditions placed on drilling permit approval.

5. A final inspection shall be conducted at the site upon the completion of the well drilling and other related processes. This inspection shall include:

   A. A determination of compliance with the issued drilling permit.

   B. A determination of compliance with all sections of this Part and/or all other applicable federal state, county or local regulatory acts.

C. For water supply wells, confirmation that the well complies with § 26-122, Subsections 1 and 2, if applicable.

6. The Building Code Officer reserves the right to inspect the site at any time to determine if the well is in compliance with the drilling permit, the standards within this Part, and to observe the implementation of any of the standards listed in the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems.

§ 26-132. Completion Report. [Ord. 2016-02-66, 9/8/2016]

1. Upon completion of the well, the applicant, the applicant's representative, or the well driller shall submit two copies of DCNR's Water Well Completion Report (Form 8700-FM-TGS0015 or equivalent), as may be amended, to the Building Code Officer and one copy of the report to DCNR. By submitting this report, the well driller certifies that the well has been constructed in accordance with all applicable requirements of this Part and the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems. The Code Enforcement Officer will send a copy of the report to the homeowner (along with a copy of Penn State University's Testing Your Drinking Water fact sheet).

2. Disclaimer. The acceptance of the completion report by the municipality does not in any way constitute a guarantee to the applicant, well driller, or property owner that the subject well will produce any quantity of water, that the quantity of water produced is sufficient for the intended/proposed need(s), that the subject well is pure and fit for consumption, or what mineral or contaminate may be found/dissolved within any water produced, either at the time of the issuance or at any given time in the future.

E. Violations.

§ 26-140. Violations and Penalties. [Ord. 2016-02-66, 9/8/2016]

1. Upon discovery of any violation of this Part, the Huntington Township Board of Supervisors may, at its option, forgo any prosecution hereunder and may grant to the owner a period seven calendar days to comply with the provisions of this Part. Upon failure of the owner to effect such compliance, the Huntington Township Board of Supervisors may initiate prosecution as hereinabove set forth.

2. Any person who violates or permits the violation of this Part, any amendments hereto, or any of the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems adopted pursuant to this Part shall, upon being found liable therefor in an action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal

Procedure, pay the fine set by the Huntington Township Board of Supervisors, plus all costs. The Municipal 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 in summary cases). Violations of this Part shall be punishable by a fine of not less than $100 or more than $1,000. A separate offense shall arise for each day or portion thereof in which a violation is found to exist and/or for each section of this Part, its amendments, or the Adams County Construction Standards and Material Specifications for Wells & Geothermal Systems which has been violated.

3. In addition to any other remedies provided in this Part, any violation thereof shall constitute a nuisance and may be abated or addressed by the Huntington Township Board of Supervisors by either seeking mitigation of the nuisance or by institution of a suit or suits in equity to restrain or prevent violations of the Part by seeking legal relief from a court of competent jurisdiction.

F. Effective Date.

§ 26-150. Effective Date. [Ord. 2016-02-66, 9/8/2016]

This Part (Ordinance No. 2015-02-64) shall become effective on January 1, 2016.

CHAPTER 27

ZONING

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PART 1

GENERAL PROVISIONS

§ 27-101. Short Title. [Ord. 35, 11/11/1999, § 101]

This Chapter shall be known and may be cited as the "Huntington Township Zoning Ordinance."

§ 27-102. Purpose. [Ord. 35, 11/11/1999, § 102]

This Chapter has been prepared in accordance with the Adams County Comprehensive Plan of 1973, with consideration for the character of the Township, its various parts and the suitability of the various parts for the particular uses and structures and 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, civil defense, disaster evacuation, airports and national defense facilities, the provisions 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 the preservation of quality agricultural lands, they being the Township's most important natural resource.

B. To prevent one or more of the following; overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.

§ 27-103. Zoning Hearing Board. [Ord. 35, 11/11/1999, § 103]

In accordance with Article IX of Act 247 of the Commonwealth of Pennsylvania, a Zoning Hearing Board is hereby created and shall have the number of members and such powers and authority as set forth in said Act and this Chapter. The duly established Zoning Hearing Board may, from time to time, be herein referred to as the Board and unless otherwise clearly indicated, the term "Board" shall refer to such Zoning Hearing Board.

§ 27-104. Uses Not Provided For. [Ord. 35, 11/11/1999, § 104]

Any use not specifically permitted in any district of the five districts created by this Chapter shall be allowed by special exception in the district or districts, where, and to the extent that similar uses are permitted or allowed; provided, that said use meets the requirements for a special exception and does not constitute a public or private nuisance.

§ 27-105. County Authority. [Ord. 35, 11/11/1999, § 105]

The Adams County Planning Commission is empowered under §§ 304 and 607 of the Pennsylvania Municipalities Planning Code (Act 247) to submit its recommendations on the proposed adoption, amendment or repeal of any Township Zoning Ordinances or part thereof. Proposals shall be submitted to the Adams County Planning Commission at least 30 days in advance of public hearing.

PART 2

COMMUNITY DEVELOPMENT OBJECTIVES

§ 27-201. Community Development Objectives. [Ord. 35, 11/11/1999, § 201]

1. This Chapter provides a legal basis and framework for future Township development. Its provisions are guided by the policies and proposals contained within the Adams County Comprehensive Plan and include, but are not limited to, the following:

   A. Too ensure that the land uses of the Township are logically situated in relation to one another.

   B. To provide adequate space for each type of development in the Township so as to avoid overcrowding of land.

   C. To provide for the control of development density so that the populace can be serviced adequately by such facilities as the street, school, recreation and utilities system.

   D. To protect existing property by requiring that development afford adequate light, air and privacy for persons living and working within the Township.

   E. To facilitate the efficient movement of traffic.

   F. To secure the preservation and prudent use of natural resources, in particular the preservation and prudent use of agricultural lands.

   G. To strive for a variety in housing types.

   H. To provide for equal opportunities in all facets of Township living.

   I. To strive for coordination between policies, plans and programs in the Township through cooperation among governing officials, community interests groups and the general populace.

   J. To encourage development to occur in the less desirable agricultural lands rather than the more productive agricultural lands.

2. To implement and carry out these foregoing objectives, this Chapter divides the Township into districts by giving special consideration for the present character and the suitability of the land for particular uses and structure. Specific purposes and objectives along with appropriate regulations and safeguards are set forth in the applicable Parts contained herein for each zoning district.

PART 3

GLOSSARY OF ZONING TERMS

§ 27-301. Application and Interpretation. [Ord. 35, 11/11/1999, § 301; as amended by Ord. No. 2021-02-73, 5/13/2021]

The following words are defined in order to facilitate the interpretation of this chapter for administrative purposes and in the carrying out of duties by appropriate officers and by the Zoning Hearing Board. Unless otherwise expressly stated, the following words shall, for the purpose of this chapter, have the meaning herein indicted.

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 word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

F. The term "Board" shall refer to the Zoning Hearing Board. The term "Governing Body" shall refer to the Board of Township Supervisors of the Township of Huntington.

G. The term "Planning Commission" shall refer to the official Planning Commission of Township of Huntington.

H. The terms "Municipality" and "Township" shall refer to the Township of Huntington.

I. The term "Zoning Officer" shall refer to the officer who shall administer this Zoning Ordinance.

§ 27-302. Definition of Terms. [Ord. 35, 11/11/1999, § 302; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. 2013-01-

59, 8/8/2013; and by Ord. No. 2019-01-69, 3/14/2019]; and by Ord. No. 2021-02-73, 5/13/2021]

For the purpose of this chapter, the following words, terms and phrases have the meaning herein indicated:

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

ACCESS DRIVE — An improved cartway designed and constructed to provide for vehicular movement between a public or private road and the off-street parking and/or loading area for any use other than one single-family dwelling unit or farm. "Access drive" shall also include all drainage facilities as may be necessary for the proper construction and maintenance of the roadway and abutting property.

ACCESSORY BREWERY — A conditional use accessory to an agricultural operation where grains or other crops are grown licensed by the Pennsylvania Liquor Control Board (PLCB) as a brewery (G License only) pursuant to 47 P.S. § 4-431 which ferments beer and other malt beverages for consumption. This accessory use shall be limited to the following activities:

1. Delivery, storage, processing, and cooking of grain or other crops at the brewery in batches of no more than 500 gallons per batch;
2. Fermentation of the cooked grain or other crops;
3. Packaging of malt and/or brewed beverages in barrels, growlers, bottles, and kegs;
4. Storage and warehousing of malt and/or brewed beverages in wooden barrels, kegs, holding tanks, and/or other holding devices not to exceed 50,000 gallons.
5. Shipment of malt and/or brewed beverages from the brewery to others;
6. Conducting tours of the brewery and providing, without charge, tasting samples (one tasting sample per person per day) of malt and/or brewed beverages produced on the property.
7. Sales of beer in bottles for consumption off the property;
8. If and when permitted by the Pennsylvania Liquor Code of Pennsylvania Liquor Control Board regulations, sales of beer by the glass for on-premises consumption in no more than a twelve-fluid-ounce container with a limit of no more than four glasses per person per day (a total of 48 fluid ounces per person per day).
9. The foregoing limitations on an accessory brewery shall apply and control even if PLCB or other license or permit permits other activities.

ACCESSORY BUILDING — A detached, subordinate building, the use of which is customarily incidental to that of the principal use and which is located on the same lot as the principal use. For the use of the owner of the property and not intended for business.

ACCESSORY DISTILLERY — A conditional use accessory to an agricultural operation where grains or other crops are grown licensed by the United States Alcohol and Tobacco Tax and Trade Board and by the Pennsylvania Liquor Control Board as a limited distillery (AL License only) pursuant to 47 P.S. §§ 5-505 and 505.4 which ferments and distills alcoholic beverages (for purposes of this definition, "distilled spirits") for consumption. This accessory use shall be limited to the following activities:

1. Delivery, storage, processing and cooking of grain or other crops at the distillery in batches of no more than 500 gallons per batch;
2. Fermentation of mash;
3. Boiling (distillation) or fermented mash;
4. Storage and holding of distilled spirits in tanks;
5. Bottling and packaging of distilled spirits;
6. Storage and warehousing of distilled spirits in wooden barrels, holding tanks, and/or other holding devices not to exceed 50,000 gallons for the purpose of, inter alia, aging the distilled spirits;
7. Shipment and/or delivery of distilled spirits;
8. Conducting tours of the distillery and providing, with or without charge, tasting samples (one tasting sample per person per day) of distilled spirits produced on the property;
9. Sales of distilled spirits produced on the property by the bottle for consumption off the property;
10. Sales of distilled spirits produced on the property by the glass for consumption on the property with no more than 1 1/2 fluid ounces per glass and with a limit of no more than four glasses per person per day (a total of six fluid ounces per person per day);
11. Sales of incidental items permitted (other than distilled spirits) to be offered for sale by regulation of the PLCB;
12. The foregoing limitations on a accessory distillery shall apply and control even if PLCB or other license or permit permits other activities.

ACCESSORY EQUIPMENT — Any equipment serving or being used in conjunction with a wireless telecommunications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinet and storage sheds, shelters or similar structures.

ACCESSORY USE — A use customarily incidental and subordinate to the principal use or building and located on the same lot as the principal use or building.

ACCESSORY WINERY — A conditional use accessory to an agricultural operation where grapes or other crops are grown for the purpose of producing and bottling alcoholic cider, wine and wine coolers (for purposes of this definition, collectively "wine") licensed by the Pennsylvania Liquor Control Board as a limited winery (LK License only) pursuant to 47 P.S. §§ 5-505 and 5-506. Processing includes crushing, fermenting, blending, aging and blending grapes and other crops, storage and bottling of finished wine, and administrative offices and staff for the winery, warehouse, and wholesale sales. This accessory use shall be limited to the following activities:

1. Crushing and fermenting grapes and other crops and blending, and aging of wine;
2. Delivery, storage and processing of fruit and other materials used in winemaking at the winery;
3. Bottling and packaging of wine;
4. Storage and warehousing of wine in wooden barrels, holding tanks, and/or other holding devices for the purpose of, inter alia, aging the wine and storing wine in bottles;
5. Shipment and/or delivery of wine;
6. Conducting tours of the winery and providing, with or without charge, tasting samples of wine (one tasting sample per person per day) produced on the property;
7. Sales of wine by the bottle for consumption off the property;
8. Sales on wine produced on the property by the glass for consumption on the property with no more than five fluid ounces per glass and with a limit of no more than four glasses per person per day (a total of 20 fluid ounces per person per day);
9. Sales of incidental items (other than wine) permitted to be offered for sale by regulation of the PLCB;
10. The foregoing limitations on an accessory winery shall apply and control even if PLCB or other license or permit permits other activities.

ACTIVE PLAY AREA — An area designed and constructed for outdoor recreational use including but not limited to playground equipment such as slides, swings and climbing apparatus.

ADJACENT/ADJOINING — The state of being side by side, next to or abutting one another.

ADULT-ORIENTED BUSINESS — Any of the following, either alone or in combination with any other use.

1. An establishment having as a substantial or significant portion of its stock-in-trade, or in which are displayed or viewed, magazines, periodicals, books, drawings, photographs, videos, paraphernalia, or other materials that are distinguished or characterized by their emphasis on depicting, describing, or displaying sexual activities or conduct or exposed male or female genital areas.

2. An establishment or place of assembly to which the public is permitted or invited.

   A. Which has all or a substantial or significant portion of its stock-in-trade consisting of any of the following items, whether alone or in combination:

      (1) Books, magazines, or other periodicals, as well as films or other forms of audio or visual representation, that are distinguished or characterized by an emphasis on depiction, description, or display of sexual activities or conduct or exposed male or female genital areas;

      (2) Instruments, devices of paraphernalia which are designed primarily for use in connection with sexual or conduct; and/or

   B. Wherein coin- or slug-operated or electronically or mechanically controlled still or motion-picture machines, projectors, or other image-producing devices are maintained to show images, with or without sound, where the images so displayed are distinguished or characterized by an emphasis on depiction, description, or display of sexual activities or conduct or exposed male or female genital areas; and/or

   C. Which features male and/or female entertainers who engage in activities such as topless or bottomless dancing or stripping, or persons whose performance or activities include simulated or actual sex acts; and/or

   D. Which offers its patrons any other retail goods, services, or entertainment which is characterized by an emphasis on matter or activities relating to, depicting, describing or displaying sexual activity or conduct or exposed male or female genital areas.

3. The following specific uses are examples of adult uses, but shall not be considered the only type of adult uses:

   A. ADULT BATHHOUSE — An establishment of business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy, during which specified anatomical areas are displayed or specified sexual activity occurs. This definition shall not apply to hydrotherapy treatment practiced by or under the supervision of a medical practitioner. A "medical practitioner," for the purpose of this

chapter, shall be a medical doctor, physician, chiropractor or similar professional licenses by the Commonwealth of Pennsylvania.

B. ADULT BODY PAINTING STUDIO — Any establishment or business which provides the service of applying paint or other substance, whether transparent or nontransparent, to or on the human body when specified anatomical areas are exposed.

C. ADULT BOOKSTORE — Any establishment which has a substantial or significant portion of its stock-in-trade in:

(1) 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.

(2) Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities.

D. ADULT CABARET — A nightclub, theater, bar or other establishment, which features live or media representations of performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

E. ADULT MASSAGE ESTABLISHMENT — Any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor, professional physical therapist, or massage therapist who is both nationally certified in the therapeutic massage by the National Certification Board for Therapeutic Massage and Bodywork and who is a professional member with active status in good standing of the American Massage Therapy Association.

F. ADULT MINI MOTION-PICTURE THEATER — An enclosed or unenclosed building with a capacity of more than five but less than 50 persons used for presenting any form of audio or visual material and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

G. ADULT MODEL STUDIO — Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn,

painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any figure studio or school or art or similar establishment which meets the requirements established in the Education Code of the Commonwealth of Pennsylvania for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma.

H. ADULT MOTEL — A motel or similar establishment offering public accommodations for any consideration, which provides patrons with material distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

I. ADULT MOTION-PICTURE ARCADE — Any place to which the public is permitted or invited wherein coin- or slug-operated or electronically or mechanically controlled still or motion-picture machine, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

J. ADULT MOTION-PICTURE THEATER — An enclosed or unenclosed building with the capacity of 50 or more persons used for presenting any form of audio or visual material and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

K. ADULT NEWSRACK — Any established or business which provides an outcall service, which consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service, during which time specified anatomical areas are displayed or specified sexual activity occurs.

L. ADULT OUTCALL SERVICE ACTIVITY — Any establishment or business which provides an outcall service, which consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service, during which time specified anatomical areas are displayed or specified sexual activity occurs.

M. ADULT SEXUAL ENCOUNTER CENTER — Any business, agency, or person who, for any form of consideration or gratuity, provides a place where two or more persons, not all members of the same family, may congregate, assemble or

associate for the purpose of engaging in specified sexual activity or exposing specified anatomical areas, excluding psychosexual workshops, operated by a medical practitioner license by the Commonwealth, to engage in sexual therapy.

N. ADULT THEATER — A theater, concert hall, auditorium or other similar establishment either indoor or outdoor in nature, which regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

O. Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

AGRICULTURAL EQUIPMENT SALES AND SERVICE — Activities and services provided should address the needs of those engaged in local farming. The facility should be directed at providing materials and services needed to farm rather than the distribution of goods produced on the farm.

AGRICULTURE — The tilling of the soil, the raising of crops, horticulture, and the keeping or raising of livestock, such as any domestic animal or fowl, any wild animal, or any of a kingdom (animalia) of living beings typically differing from plants in capacity for spontaneous movement and motion in response to stimulation. This definition does not include concentrated animal feeding operations and concentrated animal operations, each as defined herein.

AIRCRAFT — Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into flight through the air.

AIRPORT, AIR STRIP, HELIPORT, OR HELISPOT — Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or navigation facilities or rights-of-way, together with all airport buildings and facilities thereon.

1. PRIVATE AIRPORT — An airport that is privately owned and which is not open or intended to be open to the public, as defined in 74 Pa.C.S.A. § 5102.

2. PUBLIC AIRPORT — An airport that is either publicly or privately owned and that is open to the public, as defined in 74 Pa.C.S.A. § 5102.

ALLEY — 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.

ALTERATION — Any exterior structural addition to a building; any renovation to a building which would change its use; any change or rearrangement in the structural parts of a building, such as bearing walls, columns, beams or girders, joists or rafters, or enclosing walls; the moving of a building from one location or position to another.

ALTERNATIVE ENERGY PRODUCTION FACILITY — Any device installed as an accessory use that supplies energy solely for the principal use of the property that is derived from natural sources (e.g., solar panels, wind turbines, hydro turbines, and similar technologies).

AMBER ALERT — A method of alerting citizens of Pennsylvania when a child has been abducted, developed by the Pennsylvania State Police. The Amber Alert Plan uses the Emergency Alert System (EAS), via the code "CAE" (Child Abduction Emergency), to warn citizens by radio and television when a child abduction has occurred. The emergency alert contains information regarding the victim, the suspect and, if applicable, the suspect's vehicle information. This allows the citizens and the media to assist police by getting the message out immediately and reporting sightings of the child, perpetrator, or any other associated information. Properties with dynamic message signs are required to display Amber Alert information in accordance with § 155-45C(28)(f)[1] of this chapter.

AMENDMENT — A change in use in a district that includes revisions to the zoning text or the official zoning map. The authority for any amendment lies solely with the Township Board or Supervisors.

AMUSEMENT, THEME AND/OR ZOO PARK — A principal use designed and operated for public amusement and education that features a self-contained and secure setting with:

1. Permanent amusement structures, rides, or activities;
2. Venues for cultural, sports, entertainment and educational activities;
3. Cages, habitats and exhibits or domestic and/or exotic animals and plants;
4. Museums, planetariums and other similar exhibits for cultural and educational display; and
5. Accessory comfort and leisure facilities (dining, restrooms, officers, first aid, and other similar activities) for those visiting the park.

ANIMAL CREMATORY — A business establishment where the bodies of dead animals are cremated.

ANIMAL EQUIVALENCY UNIT (AEU) — A standardized measure that enables regulation of density or intensity of animal population upon an area

1. **Editor's Note: So in original.**

of land. One AEU is equivalent to 1,000 pounds of animal(s), including both animals customarily raised as livestock as well as animals kept as pets.

ANIMAL HOSPITAL — Any establishment offering veterinary services. Animal hospitals can treat all types of animals and can include outdoor and overnight boarding of animals. A building used for the treatment, housing or boarding of small domestic animals such as dogs, cats, rabbits, and birds or fowl by a veterinarian.

ANIMAL LABORATORY — Any location or structure where animals, birds or reptiles are bred, raised or maintained for purposes of medical or veterinary research, experimentation, study or for the production of pharmaceutical products.

APARTMENT — Any dwelling unit which is located within a single structure along with at least one other dwelling unit or with a nonresidential use, each have a separate location within such structure.

APARTMENT BUILDING/HOUSE — A building consisting of three or more apartment units.

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 the start of construction or development, including but not limited to an application for a building permit or zoning approval, for the approval of a subdivision plat or plan, or for the approval of a land development plan.

APPOINTING AUTHORITY — The Township Board of Supervisors.

ARCADE — Any business establishment in which there are more than three game machines, as defined in this section, which are available for use by the public or by business invitees, or both.

AREA — The two-dimensional measurement of space between known lines or boundaries.

1. BUILDING AREA — The total area of all buildings (principal and accessory) taken on one or more horizontal planes that are directly between the ground and the sky, exclusion of uncovered porches, awnings, terraces, and steps (e.g., top view).
2. GROSS FLOOR AREA — The sum of the floor areas of a building as measured to the outside surfaces of exterior walls and/or all areas intended for the conduct of a use.
3. GROSS LOT AREA — The total surface area contained within the property lines of a lot, exclusive of exterior public rights-of-way.

4. HABITABLE FLOOR AREA — The sum of the floor areas of a dwelling unit as measured to the outside surfaces of exterior walls and including all rooms used for habitation, such as a living room, dining room, kitchen, basement, bedroom, bathroom, family room, closets, hallways, stairways, and foyers, but not including cellars or attics, service or utility rooms, nor unheated areas such as enclosed porches.

5. LOT AREA — The total surficial area contained within the property lines of a lot, exclusive of public rights-of-way, and public and private streets.

6. MINIMUM LOT AREA — The least amount of land area required to be associated with a principal use as specified within this chapter, except that the following features are expressly excluded:

   A. Street rights-of-way;

   B. Ultimate rights-of-way;

   C. Access easements serving another principal use;

   D. Sanitary sewer and water easements serving another principal use;

   E. Gas pipeline easements and/or rights-of-way;

   F. Land with easements and/or rights-of-way for overhead electric transmission lines 66 kv and greater;

   G. Stormwater management facilities, pipes and/or swales intended to serve another principal use;

   H. Riparian buffers, as may be regulated by this chapter;

   I. Permanent and open bodies of water;

   J. The floodplain zone, as may be delineated by this chapter;

   K. Wetlands, as may be regulated and delineated by this chapter;

   L. Areas that are identified by the PNDI as being necessary for the protection of species of concern, as may be regulated by this chapter; and/or

   M. Slopes of 25% or greater.

7. RETAIL SALES AREA — The total area of use which is devoted to the display of goods and/or services, including aisles, to prospective patrons.

ATTIC — That part of a building which is immediately below and completely or partly within the roof framing. Within a dwelling unit, an attic shall not be counted as floor area unless it is constructed as or modified into habitable room by the inclusion of dormer windows, an average ceiling height of five feet or more, and a permanent stationary interior access stairway to a lower building story.

AUCTION HOUSE — A principal commercial use at which items are imported for public or private sale during a competitive bidding process. This use shall also expressly include a cafeteria or refreshment counter, provided such use is contained completely within an enclosed building and patrons are limited to those participating in the auction. This term shall not include automobile auctions as defined below.

AUTOMOBILE AUCTION — A use whereby passenger vehicles are offered for wholesale and/or retail sales at prearranged sales during a competitive bidding process.

AUTOMOBILE SALES/REPAIR/SERVICE/WASHING/TIRE SALES — The definition includes the following uses:

1. AUTOMOBILE SALES — The display or sale of new and used cars, or other vehicles where mechanical repairs and body work may be conducted as an accessory use incidental to the primary use.
2. AUTOMOBILE REPAIR/SERVICE — The practice of mechanical and/or body repairs, storage, rental servicing, or supplying of gasoline or oil to automobiles, or other motor vehicles.
3. AUTOMOBILE OR GASOLINE SERVICE STATION — The retail sale of gasoline, oil, other fuel, which may include facilities used for servicing automobiles and other vehicles.
4. AUTOMOBILE WASHING (CAR WASH) — The washing and polishing of automobiles and other vehicles including accessory services.
5. TIRE SALES — The sale, service, repair or replacement of tires or other related products.

AUTOMOBILE STORAGE YARD — A use whereby passenger vehicles are stored awaiting transport to a different location.

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.

AVOIDANCE MEASURES — Specific actions that have been identified by one of the Pennsylvania Natural Diversity Inventory (PNDI) jurisdictional agencies that must be fulfilled by an applicant in order to inflict no impact upon a special concern species or resource in the vicinity of the project area.

BANKS AND SIMILAR FINANCIAL INSTITUTION — Principal uses devoted to the receipt, saving, loaning, distribution, investment, and transfer of money and currency.

BASE FLOOD ELEVATION — The computed elevation to which floodwater is anticipated to rise during the base flood. The base flood elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMS) and on flood profiles. The

relationship between the BFE and a structure's elevation determines insurance premium.

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

BED-AND-BREAKFAST/INN ESTABLISHMENT — A single-family detached dwelling where between one and five sleeping accommodations are rented to overnight guests on a daily basis for periods not exceeding two weeks. Breakfast may be offered only to registered overnight guests.

BEEKEEPING — The raising and/or keeping of bees within a man-made enclosure (beehive) for hobby or business uses.

BERM — An earthen mound designed to create a visual and sound barrier between a use and adjoining properties, streets, and adjacent uses.

BILLBOARD — An off-premises sign which directs attention to a product, service, business, or cause.

BLINDING GLARE — Glare that is so intense that, for an appreciable length of time after it has been removed, no object can be seen.

BOARD OF SUPERVISORS — The Board of Supervisors of Huntington Township, Adams County, Pennsylvania.

BOARDER — An individual, other than a member of a family, occupying a dwelling unit or owning a lodging facility who, for compensation, is furnished sleeping accommodations within such dwelling unit or lodging facility and who also may be furnished meals or other domestic services in return for compensation.

BOARDING HOUSE — A building where, for compensation, provisions are made for lodging and meals for at least two but not more than 12 persons, either transient or permanent residents. This definition includes rooming houses and lodging houses.

BOARDING SCHOOL OR COLLEGE — Comprehensive educational institution providing housing and dining accommodation, recreational facilities and health services for students, in addition to educational facilities, which is owned and/or operated as a single management and maintenance unit with common open space, parking, utilities, maintenance and service facilities and services.

BUFFER — An area to be used as means of limiting the effects created by a use on adjoining properties, streets and uses, including but not limited to screening, fencing and use of berms.

BUILDING — Any structure, either open or enclosed, within exterior walls or fire walls, erected and framed of component structural parts having a roof supported by columns, piers or walls, designed for the housing, shelter, enclosure or support of individuals, animals or property of any kind and occupying more than 180 square feet of area. Porches and carports shall be considered a part of the building.

1. DETACHED — A building which has no party wall.
2. SEMIDETACHED — A building which has only one party wall.
3. ATTACHED — A building which has two or more party walls in common.

BUILDING COVERAGE — The percentage of a lot covered by buildings or structures; the footprint of the building or structure.

BUILDING HEIGHT — A vertical distance measured from the mean 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 lines of mansard roofs and to the mean height between eaves and ridge for gable, hip or gambrel roofs.

BUILDING LINE — A line parallel to the front, side or rear lot line established to provide the required yard and building setback.

BUILDING PERMIT — Any permit required by this or other Township ordinances for the construction, alteration or razing of any structure.

BUILDING SETBACK LINE — A line which designates the minimum distance between any building and the adjacent street right-of-way property line, whichever is closer. This line shall be measured horizontally from a point or points formed by the intersection of a vertical building wall with the ground (or in the case of cantilevered building, at the vertical plane which coincides with the most projected surface), to the street right-of-way or property line, whichever is closer. This line shall include patios, sun parlors, and covered porches, whether enclosed or not, but does not include steps.

1. FRONT YARD BUILDING SETBACK LINE — The line parallel to the public or private street right-of-way line at a distance equal to the minimum depth of the front yard designated for each district in this chapter. Commonly called "required front yard." All yards adjacent to a public or private street right-of-way shall be considered front yards.
2. SIDE YARD BUILDING SETBACK LINE — The line parallel to the side lot line and equal to the minimum depth of the side yard designated for each district in this chapter. Commonly called "required side yard."
3. REAR YARD BUILDING SETBACK LINE — The line parallel to the rear lot line and equal to the minimum depth of the rear yard designated for each district in this chapter. Commonly called "required rear yard."

BUILDING, FARM — A building for agricultural uses, namely barns, poultry houses, corn cribs, silos and other similar wheeled structures.

BUILDING, PRINCIPAL — The primary building located on a lot or tract, not an accessory building, if a dwelling is located on a lot or tract, the dwelling is the principal building; otherwise, the most valuable building on the tract of lot is the principal building.

BUSINESS — Any enterprise, occupation, trade or profession engaged in, either continuously or temporarily, for remuneration or gain or the occupancy of use of a building or premise or any portion thereof for the transaction of business or the rendering or receiving of professional services.

BUTCHER SHOP — A shop for butchering animals for commercial or retail purpose. State and federal regulations must be met.

CAFE — An accessory use to a restaurant and/or a drive-through/fast-food restaurant that is devoted to the outdoor seating of up to 40 patrons.

CAMPGROUND — Any park, tourist park, tourist camp, court, site or lot, parcel or tract of land upon which one or more cottages or cabins are located and maintained for the accommodations of transient by the day, week or month or upon which tents, recreational vehicles or other temporary accommodations may be placed by transient occupants. It shall not include mobile home parks.

CAR WASH — A commercial use devoted to cleaning the exterior, and sometimes the interior, of automobiles and other passenger vehicles. There are several types of car washes, ranging from self-service coin-operated automatic car washes to fee-based full-service operations.

CARPORT — A roofed structure open on two or more sides and used in conjunction with a dwelling for the storage of motor vehicles.

CARTWAY — The portion of a street or alley intended for vehicular use.

CATERER, BAKER AND CONFECTIONER — A retail commercial use devoted to the preparation, packaging and/or delivery of prepared foods for consumption at another location. This use shall also expressly include the retail sales of those goods produced on the site; however, no seating for on-site consumption shall be permitted.

CEMETERY — Lands and/or facilities used, or intended to be used, for the burial of the deceased, including columbariums, crematoria, mausoleums, and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof. This definition shall also include facilities for the burial of domestic pets.

CENTRALIZED SEWAGE SYSTEM — A public or private utility system designed to transmit waste water from multiple users to a common in compliance with Pennsylvania Department of Environmental Protection regulations.

CENTRALIZED WATER SYSTEM — A public or private utility system designed to transmit potable water from a common source to multiple users in compliance with Pennsylvania Department of Environmental Protection regulations.

CERTIFICATE OF USE AND OCCUPANCY — A statement, signed by the Zoning Officer, verifying that a building structure complies with this chapter and may be lawfully employed for its intended use.

CHANGE OF USE — An alteration of a building, structure or land by change of use, theretofore existing, to a new use group which imposed other special provisions of law governing building construction, equipment, exits or zoning regulations.

CHANNEL — A natural or artificial watercourse with a definite bed and banks that confine and conduct continuously or periodically flowing water.

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

CHURCH AND RELATED USE — A building, structure or group of buildings or structures, including accessory uses, designed, intended or used for public worship. This definition shall include temples, rectories, chapels, convents, cathedrals, parish houses, synagogues and church-related educational facilities. Use as a residence is not permitted except as a rectory for one family or as a convent or monastery.

CISTERN — An underground reservoir or tank for storing rainwater.

CLEAR SIGHT TRIANGLE — An area of unobstructed vision at street intersections defined by the center lines of the streets and by a line of sight between points on their center lines at a predetermined distance from the intersection of the center lines, measured at 3 1/2 feet in height.

CLUB, CLUBHOUSE OR LODGE, PRIVATE — A building, structure, or part thereof, used to house an organization catering exclusively to members and their guests or premises or buildings for social, recreational and administrative purposes which are not conducted for profit, provided there are not conducted any vending stand, merchandising or commercial activities except as required for the membership or fund-raising of such club. Clubs shall include, but are not limited to, service and political organizations, labor unions, as well as social and athletic clubs. This does not include "night clubs."

CLUSTER DEVELOPMENT — A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open spaces and/or preservation of environmentally sensitive areas.

COMMERCIAL SPORTS FACILITY — A commercial sports and recreation facility that is operated for profit but open to the public, including, but not limited to, rock climbing walls; courts for sports such as volleyball, basketball, tennis, etc.; fields for sports such as football, baseball, soccer, field hockey, lacrosse, etc.; health and fitness equipment; and other indoor and outdoor passive and active recreation and sports facilities and uses accessory to or subordinate to the primary use as a commercial sports facility. This definition shall not include motorized sports facilities housing activities such as go carts, motocross, or similar activities.

COMMERCIAL TRUCK AND SCHOOL BUS — A motor vehicle that is associated with a business and/or exceeds the limitations of a personal motor vehicle as defined herein.

COMMON PARKING AREA — A parking facility serving multiple uses or properties.

COMMON WALL — A wall separating two units of occupancy.

COMMUNICATION TOWER AND ANTENNA — Telecommunications equipment that transmits and receives electromagnetic radio signals use in the provision of all types of wireless telecommunications services. (Act 191 or 2012 only)

1. CO-LOCATED COMMUNICATIONS ANTENNA — Any device that is attached to an existing structure and used for the transmission or reception of wireless communications signals for ultimate reception by a radio, television, wireless telephone, pager, commercial mobile radio service, or any similar device.
2. COMMUNICATIONS ANTENNA — A device operated for profit and used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based structures or objects.
3. COMMUNICATIONS ANTENNA SITE — A tract or parcel of land that contains a commercial communications antenna, its support structure, accessory buildings and parking and may include other uses associated with an ancillary to its operation.
4. COMMUNICATION TOWER — A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennae.
5. EQUIPMENT COMPOUND — An area surrounding or adjacent to a wireless support structure within which base stations, power supplies or accessory equipment are located.

COMMUNITY CENTER — A building or portion of a building used as a gathering place by local residents and/or the general public.

COMPOSTING — The conversion of organic matter, such as yard waste, into fertilizer.

COMPREHENSIVE PLAN — The latest adopted version of the Huntington Township Comprehensive Plan, including any freestanding supplemental documents, as may be amended.

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) — CAOs with greater than 300 AEUs, any agricultural operation with greater than 1,000 AEUs, or any agricultural operation defined as a large CAO under 40 CFR 122.23(b)(4).

CONCENTRATED ANIMAL OPERATION (CAO) — An agriculture operation with eight or more animal equivalent units (AEUs) where the animal density exceed two AEUs per acre on an annualized basis.

CONDITIONAL USE — A use which is expressly permitted in a given zone so long as the conditions detailed in this chapter are found to exist. Conditions may be placed by the Board of Supervisors after recommendations by the Township Planning Commission.

CONDOMINIUM — A form of property ownership providing for individual ownership of a specific dwelling unit, or other place, not necessarily on ground level, together with an undivided interest in the land or other parts of the structure in common with other owners.

CONFERENCE AND RESORT CENTER — A facility which provides a range of lodging facilities, meeting rooms, restaurant facilities and recreational facilities including, but not limited to, swimming pools, golf courses, health club facilities and similar amenities for overnight guests or persons who attend meetings during the business day.

CONSERVATION DISTRICT — The Adams County Conservation District.

CONSERVATION MEASURE — A specific action that has been identified by one of the Pennsylvania Natural Diversity Inventory (PNDI) jurisdictional agencies that can minimize impact upon a special concern species or resource in the vicinity of the project area.

CONSERVATION PLAN — A plan, including a map(s) and narrative, that, at a minimum, describes and outlines an erosion and sedimentation control plan for an identified parcel of land.

CONSTRUCTION — The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of manufactured homes.

CONVENIENCE STORE — A retail sales business which specializes in providing household products and foods. Convenience stores shall include the dispensing of gasoline or other vehicle fuels. Convenience stores may also provide for any of the following as an accessory use:

1. Rental of DVDs; provided, however, that an adult bookstore is specifically prohibited.
2. Preparation and sales of delicatessen sandwiches and foods.
3. Use of no more than two amusement devices (e.g., pinball machines, video games and other similar devices).

CONVERSION — To change or adapt improve property to a use, occupancy, or purpose other than what existed on the effective date of this chapter, provided that all regulations and codes are met.

CONVERSION, TWO-FAMILY — The conversion of an existing single-family detached dwelling to contain two separate dwelling units.

COUNTY — Adams County, Pennsylvania.

COUNTY PLANNING COMMISSION — The Adams County Planning Commission.

COURTYARD — An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

COVERAGE — The percentage of the lot or lot area covered by the area of all buildings and structures thereon or the area of all impervious material.

CROP, LIVESTOCK AND LIVESTOCK PRODUCT — See "agriculture."

CULVERT — A structure, with appurtenant works, which carries a stream under or through an embankment or fill.

CURB LEVEL — The officially established grade of the curb in front of the mid-point of the lot.

DAIRY — A commercial establishment for the manufacture or processing of dairy products.

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

DAY-CARE FACILITY — A day-care facility with four or more unrelated children or adults requires a license from the Pennsylvania Department of Human Services and must meet their requirements.

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.

DECK or PATIO — A platform which is not covered by a roof or permanent awning and is designed, intended or used for outdoor living purposes as an accessory use to a structure.

DENSITY — The number of dwelling units per acre of land.

DEP — The Pennsylvania Department of Environmental Protection or any agency successor thereto.

DESIGN STORM — A design storm is a storm that has a one-percent chance of reoccurring within a 100 years. It is a statistical twenty-four-hour rainfall amount for a particular return period. The trend is to defer to NOAA for the rainfall amounts at this link https://nws.noaa.gov/hdsc/pfds.

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

DETENTION DISTRICT — Those subareas in which some type of detention is required to meet the plan requirements and the goals of Act 167.

DEVELOPER — Any person, association, partnership or corporation or his, their or its authorized agent for whom subdivision or land development plans are being, or have been, made or who proposes to construct or begins construction of a road.

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.

DEVELOPMENT SITE — The specific tract of land for which a regulated activity is proposed.

DISTRICT — A zoning district as laid out on the zoning map, along with the regulations pertaining thereto.

DOMESTIC PET — The noncommercial keeping of nonfarm animals that are locally available for purchase as pets as an accessory use to a primary residential use. "Domestic pets" shall not include any species identified at "exotic animals" and "livestock," both as defined herein, nor any animal species that, in the opinion of the Zoning Officer, poses a threat to the health, safety and/or welfare of the community. Domestic pets that live in the house must be fed, watered, receive adequate veterinary care and their droppings must be disposed of in a sanitary manner so as not to pose a hazard to human health and safety.

DOUBLE FRONTAGE LOT — A lot with front and rear street frontage.

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 pipe flow from the site would be directed towards it.

DRAINAGE CONVEYANCE FACILITY — A stormwater management facility designed to transmit 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 purposes.

DRAINAGE PERMIT — A permit issued by the Township governing body after the drainage plan has been approved. Said permit is issued prior to or with the final Township approval.

DRAINAGE PLAN — The documentation of the stormwater management system, if any, to be used for a given development site, the contents of which are established in § 112.[2]

DRIVE-IN THEATER — A cinema structure consisting of a large outdoor movie screen, a projection booth, and a large parking area.

DRIVE-THROUGH SERVICE ESTABLISHMENT OR FACILITY — An establishment or activity where patrons are provided with professional or personal services for consumption or use outside of the confines of the principal building or in or on vehicles parked upon the premises, regardless of whether seats or similar accommodations are otherwise provided.

DRIVEWAY — The vehicular method of entrance or egress to a single-family dwelling unit.

DRY CLEANER, LAUNDRY AND LAUNDROMAT — A principal retail use at which patrons can either perform self-service dry cleaning, washing and drying of personal clothing and/or other fabric articles, or drop-off facilities

2. **Editor's Note: So in original.**

for such service. This use shall not include accessory laundry services associated with lodging facilities and/or institutional uses.

DWELLING — A building or portion thereof designed for and used exclusively for residential occupancy including those listed below, but not including hospitals, hotels, boarding, rooming and lodging houses, institutional houses, tourist courts and the like, offering overnight accommodations for guests or patients. Dwellings may include prefabricated units which are capable of being transported to a site in whole or in part, provided there is at grade a minimum of 1,000 square feet of floor space per dwelling unit and the unit is permanently affixed to the ground by means of a hard surfaced foundation that will not heave, shift, or settle unevenly because of frost action, inadequate drainage, vibration or other forces acting on the superstructure.

1. DWELLING, DETACHED — A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.
2. DWELLING DUPLEX — See "dwelling, semi-detached."
3. DWELLING, MULTIFAMILY (MULTIPLE FAMILY) — A detached building (apartment house) or group of attached buildings (townhouse/ row) design for or used exclusively for residence purposes by more than two families.
4. DWELLING, ONE-FAMILY — See "dwelling, single-family."
5. DWELLING, SEMIDETACHED — A building arranged or designed to house two or more dwelling units, separated from each other by a vertical party wall, without openings, extending, from the cellar floor to the highest point of the roof and separated from any other building or structures by space on all sides. Each half of the building shall be located on separate, abutting lots, with the vertical party wall located on the dividing lot line.
6. DWELLING, SINGLE-FAMILY — A dwelling unit accommodating a single-family and having two side yards.
7. DWELLING, SINGLE-FAMILY, ATTACHED (TOWNHOUSE OR ROW HOUSE) — A building use by one family and having two party walls in common with other dwellings, except in the case of an end-of-row unit which only has one side wall which is a party or lot-line wall.
8. DWELLING, SINGLE-FAMILY, DETACHED — A dwelling on a single lot designed and occupied exclusively as a residence for one family, including an individual mobile home not located in a mobile home park.
9. DWELLING, SINGLE-FAMILY SEMIDETACHED — A dwelling containing one dwelling unit which is attached side-by-side to another dwelling unit by the use of a common wall.
10. DWELLING, TOWNHOUSE — See "dwelling, single-family, attached (townhouse or row)."

11. DWELLING, TWO-FAMILY — A building located on one zoning lot containing not more than two dwelling units, arranged one above the other or side by side and not occupied by more than two families, unless the home is serviced by public sewer and water.

12. DWELLING, TWO-FAMILY, ATTACHED — A building used by two families and having two party walls in common with other dwellings, except in the case of an end-of-row unit which only has one side wall which is a party or lot-line wall.

13. DWELLING, TWO-FAMILY, DETACHED (DUPLEX) — A dwelling containing two dwelling units, one of which is located above the other.

14. DWELLING, TWO-FAMILY, SEMIDETACHED — A building used by two families with one dwelling unit arranged over the other having one side yard and one party wall in common with another building.

DWELLING UNIT — A building, or portion thereof, forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating exclusively by one or more individuals living as a single housekeeping unit.

DWELLING UNIT AREA — The minimum or average square footage necessary to constitute a dwelling unit in a multiple dwelling structure.

DYNAMIC MESSAGE DISPLAY — A sign incorporating LCD, LED, plasma, CRT, pixelized lights, other video-like displays or other means of changing messages.

EARTH DISTURBANCE — Any activity, including but not limited to construction, mining, timber harvesting and grubbing, which alters, disturbs, and exposes the existing land surface.

EARTHMOVING ACTIVITY — Any construction or other activity which disturbs the surface of the land, including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth. For the purposes of this chapter, this definition shall not include the tilling of the soils and cultivation associated with the growing of crops.

EASEMENT — A right-of-way granted for limited use of land for public or quasi-public purpose.

ECHO HOUSING — A temporary dwelling unit placed on a property with another single-family detached dwelling for occupancy by either an elderly, handicapped, or disabled person(s) related by blood, marriage, or adoption to the occupants of the principal dwelling or their caregiving family members.

EQUESTRIAN CENTER — See "riding school, riding club, horse boarding stable, or equestrian center."

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

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

ESSENTIAL SERVICE — The erection, construction, alteration or maintenance, by public utilities after PUC approval, or other governmental agencies or private corporations under contract to the Township of gas, electrical, telephone, steam or water transmission or distribution systems and sewage disposal systems, including buildings, enclosures, well, pumping stations, storage facilities, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic light signals, hydrants and other similar equipment and accessories and services in connection therewith, reasonably necessary for the furnishing or adequate service by such public utilities or other agencies or private corporations under contract to a municipality, including buildings for fire companies and emergency services under agreement with the Township or for the public health or safety or general welfare.

ESTABLISHMENT — Any privately owned place of business carried on for profit, any place of amusement or entertainment to which the public is invited and any similar place.

EXOTIC ANIMAL — All bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves and any crossbreed of these animals which have similar characteristics in appearance or features. This definition is applicable whether or not the birds or animals were bred or reared in captivity or imported from another state or nation.

EXPLOSIVE OR BLACK POWDER STORAGE, LOW AND HIGH EXPLOSIVES — Explosives and fireworks in excess of 50 pounds are regulated by the Pennsylvania Department of Agriculture and must be stored in an approved facility that must meet all state and federal requirements and meet all required setbacks.

FAMILY — For the purposes of this chapter, a family shall be defined as follows:

1. One or more person related by blood (within and including the degree of first cousin), marriage or adoption, including foster children, living together in a single housekeeping unit and sharing all of the facilities of that unit in common.

2. No more than two unrelated persons, persons related to either or both of them by blood (within and including the degree of first cousin) or adoption and including foster children; provided, however, that they live together in a single housekeeping unit and share all of the facilities of that unit in common.

3. One or more individuals with disabilities, as defined and protected by the Federal Fair Housing Act, as amended, who live together primarily for purpose relating to their disabilities as the functional equivalent of a family in a shared living arrangement licensed or certified by the appropriate county, commonwealth or federal agency.

4. A single individual doing his own cooking and living upon the premises as a separate housekeeping unit or a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage or other domestic bond.

FARM — A parcel of land 10 acres or more which is used in the raising of crops, livestock and livestock products, including necessary dwellings, farm structures and the storage of equipment customarily incidental to the principal use.

FARM STAND — A retail or wholesale outlet for agricultural products produced on the premises with at least 50% local content. The structure if open to the public, must be ADA compliant with proper lighting and exits marked and, if required, all state licenses and permits properly displayed.

FARMWORKER HOUSING — Any structure dedicated to housing farmworkers that meets the standards established by the Pennsylvania Department of Agriculture, passes inspection by that same agency, and has been issued an occupancy permit by Huntington Township.

FENCE — Any structure constructed of wood, metal, wire mesh, or masonry erected for the purpose of screening one property from another either to assure privacy or protect the property screened. For the purpose of this chapter, a masonry wall is considered to be a fence; also, for the purpose of this chapter, when the term "lot line" is used in relation to fences, it shall be synonymous with "rear yard," "side yard," and "front yard" line(s).

FILL — Material placed or deposited so as to form an embankment or raise the surface elevation of the land including, but not limited to, levees, bulkheads, dikes, jetties, embankments and causeways.

FINISHED GRADE — The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

FLAG LOT — A lot permitted under specific requirements of this chapter whose lot width at its frontage is less than that required at the building setback line.

FLOOD — A general but temporary condition of partial or complete inundation of normally dry land areas from the overflow of watercourse or from the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODPLAIN — An area of land adjacent to the channel of a watercourse which has been or is likely to be flooded from the base flood of any source.

FLOODPROOF(ING) — Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to property, structures and their contents.

FLOODWAY — That portion of the floodplain, including the channel, which is required to convey the one-percent floodwaters.

FLOOR AREA, HABITABLE — The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedrooms, hallways, stairways, bathroom and closets but not including cellars, attics, service rooms, utility rooms nor unheated areas such as enclosed porches, nor room 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 the part of any room where the ceiling height is less than five feet shall not be considered as part of the habitable floor area.

FOOTCANDLE — A unit for measuring illumination equal to the amount of direct light thrown by one standard candle on a surface one foot away.

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

FRUIT PROCESSING OPERATION — An industrial facility where fruits, either grown locally or grown elsewhere, are brought to the facility and are processed, packaged or otherwise prepared for market.

FUNERAL HOME, MORTUARY, AND CREMATORY — A business establishment where the bodies of the dead are prepared for burial or cremation and where funeral services can be held.

GAME MACHINE — A device or game, including but not limited to pinball machines, video games, computer games, electronic games, and similar machines and devices, for which a charge or payment is received for the privilege of playing, using or operating the same and which, as the result of such use, operation or playing, does not entitle the person using, operating or playing the same to receive equivalent value in the form of tangible merchandise. This definition shall not include slot machines, table games, casino games and other gambling devices and activities regulated and/or licensed by the Pennsylvania Gaming Control Board.

GARAGE — An accessory building or that portion of a principal building used for the storage of one or more automobiles and/or other vehicles, accessory or incidental, to the principal use of the premises.

GARAGE, MOVING AND YARD SALE — An occasional and temporary use of a residential lot wherein the occupants of the said lot display and offer personal possessions for sale to the general public.

GARBAGE — All animal and vegetable waste and all putrescent matter.

GEOTHERMAL SYSTEM, CLOSED LOOP — A heating and/or cooling system where a series of pipes are installed in the ground, outside the building, to serve as a heat source, or sink, in providing a closed loop energy transfer back to the home. The circulating fluid is an antifreeze solution that moves through the buried pipes and reduces or increases the temperature of the home with the aid of a heat exchanger where the transfer of heat occurs between the refrigerant and the antifreeze solution. This heat exchanger takes the place of an air-source exchanger in a traditional heat pump or air conditioner.

GLARE — The sensation produced by lighting that causes annoyance, discomfort, or loss in visual performance and visibility to the eye.

GOLF COURSE, DRIVING RANGE, OR PAR 3 — Any tract designed and improved for the playing of golf, including any driving ranges or par three courses.

GOVERNING BODY — The Board of Supervisors of the Township of Huntington, Adams County, Pennsylvania.

GOVERNMENT OR MUNICIPAL BUILDING — A facility operated by a local, state, or federal agency.

GRADE — The natural surface of the ground, lawns, walks or streets adjoining the exterior walls of any building or structure.

GRADE, FINISHED — The completed surface of the ground, lawns, walks or streets adjoining the exterior walls of any building or structure.

GREENHOUSE — An enclosed building or buildings with a total land coverage of an acre of less that is specifically designed and utilized to grow, raise, cultivate and/or sell primarily on-site plants, shrubs, flowers, edible produce, trees or similar products as part of a public, private or commercial use.

GREENHOUSE, COMMERCIAL — A retail or wholesale business operation devoted to the raising and/or selling of trees, ornamental shrubs, flowers, houseplants, edible produce and similar items where the growing operation is conducted indoors in a building or buildings with total land coverage of more than one acre.

GREENHOUSE, HIGH-TUNNEL — A nonpermanent structure, covered with plastic sheeting, erected for a growing season or less to shelter and promote the growth of high-quality fruit trees or fruit-producing bushes.

GROUND COVER — Spreading plants, including sods and grasses less than 12 inches in height at maturity which are used for erosion control.

GROUNDWATER RECHARGE — Replenishment of existing natural underground water supplies.

GROUP FACILITY — Any one of the following group living arrangements.

1. COMMUNITY REHABILITATION FACILITY/HALFWAY HOUSE — Group living quarters for persons who need specialized housing, treatment and/or counseling that provides supervised housing as an alternative to imprisonment including, but not limited to, pre-release, work-release, probationary programs or active criminal rehabilitation or provides treatment/housing for persons convicted of driving under the influence of alcohol.
2. EMERGENCY SHELTER FOR HOMELESS — A structure or part thereof operated by a private corporation as a temporary or transitional shelter for persons who lack fixed, regular and adequate nighttime residences. Rules of conduct, such as curfew, may be established by the shelter operator as a condition of residency; however, residents are in no way incarcerated. Such facility shall be designed to provide shelter for homeless adults and/or children only until permanent living arrangements can be obtained.
3. GROUP CARE FACILITY — An institutional care facility, licensed, registered or certified under an applicable county, commonwealth or federal agency in which 20 or more persons with physical or mental disabilities, including persons recovering from drug and alcohol additions, reside while receiving therapy or counseling for their disability prior to moving into more permanent living arrangements in family dwellings or nursing, convalescent or similar health care facilities.
4. SHELTER FOR ABUSED PERSONS — A temporary group residence operated by a public agency or private corporation which provides a safe and supportive environment for persons who because of actual or threatened physical domestic violence or mental abuse are forced to leave their previous residence. Such facility shall be designed to provide shelter for at-risk adults and/or children only until a safe, permanent living arrangement can be obtained.
5. TEMPORARY SHELTER — A structure or part thereof operated on a nonprofit basis to temporarily house families or individuals who are victims of disaster, who are affected through action on the part of or on behalf of the Township other than routine redevelopment related relocation activities or who have bona fide emergency housing needs.

HAZARDOUS MATERIAL — Materials which are classified by the Environmental Protection Agency, the Pennsylvania Department of Environmental Protection or the Township as having the potential to damage health or impair safety. Hazardous materials include, but are not limited to, inorganic mineral acids or sulphur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, arsenic and their common salts, lead, coal tar acids, such as phenols and cresols and their salts, petroleum products and radioactive material. Also included are floatable materials with the potential to cause physical damage, such as logs, storage tanks and large containers located in the flood-prone areas.

HAZARDOUS WASTE —

1. Any substance classified by the Environmental Protection Agency, the DEP or the Township as having the potential to damage health or impair safety, including garbage, refuse, sludge from an industrial or other wastewater treatment plant, sludge from a water supply treatment plant or air pollution facility and other discarded material, including solid, liquid, semisolid or contained gaseous material result from municipal, commercial, industrial, mining or agricultural operations and from community activities or any combination of the above, 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, exposed of or otherwise managed.

2. "Hazardous waste" shall also include any added components from the Solid Waste Management Act of July 7, 1980, P.L. 380, P.L. 380, No. 97, as amended, in the definition appearing in 35 P.S. § 6018.103.

HAZARDOUS WASTE FACILITY — Any structure, group of structures, aboveground or underground storage tanks or any other area of buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than the normal transportation time through the Township.

HEARING — An administrative proceeding conducted by the board pursuant to sections of the Pennsylvania Municipalities Planning Code.[3]

HEAVY EQUIPMENT SALES, SERVICE AND/OR REPAIR FACILITY — Retail or wholesale or rental of heavy motorized vehicles or equipment, along with incidental service or maintenance such as, but not limited to,

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

construction equipment rental yards, tractor-trailer, semi-trailers, and farm equipment.

HOME IMPROVEMENT AND BIG SUPPLY STORE — A retail store that combines the functions of a hardware store with those of a lumber yard. For example, Home Depot and Lowes.

HOME OCCUPATION AND HOME BUSINESS — Any use customarily conducted entirely within a dwelling or in a building accessory thereto and carried on by the inhabitants residing therein plus not more than two nonresident employees providing that the use is clearly incidental and secondary to the use of the dwelling for residential purposes, the exterior appearance of the structure or premises is constructed and maintained as a residential dwelling and no goods are publicly displayed on the premises to or on the exterior of the premises other than signs as provided herein.

HOME-BASED BUSINESS, LIMITED IMPACT — 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:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventorying of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
5. 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.
6. 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.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business may not involve any illegal activity.

HORTICULTURE — The growing of fruit, vegetables, flowers, ornamental plants or trees for a profit.

HOSPITAL/SURGICAL CENTER — A building or part thereof used for the medical, psychiatric, obstetrical or surgical care on a twenty-four-hour basis. The term "hospital" shall include facilities used for medical research and training for health care professions, general hospital, mental hospitals, tuberculosis hospitals, children's hospitals and any such other facilities which provide in-patient care. The term "hospital" shall not include any facility in which is conducted the housing of the criminally insane or provides treatment for persons actively charged with or serving a sentence after being convicted of a felony. A hospital shall be licensed as such by the Commonwealth of Pennsylvania.

HOTEL/MOTEL — A building consisting of lodging rooms designed or occupied primarily as the temporary place of abode of individuals who are lodged for compensation, with or without meals.

HUNTING FACILITY, SPORTSMEN'S CLUB, AND SHOOTING RANGE — A nonprofit private facility for member use only which may include hunting, target practice, shooting competitions or related activity and which shall not include vending stands, merchandising or a commercial activity except in connection with fund raising for the association. A sportsmen's club shall not be operated in connection with a tavern, restaurant or other public place.

IMPERVIOUS SURFACE — A surface that does not absorb rain, including all buildings, parking areas, driveways, roads, sidewalks, storage areas and areas of concrete and nonporous asphalt and other such areas as shall be determined to be nonporous by the Township Engineer.

INDIVIDUAL ONLOT SEWAGE SYSTEM — Any 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 and any waters of the Commonwealth of Pennsylvania or by means of conveyance to another site for final disposition and which is located upon the lot which it serves.

INDUSTRIAL PARK — A tract of land laid out in accordance with an overall plan for a group of industries, with separate building sites designed and arranged on streets, with utility services, setbacks, side yards, landscaped yards and covenants controlling the architecture and uses.

INTERIOR DRIVE — Any onsite vehicular movement lane(s) that are associated with a use other than a single-family dwelling.

JUNK — Any discarded material or article and shall include, but not be limited to, scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, paper, glass, containers and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

JUNK DEALER — Any person, as hereinafter defined, who shall engage in the business of selling, buying salvaging and dealing in junk and who maintains and operates a junkyard within the Township of Huntington.

JUNKYARD, COMMERCIAL — An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and discarded materials including, but not limited to, waste paper, rags, metal, building materials, house furnishings, glass, motors, machinery, vehicles, or part thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of one or more unlicensed, wrecked, abandoned, junked or disabled vehicles or the major part thereof shall be deemed to constitute a junkyard. (A disabled vehicle is a vehicle intended to be self-propelled that shall not be operable under its own power for any reason or a vehicle that does not have a valid current registration plate or that has a certificate of inspection which is more than 60 days beyond the expiration.) Any lot, parcel, tract, building, structure or part thereof which is used to collect, store or transfer any garbage, municipal, residential or solid waste as defined by the DEP, toxic or hazardous substances shall not be considered a junkyard.

KENNEL — Any lot on which two or more animals are kept, boarded or trained for a fee, whether in special buildings or runways or not, including, but not limited to, dog and cat kennels.

LABORATORY — A use devoted to the conduct of experiments, research and observation associated with scientific study.

LAND DEVELOPMENT — Any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
   A. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively or single nonresidential building on a lot or lots regardless of the number of occupants or tenure.
   B. The division or allocation of land or space, whether initially or cumulative, 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.
   C. Improvements that may affect the character include, but are not limited to, changes that would affect the following items:
      (1) Stormwater management.
      (2) Grading.
      (3) Landscape screening requirements.
      (4) Parking requirements.
      (5) Impervious coverage.
      (6) Potable water consumption.
      (7) Sanitary sewer discharge rate.

(8) Uses regulated by the wellhead protection requirements.

(9) Traffic generation or distribution.

2. A subdivision of land.

3. Land development does not include development which involves:

A. The conversion of an existing single family detached dwelling or single-family semidetached dwelling into not more than two residential units, unless such units are intended to be a condominium or a cooperative.

B. The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building.

C. The addition or conversion or buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purpose of this subsection, 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 the proper authorities.

LAND DISTURBANCE — Any activity involving grading, digging, or filling of ground or stripping of vegetation or any other activity that causes an alteration to the natural condition of the land.

LANDOWNER — The legal or beneficial owner or owners of land, including the holder of any option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee having a remaining term of not less than 40 years or other person having a proprietary interest in land shall be deemed to be a landowner for the purposes of this chapter.

LANDSCAPE AREA — The non-impervious area of a lot which contains, plant matter, tree and/or vegetative ground cover.

LANDSCAPING — Landscaping shall include, but not be limited to, grass and other live plantings such as trees, shrubs and bushes and may also include mulch and/or decorative stone.

LAUNDROMAT — See "dry cleaners, laundry, and laundromat."

LCD — Liquid crystal display.

LED — Light-emitting diode.

LINE, BUILDING SETBACK — The line of a structure or building existing at the effective date of this chapter or the legally established line which determines the location of a future building or structure or portion thereof with respect to any lot line.

LIQUOR (STATE) STORE — A public or private retail outlet for wine and bottled spirits licensed by the Commonwealth of Pennsylvania for the sales of alcoholic beverages.

LIVESTOCK — Any living creature maintained for commercial use or profit, but not maintained as a pet.

LODGING — A room, suite of rooms, or entire home which it occupied not as a principle residence for persons for a period for less than 30 days. For example, Air BNB, VRBO.

LOT — A plot or parcel or land which is, or in the future, may be offered for sale, lease, conveyance, transfer or improvement as one unit, regardless of the method or methods in which title was acquired. It may be vacant, devoted to a certain use, occupied by a structure or occupied by a group of structures that are united by a common interest or use. The area and depth of a lot shall be measured to the legal right-of-way line of the street and all lots shall front on public or private streets.

1. LOT COVERAGE — A percentage of the lot area which may be covered with an impervious surface (e.g., driveways, sidewalks, buildings, parking areas, etc.).
2. LOT OF RECORD — A lot that has been recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania.
3. LOT, AREA — The area contained within the property lines for individual lots of lands, excluding any area within a street right-of-way and excluding the area of any easement.
4. LOT, CORNER — A parcel of land at the junction of an abutting on two or more intersecting streets.
5. LOT, FLAG — A lot whose frontage does not satisfy the minimum widths requirements for the respective zone but that does have sufficient lot width away from the lot's frontage.
6. LOT, INTERIOR — A lot other than a corner lot.

LOT LINE — A line dividing one lot from another or from a street or alley.

1. LOT LINE, FRONT — "Front lot line" shall mean the line separating such lot from any street or other public way. In the case of corner lots, the lot lines of the property adjoining the street or public way shall both be front lot lines.
2. LOT LINE, REAR — "Rear lot line" shall mean that lot line which is opposite and most distant from the front line. In the case of corner lots, the two lot lines opposite the front lot line shall be rear lot lines. The rear lot line of any irregular or triangular lot shall, for the purpose of this chapter, be a line entirely with the lot, 10 feet long.
3. LOT LINE, SIDE — Any lot line that is not a front or rear lot line.

4. LOT, WIDTH — The distances measured between the side lot lines at the required or proposed building setback line. When there is only one side lot line, as in the case of single-family semidetached or some single-family attached dwellings, the lot width shall be measured between the side lot line and the center line of the party wall. For interior single-family attached dwellings, lot width shall be measured between the center line of the party wall. On corner lots, lot width shall be measured between the right-of-way line for the non-address street and directly opposite property line.

LUMINAIRE — A complete lighting unit.

MANUFACTURED HOME OR HOUSE — A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly, contained in one or more sections, built on a permanent chassis, 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 on a permanent foundation. Each manufactured home shall bear a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards. In the Floodplain District, the term includes park trailers, travel trailers and other similar devices which are placed on a site for more than 180 consecutive days.

MANUFACTURING — Production of goods from raw materials by the assembly of constituent parts produced elsewhere, or by a combination of these means, including the final packaging of such goods for sale or shipment. Includes all activities included in the NAIC list of manufacturing activities.

1. INDUSTRIAL USE —

   A. GENERAL MANUFACTURING USE — Manufacturing, processing, fabricating or storage uses which, because of their operations, shipping, storage and other requirements, should not be located in close proximity to residential areas.

   B. LIGHT MANUFACTURING USE — Manufacturing, processing, fabricating or storage uses which are characterized by uses of large sites, and processes that can be compatible with neighboring residential uses.

MANURE — The fecal and urinary defecation of livestock and poultry with additional straw, sawdust or other bedding material.

MANURE STORAGE FACILITY — A structure built to store manure for future use including, but not limited to, underground storage, in-ground storage, trench silos, earthen banks, stacking areas and aboveground storage. Commercial waste storage facilities are those which are owned and operated for profit to provide animal waste storage services to the agricultural community.

MANURE, LIQUID — Manure with sufficient water added to form a mixture containing less than 15% solids. It is stored in a tank, a pit or similar container and removed by means of a pump for spreading.

MAXIMUM FLOOD ELEVATION — The water surface elevations of a flood which would completely fill the floodplain to the boundaries of the Floodplain District.

MEAN SEA LEVEL — The average height of the sea for all stages of the tide, using the National Geodetic Vertical Datum of 2010.

MEDIATION — A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MEDICAL OR DENTAL CENTER, OFFICE, AND CLINIC — A building or part thereof used for medical, psychiatric, obstetrical, dental or surgical care. The term "medical center" shall include facilities similar to general hospitals, mental hospitals, tuberculosis hospitals, children's hospitals and any other such facility which provides care, whether or not on a twenty-four-hour basis, but does not provide services or care for overnight stays. Home offices of health care professionals shall be considered home occupations and shall not be included in this definition.

MESSAGE DISPLAY CYCLE — The unit of time in which one complete message is displayed upon a sign incorporating a dynamic message display.

MINI-STORAGE FACILITIES — A building and/or series of buildings divided into separate storage units for personal property and/or property associated with some business or other organization. These units shall be used solely for storage and no processing, manufacturing, sales, research and development testing, service and repair or other non-storage activities shall be permitted.

MINING — The extraction of minerals from the earth, from waste or stockpiles or from pits or banks which require the removal of over-burden, strata or material overlying above or between minerals or by otherwise exposing or retrieving materials found on the lands. Such activities shall include strip, drift, auger and open-pit mining, quarrying, leaching and box cutting, but shall not include activities carried out beneath the surface of the earth by means of shafts, tunnels or other subterranean mining openings.

MIXED-USE STRUCTURE — A building occupied by more than one use including, but not limited to, specialty retail, commercial, residential and professional office uses.

MOBILE HOME — A transportable, single-family dwelling intended for permanent occupancy, contained in one unit or in two 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. Transport trucks or vans equipped with sleeping space for a driver or drivers and travel trailers are not considered mobile homes under this definition. Mobile homes placed in mobile home parks shall meet the requirements for mobile home parks listed in this chapter. Mobile homes placed on individual lots shall be considered "dwellings" and be bound by the requirements there imposed.

MOBILE HOME LOT — A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections 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 PAD — That part of an individual mobile home space which has been reserved for the placement of a mobile home and appurtenance structures and connections.

MOBILE HOME PARK — A parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of a mobile home and appurtenance structures and connections.

MPC — The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.[4]

MUNICIPAL USE — Any use owned or operated by the Township or an authority created by the Township.

MUNICIPAL WASTE — Municipal waste as defined in the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, as may be amended and supplemented.

NATURAL FEATURE — A component of a landscape existing or maintained as part of the natural environment and having ecologic value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, growth of wildlife, human recreation, reduction of climatic stress or energy costs. Such features include those which, if disturbed, may cause hazards or stress to life, property or the natural environment.

NEW CONSTRUCTION — Structures for which the start of construction commenced on or after the effective date of this chapter.

NOISE — Any sound which annoys or disturbs humans or which causes or tends or may tend to cause an adverse psychological or physiological effect on humans.

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

NONCONFORMING LOT — A lot, 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.

NONCONFORMING SIGN — See "nonconforming structure."

NONCONFORMING STRUCTURE — A structure or part of a structure manifestly not designed to comply with the applicable use provisions of this chapter or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this chapter or amendment or prior to the application of this chapter 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 a structure, which does not comply with the applicable use provision in this chapter or any amendment theretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this chapter or amendment or prior to the application of this chapter or amendments to its location by reason of annexation.

NONCONFORMITY — A use, structure or lot existing on the effective date of this chapter or existing at any subsequent amendment to this chapter or created by variance and in conflict with the regulations of this chapter.

NONRESIDENTIAL USE — Any use other than single or multifamily dwellings. Any institutional use in which persons may reside, such as a dormitory, prison, nursing home or hospital shall also be considered a nonresidential use.

NORMAL FARMING OPERATION — The customary and generally accepted activities, practices and procedures that farmers adopt, use or engage in year after year in the production and preparation for market of crops, livestock and livestock products and in the production and harvesting of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities.

NURSERY AND GARDEN CENTER — A commercial operation devoted to the raising and/or selling of trees, ornamental shrubs, flowers, houseplants, and vegetable plants for transplanting along with related materials, tool and equipment.

NURSING, REST OR RETIREMENT HOME — Facilities designed under one roof to provide housing, boarding and dining for the elderly or infirm with some level of nursing care on a twenty-four-hour basis for five or more persons. This is distinctly differentiated from "retirement community."

OCCUPANCY — The use of a building or lot for a specified purpose.

OFF-LOT SEWER SERVICE — A sanitary sewerage collection system in which sewage is carried from individual lot or dwelling units by a system of pipes to a central treatment and disposal plant which may be publicly or privately owned and operated.

OFFICE — A place where the primary use is conducting the affairs of a business, profession, service or government, including administration, record keeping, clerical work and similar business functions. A office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods or products or the sale or delivery of any materials, goods or products which are physically located on the premises. Office supplies used in the office may be stored as an incidental use. The term "office" shall not include retail or industrial uses.

OFFICIAL ZONING MAP — The map adopted by this chapter.

ON-LOT SEWAGE DISPOSAL SYSTEM — A system of conveyance, treatment and discharge that provides for the safe and healthful disposal of sewage generated by one principal use within the confines of the lot on which the use is located, as approved by the Pennsylvania Department of Environmental Protection.

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. A space unoccupied by buildings or paved surfaces and open to the sky or to living vegetation, which may be on the same lot with the building.

OPERATOR — Any person owning, operating, managing or conducting any establishment. Whenever used in any section prescribing penalty, the word "operator" shall include the members, partners, officers and managers of any firm, association, partnership or corporation.

OUTDOOR RECREATIONAL USE — A use of open land for leisure time activities such as a beach, lake, pond or public swimming pool, tennis court, riding stable or golf course.

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 agent, officer, fiduciary or employee of the owners, the committee, conservator or legal guardian of an owner who is incompetent, a minor otherwise under a disability, trustee, elected or appointed or a person required by law to act as a trustee, other than trustee under a deed of trust to secure the payment of money or 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, sub-lessee or other person who merely has the right to occupy or possess a premises. 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 is authorized under the lease to exercise the rights of the landowner or other person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this chapter.

PARCEL — For purposes of this chapter, a parcel shall mean all contiguous land owned by the same owner or owners at the date of the proposed transfer. Land shall be considered contiguous even though separated by public or private roads and/or by land adversed from the original tract.

PARENT TRACT — When used in determining the permissible number of lots which may be subdivided or dwellings erected in the Agricultural-Conservation District, all contiguous land held in single and separate ownership, regardless of whether:

1. Such land is divided into one or more lots, parcels, purports or tracts.
2. Such land was acquired by the landowner at different times or by different deeds, devise, partition or otherwise.
3. Such land is bisected by public or private streets or rights-of-way which was held by the landowner or his predecessor in title at the adoption of this chapter.

PARK, PRIVATE — A recreational facility owned or operated by a non-public agency and/or conducted as a private gainful business.

PARK, PUBLIC AND/OR NONPROFIT — Those facilities designed and used for recreational purposes by the general public that are owned and operated by a government or governmental agency/authority or area operated on a nonprofit basis. This definition is meant to include the widest range of recreational activities, excluding adult entertainment uses and amusement arcades.

PARKING GARAGE — A building where vehicles may be stored for short-term, daily or overnight off-street parking.

PARKING LOT — An open lot where passenger vehicles may be stored for short-term, daily or overnight off-street parking.

PARKING SPACE — An off-street space available for the parking of a motor vehicle and which in this chapter is held to be an area 10 feet wide and 20 feet long, exclusive of passageways and driveways appurtenant thereto and giving access thereto.

PAVED — A condition of surface in which man-made materials are applied, resulting in a durable, smooth, stable and dust-free surface over which vehicles and pedestrians may pass. This definition shall expressly include asphalt, bituminous, concrete, masonry, permeable, geogrids and other similar materials, provided they are applied with sufficient depth and base to achieve the required durable, smooth, stable and dust-free surface.

PennDOT — The Pennsylvania Department of Transportation.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE — Act 170 of 1988, as amended.[5]

PERMIT, ZONING — A certificate issued by a designed Township official station that the purpose for which a building or land is to be used is in conformity with all requirements of this chapter for the zoning district in which the use is situated.

PERMITTED USE — A use of a lot, parcel, tract, building, structure, sign or part thereof which is permitted as of right in a particular zoning district.

PERSON — An individual, corporation, partnership, association, estate, trust or other legally recognized entity and the officers of such corporation or the members of such partnership or association.

PERSONAL SERVICE ESTABLISHMENT — Commercial establishments providing services, which do not involve retail sales or professional advisory services. The term "personal service establishment" shall include those oriented to serving personal needs, such as barber and beauty shops, shoe repair shops, household appliance repair shops, dry cleaning and laundry pickup, shoe shine parlors and other similar establishments.

PLAN — A drawing submitted as part of the required application for a zoning permit prepared and sealed by a registered professional engineer, architect, landscape architect or surveyor unless the plan is for another purpose.

PLANNED RESIDENTIAL DEVELOPMENT — An area of land, controlled by one developer, to be developed as a single entity for a number of dwelling units which may include limited nonresidential uses accessory thereto, the development plan for which may not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established under the provisions of the Zoning Ordinance.

PLANNED SHOPPING CENTER — A group of retail stores and/or personal service establishments planned and designed to function as a unit and having off-street parking and a landscaping plan as an integral part of the unit.

PLANNING COMMISSION — The Planning Commission of Huntington Township.

PLANTING — The covering of open space with vegetative matter such as grass, trees, shrubs and bushes.

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

PNDI — The Pennsylvania Natural Diversity Inventory.

POULTRY — Domestic fowl including, but not limited to, chickens, turkeys, ducks and geese.

PREMISES — The property upon which the activity is conducted as determined by physical facts rather than property lines. It is the land occupied by the building or other physical uses that are necessary or customarily incident to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses. The following are not considered to be part of the premises on which the activity is conducted and any signs located on such land are to be considered off-premises advertising:

1. Any land which is not used as an integral part of the principal activity, including land which is separated from the activity by a roadway, highway or other obstruction and not used by the activity and extensive undeveloped highway frontage contiguous to the land actually used by a commercial facility, even though it might be under the same ownership.
2. Any land which is used for, or devoted to, a separate purpose unrelated to the advertised activity.
3. Any land which is in closer proximity to the highway than to the principal activity and developed or used only in the area of the sign site or between the sign site and the principal activity and whose purpose is for advertising purposes only. In no event shall a sign site be considered a part of the premises on which the advertised activity is conducted if the site is located on a narrow strip of land which is non-buildable land or is a common or private roadway or is held by easement or other lesser interest than the premises which the activity is located.

PRINCIPAL USE — The main or primary use of property or structures, measured in terms of net floor area.

PROFESSIONAL OCCUPATION — An occupation for gain or support conducted by a member of the medical, dental, architectural, engineering, surveying, veterinary or legal professions.

PUBLIC — Owned, operated or controlled by a government agency, (federal, state or local), including a corporation created by law for the performance of certain specialized governmental functions.

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 on zoning or ordinance-related matters.

PUBLIC PLACE — Any public street, highway, road, alley, park, playground, vacant lot, public building or ground, railway station, bus terminal or similar place.

PUBLIC ROAD — A public right-of-way, including a street, road, lane, alley, court or public space which has been dedicated or deeded to the public or public use and which affords principal means of access to abutting property.

PUBLIC SEWER — A public or private utility system designed to collect, transport and treat sewage from multiple users. Such systems shall comply with the regulations of the DEP, the Public Utility Commission or the Township, as applicable.

PUBLIC SPACE — A plot or area of land outside the building dedicated or devoted to public use by legal mapping or any other lawful procedure.

PUBLIC USE — Includes public and semi-public uses of welfare and educational nature, such as schools, parks, fire stations, municipal buildings and municipal garages and etc.

PUBLIC UTILITY — A use or extension thereof which is operated, owned or maintained by a public utility corporation, municipality or municipal authority or which is privately owned and approved by the Pennsylvania Public Utility Commission for the purpose of providing public sewage disposal and/or treatment, public water supply, storage and/or treatment or for the purpose of providing the transmission of energy, telephone and other communication services, excluding the facilities of any public utility to the extent such facilities are subject to the jurisdiction, power and authority of the Pennsylvania Public Utility Commission under the Public Utility Code, 66 Pa. C.S.A. § 101 et seq. It is the intent of the Township to regulate public utility facilities only to the extent permitted by the Municipalities Planning Code,[6] the Public Utility Code and applicable case laws interpreting these statutes.

PUBLIC WATER — A public or private utility system designed to transmit potable water from a common source to multiple users. Such systems shall be in compliance with the regulations of the DEP, the Public Utility Commission or the Township, as applicable.

PUBLIC, SEMI — Owned, operated or controlled by a private nonprofit organization of a public service nature and duly recognized as such by the Commonwealth of Pennsylvania.

QUARRY — Land used for the purpose of extracting stone, sand, clay, gravel, top soil or other mineral for sale and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

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

RADIOACTIVE MATERIAL — Any natural or artificially produced substance which emits radiation spontaneously.

RECREATION OR ENTERTAINMENT FACILITY — A building or open air facility housing an activity open to the public for the purpose of public recreation or entertainment including, but not limited to, bowling alleys, theaters, drive-in motion picture facilities, swimming pools, health or exercise clubs, museums, shooting ranges, paintball, etc. Recreation or entertainment facilities shall not include adult-related uses, amusement arcades or golf courses as defined herein. Any place, either a single building or a complex of buildings, where people congregate in large numbers, such as professional sports stadiums and arenas, exhibition complexes, assembly halls, convention centers, auditoriums, movie theaters and live performance venues.

RECREATION VEHICLE — Any portable or mobile vehicle used or designed to be used for travel, recreation and/or living purposes and with its wheels, rollers or skids in place. A recreation vehicle shall include trailer, house trailer, camper, sleigh, golf cart, boat, boat trailer, airplane of other similar vehicle providing partial and usually temporary living and sleeping quarters and which may or may not include kitchen and bathroom conveniences.

RECREATION, PRIVATE OR COMMERCIAL — Leisure time activities that are only open to members, guests or some specific groups or that are principally operated for commercial purposes.

RECYCLING OR RESOURCE RECOVERY FACILITY — Any facility which is involved in the recycling of paper, glass and metal products, including the collection and storage of such materials onsite following recycling.

REFUSE — All waste substances, including garbage as well as combustible and noncombustible wastes.

RENTAL, EQUIPMENT AND PARTY SUPPLIES — A service providing machinery, tools, party supplies, etc., for a limited time to consumers.

RESIDENTIAL CLUSTER — A residential development designed in accordance with cluster development design techniques.

RESTAURANT, TAVERN, AND EATING ESTABLISHMENT — Any establishment at which food or drink is sold for consumption on the premises. The term "restaurant" shall not include any snack or community playground, play field, park or swimming pool operated by a government agency or municipal agency for the convenience of the patrons of those facilities. A restaurant serves prepared food primarily on non-disposable tableware, but can provide for incidental carry-out service so long as the area used for carry-out service does not exceed 5% of the total patron seating area nor 80 square feet (whichever is less). Caterers shall be included in this definition.

RETAIL STORE/SALE, OFFICE — A single business enterprise or grouping thereof, which primarily engages in the display and retail sales of consumer goods such as wearing apparel, antiques, books, beverages, confections, drugs, dry goods, flowers, food stuffs, gifts, garden supplies, hardware supplies, household goods, jewelry, paint, periodicals, etc. This term shall not include adult-related facilities as defined herein.

1. Small - Less than 10,000 square feet.
2. Medium - 10,000 square feet to 50,000 square feet.
3. Large - Greater than 50,000 square feet.

RETAINING WALL — A man-made structure used to stably contain land at a location of substantial elevation change.

RETIREMENT OR AGE-RESTRICTED COMMUNITY — A residential development planned and designed for persons over a specified age. Age-restricted communities may include single-family dwellings, townhouses or garden apartments, provided these housing types are permitted in the underlying zoning district. These communities may include a community center, personal service shops, recreation areas and common open areas.

REVERSE FRONTAGE LOT — A lot extending between and having frontage on an arterial or collector street and a local street with vehicular access solely from the latter.

RIDING SCHOOL, RIDING CLUB, or HORSE BOARDING STABLE, or EQUESTRIAN CENTER — A building or group of building along with associated facilities specifically designed for the boarding and training of horses, and to include horse shows, equine clinics, and riding schools.

RIGHT-OF-WAY — Land set aside or designated for public or private streets, roadways, sidewalks, curbs and the installation of public utilities. A right-of-way is also a corridor of publicly owned or leased land for purposes of maintaining primary vehicular and pedestrian access to abutting properties including, but not limited to, roads, streets, highways and sidewalks.

RIGHT-OF-WAY LINE, EXISTING — The line separating a lot from the area designated for a street or utility purpose.

ROAD — Any road, street, avenue, boulevard, highway, freeway, parkway, lane, alley, viaduct and any other way used or intended to be used by vehicular traffic, whether public or private. This definition shall include all roads, whether privately maintained, whether actually maintained by Huntington Township or the State of Pennsylvania as part of its road systems or whether shown on a subdivision and land development plan to be offered or dedicated to Huntington Township in the future as part of its road system.

SALDO — The latest version Subdivision and Land Development, of the Code of the Township of Huntington, as may be amended.[7]

SANITARY LANDFILL — A lot or land or part thereof used primarily for the disposal of garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural and residential activities.

SAWMILL OPERATION — A principal use devoted to the processing of natural wood products into semi-finished products for wholesale distribution.

SCHOOL, EXCEPT PUBLIC — Any place, person, partnership or corporation offering instruction in any branch of knowledge meeting the requirements of the Commonwealth under the supervision or and approved by the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania.

1. COMMERCIAL SCHOOL — A school that may offer a wide range of educational or instructional activities (excluding vocational/ mechanical trade schools as defined below) that may or may not be operated as a gainful business by some person or organization other than the Bermudian Springs School District.
2. PRIVATE SCHOOL — An educational facility not operated by a public agency. The range of curriculums can include all levels of academic instruction, business and technical programs and artistic, dance, baton twirling and musical training. Private educational institutions are principal uses that are neither home occupations nor day-care operations. These uses shall not include vocational and/or mechanical trade schools as defined herein.
3. NURSERY SCHOOL — See "childcare facility."
4. VOCATIONAL/MECHANICAL TRADE SCHOOL — A school that may or may not be operated as a gainful business that principally offers training in any of the following occupations:
    A. Truck driving.
    B. Engine repairs.
    C. Building construction and general contracting.
    D. Woodworking.
    E. Masonry.
    F. Plumbing.
    G. Electrical contracting.
    H. Agriculture and/or horticulture.

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

I. Cosmetology.

J. Other.

SCHOOL, PUBLIC — A school licensed by the Department of Education for the purpose of providing elementary, secondary and adult education and operated by the Bermudian Springs School District.

SERVICES, ESSENTIAL — Uses, not enclosed within a building, necessary for the preservation of the public health and safety including, but not limited to, the erection, construction, alteration or maintenance of, by public utilities or governmental agencies, underground or overhead transmission systems, poles, wires, pipes, cables, fire alarm boxes, hydrants or other similar equipment.

SETBACK LINE — See "building, setback line."

SEWAGE DISPOSAL SYSTEM —

1. COMMUNITY SEWAGE SYSTEM — A sewage facility, whether publicly or privately owned, for the collection of sewage from two or more lots, or two or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one or more of the lots or at another site.
2. COMMUNITY ON-LOT SEWAGE SYSTEM — A system of piping or other facilities serving two or more lots and collecting, treating and disposing of sewage into a soil absorption area or retaining tank located on one or more of the lots or at another site.

SEWAGE ENFORCEMENT OFFICER (SEO) — The Sewage Enforcement Officer of the Township.

SHOPPING CENTER — A group of retail stores, offices and/or service businesses planned and designed for the site on which they are built, functioning as a unit, with off-street parking provided on the property as an integral part of the unit.

SIGN — Any structure, building, wall or other outdoor surface or any device or part thereof which displays or includes any letter, work, model, banner, flag, pennant, insignia, device or other representations used for visual communication, announcement, identification, direction or advertisement of use of land. The word "sign" includes the word "billboard" but does not include the United States flag pennant or insignia of any nation, state, city or other political unit, nor public traffic or directional signs. This definition does not include products displayed in the window displays of commercial establishments. It does, however, include any single multifaced sign affixed to the windows or glass doors or otherwise internally mounted such that it can be seen and understood from vehicular ways and/or parking areas, except any sign mounted within a building which obviously is primarily intended to be seen from within the building.

1. SIGN, ADVERTISING — A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the property on which the sign is located. An advertising sign shall include a commercial billboard.

2. SIGN, AREA OF — The face of a sign, including all lettering, wording, designs and symbols, together with background, whether open or enclosed on which they are displayed, including the frame, but not including any supporting framework or bracing. Where a sign consists of individual letters, numbers, characters or symbols attached to a building wall, window or door, the area of the signs shall be considered that of the smallest rectangle or other regular geometric shape which encompasses all elements of the sign such as letters, figures, designs or other display. When a double-faced sign is erected in such a manner that both sides are not visible from the same vantage point, then only one face shall be used to compute the sign area. When a single sign structure has more than one face with the same message and not two faces are more than three feet apart at any point, the areas shall be computed by determining the greatest total area of all sign faces visible from any single vantage point. In the case of a cylindrical sign, 1/2 of the total surface area shall be used to compute the area.

3. SIGN, BILLBOARD — See "sign, panel type."

4. SIGN, BUILDING FACADE — A sign located anywhere upon the entire vertical surface of a building facing the public way or most nearly parallel to the public way, including doors, parapets and windows (no roof area included).

5. SIGN, BUSINESS IDENTIFICATION — A sign which directs attention to a business, profession, industry or similar activity conducted upon the property on which the sign is located, not to include home occupation signs.

6. SIGN, CHANGEABLE COPY — A sign on which message copy can be changed through use of attachable letters, numerals or graphics or by switching of lamps. A changeable copy sign shall not be considered to be an animated sign unless switching lamps are utilized.

7. SIGN, FREESTANDING — A permanent sign erected on a foundation or supported by a structure or pole specifically designed to support the sign and which is not attached to a building.

8. SIGN, GOVERNMENT — A sign erected or placed by a governmental agency in furtherance of the public health, welfare, safety and moral, providing public information or fulfilling official notice requirements and not for advertising purposes.

9. SIGN HEIGHT — The height of a sign shall be measured from the ground level at the time of the adoption of this chapter to the highest point to the sign or sign structure unless otherwise defined. No sign shall ever be higher than the height limitation of the district in which

it is located. Any sign attached to a wall may not extend above the wall.

10. SIGN IDENTIFICATION — A sign used to display and identify only the name of the individual, facility, organization, agency, institution or development occupying the property upon which it is displayed, not to include a business identification sign.

11. SIGN, INCIDENTAL — An informational sign less than two square feet in size, which carries a message such as "enter," "telephone," "rest rooms," "no parking," "warning" or similar information.

12. SIGN, INFLATABLE — A sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

13. SIGN MAKERS — A principal use devoted to the production of signs.

14. SIGN, NONCONFORMING — A sign lawfully existing at the effective date of this chapter which does not completely conform to the sign regulations applicable in the zoning district in which it is located.

15. SIGN, OBSOLETE — A sign which was, but has become no longer, useful for its original purpose.

16. SIGN, PANEL TYPE (BILLBOARD) — A sign which directs attention to products, services or businesses conducted, sold or offered only elsewhere than upon the premises where the sign is displayed.

17. SIGN, PERMANENT — Any sign or sign structure which is permanently affixed or installed and is intended for long-term use.

18. SIGN, POLITICAL — A sign which indicates the name, cause or affiliation of a person seeking public office or on which reference is made to an issue for which a public election or referendum is scheduled to be held.

19. SIGN, PUBLIC RIGHT-OF-WAY — That land area over which the Township or state have rights, either through ownership or easement, to use the public street and utility purposes.

20. SIGN, REAL ESTATE — Any temporary sign having not more than two sides which, in whole or in part, announces the sale or lease of property, excluding subdivision identification signs.

21. SIGN, SUBDIVISION — Any sign announcing the development of a new subdivision of land and the sale or lease of the lots contained therein.

22. SIGN, TEMPORARY — A sign, banner or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations and also moveable or portable signs on wheels or designed in such a manner as to be easily moved from one location to another.

23. SIGN, VEHICLE — A sign affixed or painted on a vehicle, trailer or similar device.

24. SIGN, WALL — A sign attached to or erected against the wall of a building, with the exposed face of the sign in a plane parallel to said wall.

SINGLE AND SEPARATE OWNERSHIP — The ownership of a lot by one or more persons which ownership is separate and distinct from that of any abutting or adjoining lot.

SMALL ENGINE REPAIR SHOP — A use devoted to the mechanical restoration of machines that power domestic tools and other household devices and appliances. This definition shall not include uses involved in the repair of personal motor vehicles, commercial trucks and heavy equipment, all as defined herein.

SOIL SURVEY — The latest published version of the United States Department of Agriculture's soil survey for Adams County, Pennsylvania.

SOLAR ENERGY — Radiant energy (direct, diffuse, and reflected) received from the sun.

SOLAR ENERGY SYSTEM, COMMERCIAL — A large-scale solar energy system whose main purpose is to generate and supply electricity, and which consist of one or more systems and other accessory structures, buildings and appurtenances. These facilities are for the sole purpose of generating electricity that is to be transmitted to the electrical power grid for income and do not include any systems developed for private use.

SOLAR ENERGY SYSTEM, PRIVATE — Any solar collector or other solar energy device, or any structural design feature, mounted on a building or on the ground, and whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, for water heating or for electricity, and which shall be for use on the same property.

SOLID WASTE — Garbage, refuse and other discarded materials, including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrement not hazardous waste materials as defined in the Code of Federal Regulations, Title 40, Chapter 1, Part 261, dated July 1, 1984, or as amended.

SOLID WASTE DISPOSAL AND PROCESSING FACILITY — Any sanitary landfill, mass burn facility or processing facility which accepts, disposes and/or processes garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities.

SOLID WASTE TRANSFER AREA OR FACILITY — A place where solid waste is disposed, brought, sorted, stored for less than four days and transferred from one vehicle to another vehicle or to a rail car for the purpose of transport to a permanent solid waste disposal area or facility.

SPECIAL EXCEPTION — The granting of a right to use a tract of land for any of the purposes set forth as permitted in a certain district by special exception to terms, procedures and conditions prescribed for that use by this chapter. Special exception shall be administrated by the Zoning Hearing Board.

STORAGE CONTAINER — Portable containers that are used for storage of personal property of occupants on the site during times of transition (e.g., remodeling, moving, construction, emergency). Examples: PODS®, shipping containers, etc.

STREET — A strip of land, including the entire right-of-way, publicly or privately owned, serving primarily as a means of vehicular and pedestrian travel and furnishing access to abutting properties, which may also be used to provide space for sewers, public utilities, stormwater management facilities, shade trees and sidewalks.

1. STREET, PRIVATE — A thoroughfare, including a street, road, lane, alley, court or space which has not been offered for dedication or whose dedication was not accepted by the Township. Private streets shall not be permitted unless they meet the standards of Huntington Township.
2. STREET, PUBLIC — A public thoroughfare, including a street, road, lane, alley, court or public space which has been dedicated or deeded to the public or public use and which affords principal means of access to abutting property.

STREET, CENTER LINE — The horizontal line paralleling the street that bisects the street right-of-way into two equal widths. In those instances where the street right-of-way cannot be determined, the street center line shall correspond to the center of the cartway.

STREET, RIGHT-OF-WAY LINE — The line dividing a lot from the full street right-of-way, not just the cartway.

STRUCTURE — Any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Structures shall not include such things as sandboxes, swing sets, birdhouses, birdfeeders, mail boxes and any other similar nonpermanent improvements. See also "accessory building" and "building, principal."

STRUCTURE HEIGHT — A structure's vertical measurement from the mean sea level of the ground abutting the corners of the structure to the highest point of the structure, including any signs, antennas or other appurtenances, unless otherwise noted.

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 of building or lot development.

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 — 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," regardless of the actual repair work performed. The term does not, however, include either:

1. 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.
2. Any alteration of an historic structure, provided, that the alteration will not preclude the structure's continued designation as an historic structure.

SUBSTANTIALLY COMPLETED — Where, in the judgment of the Township Engineer, at least 90% (based on the cost of the required improvements for which financial security was 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.

SUPERVISORS — The Board of Supervisors of the Township of Huntington, Adams County, Pennsylvania.

SWIMMING POOL, PRIVATE — Any reasonable permanent pool of open tank, not located within a completely closed building and containing or normally capable of containing water to a depth at any point greater than 1 1/2 feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

SWIMMING POOL, PUBLIC — A public bathing place shall mean any open or enclosed place, open to the public for amateur and professional swimming or recreation bathing, whether or not a fee is charged for admission or for the use thereof.

TAVERN — An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania

Liquor Control Board. Taverns may also serve food, but no live entertainment shall be permitted.

THEATER — A building or part of a building devoted to the showing of moving pictures or theatrical productions on a commercial basis.

TOWNSHIP — Huntington Township, Adams County, Pennsylvania.

TOWNSHIP ENGINEER — A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for Huntington Township.

TOWNSHIP PLANNING COMMISSION — The Planning Commission of Huntington Township, Adams County, Pennsylvania.

TRACT — All land which was owned by the same owner or owners and was defined under a single deed on the date of this chapter.

TRAINING CENTER — A principal use that involves the indoor instruction of clients/customers on any of a wide range of subjects, including, but not limited to, occupational, cultural, business, technical, professional, trade, religious, life skills, emergency response, and similar activities.

TRAVEL TRAILER — A portable structure, primarily designed to provide temporary living quarters for recreation, camping or travel purposes. In addition to the above, any of the following attributes are usually characteristic of a "travel trailer":

1. The unit is of such size or weight as not to require a special highway movement permit from the DEP when self-propelled or when hauled by a standard motor vehicle on a highway.
2. The unit is mounted or designed to be mounted on wheels.
3. The unit is designed to be loaded onto, or affixed to, the bed and/or chassis of a truck.
4. The unit contains or was designed to contain temporary storage of water and sewage.
5. The unit contains some identification by the manufacturer as a travel trailer.

TRUCK, BUS, OR MOTOR FREIGHT TERMINAL — A principal use contained on a single property:

1. To which materials and products are imported for their redistribution and export by commercial truck or other modes of transport; or
2. Whereby a fleet of commercial vehicles is maintained for their dispatch on an as-needed or contractual basis.

USE — The purpose for which land, structure, sign or a building is arranged, designed or intended or which either land, structure, sign or a building is or may be used, occupied or maintained.

1. ACCESSORY USE — A use customarily incidental and subordinate to the principal use of a building or structure or principal use of the land and located on the same lot as the principal use.

2. PRINCIPAL USE — The main or primary purpose for which land, a structure, building and/or sign or use thereof is designed, arranged or intended or for which they may be occupied or maintained under this chapter. There may be only one principal use on a property.

UTILITY — Equipment or facilities utilized for producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity or steam for the production of light, heat, or power to or for the public for compensation, diverting, developing, pumping, ponding and distributing or furnishing water to or for the public for compensation, transporting passengers or property as a common carrier, equipment or facilities for use as a canal, turnpike, tunnel, bridge, wharf and the like, for the public for compensation, transporting or conveying natural or artificial gas, crude oil, gasoline or petroleum products, materials for refrigeration of oxygen or nitrogen or other fluid substances by pipeline or conduit for the public for compensation, conveying or transmitting messages or communications by telephone or telegraph or domestic public land mobile radio service including, but not limited to, point-to-point microwave radio service for the public for compensation and sewage, collection treatment or disposal for the public for compensation, excluding the facilities of any public utility to the extent such facilities are subject to the jurisdiction, power and authority of the Pennsylvania Public Utility Commission under the Public Utility Code, 66 Pa.C.S.A. § 101 et seq. It is the intent of the Township to regulate public utility facilities only to the extent permitted by the Municipalities Planning Code,[8] the Public Utility Code and applicable case law interpreting these statutes.

VARIANCE — A modification of the regulations of this chapter granted by the Zoning Hearing Board on grounds of practical difficulties or unnecessary hardship, not self-imposed, pursuant to appropriate provisions of this Chapter and the Pennsylvania Municipalities Planning Code (Act 247).

VEHICLE — Every device in, upon or by which any person or property is to may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks.

VETERINARIAN'S OFFICE OR FACILITY — See Animal Hospital.

WAREHOUSE AND WHOLESALE TRADE ESTABLISHMENT — A principal use where the goods, products and/or materials of a single company or organization are stored awaiting further processing, delivery and/or

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

distribution. This definition shall not include satellite lots where vehicles are parked, stored and/or loaded/unloaded away from the actual property where the warehouse resides.

WATER DISTRIBUTION FACILITY, OFF-LOT — Any approved system in which potable water is supplied from a central water source to a dwelling or other building located off the lot on which such dwelling or building is located.

WATER FACILITY — Any water works, water supply works, water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

WELDING SHOP — A principal use devoted to the joining of metals through intense heat for repair or the preparation of parts used in other industrial production and/or assembly.

WETLANDS — All areas meeting the criteria for wetlands as specified by the United States Army Corps of Engineers 1987 manual and/or the current regulations of DEP and/or the Adams County Natural Heritage Inventory and/or the Township, whichever is the most stringent. Wetlands are 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, but not limited to, swamps, marshes, bogs and similar communities.

YARD — A space which is open to the sky and unoccupied by any building, structure or merchandise for display or sale and which is located on the same lot with a building or structure.

1. YARD, FRONT — An open unoccupied space on the same lot with a main building, extending the full width of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street right-of-way line. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard.
2. 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 line of the building projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot and the rear line of the building. A building shall not extend into the required rear yard.
3. 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 a side line. A building shall not extend into the required side yards.

ZONING — The designation of specified districts within the Township, reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING DISTRICTS — The land use districts established by the Zoning Ordinance of Huntington Township.

ZONING HEARING BOARD — The Zoning Hearing Board of the Township of Huntington.

ZONING MAP — The official zoning map of Huntington Township.

ZONING OFFICER — The duly appointed municipal official designated by the Township Supervisors as the administering and enforcing officer for this chapter.

ZONING ORDINANCE — Huntington Township Zoning Ordinance Chapter 27, as amended. The term "ordinance" shall refer to the Huntington Zoning Ordinance Chapter 27 unless otherwise specified.

ZONING PERMIT — A permit stating that the purpose for which a building or land is to be used is in conformity with the uses permitted and all other requirements under this chapter for the zone in which it is located or is to be located.

PART 4

DESIGNATION OF DISTRICTS

§ 27-401. Classification of Districts. [Ord. 35, 11/11/1999, § 401]

For purposes of this Chapter, Huntington Township is hereby divided into the following districts and shall be designated as follows:

A. AC — Agricultural-Conservation District.

B. RA — Residential-Agricultural District.

C. RS — Residential-Suburban District.

D. CI — Commercial-Industrial District.

E. FP — Floodplain Overlay District.

§ 27-402. Zoning Map. [Ord. 35, 11/11/1999, § 402]

1. The boundaries of the zoning districts shall be as shown on the official zoning map which is on file in the office of the Township. Said official zoning map and all notations, references and data shown thereon are hereby incorporated by reference into this Chapter and shall be as much a part of this Chapter as if all were fully described herein. The Floodplain District shall be an overlay district and shall be considered a part of the said official zoning map.

2. The official zoning map shall be so labeled and identified by the signature of the Chairman of the Board of Supervisors and attested by the Secretary of the Township and bear the seal of the Township.

3. Should any challenge be made to the procedural validity of the process used by the Township to enact the official zoning map which is incorporated into this Chapter and should such procedure be determined to be invalid by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, Sections, sentences, clauses or Parts of the text of this Chapter, it being the intent of the Board of Supervisors that the remainder of the text of this Chapter shall be and shall remain in full force and effect.

§ 27-403. Interpretation of District Boundaries. [Ord. 35, 11/11/1999, § 403]

Where uncertainty exists as to the boundaries of the districts as shown on the zoning map, the following rules shall apply:

A. Boundaries which appear to follow the centerline of streets, highways or alleys or extensions thereof or parallel or perpendicular to such centerlines, shall be construed as such.

B. Boundaries which appear to follow lot lines or extensions thereof or parallel or perpendicular to such lot lines shall be construed as such.

C. Boundaries indicated as approximately following municipality boundary lines or limits shall be construed as following such boundary lines or limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

E. Boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines.

F. Boundaries indicated as parallel to or extensions of features indicated in subsections (A) through (E) above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

G. Where 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 subsection (A) through (F) above, the Zoning Hearing Board shall interpret the district boundaries.

H. In subdivided land where a district boundary line divides a lot held in single and separate ownership, the regulations of district may extend over either portion of the lot, at the applicant's discretion, a distance of not more than 50 feet beyond the district boundary line providing such extensions does not extend the district boundary along a street or road.

§ 27-404. Amendments to the Official Zoning Map. [Ord. 35, 11/11/1999, § 404]

If, in accordance with the provision of this Chapter, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map promptly by the Zoning Officer or some other competent person designated by the Board of Supervisors. This change will be accompanied by an entry on the official zoning map stating the date of the amendment.

§ 27-405. Use Permitted. [Ord. 35, 11/11/1999, § 405]

The uses permitted in the districts established by this Chapter and the permitted extent of these uses are as shown in Parts 5 through 9. The uses shown as permitted in each zone are the only uses permitted in that zone. Unless otherwise noted, the use or dimensional standards are the requirements for each use.

§ 27-406. Uses With Nuisance Effect. [Ord. 35, 11/11/1999, § 406]

1. In no case is a use permitted which by reason of noise, dust, odor, appearance or other objectionable factor creates a hazard or other

substantial adverse effect upon the reasonable enjoyment of the surrounding property.

2. All normal farm practices shall be excluded from this provision, in that they shall not be deemed uses with a nuisance effect.

§ 27-407. Dimensional Requirement Conflict. [Ord. 35, 11/11/1999, § 407]

Where a conflict exists between the dimensional requirements as set forth for the zoning district and the dimensional requirements of a particular use, the criteria as stated in the use regulations shall take precedence.

PART 5

AGRICULTURAL-CONSERVATION DISTRICT (AC)

§ 27-501. Purpose of the Agricultural Conservation District. [Ord. 35, 11/11/1999, § 500]

1. This district is compose of those areas in the Township whose predominate land use is devoted to agricultural activities.

2. The AC District is established to protect and stabilize agriculture as an on-going and economic activity by permitting only those land uses and activities which are either agricultural in nature or act in direct support thereof and the regulations for this zone are designed to minimize conflicting land uses detrimental to agricultural enterprises and to maintain agricultural parcels or farms in sizes which will permit efficient agricultural operations.

3. The AC District is established to provide for the preservation of productive farmland, the Township's most important natural resource.

§ 27-502. Statement of Legislative Intent. [Ord. 35, 11/11/1999, § 501]

In the interest of public health, safety and welfare, the Agricultural-Conservation District is further designed and intended to accomplish the following:

A. Protect and stabilize agriculture in areas of productive soils as an ongoing, viable, major component of the economy of the Township.

B. Permit only those land uses and activities which are agricultural in nature or incidental thereto.

C. Encourage the preservation of the most productive farmland within the Township as a valuable resource which is lost and not reclaimable once it is developed for any purpose other than agriculture by limiting uses within the Agricultural-Conservation District, ensuring that farms remain of sufficient size to be profitable for farming by limiting the number of lots which may be created and imposing a minimum lot size on farms to be created which is sufficient to ensure viability.

D. Prevent adverse effects resulting from the encroachment and mixing of residential and other incompatible development, with agricultural uses. For the farmer, such mixing would cause increased traffic on the roads used to move farm machinery and livestock, additional litter, which is a nuisance to crop farming and a danger to livestock, damage and loss of crops and livestock from theft, mischief or trespass and complaints about odors, noise, dust, barbed wire or electric fencing, night operations and other items which are normal often uncontrollable aspect of farming. For the residential or commercial occupant, farm operations can cause a nuisance and health and

safety hazards as well as the possible contamination of well water by agricultural chemicals, fertilizers and animal waste.

E. Assure the ready availability of agricultural products to the residents of the Township and region.

F. Direct development which is incompatible with agriculture into other areas of the Township to foster conditions favorable to the continuation of agriculture.

G. Provide maximum protection to existing and future agricultural enterprises as a natural and national economic resource.

H. To implement the requirement of § 604(3) of the Municipalities Planning Code that zoning ordinances shall be designed to preserve prime agricultural land.

§ 27-503. Permitted Uses. [Ord. 35, 11/11/1999, § 502; as amended by Ord. 2012-01-58, 5/10/2012; and by Ord. 2013-01-59, 8/8/2013; and by Ord. No. 2020-01-70, 3/12/2020; and by Ord. No. 2021-02-73, 5/13/2021]

Land and buildings in the AC District shall be used only for the following purposes:

1. Accessory building.

2. Agriculture.

3. Agriculture equipment sales and service.

4. Animal hospital.

5. Barber shop - see "personal service establishment."[9]

6. Beauty shop - see "personal service establishment."[10]

7. Beekeeping.

8. Church and related use.

9. Club, clubhouse or lodge, private.

10. Concentrated animal feeding operation.

11. Concentrated animal operation.

12. Dwelling, single-family.

13. Farm stand.

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9. Editor's Note: See § 27-302 for the definition of "personal service establishment."

10. Editor's Note: See § 27-302 for the definition of "personal service establishment."

14. Forestry.

15. Geothermal system, closed loop.

16. Greenhouse.

17. Greenhouse, high-tunnel.

18. Home occupation or home business.

19. Home-based business, limited impact.

20. Horticultural use.

21. Public utility.

22. School, public.

23. Solar energy system, private.

24. Swimming pool, private.

§ 27-504. Conditional Uses. [Ord. 35, 11/11/1999, § 503; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. 2013-01-59, 8/8/2013; and by Ord. No. 2021-02-73, 5/13/2021]

The following uses are permitted as "conditional uses" in accordance with the following standards and any additional standards that the Huntington Township Board of Supervisors, upon Huntington Township Planning Commission review and comment, may deem necessary to apply:

1. Animal laboratory.

2. Bed-and-breakfast/inn establishment.

3. Butcher shop.

4. Campground.

5. Cemetery.

6. Communication tower and antenna.

7. Conversion, two-family.

8. Dwelling, two-family.

9. Echo housing.

10. Explosive or black powder storage, low and high explosives.

11. Farm market.

12. Farmworker housing.

13. Golf course, driving range, par 3.

14. Government or municipal building.

15. Greenhouse, commercial.

16. Hunting facility, sportsman's club, and shooting range.

17. Kennel.

18. Lodging.

19. Mining.

20. Outdoor recreation use.

21. Quarring.

22. Riding school, riding club, horse boarding stable, or equestrian center.

23. Sawmill operation.

24. Sewage disposal system, community.

25. Water facility.

§ 27-505. Dimensional Requirements. [Ord. 35, 11/11/1999, § 504; as amended by Ord. 2007-01-46, 3/8/2007]

1. Lot Area.

   A. The minimum lot area required for permitted uses and conditional uses in the AC District shall be no smaller than is required to meet all applicable setbacks and Pennsylvania Department of Environmental Protection (DEP) requirements for the location of on-site water supply and sewage disposal facilities, including replacement system location. The minimum lot area for all non-farm, single-family detached dwellings shall be 1 1/2 acres. The maximum lot area for all uses shall be two acres with the exception of the agriculture uses and public schools, neither of which shall have a maximum lot area. **[Amended by Ord. 2016-01-65, 6/9/2016; and by Ord. No. 2020-01-70, 3/12/2020]**

   B. Subdivision and Land Development Limitations. It is the intent of the Supervisors to preserve and protect agriculture and to preserve prime agricultural soils through limitations on subdivision and land development.

(1) Number of lots, dwellings or other principal non-agricultural buildings permitted. For each parent tract there shall be permitted the subdivision of a lot or number of lots (which shall specifically include, but not be limited to, a subdivision to change lot lines or the erection of one accessory farm or non-farm single-family dwelling or other principal non-agricultural building on the parent tract, but not both, with the portion of the existing or newly created lot used for residential purposes limited to the maximum lot size set forth above. A tabular example of this limitation on the creation of lots or the erection of dwellings is as follows:

Parent Tract (Size of Tact of Land as of the Date of This Chapter)	Number of Lots that May be Subdivided From the Parent Tract
Less than 6 acres	1
6 — 10 acres	2
11 — 30 acres	3
31 — 60 acres	4
61 — 90 acres	5
91 — 120 acres	6
121 — 150 acres	7
151 — 180 acres	8
181 — 210 acres	9
211 and over acres	10

(a) Any subdivision or land development plan hereinafter filed with the applicable approving body for subdivision or land development of a lot in this district shall specify which lot or lots shall carry with it a right of further subdivision or erection of accessory farm or non-farm single-family dwellings or principal non-agricultural buildings, if any such right remains from the quota allocated to the parent tract. This right of further subdivision or erection of accessory farm or non-farm single-family dwelling or principal non-agricultural buildings or an indication that no further subdivision or erection of such dwellings or principal buildings is permissible, shall also be noted on the subdivision plan and recorded. All deeds of conveyance will be subject to these restrictions. **[Amended by Ord. 2016-01-65, 6/9/2016]**

(b) The number of lots which may be created or accessory farm or non-farm single-family dwellings or other principal non-agricultural buildings which may be erected on the parent tract shall be fixed according to the parent tract. This number shall not be increased by the subdivision of such parent tract. Any subsequent owner of a parent tract or land remaining in a parent tract after subdivision shall be bound by the actions of his predecessor.

(c) Any land development, the purpose of which is to permit the erection of a permanent accessory farm or non-farm single-family dwelling on a parent tract which has previously been improved with a dwelling which also will remain on the parent tract or to permit the erection of a structure for an additional principal use on the parent tract shall considered a subdivision for the purposes of this Section. It is the purpose and intent of this Section to limit the development of agricultural tracts for non-agricultural purposes regardless of whether such development is accomplished by subdivision or land development as those terms are defined in the Municipalities Planning Code.

(2) Exemptions From Limitation on Subdivision of Land. The following types of subdivisions shall not be counted against the subdivision/land development quota established by this Section:

(a) A subdivision, the sole purpose of which is to transfer land to increase the size of a tract being used for agricultural purposes.

(b) A subdivision to create a lot which will be transferred to the Township or a municipality authority created by the Township.

(c) "Add-on" lots, provided that the purpose of the "add-on" is to straighten property lines, eliminate encroachments, or provide additional lot area which would bring the added-onto lot into compliance with the Zoning Ordinance. "Add-on" areas cannot be used to increase the size of the added-onto lot for subdivision purposes.

(3) Requirements For Plans and Deeds Relating to Lands Within the AC District. Any subdivision or land development plan hereafter filed with the applicable approving body for subdivision or land development of land in the AC District shall specify on the recorded plan which lot or lots shall carry a right of further subdivision or erection of accessory farm or non-farm

single-family dwellings or other principal non-agricultural buildings. The right of further subdivision or erection of accessory farm or non-farm single-family dwelling or other principal non-agricultural buildings is permissible, shall also be included in the deed to the newly created lot.

C. New single-family dwellings must be located on lots or land which cannot feasible be farmed due to existing features of the site such as rock outcroppings, swamps, the fact that the area is heavily wooded or the fact that the slope of the area exceeds 15% or due to the fact that the size or shape of the area suitable for farming is not sufficient to permit efficient use of farm machinery. Where such location is not feasible, permits shall be issued to enable dwelling to be located on lots containing higher quality soils. However, in all cases such dwellings and residential lots shall be located on the least agriculturally productive land feasible so as to minimize interference with agricultural production.

2. Minimum Lot Width. One hundred fifty feet at the street right-of-way line.

3. Minimum Lot Depth. One hundred fifty feet.

4. Yard Requirements. All buildings shall be setback from street rights-of-way and lot lines in accordance with the following requirements:

A. Front Yard. Depth, 50 feet.

B. Side Yards. Width, 20 feet each.

C. Rear Yard. Depth, 30 feet.

D. Special Buffering. In addition to such buffering and screening as may be required under the Part 10, General Regulations of this Chapter, all structures involving the raising and keeping of animals shall be setback a distance of at least 100 feet from any dwelling and all uses authorized, permitted or authorized by conditional use of a non-agricultural nature shall be set back a distance of at least 150 feet from any adjoining residential lot or zone district. In the latter case, the required buffer yard shall be planted with an evergreen vegetative screen.

5. Lot Coverage.

A. The lot coverage by all buildings, structures and impervious surfaces shall not be greater than 30% for lots of four acres or less and 10% for lots greater than four acres. However, the lot coverage for buildings, structures and impervious surfaces for public schools shall not be greater than 50% of the lot. **[Amended by Ord. No. 2020-01-70, 3/12/2020]**

B. In the case of non-agricultural, forestry and related uses, no more than 50% of the lot shall be cleared of trees and shrubs.

6. Height Regulations. No building or structure, excluding agricultural and public service structures, shall be erected to a height in excess of 35 feet.

7. Off-Street Parking and Loading. Off-street parking, loading and unloading areas shall be provided in accordance with the related regulations of this Chapter.

8. Not more than 15% of the lot area may be paved with an impervious surface. However, in the case of a public school, not more than 50% of the lot area may be covered with an impervious surface. **[Amended by Ord. No. 2020-01-70, 3/12/2020]**

9. Lighting Regulations. Lighting shall be provided in accordance with related requirements in this Part. **[Added by Ord. 2012-01-58, 5/10/2012]**

PART 6

RESIDENTIAL-AGRICULTURAL DISTRICT (RA)

§ 27-601. Purpose of the Residential-Agricultural District. [Ord. 35, 11/11/1999, § 600]

1. This district is composed of those areas in the Township where some residential development has begun and agriculture is present but not predominate.

2. Residential-Agricultural Districts are established to promote and encourage a suitable and safe environment for family life by providing only for low density single-family residences in rural areas where public services such as water and sewerage are not available and generally not expected to be available. This district is also intended to encourage a mix of residential and agricultural uses in close proximity to one another.

§ 27-602. Statement of Legislative Intent. [Ord. 35, 11/11/1999, § 601]

1. Preserve open space and to permit residential development which will not require extensive public services or facilities.

2. Preserve open land by setting development apart from sensitive natural features such as woodlands, steep slopes, streams, floodplains and wetlands.

3. Provide flexibility and efficiency in the siting of infrastructure and the provision of services.

4. Reduce erosion and stream sedimentation by the retention of existing vegetation and by the minimization of development on steep slopes.

5. Retain the rural character and scenic qualities of areas within Huntington Township while, at the same time, allow for reasonable and sympathetic residential development in rural areas of the Township where incidence of active agriculture is relatively low.

§ 27-603. Permitted Uses. [Ord. 35, 11/11/1999, § 602; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. No. 2021-02-73, 5/13/2021]

Land and buildings in the RA District shall be used only for the following purposes:

1. Accessory building.

2. Agriculture.

3. Barber shop - see "personal service establishment."[11]

4. Beauty shop - see "personal service establishment."[12]

5. Church and related use.

6. Club, clubhouse or lodge, private.

7. Dwelling, single-family.

8. Farm stand.

9. Forestry.

10. Geothermal system, closed loop.

11. Greenhouse.

12. Greenhouse, commercial.

13. Greenhouse, high-tunnel.

14. Home occupation and home business.

15. Home-based business, limited impact.

16. Horticultural use.

17. Municipal use.

18. Public utility.

19. Solar energy system, private.

20. Swimming pool, private.

§ 27-604. Conditional Uses. [Ord. 35, 11/11/1999, § 603; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. No. 2021-02-73, 5/13/2021]

The following uses are permitted as "conditional uses" in accordance with the following standards and any additional standards that the Huntington Township Board of Supervisors, upon Huntington Township Planning Commission review and comment, may deem necessary to apply:

1. Bed-and-breakfast/inn establishment.

2. Butcher shop.

3. Campground.

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11. Editor's Note: See § 27-302 for the definition of "personal service establishment."

12. Editor's Note: See § 27-302 for the definition of "personal service establishment."

4. Cemetery.

5. Cluster development.

6. Conversion, two-family.

7. Day-care facility.

8. Dwelling, multifamily.

9. Dwelling, two-family.

10. Echo housing.

11. Fire station - see "government or municipal building."[13]

12. Government or municipal building.

13. Lodging.

14. Mobile home park.

15. Retirement or age-restricted community.

16. Sewage disposal system, community.

§ 27-605. Dimensional Requirements. [Ord. 35, 11/11/1999, § 604]

1. Lot Area.

   A. The minimum lot area for permitted uses and conditional uses in the RA District shall be no smaller than is required to meet all applicable setbacks and Pennsylvania Department of Environmental Protection (DEP) requirements for the location of onsite water supply and sewage disposal facilities, including replacement system location. The minimum lot area and lot area per dwelling unit shall be 65,000 square feet. The recommended maximum lot area for all uses shall be four acres.

   B. The minimum lot area and lot area per dwelling unit shall be 45,000 square feet if the use is connected to a public water system.

   C. The minimum lot area and lot area per dwelling unit shall be 20,000 square feet if the use is connected to a public sewerage system.

   D. The minimum lot area and lot area per dwelling unit shall be 10,000 square feet if the use is connected to both a public water and a public sewerage system.

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13. **Editor's Note: See § 27-302 for the definition of "government or municipal building."**

2. Minimum Lot Width. The width of lots, which are measured at the street right-of-way line, shall be according to the following:

   A. Under subsection (1)(A): 150 feet.

   B. Under subsection (1)(B): 125 feet.

   C. Under subsection (1)(C): 100 feet.

   D. Under subsection (1)(D): 80 feet.

3. Minimum Lot Depth. The minimum lot depth shall be 150 feet for all lots with at least 45,000 square feet area.

4. Yard Requirements. All buildings shall be set back from street rights-of-way and lot lines in accordance with the following requirements:

   A. Front Yard Depth.

      (1) Under subsections (1)(A) and B2): 50 feet.

      (2) Under subsections (1)(C) and (D): 30 feet.

   B. Side Yards, Width Each.

      (1) Under subsections (1)(A) and (B): 20 feet.

      (2) Under subsections (1)(C) and (D): 10 feet.

   C. Rear Yard, Depth.

      (1) Under subsections (1)(A) and (2): 30 feet.

      (2) Under subsections (1)(C) and (D): 20 feet.

   D. Special Buffering. In addition to such buffering and screening as may be required under Part 10, General Regulations of this Chapter, all structures involving the raising and keeping of animals shall be set back a distance of at least 100 feet from any dwelling and all uses authorized, permitted or authorized by conditional use of a nonresidential nature shall be set back a distance of at least 100 feet from any adjoining residential lot or zone district. In the latter case, the required buffer yard shall be planted with an evergreen vegetative screen.

5. Lot Coverage. The lot coverage by all buildings, structure and impervious surfaces shall not be greater than 40%.

6. Height Regulations. No building or structure, excluding agricultural and public service structures, shall be erected to a height in excess of 35 feet.

7. Off-Street Parking and Loading. Off-street parking, loading and unloading areas shall be provided in accordance with the related regulations of this Chapter.

8. Paved Area. Not more than 20% of the lot area may be paved with an impervious surface.

9. Lighting Regulations. Lighting shall be provided in accordance with related requirements in this Part. **[Added by Ord. 2012-01-58, 5/10/2012]**

PART 7

RESIDENTIAL-SUBURBAN DISTRICT (RS)

§ 27-701. Purpose of the Residential-Suburban District (RS). [Ord. 35, 11/11/1999, § 700]

1. This district is composed of those areas in the Township where residential development is center in established rural communities or adjacent to significant community development areas.

2. Rural Suburban Residential Districts are established to promote and encourage a suitable and safe environment for family life by providing for the orderly development of existing and proposed medium-density residential areas where public services such as water and sewerage can reasonably be expected to be available.

§ 27-702. Statement of Legislative Intent. [Ord. 35, 11/11/1999, § 701]

1. Preserve the quiet environment that currently exists in those residential areas surrounding York Springs and Idaville devoted primarily to single family detached dwellings.

2. Exclude incompatible commercial and industrial uses from locating in those areas of Huntington Township, which have experienced predominately residential development.

3. Provide for higher density residential uses such as townhouses and apartments, in appropriate areas of the residential district and in accordance with specified development standards.

4. Limit development density to levels that are compatible with the rural nature of Huntington Township and which are compatible with existing development patterns and densities within the Township.

§ 27-703. Permitted Uses. [Ord. 35, 11/11/1999, § 702; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. No. 2021-02-73, 5/13/2021]

Land and buildings in the RS District shall be used only for the following purposes:

1. Accessory building.

2. Barber shop - see "personal service establishment."[14]

3. Beauty shop - see "see personal service establishment."[15]

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14. Editor's Note: See § 27-302 for the definition of "personal service establishment."

15. Editor's Note: See § 27-302 for the definition of "personal service establishment."

4. Club, clubhouse or lodge, private.

5. Dwelling, single-family.

6. Forestry.

7. Geothermal system, closed loop.

8. Greenhouse, commercial.

9. Home occupation and home business.

10. Home-based business, limited impact.

11. Planned residential development.

12. Public utility.

13. Solar energy system, private.

14. Swimming pool, private.

§ 27-704. Conditional Uses. [Ord. 35, 11/11/1999, § 703; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. No. 2021-02-73, 5/13/2021]

The following uses are permitted as "Conditional Uses" in accordance with the following standards and any additional standards that the Huntington Township Board of Supervisors, upon Huntington Township Planning Commission review and comment, may deem necessary to apply:

1. Apartment building/house.

2. Cluster development.

3. Condominiums.

4. Conversion, two-family.

5. Day-care facility.

6. Dwelling, multifamily.

7. Dwelling, townhouse.

8. Echo housing.

9. Fire station - see "government and municipal building."[16]

10. Government or municipal building.

16. **Editor's Note: See § 27-302 for the definition of "government or municipal building."**

11. Group facility.

12. Lodging.

13. Mobile home park.

14. Nursing, rest or retirement home.

15. Outdoor recreation use.

16. Retirement or age-restricted community.

17. Sewage disposal system, community.

18. Water facility.

§ 27-705. Dimensional Requirements. [Ord. 35, 11/11/1999, § 704]

1. Lot Area.

   A. The minimum lot area required for permitted uses and conditional uses in the RS District shall be no smaller than is required to meet all applicable setbacks and Pennsylvania Department of Environmental Protection (DEP) requirements for the location of onsite water supply and sewage disposal facilities, including replacement system location. The minimum lot area and lot are per dwelling unit shall be 65,000 square feet. The recommended maximum lot area for all uses shall be four acres.

   B. The minimum lot area and lot area per dwelling unit shall be 45,000 square feet if the use is connected to a public water system.

   C. The minimum lot area and lot area per dwelling unit shall be 20,000 square feet if the use is connected to a public sewerage system.

   D. The minimum lot area and lot area per dwelling unit shall be 10,000 square feet if the use is connected to both a public water and a public sewerage system.

2. Minimum Lot Width. The width of lots, which are measured at the street right-of-way line, shall be according to the following:

   A. Under subsection (1)(A): 150 feet.

   B. Under subsection (1)(B): 125 feet.

   C. Under subsection (1)(C): 100 feet.

   D. Under subsection (1)(D): 80 feet.

3. Minimum Lot Depth. The minimum lot depth shall be 150 feet for all lots with at least 45,000 square feet.

4. Yard Requirements. All buildings shall be set back from street rights-of-way and lot lines in accordance with the following requirements:

   A. Front Yard, Depth.

      (1) Under subsections (1)(A) and (B): 50 feet.

      (2) Under subsections (1)(C) and (D): 30 feet.

   B. Side Yards, Width, Each.

      (1) Under subsections (1)(A) and (B): 20 feet.

      (2) Under subsections (1)(C) and (D): 10 feet.

   C. Rear Yard, Depth.

      (1) Under subsections (1)(A) and (B): 30 feet.

      (2) Under subsections (1)(C) and (D): 20 feet.

   D. Special Buffering. In addition to such buffering and screening as may be required under Part 10, General Regulations of this Chapter, all structures involving the raising and keeping of animals shall be set back a distance of at least 100 feet from any dwelling and all uses authorized, permitted or authorized by conditional use of a nonresidential nature, shall be set back b distance of at least 100 feet from any adjoining residential lot or zone district. In the latter case, the required buffer yard shall be planted with an evergreen vegetative screen.

5. Lot Coverage. The lot coverage by all buildings, structures and impervious surfaces shall not be greater than 50%.

6. Height Regulations. No building or structure, excluding agricultural and public service structures, shall be erected to a height in excess of 35 feet.

7. Off-Street Parking and Loading. Off-street parking, loading and unloading areas shall be provided in accordance with the related regulations of this Chapter.

8. Paved Area. Not more than 30% of the lot area may be paved with an impervious surface.

9. Lighting Regulations. Lighting shall be provided in accordance with related requirements in this Part. **[Added by Ord. 2012-01-58, 5/10/2012]**

PART 8

COMMERCIAL-INDUSTRIAL DISTRICT (CI)

§ 27-801. Purpose of the Commercial-Industrial District (CI). [Ord. 35, 11/11/1999, § 800]

1. The purpose of the Commercial Industrial District is to provide logistical locations for the orderly development of those areas necessary to meet the community needs of the Township and surrounding area for goods and services of a general commercial nature.

2. This district is also intended to permit and encourage limited industrial development that will or can be made compatible with surrounding residential or farm areas. It is further intended that the standards of this district will constitute a harmonious and appropriate development, contribute to the economic base and otherwise carry out the purposes of this district.

§ 27-802. Statement of Legislative Intent. [Ord. 35, 11/11/1999, § 801]

1. Provide for reasonable mixture of automobile-oriented commercial uses that will contribute to attractive and reasonable development within the district.

2. Promote appropriate building location and design standards which will help create attractive developments and accommodate future roadway improvements or projects.

3. Permit uses which can reasonably be accommodated by the existing road network in the interchange area. Discourage uses that would have the potential of requiring extensive and premature interchange area capacity improvements.

4. Ensure that appropriate onsite improvements are included in commercial development projects within the Commercial-Industrial District.

5. Create development patterns that are efficient in design and which will focus industrial transportation needs on major roadways instead of in residential neighborhoods.

6. Require new development to be adequately buffered from nearby residential land uses to ensure the maximum compatibility between land uses.

7. Provide performance standards for industrial uses that ensure that the offsite impacts of industrial operations on surrounding non-industrial areas are minimized.

8. Require land coverage, building and facilities design and buffering arrangements that are compatible with the rural characteristics of

Huntington Township while, at the same time, allowing for an intensity of land use typical of industrial facilities.

9. Protect the health, safety, welfare and property values of nearby residential areas from the incompatible effects sometimes associated with contemporary industrial, manufacturing and processing operations by requiring the sensitive placement, careful design and appropriate setback of these types of facilities within the rural environment.

§ 27-803. Permitted Uses. [Ord. 35, 11/11/1999, § 802; as amended by Ord. 2005-04-45, 9/8/2005, § 2; and by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. No. 2021-02-73, 5/13/2021]

Land and building in the CI District shall be used only for the following purposes:

1. Accessory building.
2. Agricultural equipment sales and service.
3. Animal hospital.
4. Automobile sales/repair services/washing/tire sales.
5. Bank and similar financial institution.
6. Barber shop - see "personal service establishment."[17]
7. Beauty shop - see "personal service establishment."[18]
8. Bed-and-breakfast/inn establishment.
9. Business.
10. Car wash.
11. Church and related use.
12. Club, clubhouse or lodge, private.
13. Dwelling, single-family.
14. Forestry.
15. Geothermal system, closed loop.
16. Greenhouse, commercial.
17. Heavy equipment sales, service and/or repair facility.

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17. Editor's Note: See § 27-302 for the definition of "personal service establishment."

18. Editor's Note: See § 27-302 for the definition of "personal service establishment."

18. Home occupation and home business.

19. Home-based business, limited impact.

20. Mini-storage facility.

21. Personal service establishment.

22. Public utility.

23. Rental, equipment and party supplies.

24. Restaurants.

25. Retail store/sales and office.

26. Solar energy systems, private.

27. Swimming pool, private.

28. (Reserved)

§ 27-804. Conditional Uses. [Ord. 35, 11/11/1999, § 803; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2012-01-58, 5/10/2012; and by Ord. No. 2019-01-69, 3/14/2019; and by Ord. No. 2021-02-73, 5/13/2021]

The following uses are permitted as "conditional uses" in accordance with the following standards and any additional standards that the Huntington Township Board of Supervisors, upon Huntington Township Planning Commission review and comment, may deem necessary to apply:

1. Adult-oriented business.

2. Airstrips/airports/heliport/helispot.

3. Animal crematory.

4. Animal laboratory.

5. Arcade.

6. Boarding houses.

7. Boarding school or college.

8. Campground.

9. Casino - Huntington Township opted out of this.

10. Commercial sports facility.

11. Communication tower and antenna.

12. Convenience store.
13. Conversion, two-family dwelling.
14. Day-care facility.
15. Drive-through service establishment or facility.
16. Drive-in theater.
17. Echo housing.
18. Fire station - see "government and municipal building."[19]
19. Funeral home, mortuary, crematory.
20. Government or municipal building.
21. Home improvement and big supply store.
22. Hospital/surgical center.
23. Hotel/motel.
24. Industrial park.
25. Junkyard.
26. Laboratory.
27. Liquor (state) store.
28. Lodging.
29. Manufacturing, general.
30. Manufacturing, light.
31. Medical or dental center, office or clinic.
32. Outdoor recreational use.
33. Recreation or entertainment facility.
34. Recycling or resource recovery facility.
35. Retail store/sales.
36. Retirement or age-restricted community.
37. School, except public school.

19. Editor's Note: See § 27-302 for the definition of "government or municipal building."

38. Sewage disposal system, community.

39. Solar energy systems, commercial.

40. Solid waste disposal and processing facility.

41. Truck, bus or motor freight terminal.

42. Warehouse and wholesale trade establishment.

43. Water facility.

§ 27-805. Dimensional Requirements. [Ord. 35, 11/11/1999, § 804; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2009-02-52, 5/14/2009]

1. Lot Area.

   A. The minimum lot area required for permitted uses and conditional uses in the CI District shall be no smaller than is required to meet all applicable setbacks and Pennsylvania Department of Environmental

Protection (DEP) requirements for the location of onsite water supply and sewage disposal facilities, including replacement system location. The minimum lot area shall be 65,000 square feet. The recommended maximum lot area for all uses shall be four acres.

B. The minimum lot area and lot area per dwelling unit shall be 45,000 square feet if the use is connected to a public water system.

C. The minimum lot area and lot area per dwelling unit shall be 20,000 square feet if the use is connected to a public sewerage system.

D. The minimum lot area and lot area per dwelling unit shall be 10,000 square feet if the use is connected to both public water and public sewerage system.

2. Minimum Lot Width. The width of lots, which is measured at the street right-of-way line, shall be according to the following:

A. Under subsection (1)(A): 150 feet.

B. Under subsection (1)(B): 125 feet.

C. Under subsection (1)(C): 100 feet.

D. Under subsection (1)(D): 80 feet.

3. Minimum Lot Depth. The minimum lot depth shall be 150 feet for all lots with at least 45,000 square feet.

4. Yard Requirements. All buildings shall be set back from street rights-of-way and lot lines in accordance with the following requirements:

A. Front Yard, Depth.

(1) Under subsections (1)(A) and (B): 50 feet.

(2) Under subsections (1)(C) and (D): 30 feet.

B. Side Yards, Width, Each.

(1) Under subsections (1)(A) and (B): 20 feet.

(2) Under subsections (1)(C) and (D): 30 feet.

C. Rear Yard, Depth.

(1) Under subsections (1)(A) and (B): 30 feet.

(2) Under subsections (1)(C) and (D): 20 feet.

5. Lot Coverage. The lot coverage by all buildings, structures and impervious surfaces shall not be greater than 70%.

6. Height Regulations. No building or structure, excluding agricultural and public service structures, shall be erected to a height in excess of 50 feet.

7. Off-Street Parking and Loading. Off-street parking, loading and unloading areas shall be provided in accordance with the related regulations of this Chapter.

8. Lighting Regulations. Lighting shall be provided in accordance with related requirements in this Part. **[Added by Ord. 2012-01-58, 5/10/2012]**

§ 27-806. Industrial and Commercial Standards. [Ord. 35, 11/11/1999, § 805]

1. General.

   A. The Board of Supervisors desires to provide standards for the operation of industrial and commercial uses within the Township in order to protect the health, safety and welfare of Township residents, workers at such establishments and visitors to the Township. Public health and safety shall be maintained through control of noise, vibrations, dust and particulate emissions, sulfur oxides, smoke, odor, toxic matter, detonable materials, fire hazards, glare hear, radioactive radiation, liquid or solid wastes and electromagnetic radiation.

   B. The Board of Supervisors also seeks to protect the public health and safety by imposing traffic and access controls to lessen the possibility of vehicular accidents and landscaping and screening requirements to provide a buffer area to the use and to discourage trespassing.

   C. The Board of Supervisors also seeks to protect the public through the requirement of a plan of success in the event of emergency conditions to allow police, firefighters and rescue personnel to gain access to the premises efficiently and safely.

2. Building Requirements. With the exception of quarries and exclusive of the arrival, departure, loading, unloading and parking of permitted vehicles, all business, servicing, manufacturing or processing of materials, goods or products shall be conducted within completely enclosed buildings.

3. Storage.

   A. Storage shall be permitted outdoors, but the items stored shall not be visible from a public right-of-way. Outdoor storage within 500 feet of a residential district boundary shall be effectively screened by a solid wall, fence or planting so that the materials shall not be visible from the residential district.

B. All organic rubbish or storage shall be in airtight, verminproof containers.

4. Noise.

A. Noise shall be measured with a sound level meter and have and A-weighted filter constructed in accordance with specifications of the American National Standards Institute (ANSI). Measurements are to be made at any point in abutting zoning districts as indicated in Table I following.

B. Impact noise (intermittent sounds such as from a punch press or drop forge hammer) shall be measured using the fact response of the sound level meter and are to be made at any point in abutting zoning districts as indicated in Table I.

C. Between the hours of 7:00 p.m. and 7:00 a.m. the permissible sound levels in an abutting zoning district shall be reduced by five decibels for impact noises.

D. The following sources of noise are exempt:

(1) Transportation vehicles not used in the ordinary cause of business and not under the control of the owner, tenant or lessor.

(2) Occasionally used safety signals, warning devices and emergency pressure relief valves.

(3) Temporary construction activity between 7:00 a.m. and 7:00 p.m.

Table 1 describes the maximum sound pressure level permitted from any industrial source and measured in any abutting zoning district. All industrial or commercial operations shall be limited by the standards listed below:

Table I

	Maximum Sound Pressure Level in Decibels — 0.002 dynes Per Square Centimeter	
Octave Band In Cycles Per Second	**7:00 a.m. to 7:00 p.m.**	**7:00 p.m. to 7:00 a.m.**
0 — 75	74	69
75 — 150	59	54
150 — 300	52	47
300 — 600	46	41
600 — 1,200	42	37

Table I

Octave Band In Cycles Per Second	Maximum Sound Pressure Level in Decibels — 0.002 dynes Per Square Centimeter	
	7:00 a.m. to 7:00 p.m.	7:00 p.m. to 7:00 a.m.
1,200 — 2,400	39	34
2,400 — 4,800	36	31
Above 4,800	33	28

For any noise of an impulsive or period character, the permissible limits for each octave band shall be reduced by five decibels.

Sound levels shall be measured at the lot line with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association.

5. Vibration.

A. Vibration shall be measured at or beyond any adjacent lot line or zoning district line as indicated below and such measurements shall not exceed the particle velocities so designated. The instrument used for these measurements shall be a three component measuring system capable of simultaneous measurement of vibration in three mutually perpendicular directions.

B. Table II designates the applicable columns of Table III that apply on or beyond adjacent lot lines within the zone and on or beyond the appropriate district boundaries. Vibration shall not exceed the maximum permitted particle velocities in Table III. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

Table II

	Abutting Zoning District	Adjacent Lot Line
C-1 Commercial-Industrial	A	B

Table III

Maximum Peak Particle Velocity — In/Sec

Vibration	A	B
Steady-state	0.02	0.10
Impact	0.04	0.20

C. The maximum particle velocity shall be the maximum vector sum of three mutually perpendicular components recorded simultaneously. Particle velocity in inches multiplied by the frequency in cycles per second.

D. For purposes of this Chapter, steady-state vibrations are vibrations which are continuous or vibrations in discrete impulses more frequent than 60 per minute. Discrete impulses which do not exceed 60 per minute shall be considered impact vibrations.

E. Between the hours of 7:00 p.m. and 7:00 a.m. all of the permissible vibration levels indicated in the previous table for Column A shall be reduced to 1/2 of the indicated values.

6. Dust and Particulates.

A. The total emission rate of dust and particulate matter from all vents, stacks, chimneys, flues or other opening or any process, operation or activity within the boundaries of any lot shall not exceed the levels set forth below. Emissions of dust and particulates shall be in accordance with the Commonwealth of Pennsylvania rules and regulations governing air contamination and air pollution. In case of conflict, the most restrictive shall apply.

B. The emission rate of any particulate matter in pounds per hour from any single stack shall be determined by selecting a continuous four-hour period which will result in the highest average emission rate.

C. Particulate matter emission from materials or products subject to becoming windborne shall be kept to a minimum by paving, oiling, wetting, covering or other means, such as to render the surface wind resistant. Such sources include vacant lots, unpaved roads, yards and storage piles of bulk material such as coal, sand, cinders, slag, sulfur, etc.

D. The maximum emission rate of dust and particulate matter from all stacks shall be 2.0 pounds per hour per acre of lot area.

7. Sulfur Dioxides. Emission of oxides of sulfur (as sulfur dioxides) from combustion and other processes shall be limited in accordance with the standard of 1.0 pounds per hour per acre of lot area and may be computed from the sulfur analysis in the fuel or from known test data of sulfur dioxides emission.

8. Smoke.

A. For the purpose of grading the density or equivalent opacity of smoke, the Ringelmann Chart as published by the United States Bureau of Mines shall be used. However, the umbrascope readings of smoke may be used when correlated with Ringelmann's Chart.

B. The emission of smoke darker than Ringelmann No. 1 from any chimney, stack, vent, opening or combustion process is prohibited. However, smoke of a shade not to exceed Ringlemann No. 3 is permitted up to three minutes total in any one eight-hour period.

9. Odor.

A. Odor thresholds shall be measured in accordance with ASTM D1391-57 "Standard Method of Measurement of Odor in Atmospheres (Dilution Method)" or its equivalent.

B. Odorous material released from any operation or activity shall not exceed the odor threshold concentration beyond the district boundary line measured either at ground level or habitable elevation.

10. Toxic Matter.

A. The ambient air quality standards for the Commonwealth of Pennsylvania shall be the guide to the release of airborne toxic materials across lot lines. Where toxic materials are not listed in the ambient air quality standards of the Commonwealth of Pennsylvania, the release of such materials shall be in accordance with the tractional quantities permitted below, of those toxic materials currently listed in the Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. Unless otherwise stated, the measurement of toxic matter shall be at ground level or habitable elevation and shall be the average of any twenty-four-hour sampling period.

B. The release of airborne toxic matter shall not exceed 1/30 of the threshold limit value beyond the district boundary line.

11. Detonable Materials.

A. Activities involving the storage, utilization or manufacture of products which decomposed by detonation shall include, but not be limited to, all primary explosives such as lead azide, lead styphnate, fulminates and tetracene, all high explosives such as TNT, TDX, HMS, PETN and picric acid, propellants and components thereof, such as dry nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives, pyrotechnics and fire-works such as magensium powder, potassium chlorate and potassium nitrate, blasting explosives such as dynamite and nitroglycerine, unstable oxidizing agents such as perchloric acid, perchlorates and hydrogen peroxide in concentration greater than 35% and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

B. The storage, utilization or manufacture of materials or products which decompose by detonation is limited to five pounds. Quantities in

excess of five pounds of such materials may be stored or utilized, but not manufactured.

12. Fire Hazard Solids.

A. The storage, utilization or manufacture of solid materials which are active to intense burning (also known as flammable solids) shall be conducted within walls having a fire resistance no less than two hours or protected by an automatic fire extinguishing system or the building wall shall be no less than 75 feet from all lot lines. The outdoor storage of such materials shall not be closer than 100 feet from all lot lines.

B. The storage, utilization or manufacture of flammable solid shall meet all the requirements of the National Fire Protection Association's Fire Protection Handbook, latest edition and the National Fire Codes, latest edition.

13. Fire Hazard Liquids and Gases.

A. The storage, utilization or manufacture of flammable liquids or gases which produce flammable or explosive vapors shall be permitted only in accordance with this Section, exclusive of the storage of finished products in original sealed containers (60 gallons or less), which shall be unrestricted.

B. The storage, utilization or manufacture of flammable liquids or gases shall meet all the requirements of the National Fire Protection Association's Fire Protection Handbook, latest edition and the National Fire Codes, latest edition.

C. The total storage capacity of flammable liquids and gases shall not exceed those quantities permitted in the following Table IV:

Table IV

Storage Capacity of Flammable Liquids and Gases

Liquids	**Gases**
Above Ground Flash Point, F	Above Ground
Less than 70 70-200	225.000 SCF*
7,500 gal. 30,000 gal.	
Below Ground Flash Point, F	Below Ground
15,000 gal 60,000 gal	450.000 SCF*

* SCF — Standard cubic feet at 60° F. and 29.92 inches high.

14. Glare. Any operation or activity producing glare shall be conducted so that direct or indirect light from the source shall not cause illumination in excess of 0.5 footcandle when measured within an adjacent non-industrial property.

    A. Direct Glare. Direct glare, for the purpose of this Chapter, is illumination beyond property lines caused by direct or specularly reflected rays from incandescent, fluorescent or arc lighting or from such high temperature processes as welding or petroleum or metallurgical refining. No such direct glare shall be permitted with the exceptions that parking areas and walkways may be illuminated by luminaries so hooded or shielded that the maximum angle or the cone of direct illumination shall be 60° drawn perpendicular to the ground with the exception that such angle may be increased to 90° if the luminary is less then four feet above the ground. Such luminaries shall be placed not more than 16 feet above ground level and the maximum illumination at ground level shall not be in excess of three footcandles.

    B. Indirect Glare. Indirect glare, for the purpose of this Chapter, is illumination beyond property lines caused by diffuse reflecting from a surface such as a wall or roof of a structure. Indirect glare shall not exceed that value which is produced by an illumination of the reflecting surface not to exceed 0.3 footcandle (maximum) and 0.1 footcandle (average). Deliberately induced sky-reflected glare, as by casting a beam upward for advertising purposes, is specifically prohibited.

15. Heat. Heat, for the purpose of this Chapter, is the thermal energy of a radioactive, conductive or convective nature. Heat emitted at any or all points shall not at any time cause a temperature increase on any adjacent property in excess of 5° F., whether such change being the air or in the ground, in a natural stream or lake or in any structure on such adjacent property.

16. Radioactive Radiation. No activities shall be permitted which emit dangerous radioactivity at any point beyond the property line or which produces emission injurious to humans, animals or vegetation or be of an intensity which interferes with the use of any other property. The handling of radioactive materials, the discharge of such materials into air and water and the disposal of radioactive wastes shall be in conformance with the regulations of the Nuclear Regulatory Commission as set forth in Title 10, Chapter 1, Part 20, Standards for the Protection Against Radiation, as amended, and all applicable regulations of the Commonwealth of Pennsylvania.

17. Liquid or Solid Wastes. No discharge shall be permitted at any point into any sewage disposal system, watercourse, lake, the air or into the ground, except in accord with standards approved by the Department of Environmental Protection or other regulating department or agency, of any

materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements. There shall be no accumulation of solid wastes conducive to the breeding of rodents or insects.

18. Electromagnetic Radiation. No activities shall be permitted which emit electromagnetic radiation at any point beyond the property line or which produces emissions injurious to humans, animals or vegetation or be of an intensity which interferes with the use of any other property. It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, for any other use directly or indirectly associated with these purposes which does not comply with the current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation, except that for all governmental communications facilities, governmental agencies and government owned plants, the regulations of the Inter-department Radio Advisory Committee shall take precedence over the regulations of the Federal Communications Commission, regarding such sources of electromagnetic radiation. Further, said operation in compliance with the Federal Communications Commission or the Inter-department Radio Advisory Commission regulations shall be unlawful if such radiation causes an abnormal degradation in performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious-radiation, harmonic content, modulation or energy conducted by power or telephone lines. The determination of "abnormal degrading in performance" and "of quality and proper design" shall be made in accordance with good engineering practices as defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers and the Electronic Industries Association. In case of any conflict between the latest standards and principles of the above groups, the following precedence in the interpretation of the standards and principles shall apply:

    A. American Institute of Electrical Engineers.

    B. Institute of Radio Engineers.

    C. Electronic Industries Association.

19. Screening. Screening requirements shall be provided in accordance with the related regulations of this Chapter.

20. Landscaping. Landscaping requirements shall be provided in accordance with the related regulations of this Chapter.

21. Access and Traffic Control.

A. All accessways from any industrial or commercial development to any public street or highway shall be located at least 200 feet from the centerline of any public street intersection and shall be designed in a manner conducive to safe ingress and egress.

B. Where possible, exits shall be located on minor rather than major streets or highways. The developer shall be responsible for the construction of any necessary traffic control devices or additional acceleration or deceleration lanes required for egress or ingress.

22. Interior Drives and Parking Facilities.

A. Interior drives within an industrial or commercial land development shall be designed to prevent blockage of vehicles entering or leaving the site.

B. Areas provided for loading and unloading of delivery trucks and other vehicles and for the servicing of facilities by refuse collection, fuel and other service vehicles shall be adequate in size and shall be so arranged that they may be used without blockage or interference with the use of accessways or automobile parking facilities.

C. Interior drives shall be clearly marked by adequate painting markings (curbing and signs) so that vehicular movements within parking areas and access drives do not impede the general traffic circulation.

PART 9

FLOODPLAIN DISTRICT (FP) (AN OVERLAY DISTRICT)

§ 27-901. Purpose of the Floodplain District. [Ord. 35, 11/11/1999, § 900]

The Floodplain District is provided to conform with the requirements of the Federal Flood Insurance Program and the Pennsylvania Floodplain Management Act and to restrict development in flood prone areas to those uses that will not be damaged by periodic inundation or that will not increase flood heights by reducing the floodway cross-sectional area.

§ 27-902. Statement of Legislative Intent. [Ord. 35, 11/11/1999, § 901]

1. To protect individuals from investing in lands and structures which are unsuitable for use because of flood hazards.

2. To regulate development which will cause unacceptable increases in flood heights, velocities and frequencies.

3. To restrict or prohibit certain uses susceptible to flood damage.

4. To require all uses which do occur in floodplains to be protected against flooding and to be provided with all necessary access and utilities, which shall also be protected from flood damage.

5. To control development which, acting alone or in combination with similar development will create and impose additional unjustified burdens on the community, its governmental units and its individuals for the costs of flood control works, rescue, relief, emergency preparedness measures, sandbagging, pumping and temporary dikes or levees, as well as business interruptions, factory closings, disruptions of transportation routes and interference with utility services, as well as other factors that result in loss of wages, sales and production and generally adversely affect the economic well-being of the community.

6. To maintain a stable tax base through the preservation or enhancement of property values adjacent to the floodplain, as well as by preventing the creation of future flood blighted areas on floodplains.

7. To provide sufficient unimpeded drainage courses and prohibit the restriction of their carrying capacities so as to safely carry abnormal flows of stormwater from periods of heavy precipitation.

8. To encourage the utilization of appropriate construction practices which will minimize flood damage in the future.

9. To prevent the placement of materials which might be swept by floods onto other lands or downstream to the injury of others.

10. To provide for public awareness of flooding potential and to discourage and protect unwary individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

11. To regulate uses, activities, development and structures which, acting alone or in combination with existing or future uses, activities, development or structures, will cause increases in flood heights, velocities and frequencies.

§ 27-903. Abrogation and Greater Restrictions. [Ord. 35, 11/11/1999, § 902]

This Part supersedes any other conflicting provisions, which may be in effect in identified floodplain areas. However, the existing provisions of any other applicable ordinance 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.

§ 27-904. Relationship to Other Parts. [Ord. 35, 11/11/1999, § 903]

The provisions of this Part create an overlay-zoning district, which is applicable within floodplains in all other zoning districts established in this Chapter. To the extent the provisions of this Part are applicable and more restrictive, they shall supersede conflicting provisions within all other Parts of this Chapter and all other ordinances of Huntington Township. However, all other provisions of all other Parts of this Chapter and all other ordinances of the Township shall remain in full force.

§ 27-905. Lands In District Defined. [Ord. 35, 11/11/1999, § 904]

The Floodplain District shall include all of the following lands within Huntington Township:

A. One-hundred-year flood boundaries as identified in the FEMA Flood Insurance Study prepared for Huntington Township by the Federal Insurance Administration, dated October 15, 1980, or the most recent revision.

B. One-hundred-year flood boundaries of lands identified by the United States Geological Survey or the United States Army Corps of Engineers.

C. All land which has been flooded by floods of record.

D. All additional land delineated where the Zoning Officer may require an onsite study or survey which determines the precise boundaries of the Floodplain District as specified in the following:

(1) Where the complete and definitive information necessary to delineate the boundary of the Floodplain District is not available to the Zoning Officer in his consideration of an application for a permit, he shall require such onsite studies and/or surveys to be made as are necessary to fix the precise boundaries of the floodplain as defined above.

§ 27-906. Boundary Disputes. [Ord. 35, 11/11/1999, § 905]

1. Should a dispute concerning any boundary of the Floodplain District arise, the initial determination of the Zoning Officer may be appealed to the Zoning Hearing Board. The applicant shall bear the burden of proof and be responsible for all fees as may be set forth in this Chapter.

2. Any changes to the boundaries of the Floodplain District are subject to the review and approval of the Federal Insurance Administration for compliance with the Rules and Regulations of the National Flood Insurance Program.

§ 27-907. Permitted Uses. [Ord. 35, 11/11/1999, § 906]

The following uses are permitted in the Floodplain District only if done under and in accordance with the provisions of the Clean Streams Law of Pennsylvania, Act 394 of 1937, as amended, the rules and regulations of the Pennsylvania Department of Environmental Protection and all other applicable provisions of this Chapter and any other applicable local, State or Federal regulations:

A. Agricultural, horticultural and forestry uses, excluding any structures and excluding any grading or filling which would cause any increase in flood heights or frequency.

B. Public and private parks and recreation areas, excluding swimming pools, campsites and any structures. Picnic tables, park benches, fireplaces, grills and playground equipment shall be permitted, if anchored to prevent flotation.

C. Activities related to the preservation and conservation of natural resources and amenities, excluding any structures.

D. Stream improvements, fish and farm ponds, dams or stream relocations, as approved by the Pennsylvania Department of Environmental Protection.

E. Erosion and sedimentation control measures, facilities and structures; provided, no increase in flood heights or frequency, unhealthful ponding or other unsanitary conditions shall occur.

F. Yards and open space areas.

G. One and two strand fences.

H. Grading and filling which would not increase the base flood elevation.

I. Harvesting of any wild crop, such as marsh hay, ferns, moss, berries, tree fruits and seeds or wild rice, excluding any plants appearing on the latest edition of the United States List of Endangered and Threatened Plan Species maintained by the United States Fish and Wildlife Service.

J. Floodproofing and flood hazard reduction structures to protect only lawfully existing and registered nonconforming structures and lawfully existing and registered nonconforming uses within structures.

K. Any use permitted within the underlying district is permitted in the floodplain district; provided, the following conditions are met:

(1) The use is not a use designated as a special hazard in the regulations promulgated under the Pennsylvania Floodplain Management Act.

(2) The use will not reduce the cross-sectional area of the floodway.

(3) The use is floodproofed or elevated in a manner such that the use and structure will not be damaged by flood waters.

(4) All structures and equipment are anchored to prevent flotation.

(5) The site will be developed such that installations which have the potential of polluting the stream, i.e., onlot sewage systems and fuel storage installations are located in the floodway fringe at an elevation above the one-hundred-year flood elevation.

§ 27-908. Conditional Uses. [Ord. 35, 11/11/1999, § 907]

Special hazard uses as listed in the regulations promulgated under the Pennsylvania Floodplain Management Act are conditionally permitted provided they meet all applicable provisions of this Chapter, are permitted or conditionally permitted in the underlying district and a special use permit is issued by the Department of Community Affairs or its successor agency.

§ 27-909. Prohibited Uses. [Ord. 35, 11/11/1999, § 908]

The following uses are prohibited in the Floodplain District:

A. All uses prohibited either expressly or implicitly in the underlying zoning district for the land in question.

B. All structures, with the exception of those specifically allowed in Sections of this Part.

C. Sanitary landfills, waste processing facilities, recycling centers, quarries, dumps, junk and salvage yards and outdoor storage or treatment of vehicles and/or materials, racing tracts and drag strips of all types.

D. The placing or stripping of topsoil or fill material of any kind, exclusive of grading or filling necessary for the construction of structures for which a zoning permit has been issued.

E. Private onsite sewage disposal system.

F. Swimming pools.

G. Cemeteries.

H. Hospitals.

I. Nursing homes.

J. Jails or prisons.

K. Mobile home park or mobile home subdivision or substantial improvement to an existing mobile home park or mobile home subdivision.

L. Feedlots.

M. Wild, domestic or farm animal closures which will not allow all animals to escape flood waters without human assistance.

N. Any development, structure or use which may, whether alone or in combination with others, and except where specifically authorized elsewhere in this Part:

(1) Endanger human life.

(2) Obstruct, impede, retard, change or increase the velocity, direction or flow of flood waters.

(3) Increase the surface elevation of floods or the frequency of floods.

(4) Catch or collect debris carried by flood waters.

(5) Be placed where the natural flow of the stream or flood waters would carry it downstream to the damage or detriment of property within or adjacent to the floodplain district.

(6) Degrade the water carrying capacity of any watercourse, channel or floodplain.

(7) Increase the rate of local runoff, erosion or sedimentation.

(8) Degrade the quality of surface water or the quality or quantity of groundwater.

(9) Be susceptible to flotation and subsequent movement which would cause damage to other property.

(10) Create unhealthful ponding or other unsanitary condition.

O. 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 (more than 550 gallons or other comparable volume or any

amount of radioactive substances) of any of the following dangerous materials or substances, shall be prohibited within any floodplain district:

(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.

(19) Other potentially dangerous materials or substances.

P. Emergency facilities such as fire stations, ambulance services and emergency management offices.

Q. Airports, heliports and shooting ranges.

R. Shopping malls and areas.

§ 27-910. Nonconforming Uses and Structures. [Ord. 35, 11/11/1999, § 909]

1. Continuation. All uses or structures lawfully existing in the floodplain district on the effective date of this Chapter which are not in conformity with the provisions of this Part shall be deemed nonconforming uses or structures. Such nonconforming uses or structures may be continued, maintained, repaired and floodproofed, except as otherwise provided for in this Part. However, such nonconforming uses or structures may at any time be improved to comply with existing Pennsylvania or Huntington Township health, sanitary or safety code specifications which are necessary solely to assure safe living conditions.

2. Abandonment. Nonconforming uses or structures within the floodplain district shall be subject to Part 12 of this Chapter. Additionally, the Board of Supervisors may require the removal of any abandoned nonconforming use or structure upon proper notice to the owner of the property on which an abandoned nonconforming use or structure exists.

3. Expansion and Modification. A nonconforming use or structure may not be expanded or modified in any manner which would increase or aggravate flooding or flood hazards. Nothing shall be done which would otherwise violate any of the provisions of this Part. No nonconforming use or structure shall be expanded, enlarged or altered in any way which causes it to occupy more space within the floodplain district than was occupied by it on the effective date of this Chapter.

4. Replacement and Rebuilding.

   A. A nonconforming use or structure in the floodplain district may be replaced, repaired or rebuilt if it is damaged or destroyed by any means, including floods, to the extent of less than 50% of its fair market value at the time of its damage or destruction. In such a case; however, the nonconformity of the new use or structure with respect to requirements as expressed in provisions of this Chapter shall not exceed that of the original use or structure which was damaged or destroyed. Nothing shall be done which would otherwise violate any of the provisions of this Part.

   B. A nonconforming use or structure in the floodplain district which has been damaged or destroyed by any means, including floods, to the extent of 50% or more of its fair market value at the time of its damage or destruction may not be replaced, restored, repaired, reconstructed, improved or rebuilt in any way other than in complete conformity and full compliance with the provisions of this Part, all other provisions of this Chapter and all other ordinances of Huntington Township. The Zoning Hearing Board may, as a special exception, waive the requirements of this subsection where it is demonstrated that such requirements could not be met on land owned by the appellant or where such requirements would impose undue

hardship to the appellant in the efficient operation of the premises. In such a case, the Zoning Hearing Board shall be authorized to grant only the minimum relief necessary and the least modification possible of the provisions of this part.

C. The Zoning Officer shall have the initial responsibility of determining the percent of damage or destruction and the fair market value of the damaged or destroyed use or structure at the time of its damage or destruction and may call upon experts or authorities as he may deem necessary to assist in determining a fair and impartial determination. Such costs accrued in this determination shall be paid by the appellant.

5. Historic Structures. The Zoning Hearing Board shall have the right to waive, as a special exception, any of the requirements of this Section for any structure listed on the National Register of Historic Places or the Pennsylvania Register of Historic Sites and Landmarks.

6. Special Floodway Requirement. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one-hundred-year flood.

§ 27-911. Zoning Permits. [Ord. 35, 11/11/1999, § 910]

1. The applicant shall provide the following information with any permit application for all structures within the floodplain district.

A. The elevation (in relation to mean sea level) of the lowest floor, including basement.

B. Whether or not the structure includes a basement.

C. If the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.

D. A document certified by a professional engineer or architect, registered in the Commonwealth of Pennsylvania, certifying that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact, uplift forces and other factors associated with the determined flood height and indicating the specific elevation (in relation to mean sea level) to which such structure is floodproofed.

E. Elevation of the one-hundred-year flood.

2. The Zoning Officer may submit a copy of all plans and applications for proposed construction or other improvements within the floodplain district to the Township Engineer, other appropriate agencies and/or other individuals for review and comment.

§ 27-912. Township Liability. [Ord. 35, 11/11/1999, § 911]

The granting of a permit or the making of any other administrative decision shall not constitute a representation, guarantee, or warranty of any kind by Huntington Township or by any official, agent or employee thereof, of the practicability or safety of any structure, use or other plan proposed with respect to damage from flood or otherwise and shall create no liability upon or a cause of action against, such public body, official, agent or employee for any flood damage that may result pursuant thereto or as a result of reliance on this Part. There is also no assurance that lands not included in the floodplain district are now or ever will be free from flooding or flood damage.

PART 10

GENERAL REGULATIONS

§ 27-1001. General Intent and Application. [Ord. 35, 11/11/1999, § 1001]

Unless otherwise stated, the regulations and restrictions established in this Part are intended to apply to all districts in Huntington Township.

§ 27-1002. Accessory Buildings. [Ord. 35, 11/11/1999, § 1002]

Accessory buildings shall be permitted in any zoning district provided the following requirements are met:

A. Minimum distance between buildings, 10 feet.

B. No structure shall be within 10 feet of any property line, except as follows:

(1) Detached accessory buildings not exceeding a maximum gross floor area of 100 square feet are permitted on lots containing semidetached dwellings, attached dwellings and apartments; provided, that:

(a) They are located no closer to the front lot line than the rear wall of the principal building.

(b) They are located a minimum of three feet from any side property line formed by a building part wall.

(c) They conform with all other applicable setbacks.

(2) Detached accessory buildings not exceeding a maximum gross floor area of 100 square feet are permitted on lots containing mobile homes; provided, that:

(a) They are located no closer to the front lot line than the rear wall of the principal building.

(b) They are located a minimum of three feet from any side or rear property line.

C. No structure shall be permitted between the front building setback line and the street right-of-way.

D. A zoning permit is not required for an accessory building having a floor area of 120 square feet or less.

§ 27-1003. Alternative Energy Sources. [Ord. 35, 11/11/1999, § 1003]

1. Wind assisted energy conversion facilities shall not be permitted in the front yard area of any property. Height regulations do not apply to these facilities

provided the height of the structure is not greater than the shortest horizontal distance to any lot line or adjacent building. All transmission lines to and from any free standing unit or any supporting building or structure shall be buried underground.

2. Solar energy units shall be permitted on any residential lot and are subject to the requirements of the respective zoning district.

§ 27-1004. Architectural Projections. [Ord. 35, 11/11/1999, § 1004]

1. Open structures such as porches, canopies, balconies, platforms, carports, covered patios and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side or rear yard.

2. However, a roof overhang may project no more than one foot into a yard area.

§ 27-1005. Buffering, Landscaping and Screening. [Ord. 35, 11/11/1999, § 1005]

1. Buffering.

   A. In general, buffering, either in the form of yard space or screening, is required in commercial, office, industrial and high density residential areas where they border low density residential areas, around existing residential properties within certain areas and where specifically called for in this Chapter.

   B. Where streets, highways, railroads or rivers serve as district boundaries, no buffering may be required along such boundary. Screening may be required by the Zoning Hearing Board if it determines screening is necessary for the safety or welfare of adjoining residents.

   C. Where streams or other bodies of water serve as district boundaries, such streams or rivers may serve to meet the buffering requirements; provided, such is approved by special exception.

   D. Any part or portion of a site which is not used for building or other structures, loading, parking spaces and aisles, sidewalks and designated storage areas shall be planted with an all season ground cover. It shall be maintained to provide an attractive appearance and all non-surviving plants shall be promptly replaced.

   E. Public schools shall not be required to provide buffering as required in this § 27-1005 or as otherwise required in any other section of the Huntington Township Zoning Ordinance. **[Amended by Ord. No. 2020-01-70, 3/12/2020]**

2. Landscaping.

   A. Any part or portion of a non-agricultural site where landscaping is required and which is not used for buildings or other structures, loading and parking spaces and aisles, sidewalks and designated storage areas shall be planted and maintained with landscaping.

   B. Except for agricultural uses and single-family detached, single-family semidetached, two-family detached dwellings and two-family semidetached dwellings, any part or portion of site which is not used for buildings or other structures, loading and parking spaces and aisles, sidewalks and designated storage areas shall be landscaped according to an overall plan, prepared and approved as part of a land development plan required under the applicable Subdivision and Land Development Ordinance [Chapter 22].

3. Planting Strip. All commercial, industrial, and nonresidential uses, but excluding agricultural uses and public schools shall be separated from all side and rear property lines and all street right-of-way lines by a planting strip. The planting strip may be included in the required yard space and shall be based on the following criteria: **[Amended by Ord. No. 2020-01-70, 3/12/2020]**

   A. The planting strip shall be a minimum of 10 feet wide, measured from the property line or street right-of-way line.

   B. Said planting strip shall be planted in grass, shrubbery, trees or other plant material, but in no case shall these areas be paved or covered by an impervious surface.

   C. Said planting strip shall only be broken by approved entrances or exits.

   D. Accessory buildings or structures shall be permitted within a planting strip; provided, they conform with the specific district requirements of this Chapter.

   E. Exceptions:

      (1) No planting strip is required along a rear property line when the rear property line abuts a public alley.

      (2) No planting strip is required along a side and/or rear property line where the adjacent owners have a written agreement, suitable to the Board of Supervisors, waiving the side and/or rear yard setbacks relating to parking facilities along their abutting property line(s).

      (3) No planting strips are required on lands in agricultural production.

4. Screening.

A. Screening requirements shall be applicable under the following circumstances:

(1) Where a proposed commercial, industrial or institutional use abuts an existing residential use or residential district.

(2) Where any proposed multifamily residential use abuts an existing single-family detached, single-family semidetached, two-family detached or two-family semidetached dwelling.

(3) Any other instance where screening is required by this Chapter or by the Township.

(4) Any existing industrial or commercial facility shall not be required to comply with the screening requirements except in case of enlargement or major alteration of same.

B. Screening shall comply with the following requirements:

(1) Trees and shrubs used for screening shall consist of at least 75% evergreen trees and shrubs and shall be so arranged as to provide an immediate visual screen of 50%.

(2) Plant materials used in the screen planting shall be at least four feet in height when planted and be of a species which will produce a complete visual screen of at least six feet in height at maturity.

(3) All trees shall have a minimum trunk diameter of two inches at a height of six inches above finished grade.

(4) No plantings shall be placed with their center closer than five feet from the property line of the tract.

(5) All existing trees within the required planting strip above three inches in caliper and/or eight feet in height shall be preserved wherever possible.

(6) When additional height is deemed necessary, an additional row of deciduous trees with calipers of not less than two inches shall be planted within the screening area at intervals of not more than 40 feet on center.

(7) Vegetative screening shall incorporate earthen mounds or berms, wherever possible, to improve sound as well as visual buffering and shall be broken at points of vehicular or pedestrian access.

(8) Screening design, including the type of plant materials used, spacing of plant materials and the use and location of earthen berms shall be subject to review and approval by the appropriate reviewing agency.

(9) Vegetative screens shall be perpetually maintained during the period the principal use causing the need for screening is in operation. Any plant material which does not survive shall be replaced within six months.

(10) Walls, ornamental structures, fences and berms or a combination of these not less than four feet in height may be used in combination with appropriate plant material subject to the specific land use areas involved and as approved by the appropriate reviewing agency.

(11) Innovative means of screening are encouraged; however, as a guideline to quantity of materials required, there shall be a minimum of one tree for each 12 lineal feet of property line.

(12) Screening shall be designated so as to not obstruct the clear-sight triangles at intersections.

C. Exceptions.

(1) No screening along a rear property line is required when the rear property line abuts a public alley.

(2) No screening is required along a side and/or rear property line where the adjacent owners have a written agreement, suitable to the Board of Supervisors, waiving the side and/or rear yard setbacks relating to parking facilities along their abutting property line(s).

(3) Public schools shall not be required to provide screening as required in this § 27-2005 or as required in any other section of the Huntington Township Zoning Ordinance. **[Added by Ord. No. 2020-01-70, 3/12/2020]**

5. Off-Street Parking Areas. Except as modified elsewhere in this Chapter, the following shall apply to the landscaping and screening of off-street parking areas:

A. Any off-street parking lot perpendicular to and within 100 feet of a public street or intersection shall be screened with a hedge, berm or other measure to prevent distraction or confusion from parking cars headlights.

B. No parking lot shall be located closer to a building than 10 feet to allow adequate room for landscaping.

C. No more than 25 parking spaces shall be placed in a continuous row without an intervening planting island of at least 10 feet in width and the length of the parking stall.

D. A minimum of 5% of any parking lot facility over 2,000 square feet in gross area (measured from the outside edge of paving to outside edge of paving) shall be devoted to landscaping. This landscaping shall include a minimum of one tree per 20 parking spaces and all planting beds within a parking lot shall be surfaced in lawn or ground cover.

E. For any land use where the total number of parking spaces exceeds 100 stalls, the parking area shall be divided by continuous islands perpendicular to the spaces every 130 feet (130 feet assumes four rows of parking at 20 feet length and two aisles at 25 feet width). These divider islands shall be a minimum of 10 feet wide.

F. Wherever a parking area of over five spaces abuts or is within 15 feet of the side or rear lot line of a lot in any Residential District, the said parking lot shall be screened from such adjoining lot by a wall, fence or hedge. Such screening shall be not less than four feet in height.

G. Whenever a parking area of over five spaces is located across the street from other land in any residential district, it shall be screened from the view of such land by a hedge, wall or fence located along a line drawn parallel to the street and a distance of 20 feet therefrom, such screening to be interrupted only at points of ingress and egress. Such screening shall be not less than four feet nor more than eight feet in height. The open area between such screening and the street shall be landscaped in harmony with the landscaping prevailing on neighboring properties fronting on the same street.

6. Service, Loading and Trash Disposal Areas.

A. All service, delivery, loading and outdoor storage and trash disposal areas shall be screened from all residential districts, public streets, parking lots and pedestrian walkways.

B. These areas shall be totally screened from the above listed placed by the use of fences, walls, berms, evergreen material or a combination of these, not less than six feet in height.

7. All mechanical equipment not enclosed in a structure shall be fully and completely screened in a manner compatible with the architectural and landscaping style of the remainder of the lot.

§ 27-1006. Conversion of Dwelling to More Units. [Ord. 35, 11/11/1999, § 1006; as amended by Ord. 2012-01-58, 5/10/2012]

A residence may not be converted to accommodate an increased number of dwelling units unless:

A. All multiple-family dwellings must be connected to public sewer and water systems.

B. The yard dimensions shall meet the yard dimensions required by the zoning regulations for new structures in that district.

C. The lot area per family equals the lot area requirements for new structures in that district.

D. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.

E. The conversion is in compliance with all other relevant codes and ordinances.

F. Parking will have to comply with all regulations.

§ 27-1007. Corner Lots and Visibility. [Ord. 35, 11/11/1999, § 1007]

1. A front yard, as provided in the area and lot requirements for the various districts, shall be required along each street on which a corner lot abuts.

2. On any lot, no wall, fence, or other structure shall be erected, altered or maintained and no hedge, tree or other growth shall be planted or maintained which may cause danger to traffic on a street by obscuring the view. On corner lots, no structure or obstructing growth shall be permitted within an area which is formed by a triangle where the two legs of the triangle extended to 100 feet from the centerline intersection of the two intersecting streets.

§ 27-1008. Detached Accessory Buildings on Nonconforming Lots. [Ord. 35, 11/11/1999, § 1008]

On existing lots of record where the existing lot width is less than the minimum lot width required in the prevailing zoning district, the minimum distance between a detached accessory building and the side property line may be reduced by the same ratio as the existing lot width is to the minimum required lot width. (Example: on an existing fifty-foot wide lot located in a zoning district with a one-hundred-foot minimum width, the minimum side setback would be 50/100, or 50% of the normal minimum side yard). In no case, however, shall this minimum distance be less than five feet, unless otherwise provided for in this Section.

§ 27-1009. Drainage Regulations. [Ord. 35, 11/11/1999, § 1009]

1. All erosion and sedimentation controls set forth in the existing or hereafter enacted Subdivision and Land Development Ordinance [Chapter 22] and the

following regulations shall apply to structures hereafter erected adjacent or near, to streams and drainage channels. Should a conflict in regulations arise the Planning Commission shall determine which one shall apply.

A. In all districts, no permanent structure shall be permitted within 50 feet of the edge of any stream or existing natural drainage channel or such additional space as may be required by the Zoning Hearing Board, because of existing conditions or by flood plain regulations.

B. If normal agricultural operations require a fence to cross a stream or drainage channel, such fence shall be permitted only if it does not restrict the natural flow of water.

2. All stormwater management plans and stormwater facilities shall be designed, altered, proposed and erected according to the regulations as set forth in the Huntington Township Stormwater Ordinance [Chapter 17] and the rules and regulations of Department of Environmental Protection. **[Amended by Ord. 2012-01-58, 5/10/2012]**

§ 27-1010. Driveways and Access. [Ord. 35, 11/11/1999, § 1010; as amended by Ord. 2007-01-46, 3/8/2007]

1. Every building hereafter erected or moved shall be on a lot adjacent to a public road or with access to a public road. It is the purpose of the following regulations to maintain that all structures be located on lots so as to provide safe and convenient access for servicing, fire protection and required off-street parking.

2. Driveway Requirements for a Single-Family Dwelling.

A. Number Per Lot. The number of access drives intersecting a street shall not exceed two per lot frontage; provided, however, that a lot used for a public school may have one additional access drive per lot frontage. **[Amended Ord. No. 2020-01-70, 3/12/2020]**

B. Driveway Intersection Separation Distances. Driveways shall not intersect a street within 30 feet of the right-of-way lines of any abutting street, nor within 10 feet of a fire hydrant or adjoining lot lines.

C. Clear Sight Triangle. Driveways shall be located and constructed so that a clear sight triangle of 75 feet measured along the street center line and 25 feet along the driveway center line, measured from the street right-of-way, is maintained. No permanent obstructions more than two feet in height shall exist or be placed within this area.

D. Slope. A driveway shall not exceed a slope of 5% within 25 feet of the street right-of-way line. Where a drive enters a bank through a cut, unless a retaining wall is used, the shoulders of the cut may not exceed 50% in slope with 25 feet of the point at which the driveway

intersects the street right-of-way. The height of the bank must not exceed two feet within 10 feet of the street.

E. For corner lots, driveway access shall be provided to the street with lesser traffic or considered as the more minor street.

F. Driveway Width. No driveway shall result in a curb cut which exceeds a width of 12 feet. Where curbing is not required, the width shall not exceed 20 feet. **[Amended by Ord. 2012-01-58, 5/10/2012]**

G. PennDOT Permit. Any driveway intersecting a State owned road shall require the acquisition of a highway occupancy permit from the Pennsylvania Department of Transportation.

3. Access Drive Requirements for Land Uses Other Than a Single-Family Dwelling.

A. Number Per Lot. The number of access drives intersecting a street shall not exceed two per lot frontage.

B. Access Drive Intersection Separation Distances. Distances between access drives and street intersections and between two access drive intersections measured from centerline to centerline shall be 200 feet.

C. Distance From Side and Rear Property Lines. Access drives shall be at least 20 feet from side an rear property lines, with the exception that the requirement can be waived when a joint parking compound is shared by abutting properties.

D. Clear Sight Triangle. Clear sight triangles shall be measured along the street centerline and the access drive centerline as follows. No permanent obstruction more than two feet in height shall exist or be placed within this area:

(1) Arterial Streets. One hundred fifty feet along the street centerline and 50 feet along the access drive centerline.

(2) Major and Minor Collector Streets. One hundred feet along the street centerline and 25 feet along the access drive centerline.

(3) Local Streets. Seventy-five feet along the street centerline and 25 feet along the access drive centerline.

E. Slope. An access drive shall not exceed a slope of 3% within 50 feet of the street right-of-way.

F. Surfacing. All access drives shall be paved with concrete or bituminous paving material or with a material suitable to the Board of Supervisors.

G. Access Drive Width. No access drive shall result in a curb cut which exceeds a width of 24 feet. The minimum width for access drives under this Section shall be 12 feet if one access drive is installed or 10 feet each if two access drives are installed. They both must be built to PennDOT specifications for commercial access drives. **[Amended by Ord. 2012-01-58, 5/10/2012]**

H. PennDOT Permit. Any access drive intersecting a State-owned road shall require the acquisition of a highway occupancy permit from the Pennsylvania Department of Transportation. **[Amended by Ord. 2012-01-58, 5/10/2012]**

4. The Board of Supervisors may grant permission by conditional use for additional driveway where required to meet exceptional circumstances and where frontage of unusual length exists.

5. Fill material may be placed along the outer lines of any street or drainageway when approved as a conditional use and authorized by the Board of Supervisors and when so approved shall be subject to the following conditions:

A. Factual evidence shall be submitted to the Board of Supervisors indicating that the cross section area of the stream drainageway will not be reduced and will be sufficient to contain anticipated runoff based on past frequency records.

B. All other regulations of the Commonwealth of Pennsylvania governing all activities within and adjacent to stream bed areas shall be in full force and effect.

§ 27-1011. Environmental Conservation. [Ord. 35, 11/11/1999, § 1011]

1. A buffer zone of 150 yards will surround Pennsylvania Game Lands in which no structures will be permitted. Only those uses of an agricultural or recreational nature will be permitted.

2. All streams whether in the floodplain district or not shall have a buffer zone in which no structures or uses will be permitted. The buffer shall extend 50 feet from the edge of the stream on both sides.

§ 27-1012. Erection of More Than One Principal Structure on a Lot. [Ord. 35, 11/11/1999, § 1012; as amended by Ord. 2012-01-58, 5/10/2012]

1. In any district, no more than one structure having a permitted or permissible principal use may be erected on a single lot, with the exception of a home occupation use.

2. No more than one single-family dwelling unit will be allowed per lot. Exceptions are duplexes, conversions, apartments, townhouses, etc., where all other zoning requirements are met.

§ 27-1013. Fences and Walls. [Ord. 35, 11/11/1999, § 101; as amended by Ord. 2007-01-46, 3/8/2007]

1. No fence, wall, or vegetation shall block motorist's view of the traffic or vehicles entering or exiting the property.[20]

2. A wall for this Section does not include retaining walls or walls of a building that may be permitted elsewhere in the Chapter.

3. Fences or walls on corner lots shall not infringe on the clear sight triangle for the intersecting roads.

4. Any fence erected principally to control agricultural livestock does not have to meet any of these requirements, as long as it is a split rail, electric, woven wire or high tensile fence.

5. Notwithstanding the foregoing, the height restrictions of fences or walls established by this section shall not apply to fences or walls erected for safety and/or security purposes for a public school. **[Added by Ord. No. 2020-01-70, 3/12/2020]**

6. All fences and walls must stay out of the Township road right-of-way. **[Added by Ord. No. 2021-02-73, 5/13/2021]**

§ 27-1014. Floor Area, Habitable. [Ord. 35, 11/11/1999, § 1014]

The minimum habitable floor area of any dwelling unit hereafter established shall be as follows:

A. Four hundred square feet in the case of apartments designed to be occupied by one person.

B. Five hundred square feet in the case of all other apartment units.

C. Nine hundred square feet in the case of all other dwelling units.

D. Seven hundred square feet in the case of mobile homes in mobile home parks.

20. Editor's Note: Former Subsections 1, limiting fence height to four feet if with side or rear setbacks, and 2, regarding standards for fences elsewhere, were repealed Ord. No. 2021-02-73, 5/13/2021. This ordinance also renumbered former Subsections 3 through 7 as Subsections 1 through 5.

§ 27-1015. Height Regulations. [Ord. 35, 11/11/1999, § 1015]

1. No structure shall exceed 35 feet in height except as a conditional use.

   A. The height of any building may exceed the maximum permitted height by one foot for each additional foot by which the width of each side yard exceeds the minimum yard regulations for the district in which the building is located; however, such additional height shall not exceed the maximum permitted by more than 15%.

2. Height regulations shall not apply to spires, belfries, cupolas, penthouse or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, utility poles or towers, television antennae, silos, necessary mechanical appurtenances or agricultural and public safety related structures.

§ 27-1016. Lot of Record, Lot Areas, Add-Ons. [Ord. 35, 11/11/1999, § 1016; as amended by Ord. 2007-01-46, 3/8/2007]

1. For a lot held in single and separate ownership as of the effective date of this Chapter and which does not meet the minimum lot area requirements for the district in which it is located, and does not have an existing well or septic system, no structure may be constructed, erected, or altered except upon authorization as a conditional use.

2. For a lot held in single and separate ownership which, because of unusual conditions of slope, lot depth or lot width cannot be reasonably developed within the yard area requirements of the district in which it is located, such yard area requirements may be decreased as a conditional use. Any reduction of yard area requirements shall be the minimum needed to provide relief.

3. For a lot which is intended to be conveyed to and become an integral part of an adjoining property and a note to that effect has been placed on the subdivision plat, lot area requirements for the district in which the lot is located may be waived.

4. For property held in single and separate ownership at the effective date of this Chapter, the subdivision of one flag lot for the purpose of a single-family dwelling may be permitted.

   A. A "flag lot" shall be defined as a lot meeting all requirements for the district in which it is located except for street frontage.

   B. The reduced street frontage shall be not less than 30 feet.

   C. Front yard depth shall be measured from that point where lot width meets the requirements of the district in which it is located.

§ 27-1017. Modular and Mobile Homes as Dwelling Units. [Ord. 35, 11/11/1999, § 1017]

1. All modular and mobile homes used as dwelling units shall meet or exceed minimum standards of all local and state building, housing, electrical, plumbing and other codes.

2. When used as a dwelling unit, all modular and mobile homes shall have the wheels, tow bars or any other means of propulsion removed.

3. A permanent support shall be of masonry construction upon footers set below frost line and oriented to the frame of the home.

4. The area directly beneath the modular or mobile home shall be one continuous concrete pad four inches and reinforced with a minimum of six inch by six inch No. 8 by No. 8 welded wire mesh.

5. The modular or mobile home shall be securely attached to the permanent support with anchors and tie downs such as "deadmen" eyelets, screw anchors, arrowhead anchors or other devices. The anchorage shall be adequate to withstand wind pressures in excess of 10 pounds per square foot.

6. The longitudinal gradient and cross slope of an area, consisting of the dimensions of the home plus 20 feet in all directions, shall not exceed 5%. The minimum slope in any direction shall be 1%.

7. A permanent fire resistance "skirt" shall be attached to the outside face of the modular or mobile home on all four sides.

8. Adequate ventilation shall be provided for the crawl space as long as proper protection is made to prevent intrusion by rodents and/or other vermin.

§ 27-1018. Ornamental Ponds and Wading Pools. [Ord. 35, 11/11/1999, § 1018]

1. Ornamental ponds, wading pools and similar structures shall comply with all accessory use setbacks and regulations.

2. No such impoundment shall contain more than 26.6 cubic feet of water (200 gallons). All ponds, pools or other impoundment exceeding the requirements of this Section shall be considered as "man-made lakes, dams and impoundment" and are subject to the criteria as listed in this Chapter.

3. No such impoundment shall have a length or diameter exceeding 15 feet nor a maximum depth exceeding two feet.

4. All ponds or pools shall be maintained so to not pose a nuisance by reason of odor or the harboring of insects or vermin.

5. No such pond(s) shall be used for the commercial hatching of fish or other species of animal.

§ 27-1019. Off-Street Parking, Loading and Unloading. [Ord. 35, 11/11/1999, § 1019]

1. General Regulations.

   A. Off-street parking facilities shall be provided to lessen congestion in the streets. The facilities required therein shall be available 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.

   B. No of-street parking, loading or unloading facility shall be located less than three feet from any property line, except where a street

accessway crosses a property line, nor be laid out in such a manner as would allow vehicles to project into any adjoining property.

C. A garage may be located wholly or partly inside the walls of the principal building or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements.

D. Parking spaces may be located on a lot other than that containing the principal use with a conditional use approval by the Board of Supervisors.

E. The size of a parking space for one vehicle shall not be less than 200 square feet. For purposes of computing the number of parking spaces available in a given area, the ration of 200 square feet per space shall be used. For uses other than single-family detached, single-family semidetached and single-family attached dwellings, only the area actually used for parking, not access or driving lands, shall be considered.

F. Parking facilities shall be designed so that each vehicle may proceed to and from the parking space provided for it without requiring the moving of any other vehicle.

G. All open parking areas shall be properly drained and shall be provided with an "all weather" surface.

H. The required parking space for two or more uses may be provided in a common parking facility; provided, that the number of spaces is not less than the sum of spaces required for each individual use. However, a conditional use may grant a special exception to allow a reduction in the number of spaces required for separate uses when the various activities or uses are conducted at substantially different times.

I. All parking spaces shall be provided on the premises or in common parking facilities located adjacent to the premises except that after a conditional use approval, all or part of the required number of spaces may be provided on a separate lot or lots within 500 feet walking distance from such premises. The Board of Supervisors shall not approve a requested conditional use until it is satisfied that all parking spaces required shall be maintained throughout the existence of such use to which they are accessory or until such acceptable substitute spaces are provided elsewhere.

J. For residential uses, all off-street parking spaces shall be located behind the street right-of-way line. For all other uses, off-street parking spaces shall not be located within the area of required landscaping.

K. Parking spaces on lots divided by zoning district boundaries may be located without regard to district lines; provided, that no such parking spaces shall be located in AC, RA or RS District, unless the use to which they are necessary is permitted in such district.

L. For nonresidential uses and lots, buffer planting shall be provided for parking areas and access drives which are adjacent to lots in residential districts, lots in existing residential use and public rights-of-way. Said buffer planting shall meet the requirements of this Chapter.

2. Minimum Parking Requirements.

A. Residential Parking.

(1) Dwelling. One-family, two parking spaces for each family unit.

(2) Dwelling. Two-family, two parking spaces for each family unit.

(3) Multifamily Dwellings, Including Conversion Apartments. The total number of parking or garage spaces shall not be less than two times the number of dwelling units in the building. A garage accessory to an apartment house shall provide only for the storage of vehicles of the owner, tenants and employees. The required number of parking spaces may be reduced for dwellings designed for and erected to house elderly citizens, but not less than 25% of the number of dwelling units provided.

(4) Boarding or Rooming Houses, Hotels, Motels and Tourist Homes. At least one parking space for each guest room. If a restaurant in connection with the above is open to the public, the off-street parking facilities shall not be less than those required for restaurants, in addition to those required for guest rooms.

(5) For the purpose of this Chapter, when parking spaces are required for dwellings, an attached or unattached garage or carport on the premises and that portion of the driveway off the public right-of-way may be considered as space, if minimum square footage is provided.

B. Commercial Parking. The following regulations shall be applied to new facilities included within and/or comprising shopping centers, plazas and neighborhood centers hereafter erected. The requirements herein may be modified and in some cases removed by the Board of Supervisors when it is determined by the Board that requirements are too stringent or otherwise not applicable or that public parking lots and facilities are available in sufficient number to negate the need for customer parking on the premises:

(1) Theaters, Auditoriums, Churches, Stadiums or Any Other Place of Public or Private Assembly. At least one parking space for each three seats provided for public or private assembly. **[Amended by Ord. No. 2020-01-70, 3/12/2020]**

(2) Retail Stores and Other Places for Trade or Business. One vehicle space for each 200 square feet of floor area for public use plus one for each 1 1/2 employees.

(3) Restaurant, Tearooms and Cafeteria, Including Taprooms, Taverns and Nightclubs. One vehicle space for each 50 square feet of floor area.

(4) Bowling Alley. Five vehicle spaces for each alley.

(5) Office Building. At least one parking space for each 250 square feet of floor area or fraction thereof or one space for each 1 1/2 employees, whichever requirement is the greater.

(6) Repair Garages, Automotive Sales and Service Establishments and Gasoline Service Stations. At least one parking space for each 200 square feet of floor or ground area or fraction thereof devoted to repair or service facilities, which shall be in addition to the space allocated for the normal storage of motor vehicles. In no event shall parking be permitted on the public rights-of-way.

(7) Parking Garage. No parking space shall be required in yard areas; however, no parking shall be permitted on the public rights-of-way.

(8) Hospitals, Sanitariums and Nursing Homes. At least one parking space for each two patients for which accommodations are provided in the case of hospitals and one parking space for each three patients for which accommodations are provided in the case of such facilities as sanitariums and nursing homes, such spaces shall be in addition to those necessary for doctors, administrative personnel and other regular employees.

(9) Medical, Dental and Other Health Care Officers. Six vehicle spaces for each practitioner plus one space for each employee.

(10) Drive-In and Outdoor Establishments. Provisions for parking for drive-in facilities must meet the approval of the Board of Supervisors and under no conditions will parking on the public rights-of-way be permitted.

(11) Dance Halls, Roller Rinks, Clubs, Lodges and Other Similar Places. At least one parking space for each 200 square feet of floor area.

(12) Swimming Pool. At least one parking space for each five persons for whom facilities for dressing are provided or at least one parking space for every 60 square feet of water surface. Including areas for swimming, wading and diving, whichever requirement is greater.

(13) Undertaking Establishments. At least one parking space for each 100 square feet of floor area for public use. Such space shall be in addition to:

(a) Employee parking needs.

(b) A service area for mobile equipment, such as hearses and ambulances.

(14) Other Commercial Buildings. At least one parking space for each 300 square feet of floor area or fraction thereof or one parking space for each 1 1/2 employees, whichever requirement is greater.

(15) Greenhouses. One parking space per employee. **[Added by Ord. 2012-01-58, 5/10/2012]**

(16) Public Schools. For elementary and intermediate schools (Grades 8 and below), 1 1/2 (1.5) spaces per teacher and staff members. For high schools and beyond (Grades 9 and above), one space for each teacher and staff member plus one space for every five students of projected building capacity. **[Added by Ord. No. 2020-01-70, 3/12/2020]**

C. Home Occupations. (Note the following guides are for spaces in addition to the ones required for the residence):

(1) Legal Office. One space for each employed person (the resident attorney, any associates, etc.), two additional spaces for clients and occasional sales persons or consultants.

(2) Architects, Landscape Architects, Engineers and Accountants. One space for the resident and one additional space for each employee. Two additional spaces for clients and/or other visitors.

(3) Physicians and Dentists. One space for the resident and one additional space for the employee, associates or other affiliated person and three additional spaces for patients.

(4) Realtors, Insurance Agents, Offices of Elected Officials. Three spaces.

(5) Barber Shops and Beauty Parlors. Four spaces. If there is only one customer facility provided (one barber chair, one dryer, etc.) three spaces may be approved.

(6) Dressmakers, Milliners and Others. Three spaces.

D. Industrial Parking. These regulations shall apply to industrial expansion and industrial installations erected after the effective date of this Chapter. Off-street parking shall be provided in accordance with the following schedule:

(1) Industrial and Manufacturing Establishments. One and one-half vehicle parking spaces for each two employees when the establishment operates with only one shift. In the case of multiple shifts, one parking space for each employee on the largest shift shall be provided.

(2) Truck Terminals and Wholesale Warehouses. One and one-half parking spaces for each two employees on the largest shift.

(3) Visitors. Space shall be provided in addition to the above parking requirements according to the specific needs. For the purpose of this Chapter, traveling salesmen and out-of-town personnel are visitors.

3. Loading and Unloading Space.

A. In addition to the off-street parking space required herein, any building erected, converted or enlarged in any district for commercial, office building, manufacturing, wholesale, hospital or similar uses, shall provide adequate off-street area for loading and unloading of vehicles according to the following schedule: **[Amended by Ord. 2012-01-58, 5/10/2012]**

Use	Gross Floor Area Square Feet	Minimum Number of Spaces
Stores, manufacturing, wholesale, commercial, hospitals, laundry, mortuary, dry cleaning	Under 8,000	1
	8,000 to 40,000	2
	40,000 to 250,000	3
	Each additional 200,000	1

Use	Gross Floor Area Square Feet	Minimum Number of Spaces
Office buildings, hotels, greenhouses	Under 100,000	1
	100,000 to 300,000	2
	Each additional 300,000	1

B. In no case where a building is erected, converted or enlarged for commercial, manufacturing or business purposes shall the public rights-of-way be used for loading or unloading of material.

4. Service Areas (Parking, Drives and Loading). Unless more restrictive regulations are set forth elsewhere herein, the following shall apply:

A. Residential Oriented Areas.

(1) Service areas may be placed in required yard areas but not closer than three feet to any property line.

(2) Where the extremities of a service area are closer than five feet to any property line, curbs and/or wheel blocks should be placed as not to permit any portion of a vehicle to overhand any part of the adjacent property.

(3) Joint drives serving contiguous lots are not recommended. They may be approved as a special exception by the Board of Supervisors when no alternative is available. The use of a joint drive must be made a part of the deed for each property.

(4) Off-street service areas must have an all weather paving capable of providing a solid, dust-free surface at all times.

B. Commercial Oriented Areas.

(1) Off-street service areas shall be provided for every commercial enterprise hereafter or substantially altered.

(2) Off-street service areas where permitted may be placed on the premises; provided, that:

(a) No part of any vehicle on the premises shall overhand any adjacent property.

(b) Storage of material shall not be permitted unless within a structure or behind a screen providing visual protection to adjacent properties.

(3) All off-street service areas shall be paved so as to provide an all weather surface, firm and dust free at all times. Paving shall be as specified by the Township Engineer. Upon written request, the Board of Supervisors may exempt agricultural uses from this requirement. **[Amended by Ord. 2012-01-58, 5/10/2012]**

C. Industrial Oriented Areas.

(1) Off-street service areas may be placed anywhere on the premises except where specifically prohibited. (Buffer yards and portions of yards adjacent to public right-of-way lines)

(2) No parking or loading area shall be established within five feet of any property line or within 10 feet of a public right-of-way line.

(3) All off-street service areas shall be paved so as to provide an all-weather surface, firm and dust free at all times. Paving shall be as specified by the Township Engineer.

5. Handicapped accessible parking shall be provided in accordance with the requirements of the Americans with Disabilities Act, as may be amended, from time to time.

A. Said spaces shall be those which are most accessible and proximate to the building or buildings which the parking spaces shall serve.

B. Each space or group of spaces shall be identified with a clearly visible sign displaying the international symbol of access.

C. Each space shall be 120 inches wide with a ninety-six-inch wide access aisle to allow room for persons in wheelchairs or on braces or crutches to get in and out of either side of an automobile onto level, paved surface suitable for wheeling and walking.

D. Where possible, such spaces shall be located so that persons in wheelchairs or using braces or crutches are not compelled to wheel or walk behind parked cars.

E. Where applicable, curb ramps shall be provided to permit handicapped people access from the parking lot to the sidewalk of building entrance.

F. Parking spaces shall be provided in accordance with the following table:

Total Parking in Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20 plus 1 for each 100 over 1,000

6. Parking and Storage of Vehicles.

   A. In any zoning district, automotive vehicles or recreational vehicles of any kind or type without current license plates shall not be parked or stored other than in completely enclosed accessory buildings.

   B. All off-street parking areas shall be reserved and used for vehicle parking only, with no sales, dead storage or dismantling of any kind on residential lots. Repair work or servicing of the vehicles owned by the occupant is permitted.

   C. On a residential dwelling lot, the parking of one commercial vehicle is permitted by an individual for his livelihood for a business not conducted on the premises or one recreational vehicle is permitted for storage purposes only and is not to be used for sleeping, recreational or living purposes at any time or in any way, shape or form.

   D. No boats, campers, recreational vehicles, trailers and/or trucks with more than two axles shall be stored within any front yard area of a residential dwelling.

§ 27-1020. Patios, Paved Terraces, Decks and Open Porches. [Ord. 35, 11/11/1999, § 1020]

No patio, paved terrace, deck, or open porch shall be located within five feet of any property line or between the building setback line and the street line. In the case of attached or semi-detached dwellings, this distance may be reduced to not less than three feet from a side property line formed by a building wall.

§ 27-1021. Recycling Collection Facilities. [Ord. 35, 11/11/1999, § 1021]

1. Existing commercial facilities which sell products containing recyclable materials such as aluminum, glass and plastics may establish as an accessory use a recycling collection facility for those materials.

2. All collected materials shall be stored in wholly enclosed facilities and the area shall be kept free of litter and debris. Odors shall not be perceptible at the property line.

3. The collection facilities shall be designed and located so that the removal of collected materials does not interfere with normal traffic flows into, out of and through the commercial facility.

§ 27-1022. Setback Requirements for Corner Buildings. [Ord. 35, 11/11/1999, § 1022]

1. On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines

as required for the front yard in the district in which such structures are located.

2. A corner lot shall have two front yard and two rear yard setbacks.

§ 27-1023. Signs. [Ord. 35, 11/11/1999, § 1023]

1. Use, Location and Size. The following types of signs and no others shall be permitted to be erected or maintained, unless specifically identified in the criteria for a land use permitted by conditional use:

   A. Identification, informational or directional signs erected or required by governmental bodies.

   B. Signs advertising the sale or rental of premises; provided, that:

      (1) Such signs shall be erected on the premises to which they relate.

      (2) The area of one side of any sign shall not exceed 20 square feet in the CI District and 10 square feet within all other districts.

      (3) Such signs shall be removed within 14 days after the property is sold or rented.

   C. Signs indicating the location and direction of premises available for or in the process of development and having inscribed thereon the name of the owner, developer, builder or agent; provided, that:

      (1) The area on one side of any such sign shall not exceed 20 square feet.

      (2) Not more than two such signs shall be erected on each 500 feet of street frontage.

   D. Signs of mechanics and artisans during the period such persons are performing work; provided, that:

      (1) Such signs shall be erected only on the premises where such work is being performed.

      (2) The area on one side of any such sign shall not exceed 40 square feet.

      (3) Not more than one such sign may be erected on each street frontage.

      (4) Such signs shall be removed promptly upon completion of work.

E. Signs for public recreation areas, schools, colleges, churches or other similar public institutions or uses; provided, that:

(1) The area on one side of any such sign shall not exceed 20 square feet.

(2) Not more than one such sign may be erected on each street frontage.

F. Signs prohibiting or otherwise controlling trespassing upon particular premises or indicating the private nature of a road, driveway or premises or otherwise controlling the use of the property; provided, that the area on one side of any such sign shall not exceed six square feet.

G. Signs indicating the name of a particular organization, home for the aged, nursing home or convalescent home, farm or estate; provided, that:

(1) The area on one side of any such sign shall not exceed 25 square feet.

(2) Any such sign shall be located on the same lot as the organization, home for the aged, nursing home, farm or estate.

(3) Not more than one such sign may be erected on each street frontage.

H. Signs advertising the sale of farm products, as permitted by this Chapter; provided, that:

(1) The area on one side of any such sign shall not exceed 10 square feet.

(2) Not more than two such signs shall be erected and maintained.

(3) Such signs shall be displayed only when such products are on sale.

I. Home business, accessory use, name or address signs; provided, that:

(1) The area on one side of any such sign shall not exceed four square feet.

(2) Any such sign shall be erected only on the premises which in such use exists.

J. Commercial or industrial signs; provided, that:

(1) The area one side of any free-standing sign shall not exceed 80 square feet in the CI District and 20 square feet in any other district.

(2) Not more than one such sign shall be erected on each street frontage.

(3) In the CI District, the area of any sign attached to a building shall not exceed 15% of the wall area on which the sign is placed.

(4) In districts other than CI, the area of any wall sign or projecting sign attached to a building shall not exceed 10% of the wall area on which the sign is placed or 20 square feet, whichever is less.

(5) The sign placed on any building or lot shall be related to the business conducted on such premises.

K. Temporary signs advertising a sale or event; provided, that such signs shall not be displayed in excess of one month and shall be removed promptly after the event.

L. Political signs for candidates of elected offices; provided, that such signs shall not be displayed in excess of one month prior to the election date and shall be removed within seven days after the election. Political signs shall not exceed three square feet in area.

M. Billboards are permitted by conditional use in the CI District, in accordance with the following requirements: **[Amended by Ord. No. 2017-01-67, 10/12/2017]**

(1) No billboard shall be located within 1,500 feet of any other billboard.

(2) All billboards shall be set at least 50 feet back from all street/highway right-of-way lines.

(3) All billboards shall be set at least 200 feet from any residentially zoned land as well as from any residential dwellings.

(4) All billboards shall be set at least 50 feet from any property line.

(5) No billboard shall have a face which exceeds 300 square feet in area.

(6) The lowest edge of the face of the billboard shall be at least seven feet off the ground, and the maximum height of the billboard shall be no more than 35 feet from ground level.

(7) No billboard shall be located within 50 feet of any sewer, water, pipeline, or electric right-of-way line.

(8) No vertically or horizontally stacked billboard shall be permitted.

(9) Billboards shall not obstruct the view of any motorist on an adjoining road or the view of adjoining commercial or industrial uses which depend upon such visibility for identification.

(10) Any digital billboard emitting light or luminance through LED lighting or similar technology shall be no brighter than 5,000 candela per square meter (nts) between the hours of sunrise and sunset and no brighter than 125 candela per square meter (nts) between the hours of sunset and sunrise. Such billboards shall utilize light-sensing technology that automatically adjusts the brightness of the display of the billboard as natural ambient light conditions vary in order to comply with the aforementioned brightness limits.

(11) Digital billboards emitting light or luminance through LED lighting or similar technology shall not be permitted to change their imagery more frequently than once every 15 seconds. Such changes shall be made in an instantaneous fashion.

(12) Billboards shall not utilize message sequencing such as flashing images, fading images, videos, moving parts, or scrolling words or images.

(13) The replacement of an existing conventional or nondigital billboard with a digital billboard shall require a conditional use permit.

2. General Sign Regulations.

A. The area of a sign shall be construed to include all letter, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed (but not including any supporting framework and bracing incidental to the display itself). Where the sign consists of individual letters or symbols attached to a building, wall or window the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols. In computing the square foot area of a double-faced sign, only one side shall be considered; provided, that the both faces are identical. If the interior angle formed by the two faces of the double-sided sign is greater than 45°, then both sides of such sign shall be considered in calculating the sign area. A cube shall be considered four signs.

B. No sign shall be placed in such a position that it will cause danger to traffic on a street by obscuring the view.

C. No signs shall be allowed in the public right-of-way, except for the following:

(1) Permanent signs, including:

(a) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic.

(b) Bus stop signs erected by a public transit company.

(c) Informational signs of a public utility regarding its poles, lines, pipes or facilities.

(2) Temporary signs, including:

(a) Public signs erected by or on behalf of a governmental body to post legal notices, convey public information and direct or regulate pedestrian or vehicular traffic.

(b) Signs announcing special events of charitable or public service groups; provided, such signs shall be approved by the Zoning Officer and shall:

1) Be limited to a maximum size of 32 square feet in area.

2) Be removed as soon as the event or activity thereby has occurred and shall not be permitted to exist more than 30 days prior to such event or activity.

(3) Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.

(4) Any sign installed or placed on public property, except in conformance with the requirements of this Section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the Township shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

D. The following signs and other devices shall not be permitted, erected or maintained in any zoning district, notwithstanding anything else to the contrary contained in this Section or elsewhere:

(1) Signs which incorporate in any manner any flashing or moving illumination or with illumination which varies in intensity or which varies in color and signs which have any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical pulsation or by action of normal wind currents. Clocks, handing signs which move with air currents, time and temperature signs and barber poles are excepted; provided, that they otherwise comply with all other provisions of this Part.

(2) Light sources which cast light on signs unless shield by opaque material so that bulbs are not visible from off the property on which the signs are located.

(3) Any sign or sign structure which constitutes a hazard to public safety or health.

(4) Signs which by reason of size, location, content, coloring or manner or intensity of illumination distract or obstruct the vision of drivers to the extend which creates a significant safety hazard, either when leaving a roadway or driveway or obstruct or detract from the visibility of any traffic sign or control device or public streets and roads.

(5) Any sign which obstructs free ingress to or egress from a fire escape, door, window or other required building exit.

(6) Signs which make use of the words such as "stop," "look," "one way," "danger," "yield" or any similar words, phrases, symbols, lights or characters in such a manner as to interfere with, mislead or confuse traffic.

(7) Signs on public property or public rights-of-way, unless erected by a governmental body or unless required to be so located by order of a governmental body.

(8) Signs painted on, attached to or supported by a street sign or street light standard, stone, cliff or other natural object.

(9) Searchlights, pennants, spinners, banners and streamers, inflatable balloons and similar devices, except for temporary occasions not to exceed 15 days duration, such as grand openings and then only with special prior permission of the Zoning Officer.

E. No roof signs shall be permitted.

F. No free-standing sign shall be higher than the height limitations of 20 feet from the ground.

G. In addition to the above requirements of this Section, every sign referred to in and permitted by this Section shall be designed, constructed and maintained in accordance with the following standards:

(1) All signs shall comply with applicable provisions of any building and electrical codes as adopted by the Township.

(2) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this Section, all signs shall be constructed of permanent materials and shall be permanent attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.

(3) All signs shall be maintained in good structural condition.

3. Nonconforming Signs.

A. Any sign which lawfully existed and was maintained at the effective date of this Chapter may be continued; provided, such sign in constructed of durable material and is maintained in good condition and repair.

B. Any sign which has been destroyed or damaged by a natural occurrence can be rebuilt or repaired with same material to the same size and in the same location as the original sign.

C. Any sign, which has been purposely destroyed or damaged or fallen into disrepair, can be repaired or replaced only within the regulations of this Section.

4. Applications and Permits.

   A. Applications for permits to erect, alter or modify permanent signs shall be made to the Zoning Officer.

   B. It shall be unlawful to commence the erection of any permanent sign or to commence the moving or alteration of any permanent sign until the Zoning Officer has issued a sign permit for such work.

   C. In applying to the Zoning Officer for a sign permit, the applicant shall submit a dimensional sketch or scale plan indicating the shape, size, height and location of all signs to be erected, altered or moved and supply such other information as may be required by the Zoning Officer for determining whether the provisions of this Section are being observed. If the proposed sign as set forth in the application is in conformity with the provisions of this Section and other ordinances of the Township then in force, the Zoning Officer shall issue a sign permit for such sign. If the sign permit is refused, the Zoning Officer shall state such refusal, in writing, with the cause and shall immediately thereupon mail notice of such refusal to the applicant at the address indicated in the application. The Zoning Officer shall grant or deny the permit within 15 days from the date the application is submitted. The issuance of a permit shall in no case be construed as waiving any provisions of this Section.

5. Removal of Certain Signs. After 180 days any sign which advertises business or service no longer in existence on the premises shall be considered to be abandoned. Signs that are abandoned shall be removed by the persons responsible for the erection and/or maintenance thereof within 30 days after notice of the abandonment to such person by the Zoning Officer. If such persons fail or refuse to remove such abandoned signs after the notice aforesaid, the Zoning Officer may remove the signs at the expense of the property owner or the persons responsible for the erection and/or maintenance thereof.

§ 27-1024. Special Uses. [Ord. 35, 11/11/1999, § 1024]

Municipal Buildings and Uses. This Chapter shall not apply to any building of the Township if the Board of Supervisors shall, after a public hearing, decide that such building or extension thereof or such use of any premises is reasonably necessary for the convenience or welfare of the public.

§ 27-1025. Storage of Explosives, Commercial Use. [Ord. 35, 11/11/1999, § 1025]

The storage of commercial use explosives shall be prohibited in residential districts. Commercial use explosives may be kept in all districts provided the place where they are stored is no closer than 200 feet to any property line, and provided that all State standards are met.

§ 27-1026. Swimming Pools, Spas and Whirlpools, In-Ground and Above-Ground. [Ord. 35, 11/11/1999, § 1026]

1. No swimming pool, spa or whirlpool shall be permitted without a filtering system.

2. No swimming pool, spa or whirlpool shall be permitted unless it is enclosed by a permanent fence with a self-closing gate which is at least four feet in height and conforms to other requirements listed in § 27-1014. This requirement shall not apply to above-ground pools, spas or whirlpools having a wall measuring four feet in height and have a retractable ladder.

3. No swimming pool, spa or whirlpool with a capacity of 10,000 gallons or more shall be constructed or installed unless the Township Engineer has certified that the drainage of such pool, spa or whirlpool is adequate and will not interfere with any domestic water facilities, any sanitary sewage facilities, any streets or any neighboring properties.

4. No swimming pool, spa or whirlpool may be erected or installed within any required minimum front, side or rear building setback.

5. No swimming pool, spa or whirlpool shall be located closer to the front of the lot than the front wall of the principal building.

6. Swimming pools, spas or whirlpools shall be secured from unauthorized access by means of a lockable door, gate, cover or similar control device.

7. Any swimming pool, spa or whirlpool must conform to the applicable State regulations.

8. Farm ponds and/or lakes are not included; provided, that swimming was not the primary purpose for their construction.

§ 27-1027. Temporary Buildings. [Ord. 35, 11/11/1999, § 1027]

1. Temporary buildings, constructions trailers, equipment and materials used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work.

2. Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the Zoning Officer.

§ 27-1028. Tennis Courts. [Ord. 35, 11/11/1999, § 1028]

1. Tennis courts shall be an accessory use and therefore, a zoning permit is required.

2. A permanent open mesh fence 10 feet in height shall be provided behind each baseline. This fence shall be parallel to the baseline and at least 10 feet beyond the playing surface unless the entire court is enclosed.

3. Lighting fixtures, if provided, shall not create objectionable glare on abutting properties.

4. Tennis courts shall not be located within 40 feet of any property lines.

5. Screening shall be provided to minimize effects on adjoining properties.

§ 27-1029. Trash Areas. [Ord. 35, 11/11/1999, § 1029]

1. All commercial, industrial and multifamily residential uses that provide trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four feet in height if such area is not within an enclosed building or structure.

2. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Officer shall be required.

§ 27-1030. Traffic Impact Study Standards. [Ord. 35, 11/11/1999, § 1030]

All permitted uses and conditional uses for which a traffic impact study is recommended by the Planning Commission and required by the Board of Supervisors shall submit a study prepared under the supervision of a qualified and experienced professional engineer. The engineer shall be licensed by the Commonwealth of Pennsylvania and shall have had specific training in traffic and transportation engineering and demonstrable experience related to preparing traffic studies for existing and proposed developments.

A. A description of the traffic impact study area (TISA), including such area's major roads and major intersections. The determination of whether an intersection shall be considered a major intersection shall be made in accordance with accepted engineering practices. In the event of a dispute, the determination of the Township shall be final.

   (1) At a minimum, the TISA shall include all site access drives, streets and major intersections within the area contained in a 1/2 mile radius circle drawn around each entrance to the proposed development does not contain a major intersection with another street within that area, the first major intersection with such abutting street.

   (2) If the proposed development will generate 100 peak directional trips or more, but less than 250 peak directional trips, the TISA shall include all site access drives, streets and major intersections contained in a two mile radius circle drawn around each entrance to the proposed development.

(3) If the proposed development will generate 250 peak directional trips or more, but less than 500 peak directional trips, the TISA shall include all site access drives, streets and major intersections contained in a three mile radius circle drawn around each entrance to the proposed development.

(4) If the proposed development will generate 500 peak directional trips or more, the TISA shall include all site access drives, streets and major intersections contained in a four mile radius circle drawn around each entrance to the proposed development.

(5) If additional or more stringent specifications are recommended by the Institute for Traffic Engineers for traffic impact studies for the propose use, the applicant shall prepare the traffic impact study to incorporate such additional or more stringent requirements.

B. The report shall clearly identify potential trip generation rates for the proposed use which shall be determined through the use of the current edition of the Trip Generation Manual published by the Institute of Transportation Engineers. Peak hour and daily rates shall be provided for weekdays, Saturdays and Sundays.

(1) Any reduction in the number of trips anticipated to be generated by the use for pass-by or internal (captured) traffic must be based upon clearly established standards published by the Institute of Transportation Engineers. The applicant shall submit documentation supporting the calculation of pass-by and/or internal (captured) traffic. In the absence of such published data for the specific type of use proposed, no deduction shall be taken for either pass-by or internal (captured) trips.

(2) Determination of pass-by or internal (captured) traffic must be based upon pass-by or internal (captured) traffic at the highest peak hour of the week. For example, the pass-by or internal (captured) traffic for a mixed-use residential/office development would most likely be calculated for a weekday, while the pass-by or internal (captured) traffic for a mixed residential/commercial development would most likely be determined for a Saturday.

C. Existing twenty-four-hour automatic traffic recorder (ATR) counts peak hour turning movement volume data, including weekdays, Saturdays and Sundays for all streets which provide direct access to the proposed development and for the arterial streets and collector streets which will serve the proposed development, as well as any major intersection within the TISA. Classification of streets as arterial or collector shall be determined by the classifications set forth in Part 15 of this Chapter.

D. Projected twenty-four hour and peak hour traffic volume data, including weekdays, Saturdays and Sundays, for all streets which provide direct access

to the proposed development and for the arterial streets and collector streets which will serve the proposed development, as well as any major intersection within the TISA, for the horizon year without the impacts of the proposed development. The horizon year shall be considered the point in time when a residential development is built out and completely occupied and when a nonresidential development is built out, completely occupied and open and shall be determined in accordance with accepted engineering practice and published recommendations of the Institute of Traffic Engineers. In the event of a dispute as to the horizon year, the determination of the Township shall be final.

E. Existing levels of service and levels of service projected for the horizon year without the impacts of the proposed development on all abutting streets and all major intersections within the TISA. Level of service shall be computed in accordance with the 1994 Highway Capacity Manual, Special Report 209, published by the Transportation Research Board or any subsequent revision of such manual.

F. Estimates of the total number of vehicle trips the proposed development will generate in the horizon year for typical twenty-four-hour periods, including weekdays, Saturdays and Sundays and the typical a.m. and p.m. peak periods of weekdays and Saturday and Sunday peak hours.

G. Assignments of post-development twenty-four hour and peak hour volumes to the arterial and collector streets and other streets that will serve the proposed development based upon the projections of increased traffic volumes within the TISA. In making these estimated assignments, consideration shall be given to other developments approved but not yet constructed and to development trends.

H. Projected twenty-four hour and peak hour turning movement data, including weekdays, Saturdays and Sundays for all access points proposed for the development.

I. Capacity and level of service analyses on all abutting streets and all major intersections which the additional traffic generated by the development will impact, including post-development capacity and level of service and degradation of capacity and level of service analyses.

J. Accident history within the past five years on the streets adjacent to the proposed development and at the intersections within the TISA categorized by accident type for each street or intersection.

K. Computer optimization analyses to determine queue capacities (vehicle stacking) and minimum storage lengths at existing intersections abutting the proposed development and at new intersections within the development.

L. Descriptions of all improvements that will be required in order to avoid problems of traffic congestion and traffic study. These improvements shall

provide safe and efficient movement of traffic to and from and within and past the proposed use, while maintaining the impact to non-site trips.

(1) The applicant may take into account traffic improvements which are clearly funded and which will occur within the next two years following the date of submission of the study.

(2) The applicant shall not assume that any improvements which are not clearly funded will be made.

M. Cost estimates for the proposed improvements that will be required setting forth the cost estimates for improvements which others will make and which will be made by the applicant.

N. The time period within which the improvements will be made (particularly if the improvements are associated with various phases of development construction) and a description of any monitoring of operating conditions and improvements that may be required.

O. Descriptions of any actions the applicant proposes or offers to alleviate the impact of the proposed use on the transportation network within the TISA.

P. Descriptions of existing and planned public transportation services in the Township and the potential of those services to serve the proposed development.

Q. The source of all standards used and the data presented.

R. Data shall be presented in tables, graphs, maps and diagrams whenever possible for clarity and ease of view.

S. To facilitate examination, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, conclusions, recommendations and proposed improvements.

§ 27-1031. Unenclosed Storage. [Ord. 35, 11/11/1999, § 1031]

1. In all districts, no outdoor stockpiling of any material or outdoor storage of trash is permitted in front yards.

2. Except as provided in other Township ordinances, the accumulation of trash or junk out-of-doors for a period in excess of 15 days is prohibited in all districts.

§ 27-1032. Uses Not Provided For. [Ord. 35, 11/11/1999, § 1032]

Whenever in any district established under this Chapter a use is not specifically permitted an application is made by a property owner to the Zoning Officer for such use. The Zoning Officer shall refer the application to the Zoning Hearing Board which shall have the authority to permit the use or deny the use. The use may be

permitted if it is similar and compatible with permitted uses in the district and in no way is in conflict with the general purpose and intent of this Chapter.

§ 27-1033. Vision Obstruction. [Ord. 35, 11/11/1999, § 1033; as amended by Ord. 2007-01-46, 3/8/2007]

1. Visibility at Intersections. On any corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet between the centerline grades of the intersecting streets within the "clear sight triangle" area defined in accordance with the Township Subdivision and Land Development Ordinance [Chapter 22].

2. Driveways and access drives. On any lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision, between a height of 2 1/2 feet and 10 feet, at all driveways and/or access drives within the "clear sight triangle" area as defined in the Township Subdivision and Land Development Ordinance.

§ 27-1034. Yards. [Ord. 35, 11/11/1999, § 1034]

1. Front Yard Exception.

   A. When the setback of existing buildings is greater than the minimum provided, the required setback of a building hereafter erected shall be the same as or greater than the average setback of existing buildings in the same block on the same side of the street.

2. Rear Yard Exception. When a rear yard abuts an alley, a structure shall not be erected closer than 25 feet from the centerline of said alley.

3. Projections. No principal building and no part of a building shall be erected within or shall project into the front, side or rear yard of a lot, except cornices, eaves and gutters, steps, chimneys or similar appurtenances, which may project into yard areas; provided, that the projection is not more than 18 inches. However, covered porches, stoops, patios and attached carports, whether enclosed or unenclosed, shall be considered as part of the principal building and shall not project into a required yard area.

4. Storage of Material in Yards. The outdoor display or storage of any equipment or material, other than incidental lawn ornaments, furniture and play equipment, shall not be permitted in any front yard area required by this Chapter.

PART 11

USE REGULATIONS

§ 27-1101. General Intent and Application. [Ord. 35, 11/11/1999, § 1101]

It is the intent of these requirements that uses be regulated for the purpose of protecting the public health, safety and welfare. Each of the following land uses contains criteria which shall be addressed by the applicant and reviewed by the Zoning Officer when a permitted use or by the Board of Supervisors when a conditional use.

§ 27-1102. Adult Oriented Businesses. [Ord. 35, 11/11/1999, § 1102]

In the enactment of this Chapter, it is recognized that adult-related facilities or business, because of their very nature have serious objectionable operational characteristics, particularly when several such businesses are concentrated in a given area thereby having a deleterious effect upon adjacent and uses. Special regulations of these adult-related facilities or businesses is necessary to ensure that these adverse effects will not contribute to the blighting or down grading of the surrounding neighborhood. The location of adult-related facilities is also of vital concern to society with regard to their proximity to areas where minors may learn, play or congregate. On the other hand, it is recognized that adult-related facilities are protected under the First Amendment and the market for these businesses must remain essentially unrestrained. It is the goal and purpose of this Chapter to protect the health, safety, morals and general welfare to the extent authorized by the Municipalities Planning Code, while at the same time maintaining community access to adult establishments so as to not violate the First Amendments guarantee of freedom and expression.

A. All adult oriented businesses shall have a minimum lot area of four acres.

B. The lot width at the street right-of-way line shall be a minimum of 200 feet.

C. Access shall be by way of an arterial or limited access street.

D. An adult oriented business shall not be permitted within 1,000 feet of any other adult oriented business.

E. An adult oriented business shall not be permitted within 1,000 feet of any public or private school, day care facility, public recreation facility, commercial recreation or entertainment facility, library, museum or church. No adult oriented business may be established within 200 feet of any residentially zoned land.

F. No performance, service, materials, merchandise or film offered for sale, rent, lease, loan or for view within the premises shall be exhibited or displayed outside of a building or be visible from outside the building or structure.

G. Any buildings or structures must be set back at least 100 feet from any property or street right-of-way.

H. A buffer yard of at least 100 feet wide must be located on the site in all instances.

I. Trees and shrubs must be planted in the buffer yard so as to form an effective visual barrier between the business and all adjoining properties, including road frontage. Trees shall be of such dimensions and variety that they will achieve a minimum height of six feet in the year after issuance of the permit.

J. Any building or structure used and occupied as an adult oriented business shall be windowless or have an opaque covering over all windows and doors where performance, service, materials, merchandise or film are exhibited or displayed.

K. No sign shall be located upon the premises which depicts a visual representation of the type of performance, service, materials, merchandise or film being offered therein.

L. All entrances to the premises shall be posted with notices that persons under the age of 18 years are not permitted to enter and warning all other persons that they may be offended by the performance, service, materials, merchandise or film exhibited or displayed therein.

M. No adult oriented business may change to another adult oriented business except upon approval by an additional special exception.

N. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate.

O. No unlawful sexual activity or conduct shall be permitted.

P. No more than one adult oriented business may be located within one building.

§ 27-1103. Airstrip, Airport, Heliport, Helistop. [Ord. 35, 11/11/1999, § 1103]

1. All airstrips or airports shall have a minimum lot area of 20 acres.

2. The approach zone to any of the proposed runways or landing strips shall be in accordance with the regulations of applicable Federal and/or State agencies.

3. There shall be no existing flight obstructions such as towers, chimneys or other tall structures or natural obstructions outside the airport and located within the proposed approach zones.

4. Any building, hanger or structure shall be located a sufficient distance away from the landing strip in accordance with the recommendations of applicable Federal and/or State agencies.

5. Building heights in airport approach zones shall be limited to provide a clear glide path from the end of the useable landing strip. The glide path shall be a plane surface laid out in accordance with the operating characteristics of the aircraft for which the airport is designed. The 500 feet of the glide path shall be wholly within the airport property.

6. The applicant shall furnish evidence of obtaining a license from the Pennsylvania Department of Transportation Bureau of Aviation.

7. No part of any runway or taxiway shall be within 300 feet of any property line. Additionally, no pad for any heliport shall be within 150 feet of any property line.

§ 27-1104. Amusement Arcades. [Ord. 35, 11/11/1999, § 1104]

1. The subject tract shall front on and gain access from either an arterial or major collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. All activities shall be located within wholly enclosed buildings.

3. The applicant shall produce evidence that the proposed land use will not create a nuisance due to noise or loitering on the premises.

4. One parking space per employee plus one space for each 80 square feet of gross leasable floor area shall be provided.

5. The property shall be kept free of litter at all times in accordance with a plan for the clean-up of litter to be provided by the applicant.

§ 27-1105. Animal Hospitals and Veterinary Clinics. [Ord. 35, 11/11/1999, § 1105]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. Suitable control shall be exercised over the animals so that a nuisance condition is not created in terms of excessive noise, dirt or odor.

3. Animals shall be restricted from using areas not fully enclosed in a building from 8:00 p.m. to 8:00 a.m.

4. All animal boarding buildings that are not wholly-enclosed and any outdoor animal pens, stalls or runways shall be a minimum of 100 feet from all property lines; and a minimum of 200 feet from any adjacent residence whose owner is other than the animal building owner.

5. All animal wastes shall be regularly cleaned up and properly disposed.

6. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals, all such enclosures shall be set back a minimum of 10 feet from all property lines and a minimum of 100 feet from any adjacent residence whose owner is other than the animal keeping owner.

7. A minimum lot size of four acres shall be required.

8. Satisfactory evidence must be presented to show that adequate disposal of animal waste and carcasses will be provided in a manner that will not be a public health hazard or a public nuisance.

§ 27-1106. (Reserved)[21]

§ 27-1107. Banks and Similar Financial Institutions. [Ord. 35, 11/11/1999, § 1107]

1. All drive-thru window lanes shall be separated from the parking lot's interior access drives.

2. All automated teller machines shall be located so that the on-site movement of vehicles will not be hampered by those cars belonging to persons using the automated teller machines.

3. Stacking lanes of at least 100 feet shall be provided associated with drive-thru windows, to prevent vehicle stacking on adjoining roads.

4. Any exterior microphone/speaker system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties and not be activated before 9:00 a.m. or after 8:00 p.m.

§ 27-1108. Bed-and-Breakfast Establishments. [Ord. 35, 11/11/1999, § 1108]

1. Such an establishment shall be located in a private residence.

21. Editor's Note: Former § 27-1106, Antique Sales, Ord. 35, 11/11/1999, § 1106, was repealed Ord. No. 2021-02-73, 5/13/2021.

2. No external modifications which would alter the residential character of the dwelling, with the exception of fire escapes, are permitted.

3. All floors above ground level shall have an emergency escape access to ground level.

4. One off-street parking space shall be provided for each proposed bedroom in addition to the required spaces for the existing dwelling.

5. A bed-and-breakfast shall not include more than 10 rooms for rent and meals, if offered, shall be available only for registered overnight guests.

6. All served meals shall be included in the lodging fee. No meals may be served to the general public.

7. All appropriate State licenses shall be obtained.

8. Vegetative screening shall be located around the perimeter of the parking area to preserve the residential appearance of the property.

9. A smoke alarm shall be placed in each rented area.

10. The owner of the bed-and-breakfast establishment shall reside on the premises.

11. No building in which a bed-and-breakfast establishment is operated shall be closer than 800 fee to a building in which another is operated.

12. If onlot sewer service is provided, DEP and/or the Sewage Enforcement Officer shall approve the method of sewage disposal.

13. No accessory buildings shall be used to provide room for overnight guests.

14. Only one building per property shall be used for overnight guests.

§ 27-1109. Beekeeping. [Ord. 35, 11/11/1999, § 1109]

1. Colonies shall be maintained in transportable frame hives.

2. Hives shall be located within the rear yard area of the lot and be placed to maximize sunshine exposure and wind protection.

3. Hives shall be located no closer than 100 feet from any property line unless a six-foot high fence is located along any adjacent property line form a distance of at least 100 feet from the hives, when in no case shall hives be located within 50 feet of any property line.

4. Hives shall have access to an on-site water supply. Unless a natural water supply exists on the subject tract, the beekeeper shall provide a water-filled tank with a board or crushed rock as a landing area for bees.

5. Hives shall not be oriented to active yard areas or neighboring properties.

6. Adequate techniques in handling bees shall be maintained to prevent unprovoked stinging within 100 feet from the hive.

§ 27-1110. Boarding Houses. [Ord. 35, 11/11/1999, § 1110]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. The minimum lot area shall be two acres.

3. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized.

4. No external modifications which would alter the residential character of the dwelling, with the exception of fire escapes, are permitted.

5. All floors above ground level shall have a direct means of emergency escape to ground level.

6. One off-street parking space shall be provided for each room available for rent, in addition to the required spaces for the existing dwelling unit.

7. Meals shall be offered only to registered tenants.

8. The building shall be no closer than 1,000 feet from another boarding home.

§ 27-1111. Boarding Schools or Colleges. [Ord. 35, 11/11/1999, § 1111]

1. All colleges or boarding schools shall have a minimum lot area of 20 acres.

2. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized.

3. Access shall be via an arterial or collector street.

4. Building shall be at least 50 feet apart, except that where they face end to end or corner to corner they shall be at least 30 feet apart.

5. Maximum building coverage shall not exceed 40% of the total land area.

6. Any buildings or other structures must be set back at least 50 feet from any property line.

7. The lot width at the street right-of-way line shall be a minimum of 200 feet.

§ 27-1112. Campgrounds. [Ord. 35, 11/11/1999, § 1112]

1. The minimum lot area for a campground shall be 10 acres.

2. All campsites shall have a setback of 50 feet from any side or rear property line and a minimum of 100 feet from any street right-of-way line.

3. The maximum number of campsites within each campground shall not exceed 12 per acre; provided, that a minimum of 3,000 square feet is reserved for each site.

4. A minimum of one automobile parking space shall be provided for each site and such parking space shall not interfere with the vehicular movement along the internal access drives of the campground. Equivalent parking may be provided by a common parking compound. On-drive parallel parking shall be permitted.

5. The internal access drive system shall have a minimum cartway width of 10 feet for each driving lane and shall be improved with any hard surface material acceptable to the Board of Supervisors. The Board of Supervisors may require additional cartway improvements for campgrounds proposing more than 50 sites when, in the judgment of the Board of Supervisors, such improvements are beneficial to the vehicular circulation and safety of the campground.

6. All playground and recreation areas shall be at least 100 feet from adjoining residential properties with the usage of these areas being limited to registered campers and their guests.

7. All campgrounds shall furnish centralized sanitary and garbage collection systems which shall be located at least 100 feet from adjoining residential properties and be appropriately screened.

8. Any accessory commercial and/or service facilities shall be located at least 100 feet from adjoining residential properties and shall be limited to serve only the needs of the registered campers and their guests. Direct access to these facilities from the public street is prohibited. Appropriate screening shall be provided for these facilities when they adjoin adjacent residential properties.

9. Active or passive recreation areas shall comprise at least 20% of the gross area of the campground.

10. All sanitary and sewer and water supply facilities shall be subject to the approval of the appropriate authorities.

11. All lighting facilities shall be designed and located so as to not produce a glare or direct illumination onto abutting properties.

12. No campground may be located within 1,000 feet of an existing dwelling.

13. No automobile trailer, cabin, travel trailer, motor-home, tent or camper approved for location on the premises shall be utilized as a permanent place of abode or as a permanent dwelling.

14. Every trailer or campground shall have erected thereon at a distance not greater than 400 feet from any cabin, tent site, trailer site or camper site which it is designed to serve, a suitable building for housing toilets, showers and laundry facilities. Such building is to be known as the service building.

15. There shall be provided separate toilets rooms for each sex. Flush toilets shall be provided with an adequate water supply in the ratio of one men's toilet and one ladies toilet for each eight cabins, trailer sites, tent sites or camper site or fraction thereof. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every two or less water closets.

16. Each vehicle park shall be provided with public or community sewage disposal facilities. The proposed provisions for sewage shall be presented to the Board of Supervisors and the Township engineer for approval before any vehicle shall be permitted on the site. Approval shall be required from the Pennsylvania Department of Environmental Protection. **[Added by Ord. No. 2021-02-73, 5/13/2021]**

§ 27-1113. Car Washes. [Ord. 35, 11/11/1999, § 1113]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. Centralized sewer and water facilities shall be provided.

3. Each car wash bay shall allow for a stacking of three vehicles, but not within any yard setbacks.

4. The site shall be kept debris and trash free with the owner or manager of the carwash responsible for site maintenance.

5. All lighting facilities shall be designed and located so as to not produce a glare or direct illumination onto abutting properties.

6. A traffic impact study may be required.

§ 27-1114. Cemeteries. [Ord. 35, 11/11/1999, § 1114]

1. A minimum lot area of four acres shall be provided for a cemetery.

2. All burial plots and facilities shall be located at least 100 feet from any property line or street line.

3. In no case shall any use relating to a cemetery be located within the one-hundred-year floodplain of an adjacent watercourse.

4. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.

5. Trash and earth storage must be more than 100 feet from any property or street line.

§ 27-1115. Churches and Related Uses. [Ord. 35, 11/11/1999, § 1115]

1. Churches.

   A. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

   B. The minimum lot area shall be two acres, and the minimum lot width shall be 200 feet.

   C. A side yard setback of 50 feet shall be maintained on each side.

   D. All off-street parking facilities shall be at least 25 feet from the street right- of-way line.

2. Church-Related Residences.

   A. Residences located on the same parcel as the church shall be subject to the same standards for detached single-family dwellings in the underlying district.

3. Church-Related Educational or Day Care Facilities. All church-related educational or day care facilities shall conform to all the regulations for public or for-profit educational or day care facilities.

§ 27-1116. Club, Clubhouse or Lodge, Private. [Ord. 35, 11/11/1999, § 1116; as amended byOrd. No. 2021-02-73, 5/13/2021]

1. Off-street parking shall be provided at least 25 feet from all street rights-of-way and parking compounds shall be at least 30 feet from any adjoining residential property.

2. Any outdoor recreational facilities shall be located at least 50 feet from any property line.

3. Screening shall be provided adjacent to any residential land use.

4. Access must be by way of an arterial or collector street.

5. The use shall not constitute a public or private nuisance.

6. No sign advertising the sale of food or beverages will be permitted.

7. Building or structures that are converted for such use are subject to all applicable regulations for that particular zoning district.

8. The applicant shall show that the use is not detrimental to adjoining properties due to hours of operation, noise, light, litter, dust, pollution or other nuisances.

9. A traffic impact study may be required.

§ 27-1117. Cluster Developments. [Ord. 35, 11/11/1999, § 1117]

1. Cluster development regulations allow for the reduction in lot areas and other bulk requirements so that dwelling may be grouped in certain areas of the development, while the remainder of the site is set aside as common open space. Although the intensity of development is increased in certain specific areas of the development, the overall gross density of the development is equal to that which is permitted by the prevailing zoning district. Cluster development is encouraged by the Township and is permitted by conditional use in the RA and RS Districts in order to promote the efficient use of undeveloped land while preserving and using open space lands for recreational and aesthetic purposes.

2. Density and Lot Requirements.

   A. Minimum Development Size. The minimum area for a cluster development shall be 10 acres and shall be provided with centralized sewer and water.

   B. Density. The overall density of a cluster development shall not be greater than the density of conventional development in the underlying zoning district. If the proposed development is to be constructed in phases, no phase shall be developed at densities greater than permitted in the prevailing zoning district. To determine the permitted density, the number of units of each proposed dwelling type shall be multiplied by the minimum lot area for each dwelling type in the underlying district.

   C. Density Bonus. If the proposed common open space area in a cluster development proposed exceeds the required minimum area requirements as stated in subsection (3) of this Section, one additional dwelling unit may be provided for each acre of open space provided in excess of the minimum required.

   D. Lot and Yard Requirements. Specific lot and yard requirements may be reduced in accordance with the following charts:

RA — DISTRICT					
		Lot Requirements	Yard Requirements		
Dwelling Type	Min. Area	Min. Width at Street Line	Front Yard Min. Depth	Side Yard Width	Rear Yard Depth
Single-family detached	10,000 s.f.	80 ft.	30 ft.	10 ft.	20 ft.

RS — DISTRICT					
		Lot Requirements	Yard Requirements		
Dwelling Type	Min. Area	Min. Width at Street Line	Front Yard Min. Depth	Side Yard Width	Rear Yard Depth
Single-family detached	10,000 s.f.	50 ft.	30 ft.	8 ft.	20 ft.
Two-family detached (duplex)	3,500 s.f. per d.u.	35 ft.	30 ft.	8 ft.	20 ft.
Single-family semi-detached	3,500 s.f.	25 ft.	30 ft.	8 ft.	20 ft.
Attached (row houses)	2,000 s.f. per d.u.	16 ft.	25 ft.	8 ft.	20 ft.
Apartments	2,000 s.f. per d.u.	55 ft.	50 ft.	15 ft.	30 ft.

E. The minimum front yard requirement shall be that distance between the right-of-way line of a public or private road and the building line.

3. Common Open Space Requirements.

A. The minimum area required for common open RA space land shall be 50% of the gross acreage of the tract in the RA District and 30% in the RS District. The requirement of this Section shall be in addition to any land required to be dedicated as open space by any other applicable ordinance or resolution and the greenways requirements set forth below.

B. A minimum of 30% of the common open space in the district shall be concentrated and used for active recreation within the site and a minimum of 60% of the common open space within the district shall be concentrated and used for active recreation. Active recreation shall include any activity that requires some physical exertion on the part of the participant. Active recreation areas shall include, but not be limited to, basketball, volleyball and tennis courts, soccer and football fields, baseball diamonds, swimming pools, tot lots, jogging trails, bicycle paths and playgrounds. This land shall be relatively flat, dry

ground not exceeding the average percent of slope of the development and be suitable to the intended purpose.

C. Common open space shall be suitably improved for its intended use; however, natural features such as woodland, steep slopes, rock outcrops, wetlands and similar areas worthy of preservation shall remain in a natural state. All such features shall be shown on the plan and shall be preserved and incorporated into the common open space.

D. In addition to the significant natural features, land in common open space may contain land surrounding historically significant structures and sites, archaeological sites and land suitable for recreational uses.

E. Recreation areas within the common open space are intended to serve all residents in a residential cluster development. Recreation areas shall be connected by greenways, sidewalks or similar linkages. Open space shall be accessible to all residents without the necessity of travel on street cartways (except where necessary to cross streets) or upon private property.

F. Greenways shall be established around and adjacent to housing clusters. These greenways may include bikeways, pedestrian paths and other forms of linkages. All pedestrian ways within common open space areas shall be adequately lighted. Greenways shall be so designed as to be adjacent to as many lots as possible, while connecting the major recreation areas within a cluster development.

G. Wetlands shall not be a part of any calculated open space. In addition, no more than 25% of the common open space shall consist of floodplains or stormwater detention and/or retention basins.

H. All common open space areas shall be retained by the developer or ownership transferred to a chartered corporation or other entity acceptable to the Township created to administer the open space areas. An endorsement upon the deed and recorded in the Adams County Recorder of Deeds office shall indicate that all common open space land is restricted for use as open space in perpetuity. The developer shall make adequate provision for the access to and maintenance of open space and facilities within the open space area. Said provisions shall be subject to the approval by the Board of Supervisors and the Township Solicitor and shall be contained in deed restriction which shall be subject to the approval of the Board of Supervisors. Before the corporation or other entity acceptable to the Township that is owned by the homeowners shall receive the open space, the developer shall enter into a maintenance agreement with the Township, binding upon the corporation or other approved entity providing for the maintenance of the open space and any

improvements situated thereon. This agreement shall be completed prior to approval of the final subdivision plan.

4. Supplemental Requirements.

A. Within any cluster development, two off-street parking spaces per dwelling unit shall be provided. Some of this parking may be provided within separate parking areas. Any separate parking areas are to be located convenient to the housing clusters intended to be served b this parking. Any parking related to a recreation area within a cluster development may be located within the common open space. The developer shall provide one off-street parking space for each two acres of open space, which parking spaces shall be adjacent to the open space area to which they are associated. Off-street parking shall also be provided adjacent to active recreation areas with the number of spaces being subject to the approval by the Board of Supervisors and based upon the character and intensity of the active recreation use.

B. The applicant shall provide a landscape plan of the development and the open space which shall include, but not be limited to, street plantings, parking lot landscaping and screening, where appropriate. Said plan shall be sealed by a landscape architect licensed to practice in the Commonwealth of Pennsylvania and shall follow the below listed criteria:

(1) Yard Groundcover. Any part of the site which is not used for buildings, other structures, parking areas or aisles, sidewalks, designated storage areas and any natural area acceptable as open space shall be planted with an all season groundcover approved by the Board of Supervisors (i.e., grass, ivy, vetch, pachysandra, etc.). Said groundcover shall be maintained to provide an attractive appearance and all non-surviving plants shall be replaced promptly.

(2) Landscaping Materials. Landscaping materials shall include, but not be limited to, a combination of deciduous trees, groundcovers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture or other approved materials. Artificial plants, trees and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than 80% of the required landscape area shall be vegetative in composition.

(3) Street and Lot Plantings. Street plantings may either be shade trees or ornamental trees and shall be provided along all streets and access drives within a cluster development. Street trees shall be spaced no father than 100 feet measured along the centerline of the street or access drive. In addition, one tree

per lot shall be provided for each single-family detached, duplex and semidetached lot in a cluster development. Street plantings shall be deciduous and shall have a clear trunk at least five feet above finished grade. Evergreen plantings may be utilized as lot plantings and shall have a minimum planted height of six feet.

(4) Screening Requirements. All single-family detached areas shall be protected with screening from any permitted more dense clustering and all residential uses shall be screened from adjacent parking compounds and active recreation areas. The location of screening shall be subject to the approval of the Board of Supervisors. Materials which may be used for screening purposes include evergreens (trees, hedges or shrubs), walls, fences, earth berms or other approved similar materials. Any wall or fence shall not be constructed of corrugated metal, corrugated fiberglass, woven chain link or sheet metal. Screening shall be arranged to block the ground level views between grade and the height of six feet. Landscape screens shall achieve this visual blockage within two years following installation.

(5) Selection of Materials. Trees and shrubs shall be typical of their species and variety, have normal growth habits, well developed branches, be densely foliated, vigorous, fibrous root systems. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the project. Any tree or shrub which dies within 18 months of planting shall be replaced.

C. A mix of dwelling unit types is desirable to promote a balanced cluster development. The following guidelines shall be used to achieve this mix:

Number of Dwelling Unit Types	Maximum Percent Any One Type	Minimum Percent Any One Type
2	60	40
3	40	20
4 or more	40	5

5. In addition to conforming with the provisions of this Chapter, the cluster development proposal shall also be processed under the provisions of the applicable subdivision and land development ordinance and shall adhere to all requirements thereof. Because of the nature of cluster developments, applicants are encouraged to submit plans for a preapplication review prior to the submission of any formal application.

6. No other uses except single-family and multifamily dwelling uses and accessory uses will be permitted in a cluster development.

7. The applicant shall demonstrate that the design of the development utilizes the best principles of site design. Adjacent and surrounding land uses, especially residential uses, shall be considered when developing plans for a cluster development.

§ 27-1118. Animal Laboratory. [Ord. 35, 11/11/1999, § 1118; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The applicant shall demonstrate that the commercial animal laboratory allows for the safe and efficient movement of all vehicles associated with the operation.

2. All front yards and all side and/or rear yards adjoining any residential lot or district shall be landscaped for a width of at least 25 feet along the property or district line, whichever is closer to the land use. Buffer planting shall be provided along the side and rear of structure adjoining any residential lot or district and shall include a suitable and uninterrupted evergreen planting of sufficient height and density to give maximum screening.

3. All structures shall be located a minimum of 150 feet from any adjacent residential structure.

§ 27-1119. Communication Tower and Antennas. [Ord. 35, 11/11/1999, § 1119]

1. Communication antennas that are attached to an existing structure (i.e., smokestack, water tower, farm silo) are permitted by right only in the AC District. Communication towers are permitted as a conditional use only in the AC District.

2. Communications Antennas.

   A. Building mounted communications antennas shall not be located on any single-family dwelling or two-family dwelling.

   B. Building mounted communications antennas shall be permitted to exceed the height of the building by no more than 20 feet.

   C. Omnidirectional or whip communications antennas shall not exceed five feet in height and three feet in width.

D. Directional or panel communications antennas shall not exceed five feet in height and three feet in width.

E. Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence from a professional engineer registered in Pennsylvania certifying that the proposed installation will not exceed the structural capacity of the build or other structure, considering wind and other loads associated with the antenna location.

F. Any applicant proposing communications antennas to be mounted on a building or other structure shall submit detailed construction and elevation drawings indicating how the antennas will be mounted on the structure.

G. Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence of agreements and/or easements necessary to provide access to the building or structure on which the antennas are to be mounted so that installation and maintenance of the antennas and communications equipment building can be accomplished.

H. Communications antennas shall comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

I. Communications antennas shall not cause radio frequency interference with other communications facilities located in the Township.

J. The owner or operator of communications antennas shall be licensed by the Federal Communications Commission to operate such antennas.

3. Communications Towers.

A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communications antennas.

B. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed t be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

C. Communications towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation, Federal Communications Commission and applicable airport zoning regulations.

D. Any applicant proposing construction of a new communications tower shall demonstrate that a good faith effort has been made to obtain permission to mount the communications antenna on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures within a one mile radius of the proposed communications tower site be contacted and that one or more of the following reasons for not selecting such structure 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 for that existing structure and the interference cannot be prevented at a reasonable cost.

(3) Such existing structure do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended 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.

E. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet in width and shall be improved to a width of at least 10 feet with a dust free, all weather surface for its entire length.

F. A communications tower cannot be located on a lot occupied by other structures by may occupy a leased parcel meeting the minimum lot size requirements.

G. Recording of a plat of subdivision or land development shall be required for a lease parcel on which a communications tower is proposed to be constructed.

H. The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.

I. The applicant shall submit certification from a professional engineer registered in Pennsylvania that a proposed communications tower will

be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.

J. The applicant shall submit a copy of its current Federal Communications Commission license, the name, address and emergency telephone number of the operator of the communications tower and a certificate of insurance evidencing general liability coverage in the minimum amount of $1,000,000 per occurrence and property damage coverage in the minimum amount of $1,000,000 per occurrence covering the communications tower and communications antennas.

K. At any change in ownership of a communications tower and/or antennae, the same information as required in subsection (3)(j) shall be submitted by the new owner to the Board of Supervisors and the Zoning Officer.

L. The applicant and any subsequent owner of a communications tower shall supply the Board of Supervisors and the Zoning Officer with a copy of the current lease and a bond in the amount of the costs to demolish and remove the tower and its appurtenances.

M. The applicant shall demonstrate that the location of the communications tower meets all the requirements of the Pennsylvania Department of Transportation, Bureau of Aviation rules, regulations and requirements.

4. Siting Requirements.

A. The minimum distance between the base of the support structure or any guy wire anchors and any property line or public road right-of-way shall be equal to the height of the tower.

B. The minimum distance between the base of the communications tower or any guy wire anchors and any dwelling unit, church or school property shall be 1 1/2 times the height of the tower.

C. Where feasible, the applicant shall use one or more of the following natural features as siting opportunities:

(1) Tree stands.

(2) Sides of hills, etc.

D. An applicant shall demonstrate that the proposed communications tower will not negatively affect surrounding areas as a result of support structure failure, falling ice or other debris or radio frequency interference.

E. All communications towers shall be fitted with anti-climbing devices, as approved by the manufacturers.

F. All guy wires associated with guyed communications towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.

G. The site of a communications tower shall be secured by a fence with a minimum height of eight feet to limit accessibility by the general public.

H. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency which has jurisdiction.

5. Where the construction of a new support structure is proposed, the applicant shall use a single-pole or davit construction where the proposed site meets one or more of the following locational criteria:

A. Within one mile of an area or property listed in the National Register of Historic Places.

B. Within one mile of an area or property deemed eligible by the State Historic Preservation Officer to be eligible for listing in the National Register of Historic Places.

C. Within any Borough or within 500 feet of any border of a Borough or unincorporated village having a population density of more than 500 people per square mile or within 500 feet of any residential subdivision or land development containing more than 25 contiguous dwelling units and a dwelling unit density of greater than one dwelling unit per acre.

D. Lattice communications towers may be used in locations which fall outside the established location criteria of this Section.

6. Where the construction of new support structure is proposed, an applicant shall demonstrate compliance with the following landscaping requirements:

A. An evergreen screen shall be planted around the external perimeter of the protective fence. Evergreen trees shall be a minimum of six feet at planting and shall reach a minimum height of 15 feet at maturity. Any tree which dies within a year of planting shall be replaced by the applicant.

7. Where a specific color pattern is not required by the Federal Aviation Administration (FAA) communications towers shall meet the following requirements:

A. The communications tower shall be painted green or brown from the base of the tower to the average height of surrounding vegetation.

B. The communications tower shall be painted light blue or light gray from the average height of surrounding vegetation to the top of the communications tower.

8. One off-street parking space for a maintenance vehicle shall be provided.

9. Communications Tower Removal.

A. If a communications tower remains unused for a period of 12 consecutive months, the owner or operator shall dismantle and remove the communications tower within six months of the expiration of such twelve-month period.

B. An applicant shall sign a legal agreement stating that when the use of communications towers to transmit and/or receive becomes obsolete, the communications tower will subsequently be removed at the applicant's expense. The agreement shall be written in language acceptable to the Township Solicitor.

10. All communications towers, which do not have to meet FCC and FAA warning light requirements shall be equipped with a red flashing light that works at night and a white strobe light for daytime. All lights shall meet FCC and FAA specifications.

11. An applicant shall obtain subdivision, land development and/or all other approvals/permits from the local municipality.

12. Anyone planning to construct a communications tower must consider the potential impact on any airports in the vicinity of the planned tower. Specifically, before seeking approval you must:

A. Identify any public or private airports within two miles of the proposed tower. This information can be obtained from the Pennsylvania Bureau of Aviation.

B. If an airport is found to be within two miles of the proposed tower, you must determine if it presents an obstruction to air navigation by penetrating any of the following surfaces:

(1) Primary Surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway, but when the runway has not specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of a primary surface is 250 feet.

(2) Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of five-thousand-foot radii from the center of each end of the primary surface of each runway of each airport and connecting adjacent arcs by lines tangent to those arcs.

(3) Conical Surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.

(4) Approach Surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward at a slope of 20 to one from each end of the primary surface for a distance of 5,000 feet. The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of 1,250 feet.

(5) Transitional Surface. These surfaces extend outward and upward at right angles to the runway centerline and the extended runway centerline at a slope of seven to one from the sides of the primary surface and from the sides of the approach surfaces. The outer edge of the transitional surface joins the horizontal surface.

C. If the proposed communications tower penetrates any of these surfaces, the affected airport owner must be notified, in writing, of which surfaces are penetrated, where and by how much. Receipt of this notification must accompany the submission of a zoning permit.

D. In no case may a tower be constructed which would cause the airport to no longer be in compliance with Pennsylvania Department of Transportation Aviation Regulations, Chapter 471, Title 67, Pa.C.S.

§ 27-1120. Condominiums, Townhouses and Multifamily Dwellings. [Ord. 35, 11/11/1999, § 1120]

1. Each dwelling unit shall be provided with public water and public sewer.

2. Lot width at setback line for the cluster or housing group shall not be less than 250 feet.

3. The minimum lot area shall be three acres.

4. No two detached buildings shall be closer to one another than the height of the highest building.

5. The maximum number of dwelling units in a row group is eight. Within the required open space, a portion of the total lot area equal to 0.015 times the

habitable floor area shall be assigned and developed for active recreation usage. Any space designated for recreation shall be suitably improved and equipped by the developer and subsequently maintained by the owner.

6. The landscape area shall not be less than 25% of the total lot area.

7. The total number of dwelling units per acre shall not exceed eight.

8. The layout and design shall be consistent with current principles and practices of modern site planning and development. In accordance with § 503(5) of the Pennsylvania Municipalities Planning Code, the Township reserves the right to alter site plans which do not conform with such principles and practices or which do not meet the design provisions of the Huntington Township Ordinances.

9. Streets, curbs, sidewalks, parking and other similar features shall be designed and constructed according to the requirements of the Huntington Township Subdivision and Land Development Ordinance.[5] **[Added by Ord. 2012-01-58, 5/10/2012]**

§ 27-1121. Conversion, Residential to Nonresidential. [Ord. 35, 11/11/1999, § 1121]

The conversion of a residential dwelling in the CI Districts into a permitted non residential use may be permitted by conditional use subject to the following regulations:

A. The proposed use shall comply with the yard, area, off-street parking and other requirements of the district.

B. No existing yards or required open space shall be reduced to less than the requirements of the district.

C. No living accommodation or sleeping quarters shall be authorized except such accessory use as is permitted in the district.

D. The off-street parking and sign regulations of this Chapter shall apply.

E. All other supplemental regulations of this Chapter applicable to the proposed use shall apply.

§ 27-1122. Conversion, Single-Family Detached to Two-Family Dwelling. [Ord. 35, 11/11/1999, § 1122]

1. A single family detached dwelling existing on the effective date of this Chapter may be converted into and used as, a two family dwelling, when authorized as a conditional use.

[5]**Editor's Note: See Chapter 22, Subdivision and Land Development.**

2. Drawings for the conversion of said dwelling shall be submitted to the Board of Supervisors, accompanied by certificates of approval from any governmental agencies or other entities having jurisdiction, where two families are to be housed above the ground floor.

3. The plans shall demonstrate provision of adequate and suitable parking space at a safe distance from the public road. There shall be at least two parking spaces per dwelling unit.

4. The structure shall be subject to the height, area, width and yard regulations effective in the district wherein such dwelling is situated and the lot area shall be not less than the product of the minimum lot area prescribed in the district regulations times the number of families for the use of which such dwelling is to be converted.

5. There shall be no external alteration of the building except as may be necessary for reasons of safety, and fire escapes and outside stairways shall, where practicable, be located in the rear of the building. Both units shall have two or more direct means of escape to the exterior, one which at least shall be on each level.

6. No dwelling unit shall have less than 800 square feet of habitable floor area.

7. The Board of Supervisors may prescribe such further conditions and restrictions with respect to the conversion and use of such dwelling and to the use of the lot, as the Board may consider appropriate.

8. Smoke detectors shall be provided to each finished floor of each dwelling.

9. The applicant shall provide approval of adequate sewage disposal for both units from the sewage enforcement officer and evidence of adequate water supply, if on lot water supply or sewage disposal is provided.

§ 27-1123. Day Care Facilities. [Ord. 35, 11/11/1999, § 1123]

1. Recognizing the growing need for child and adult day care facilities, it is the intent of the Township to encourage the establishment of such facilities in a manner which will preserve the character of residential neighborhoods while meeting the operational and physical standards of the Pennsylvania Department of Public Welfare (DPW). Child and adult day care facilities, operated within a residence, are not subject to the requirements for home occupations or home businesses contained elsewhere in the Chapter.

2. The provisions of this Section shall apply to child or adult day care facilities providing service for all or part of a 24 hours day for children under 16 years of age or for persons who are otherwise disabled. Day care facilities shall include day care homes and day care centers as defined by this Chapter, many of which are subject to Chapter II, §§ 8A, 8B and 8C of DOW Social Services Manual regulations. This Section does not apply to activities

excluded by the definition of "child or adult day care" in this Chapter or child day care service furnished in places of worship during religious services.

3. The following general provisions apply to all child or adult day care facilities:

   A. All child day care facilities shall comply with all current DPW regulations, including those standards governing adequate indoor space, accessible outdoor play space and any applicable State or local building and fire safety codes.

   B. The operator of a day care facility will allow appropriate representatives of the Township to enter the property to inspect such use for compliance with the requirements of this Chapter.

   C. Hours of outside play shall be limited to the hours of 8:00 a.m. until sunset, as defined by the National Weather Service.

   D. An outdoor play area, as required by DPW regulations, shall be provided for child day care facilities and shall not be located in the front yard.

   E. Adequate water and sewer service shall be provided to the site.

   F. Child drop-off areas shall be designed to eliminate the need for pedestrians to cross traffic lanes within or adjacent to the site.

   G. Fencing shall be provided to restrict occupants from hazardous areas, such as open drainage ditches, wells, holes and arterial and major collector roads. Natural or physical barriers may be used in place of fencing so long as such barriers functionally restrict occupants from these areas.

   H. The expansion of a day care home to a day care center shall require a conditional use permit.

   I. Adult and child day care facilities shall not provide medical or personal care services which extend beyond simple first aid and assistance with dressing, bathing, diet and medication prescribed for self administration unless licensed by the DPW to provide such services.

   J. When applying for a special exception, the applicant shall submit a plan showing any existing or proposed outdoor play areas, outdoor play equipment, fencing, access drives, adjacent streets, adjacent hazardous land uses, onsite hazardous areas, merchandise delivery areas, parking spaces and the child or adult drop-off circulation pattern.

4. Day Care Homes. In addition to the provisions of subsection (3) above, day care homes shall comply with the following:

A. If care is provided to more than three adults and/or children at any one time, the facility must have an approved and currently valid DPW registration certificate. Proof of DPW registration renewal must be supplied to the Township every year.

B. Any external evidence of such use shall be limited to on non-illuminated sign subject to the sign regulations.

C. Day care homes shall only be permitted in single-family dwellings and shall not be permitted in accessory buildings.

D. The person primarily responsible for the day care home shall be a full-time resident.

E. A fence with a minimum height of four feet shall physically contain the children within the outdoor play area. Natural or physical barriers may be used in place of fencing so long as such barriers functionally contain children or adults.

5. Day Care Centers. In addition to the provisions of subsection (3) above, day care centers shall comply with the following:

A. The facility must have an approved and currently valid DPW license. Proof of DPW annual license renewal must be supplied to the Township every year.

B. A fence with a minimum height of four feet shall physically contain the children within the outdoor play area. Natural or physical barriers may be used in place of fencing so long as such barriers functionally contain children or adults.

C. If the facility has access to streets of different classifications, access shall be provided using the street of lesser functional classification.

D. Play equipment shall be located at least 10 feet from an abutting property line.

E. All pedestrian pathways shall be adequately lit for safety if utilized during non-daylight hours. Specific areas for lighting are entrance ways, pedestrian access to the outdoor play areas, sidewalks, drop-off areas, merchandise delivery areas and all parking lots. Such lighting shall not produce objectionable glare on adjacent properties.

F. Day care centers may be permitted as an accessory use to churches, schools, recreation centers and similar used by conditional use. Accessory day care centers must comply with all other requirements for day care centers. In addition, evidence must be submitted to document that indoor space, outdoor play space and safe vehicular access are provided in accordance with DPW requirements.

§ 27-1124. Drive-In Theaters. [Ord. 35, 11/11/1999, § 1124]

1. All drive-in theaters shall have a minimum lot area of 40 acres.

2. The lot width at the street right-of-way line shall be a minimum of 400 feet.

3. Access shall be from an arterial or collector street.

4. Any sign shall not exceed 100 square feet in size; and shall be set back at least 100 feet from any street right-of-way line.

5. Any buildings or structures must be set back at least 100 feet from any property or street right-of-way line.

6. A buffer yard of at least 100 feet wide must be located on the site in all instances where the site adjoins a residential use. A fifty-foot buffer yard is required where the site adjoins all other uses.

7. Trees and shrubs must be planted in the buffer yard so as to form an effective visual barrier between the drive-in theater and adjoining residential properties. Trees shall be of such dimensions and variety that they will achieve a minimum height of 20 feet in the first four years after issuance of the permit.

8. Noise level shall conform to the requirements; and no audible sounds from load speakers or car speakers shall be heard outside the buffer yard.

§ 27-1125. Drive-Through Service Establishment or Facility. [Ord. 35, 11/11/1999, § 1125; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial and collector street design and improvement requirements.

2. The application shall be accompanied by a working plan for the clean-up and disposal of litter and the prevention of loitering on the subject project property.

3. Drive-through lanes shall be separated from the internal circulation system for the parking facilities and shall provide stacking space for six or more waiting cars.

4. The applicant shall demonstrate that any external-internal microphone system shall not operate in a manner which causes an objectionable noise impact to abutting properties.

5. Exterior seating and/or play areas shall be completely enclosed by a three-foot high fence.

6. No part of any structure on the subject property shall be located within 200 feet of an existing residential structure.

7. All lighting within the subject tract shall be designed and located so as not to produce a glare or direct illumination onto abutting properties.

§ 27-1126. Dry Cleaners, Laundries and Laundromats. [Ord. 35, 11/11/1999, § 1126]

1. The subject tract shall front on and gain access from either an arterial, major collector, or minor collector road as identified in this Chapter or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. Centralized sewer and water shall be utilized.

3. All activities shall be within completely enclosed buildings.

4. All windows and doors on walls facing adjoining residential properties shall be kept closed during hours of operation and occupancy.

5. Exhaust and ventilation equipment shall discharge away from any adjoining residential properties.

Echo housing — See § 27-1167

§ 27-1127. (Reserved)[23]

§ 27-1128. Funeral Home, Mortuary, Crematory. [Ord. 35, 11/11/1999, § 1128; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The subject tract shall front on and gain access from either a major collector or minor collector road, or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design or improvement requirements.

2. Centralized sewer and water shall be utilized.

3. The applicant shall demonstrate that sufficient off-street parking is being provided so that no traffic back-ups occur onto adjoining roads.

§ 27-1129. Golf Courses (Including Driving Ranges and Par 3 Courses). [Ord. 35, 11/11/1999, § 1129]

1. All golf courses shall have a minimum lot area of 40 acres.

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23. Editor's Note: Former § 27-1127, Feed or Grain Mills, Ord. 35, 11/11/1999, § 1127, was repealed Ord. No. 2021-02-73, 5/13/2021.

2. A buffer yard 50 feet wide must be located on the site in all instances where the site adjoins a residential use. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage.

3. The lot width at the street right-of-way line shall be a minimum of 300 feet.

4. No golf hole shall be designed which requires any shot to cross a street, driveway, building or parking lot.

5. At any point where the golf course crosses a public or private road or a private drive, the road or drive shall be signed to identify a golfer's crossing and the golfer's crossing shall be signed to identify the road or drive crossing.

6. All accessory uses of the golf course, including but not limited to the club house, parking facilities, driving range, storage sheds, pro-shop, snack bar, restaurant and swimming pool, shall be setback at least 100 feet from all property lines and 75 feet from all street right-of-way lines.

7. Outdoor storage of maintenance equipment or golf carts is not permitted.

8. All lighting facilities for night play on a par three course or driving range shall be designed and located so as to not produce a glare or direct illumination onto abutting properties.

9. There shall be a minimum setback of 100 feet from the field of play to any adjacent residential structure.

§ 27-1130. Group Facilities. [Ord. 35, 11/11/1999, § 1130]

1. Emergency Shelter.

   A. The emergency shelter shall be sponsored and supervised by a government agency or an officially recognized nonprofit organization.

   B. The applicant shall provide a letter from the Township Code Enforcement Officer stating that the structure has been inspected within the past two months and that it meets minimum code requirements for the intended use.

   C. The maximum number of residents shall be indicated at the time of application and that number, not including employees, shall not exceed any applicable minimum space requirements.

2. Group Care Facility.

   A. The applicant shall indicate the nature of the residents to be served and the type of treatment/care to be provided, including whether or not any counseling or other services will be provided for nonresidents.

B. The applicant shall provide evidence that the group care facility is sponsored and operated by an agency licensed, registered or certified by an applicable County, State or Federal program. The group care facility shall notify the Township, in writing, within 14 days if there is change in the type of residents, the sponsoring agency or maximum number of residents or if the license, registration, certification expires, is suspended or withdrawn.

C. The maximum number of residents shall be indicated at the time of application and that number, not including employees, shall not exceed any applicable minimum space requirements.

3. Shelter for Abused Persons.

A. The shelter for abused persons shall be sponsored and supervised by a government agency or an officially recognized nonprofit organization.

B. The applicant shall provide a letter from the Township Code Enforcement Officer stating that the structure has been inspected within the past two months and that it meets minimum code requirements for the intended use.

C. The maximum number of residents shall be indicated at the time of application and that number, not including employees, shall not exceed any applicable minimum space requirements.

D. The applicant shall provide sufficient evidence to the Zoning Hearing Board that the security measures to be provided will provide adequate protection to the residents of the facility.

4. Temporary Shelter.

A. The temporary shelter shall be sponsored and supervised by a government agency or an officially recognized nonprofit organization.

B. The applicant shall provide a letter from the Township Code Enforcement Officer stating that the structure has been inspected within the past two months and that it meets the minimum code requirements for the intended use.

C. The temporary shelter shall be approved for a maximum time period of two years and shall require another special exception approval every two years. Upon applying for renewal, the applicant shall provide evidence of need for the continuation of the use.

5. Community Rehabilitation Facility.

A. The applicant shall indicate the nature of the residents to be served and the type of treatment/care to be provided, including whether or not any counseling or other services will be provided for nonresidents.

B. The applicant shall provide evidence that the group care facility is sponsored and operated by an agency licensed, registered or certified by an applicable County, State or Federal program. The group care facility shall notify the Township, in writing, within 14 days if there is a change in the type of residents, the sponsoring agency or maximum number of residents or if the license, registration, certification expires, is suspended or withdrawn.

C. If the facility is a temporary residence for the clients, the maximum number of clients shall be indicated at the time of application and that number, not including employees, shall not exceed any applicable minimum space requirements.

D. The facility shall have twenty-four-hour onsite supervision by professionals trained to supervise the types of clients to be served by the facility.

E. If a facility will house persons presenting a potential physical threat to the safety of nonresidents, the facility owner shall provide evidence that sufficient staffing and other security measures will be provided.

F. The facility shall be located a minimum of 1,000 linear feet from any other such existing/approved facility.

§ 27-1131. Heavy Equipment Sales, Service and/or Repair Facilities. [Ord. 35, 11/11/1999, § 1131]

1. This includes excavation machinery, commercial trucks, buses, truck trailers and other similar machinery. **[Amended by Ord. No. 2021-02-73, 5/13/2021]**

2. All service and/or repair activities shall be conducted within a wholly-enclosed building.

3. All uses involving drive-thru service shall provide at least 200 feet onsite stacking lanes to prevent vehicle back-ups on adjoining roads.

4. All exterior and/or display areas shall be screened from adjoining residentially-zoned or used properties. All exterior storage/display areas shall be set back at least 50 feet from adjoining street lines and shall be entirely covered in an all-weather dust-free surface.

5. The storage of junked vehicles, boats, machinery, trucks, trailers, mobile homes, buses and heavy equipment vehicles on the property is prohibited.

6. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directly towards any adjoining residentially-zoned or used property.

7. All licensed vehicles shall be repaired and removed within 30 days from the premises.

8. The site shall front on and gain access from any arterial road.

§ 27-1132. Home Improvement and Building Supply Stores. [Ord. 35, 11/11/1999, § 1132]

1. All outdoor storage and display areas (exclusive of nursery and garden stock) shall be screened from adjoining roads and properties.

2. If the subject property contains more than two acres, it shall front along an arterial or rural major collector road.

§ 27-1133. Home Occupations and Home Businesses. [Ord. 35, 11/11/1999, § 1133; as amended by Ord. 2012-01-58, 5/10/2012]

1. The person primarily responsible for the home occupation or home business shall be a full-time resident of the premises.

2. The home occupation shall be carried on only by members of the immediate family of the operator residing on the lot where the home occupation will be located and a maximum of two nonresident employees.

3. No more than 25% of the gross floor area of the dwelling unit, excluding unimproved attics and unimproved basements of the dwelling may be used for the practice of a home occupation or home business.

4. No displays or change in the building facade, including the dwelling and all accessory buildings shall indicate from the exterior that the dwelling is being utilized for purposes other than a dwelling.

5. Storage of materials, products or machinery used for the home occupation or home business shall be wholly enclosed by the dwelling or if stored outside, shall not be visible from the neighboring resident or public street, and the materials shall be screened. **[Amended Ord. No. 2021-02-73, 5/13/2021]**

6. Deliveries shall not restrict traffic circulation.

7. Traffic generated by the home occupation or home business shall not exceed volumes than would normally be expected in a residential neighborhood. A 20% increase in traffic is excessive.

8. A home occupation or home business shall not produce noise, obnoxious odors, vibrations, lighting glare, fumes or smoke detectable to normal sensory perception on any adjacent lots of streets or electrical interference.

9. The disposal of all materials, fluids and gases shall be in a manner which complies with all regulations of the Township and all other applicable government codes.

10. Home occupations or home businesses utilizing or proposing to utilize explosive, highly flammable or hazardous materials shall require proof of fire department notification and compliance with applicable building codes prior to using such materials.

11. A home business shall limit any external evidence of an occupation to one non-illuminated sign not exceeding four square feet in sign area subject to the sign regulations. **[Amended by Ord. No. 2021-02-73, 5/13/2021]**

12. Sales of goods on the premises shall be limited to goods made on the premises and goods which are incidental to services performed on the premises.

13. In addition to the required parking for the dwelling unit, additional off-street parking is required as follows:

    A. One space for the home occupations, two spaces for patron use and one space for each nonresident employee.

    B. Three additional spaces for a physician or dentist.

14. If a new building is to be constructed or an existing accessory building is to be enlarged to accommodate the proposed use, the building, after enlargement or construction, shall meet the zoning requirements of whichever district the property is located. **[Amended by Ord. No. 2021-02-73, 5/13/2021]**

§ 27-1134. Hospital/Surgical Center. [Ord. 35, 11/11/1999, § 1134; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The minimum lot area for a hospital shall be 10 acres.

2. Public sewer and public water shall be used.

3. The subject property shall have frontage on and gain access from an arterial road.

4. All buildings and structures shall be set back a minimum of 100 feet from all property lines.

5. Emergency entrances shall be located on a building wall facing away from adjoining residentially-zoned properties.

6. The applicant shall demonstrate proof of an approved means of disposal of all liquid, solid, medical, bio-hazardous, nuclear and hazardous wastes.

7. Off-street parking areas and loading areas shall be set back at least 75 feet from all adjoining residentially zoned or used land.

8. Standard straight curbs and pedestrian walkways shall be installed surrounding the perimeter of the parking area and within all public rights-of-way abutting the hospital.

9. Lighting shall not cast glare upon adjacent properties or public roads.

10. No outdoor storage shall be permitted.

§ 27-1135. Hotels and Motels. [Ord. 35, 11/11/1999, § 1135]

1. Use of recreational facilities shall be limited to guests of the hotel or motel. If the recreational facilities are proposed to be open to persons other than guests of the establishment, the recreational facility shall meet all requirements of this Chapter as if it were a separate principal use of the property.

2. If a restaurant is proposed, the restaurant shall meet all requirements of this Chapter as if the restaurant were a separate principal use.

3. The applicant shall provide a statement setting forth the full particulars of the operation, including all recreational facilities and amenities to be provided for guests.

§ 27-1136. Hunting Facilities, Sportsmen's Clubs, Shooting Ranges. [Ord. 35, 11/11/1999, § 1136]

1. The minimum lot size shall be 20 acres.

2. Off-street parking shall be provided.

3. All shooting or archery ranges shall be screened from any adjoining residentially-zoned or used property by a six feet high berm.

4. The applicant shall demonstrate that the shooting or archery range is designed to provide maximum safety both on site and off site.

5. Safety zones shall be established around any structure on site or off site and no shooting, archery or hunting shall be permitted within such zones.

6. No shooting or archery range shall be permitted within 1,000 feet of any residentially-zoned or used property.

7. An outdoor shooting or archery range shall be enclosed with a six feet high fence.

8. The range area must be at least 500 feet from any property line or street right-of-way line.

§ 27-1137. Concentrated Animal Operations (CAO) and Concentrated Animal Feeding Operations (CAFO). [Ord. 35, 11/11/1999, § 1137; as amended by Ord. 2007-01-46, 3/8/2007; and by Ord. 2013-01-59, 8/8/2013]

1. An owner or operator of a proposed CAO or CAFO must show proof that the owner or operator has approved nutrient and odor management plans and has obtained all required DEP permits and plans to obtain conditional use approval. Following receipt of conditional use approval, the owner or operator of a proposed CAO/CAFO shall obtain a zoning permit, which shall be issued upon receipt of proof of obtaining the conditional use approval.

2. The proposed CAO or CAFO must ensure that dead animals are disposed of in strict accordance with the applicable standards as set forth by the Pennsylvania Department of Agriculture and other State agencies.

3. The applicant/owner shall provide proof that either the State Conservation Commission or the Adams County Conservation District has approved the implementation of the odor management plan.

4. A stormwater management plan shall be prepared for a proposed CAO or CAFO. The plan shall be submitted to the Township Engineer for review and approval.

5. An erosion and sedimentation control plan shall be prepared for a proposed CAO or CAFO. The plan shall be submitted to the Adams County Conservation District for review and approval.

6. The proposed CAO or CAFO must comply with all other land development provisions in the Huntington Township Code of Ordinances that are not in conflict with State laws, rules, or regulations.

7. The owner/operator of a CAO or CAFO must report any change of acreage from that listed under the original approved nutrient management plan to the Township within 15 days of any such change.

§ 27-1138. Junkyard, Commercial. [Ord. 35, 11/11/1999, § 1138; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. Such uses shall be conducted in a manner as will not interfere with or abrogate public health and safety, constitute a nuisance or otherwise be detrimental to adjoining property and public thoroughfares.

2. The minimum lot area requirement shall be two acres.

3. The outdoor junk storage area shall be completely enclosed by an eight-foot high, sight-prohibitive fence which shall be setback at least 50 feet from all property lines.

4. All buildings used to store junk shall be wholly-enclosed and setback at least 50 feet from all property lines.

5. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, the breeding or harboring of rodents, of flies or other vermin and no junk shall be piled to a height of more than eight feet.

6. Storm water shall be drained in a manner which does not result in chemical residues being discharged from the site.

7. No material shall be stored or stacked in a manner that it is visible from adjoining properties and roads.

8. All additional Federal and State laws shall be satisfied.

9. The setback area between the fence and property line shall be kept free of weeds and all scrub growth.

10. No oil, grease, tires, gasoline or other similar material shall be burned at any time.

11. No junkyard shall be located on lands with an average slope of greater than 5%.

12. No junkyard shall operate without a certificate of use, which shall be issued for a period of one year and shall be subject to annual renewal with the cost of such permit to be determined by resolution of the Board of Supervisors.

§ 27-1139. Kennels. [Ord. 35, 11/11/1999, § 1139]

1. The minimum lot area requirement shall be two acres.

2. Animal boarding buildings that are not wholly-enclosed and any outdoor animal pens, stalls or runways shall be located within the rear yard.

3. Animal boarding buildings that are not wholly-enclosed and any outdoor animal pens, stalls or runways shall be a minimum of 100 feet from all property lines.

4. Outdoor running areas shall be fenced in a manner which restricts access and provides for a full enclosure. All enclosures shall be a minimum of 50 feet from all property lines.

5. All animal wastes shall be regularly removed and disposed from the premises.

6. All animals being boarded are prohibited from being outdoors between the hours of 9:00 p.m. and 7:00 a.m.

7. A noise barricade shall be constructed where any animal boarding building, pens, stalls or runways are within 200 feet of any residential property.

§ 27-1140. Liquor (State) Stores. [Ord. 35, 11/11/1999, § 1140]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road, or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design or improvement requirements.

2. No part of the subject property shall be located within 300 feet of any residential property line.

3. No part of the subject property line shall be within 1,000 feet of any school, museum, library, playground, park, day care facility or church property.

§ 27-1141. Manufacturing. [Ord. 35, 11/11/1999, § 1141]

1. All manufacturing shall have a minimum lot area of three acres.

2. The lot width at the street right-of-way line shall be a minimum of 150 feet. **[Amended Ord. No. 2021-02-73, 5/13/2021]**

3. All buildings must be set back at least 100 feet from a street right-of-way line.

4. A buffer yard at least 50 feet wide must be located on the park site in all situations where the site adjoins a residential use. This yard shall be naturally landscaped, have no imperious cover and shall not be used for building, parking, loading or storage purposes.

5. Access shall be via an arterial or collector street. Traffic routes and exits shall be far enough from houses so that truck noise and vibration will be minimized.

6. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration, smoke, vapors and gases, electrical emissions and industrial wastes).

§ 27-1142. Medical or Dental Center, Office or Clinic. [Ord. 35, 11/11/1999, § 1142; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. All clinics shall have a minimum lot area of three acres.

2. The lot width at the street right-of-way line shall be a minimum of 200 feet.

3. Access shall be via an arterial or collector street.

4. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized.

5. Appearance should be harmonious with adjoining properties. This feature includes but is not limited to: landscaping, height control, sign control, building coverage and architectural controls.

6. Buffers and screens shall be provided as accessory to adequately protect neighboring properties. This includes but is not limited to fences, walls, plantings and open spaces.

7. Accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may be permitted as part of the clinic facility, subject to the following specific conditions:

   A. All entrances to parts of the building in which these accessory services are provided shall be from within the building and any direct access from the street is prohibited.

   B. The hours during which these services are provided shall be no greater than or the same as those during which medical practitioners are receiving patients.

   C. Signs or other evidence advertising or indicating the provision of these services visible from outside the building are prohibited, except that there may be erected one sign not exceeding two square feet in area attached to the building, any illumination thereof being white, non-flashing and limited to an enclosed lamp design.

§ 27-1143. Farmworker Housing. [Ord. 35, 11/11/1999, § 1143; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. Where permitted, housing shall have a minimum lot area, or land area exclusively appertaining thereto, of 150 square feet for every occupant quartered or intended to be quartered within the housing shall have a building located at least:

   A. One hundred feet from the center line of any public thorough-fare or adjoining property in separate ownership.

   B. Two hundred feet from any food processing facility or permanent dwelling.

   C. Five hundred feet from any structure quartering livestock or poultry.

2. Farmworker housing shall conform to all rules and regulations of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Agriculture.

§ 27-1144. Mini Storage Facilities. [Ord. 35, 11/11/1999, § 1144; as amended by Ord. 2007-01-46, 3/8/2007]

1. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 26 feet wide when cubicles open onto one side of the lane only and at least 30 feet wide when cubicles open onto both sides of the lane.

2. Required parking spaces may not be rented as, or used for, vehicular storage. Additional external storage area may be provided for the storage of privately owned travel trailers and/or boats, so long as such external storage area is screened from adjoining residentially zoned or used land and adjoining roads and is located behind the minimum front yard setback line. This Section shall not be interpreted to permit the storage of partially dismantled, wrecked or inoperative vehicles.

3. All storage shall be kept within an enclosed building except that the storage of flammable, highly combustible, explosive or hazardous chemicals shall be prohibited. Any fuel tanks and/or machinery or other apparatuses relying upon such fuels shall be stored only in an external storage area.

4. If limited access to lessors only is not provided, a resident manager shall be required to live on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval and all applicable ordinances. The actual dwelling of the resident manager shall comply with all of those requirements listed within the zoning district and shall be entitled to all residential accessory uses provided in this Chapter. Hours of operation shall be within 6:00 a.m. to 11:00 p.m. seven days a week.

5. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover and other flammable materials, the repair, construction or reconstruction of any boat, engine, motor vehicle or furniture is prohibited.

6. No door openings for any mini storage facilities shall be constructed facing any residentially zoned property. No portion of the facility shall be on a slope over 4%.

7. Mini storage facilities shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon the site. The applicant shall adequately demonstrate that all mini storage facilities rental and/or use contracts shall specifically prohibit all these uses:

    A. Auctions, commercial, wholesale or retail sales or processing or manufacturing or garage sales.

    B. The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment.

C. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment.

D. The establishment of a transfer and storage business.

E. Any use that is noxious or offensive because of odors, dust, noise, fumes, vibrations or other nuisances.

F. Research and development testing and other non-storage activities.

8. No offsite glare of lights shall be allowed.

9. These facilities shall be located on and gain access from a rural major collector or any arterial road.

10. The perimeter of the facility shall be surrounded by the landscape buffer and shall have a six feet fence along the inside of the buffer with a self locking gate.

11. All storage units shall be of masonry and/or metal construction. Individual units shall be aligned in a row with a minimum of four units and a maximum of 12 units.

§ 27-1145. Mobile Home Parks. [Ord. 35, 11/11/1999, § 1145]

1. In districts where permitted as a conditional use, mobile home parks shall be subject to the following regulations and shall also comply with all applicable regulations of the Commonwealth of Pennsylvania.

A. The design and improvement of mobile home parks, including street, drainage, sewers, water and the placement of mobile home units therein shall be in accordance with the standards and requirements of the Subdivision and Land Development Ordinance [Chapter 22] of this Township.

B. Mobile homes located in a mobile home park must comply with the foundation requirements of a dwelling and shall be securely anchored. In cases where the perimeter of the mobile home is not enclosed by a permanent foundation, a permanent fire resistant "skirt" shall be attached to the outside face of the mobile home on all four sides. Adequate ventilation may be provided for crawl space as long as adequate protection is made to prevent intrusion by rodents and other vermin.

C. No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park,

excluding mobile home sales other than the sales of a unit located on a mobile home lot and connected to utilities.

2. Mobile homes shall not include, nor should they be confused with, sectional and/or prefabricated homes hauled on trucks or other vehicles.

   A. Temporary Quarters. Mobile units providing temporary quarters either residential or commercial, shall not be permitted in any district except in an approved recreation vehicle park or when authorized by the Board of Supervisors and for a limited period of time and when so authorized, shall be subject to the approval of the Department of Environmental Protection and the following:

      (1) A temporary permit shall be required and said permit, if issued, shall indicate the period of time for which the exception was granted and further that no temporary permit shall be issued for any period exceeding one year.

      (2) Any person, firm or corporation holding a legal temporary permit may apply for an extension of time, not to exceed 90 days. Such application shall set forth the reason or reasons necessitating the extension.

      (3) The Board of Supervisors shall grant an extension of the temporary permit time limit, if in their opinion the applicant encountered unforeseen circumstances, deemed to be no fault of his own, in carrying out the operations for which the original temporary permit was issued or if the permit covered residential use, the refusal of an extension would result in an undue hardship to the applicant.

3. A mobile home park shall consist of a minimum of 10 acres and each mobile home site or space within the park shall have an area meeting the development standards as herein required.

4. No mobile home shall be occupied until the Zoning Officer has verified that it has been connected to the sanitary sewer and water supply systems.

5. No mobile home lacking toilet and washing facilities or cooking or food storage facilities or any of these shall be permitted, nor shall any self-propelled vehicles used as living accommodations or travel trailers designed for temporary occupancy be permitted for residential purposes for a period exceeding 14 days.

6. It shall be unlawful for a mobile home to be removed from the Huntington Township until all taxes owed on the property or by the residents of the mobile home have been paid in full as verified by the Township tax collector.

7. It shall be unlawful for any person, corporate or otherwise, to construct a new mobile home park or alter or extend any existing mobile home park in Huntington Township unless a valid permit has been issued.

   A. The Board of Supervisors may grant a mobile home park permit for a period not to exceed 12 months from the date of approval of such permit which shall be renewable by January 15, of each year thereafter. The Board of Supervisors or its duly authorized representative shall inspect each mobile home park prior to granting an annual permit for conformance with the Sections of this Chapter and any other applicable regulations. The permit fee shall be established by the Board of Supervisors.

   B. It shall be incumbent upon the proprietor of a mobile home park to keep a register and to report therein the name of the person or head of family occupying each said mobile home, showing date of entry on said land, make and size of the mobile home and the names of all persons living in said mobile home. Said register shall be subject to inspection periodically by the Board of Supervisors.

   C. Every person holding a permit shall file a written notice to the Pennsylvania Department of Environmental Protection and the Huntington Township Board of Supervisors within 10 days after having sold, transferred, given away or otherwise disposed of any interest in or control of any mobile home park.

   D. Whenever, upon inspection of any mobile home park, it is determined that conditions or practices exist which are in violation of any provisions of this Chapter or of any regulations adopted pursuant thereto, the Board of Supervisors shall give written notice to the person to whom the Township license was issued, advising him that unless such conditions or practices are corrected within a reasonable period of time specified in the notice, the license to operate in the Township shall be suspended. At the end of such period, such mobile home park shall be inspected and if such conditions or practices have not been corrected and the licensee have not requested a hearing, the Supervisors shall suspend the license and give notice, in writing, of such suspension to the person to whom the permit is issued.

   E. The Board of Supervisors, Zoning Officer or other authorized Township representative may inspect a mobile home park periodically to determine compliance with this Chapter. As a result of such inspection, a notice for any violations of this Chapter may be given.

8. Individual mobile home lots located in a mobile home park shall contain at least 5,000 square feet of lot area and shall not be less than 50 feet wide at the building setback line.

9. All mobile home lots shall be given street numbers and all park streets shall be given names.

10. All mobile homes shall be located at least 50 feet from any street right-of-way which abuts a mobile home park boundary and at least 35 feet from any other boundary of the park.

11. There shall be a minimum distance of 15 feet between an individual mobile home, including accessory structures attached thereto and adjoining pavement of a park street or common parking area or other common areas.

12. No mobile home or patio on a mobile home lot shall be located closer than 10 feet from any internal lot line of the park.

13. Each mobile home park shall be provided with at least two points of ingress and a distance of at least 200 feet shall be maintained between centerline of access streets.

14. All mobile home parks shall be provided with safe and convenient access streets to and from each and every mobile home lot. Alignment and gradient shall be properly adapted to topography. All streets within a mobile home park shall be privately owned and maintained.

15. Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least two vehicular parking spaces for each mobile home lot.

16. Each off-street parking space shall contain at least 200 square feet and shall not exceed a distance of 150 feet from the mobile home lot that it is intended to serve.

17. All mobile homes shall be connected to centralized sewer and water systems approved by the Department of Environmental Protection.

18. All mobile home parks shall have underground electrical distribution system which shall be installed and maintained in accordance with the local electric power company's specifications regulating such systems.

    A. Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

    B. All exposed non-current carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors of other approved metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

19. Any natural gas system shall be installed and maintained in accordance with the regulations and specifications of the company supplying said natural gas.

20. Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures shall include the following:

    A. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

    B. Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

    C. All LPG piping outside the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas liquid of form shall not be conveyed through piping equipment and systems in mobile homes.

    D. Any vessel containing liquefied petroleum gas shall be securely, but not permanently, fastened to prevent accidental overturning.

    E. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specifically approved by the Board of Supervisors.

21. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the following regulations:

    A. All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.

    B. All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located within five inches of storage tanks.

    C. All fuel storage tanks or cylinders shall be securely placed and shall not be closer than 10 feet from any mobile home exit.

    D. Storage tanks located in areas subject to traffic shall be protected against physical damage.

    E. Storage tanks shall not be placed partially or totally underground.

22. All mobile home parks shall provide not less than 10% of the total land area for usable open space purposes. Usable open space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents and suitable for the purpose for which it is intended.

23. Park grounds shall be maintained free of vegetation growth which is poisonous or which may harbor rodents, insects or other pests harmful to man.

24. A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a width of five feet and be improved with all weather materials.

25. A fire extinguisher shall be provided in each public service building. All fire extinguishers shall be in operable condition.

26. Provisions shall be made by the park operator to have garbage and waste collected at least once every week.

27. Individual tenants at the mobile home park may construct attached enclosures or covered patios to individual mobile homes; provided, that such enclosure does not exceed the slab area, is confined to same and meets provisions of this and all other Township ordinances.

28. All means of ingress, egress, walkways, streets and parking lots shall be adequately lighted.

29. No part of any mobile home park shall be used for nonresidential purpose, except such uses that are required for the directed servicing and well-being of park residents and for the management and maintenance of the park.

30. Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on an individual lot and connected to the pertinent utilities.

31. Every mobile home shall be anchored to prevent uplift or overturning of the mobile home.

    A. Every mobile home shall be firmly anchored to withstand lateral wind pressures in excess of 10 pounds per square foot.

    B. The dead load resisting moment of a mobile home shall not be less than 1 1/2 times the overturning moment due to wind and other lateral forces. The foundation and superimposed earth loads may be included provided the anchorage is sufficient to develop these weights.

32. No mobile home, whether installed on a single lot or in a mobile home park, shall be removed from the Township without first obtaining a removal permit from the Township Tax Collector as required by Act No. 54, 1969 of the Pennsylvania General Assembly. Such permit shall be issued upon payment of a fee and real estate taxes assessed against the home and unpaid at the time the permit is requested.

§ 27-1146. (Reserved)[24]

§ 27-1147. Public and Private Schools. [Ord. 35, 11/11/1999, § 1147; as amended by Ord. No. 2020-01-70, 3/12/2020; and by Ord. No. 2021-02-73, 5/13/2021]

1. All height, area, setback and coverage standards within the applicable zoning district shall apply.

2. All off-street parking facilities shall be set back at least 25 feet from adjoining property lines.

3. All structures shall be set back at least 100 feet from any adjoining land within a residential zone.

4. Recreational areas and facilities, which may include athletic and other playing fields, shall be provided for all public schools in accordance with their educational and programming requirements for their enrollment. Where there are multiple school buildings on a single parcel, the requirement for recreational areas may be met through shared recreational facilities and playing fields. Vegetative materials within the recreation areas shall be non-harmful, (i.e., thorny, poisonous or allergenic, etc.). For the purposes of this section, "enrollment" shall be defined as the largest number of students in the proposed building or buildings at any one time during a seven-day time period.

5. Passenger drop-off and pick-up areas shall be provided and shall be designed so as to minimize cross-traffic pedestrian circulation.

§ 27-1148. Public Utility. [Ord. 35, 11/11/1999, § 1148; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The applicant must demonstrate that the selected location is necessary for public service and the use cannot be supplied if located elsewhere.

2. If located within a residential district, all buildings and structures shall be designed (to the extent possible) to have the exterior appearance of a residence.

3. In any residential district, the outdoor storage of vehicles or equipment, used in the maintenance of a utility, shall not be permitted; in a nonresidential district, all outdoor storage parking/or loading areas shall be screened from adjoining roads and all properties.

4. There shall be no specified minimum lot size; however, each lot shall provide front, side and rear yard setbacks and comply with the maximum lot

24. Editor's Note: Former § 27-1146, Nightclubs, Ord. 35, 11/11/1999, § 1146, was repealed Ord. No. 2021-02-73, 5/13/2021.

coverage requirements and impervious surface bed as prescribed in the zoning district.

5. All structures shall be set back a distance at least equal to the height of the structure, from all adjoining property lines and height regulations for the district shall be followed.

6. The use shall emit no obnoxious noise, glare, dust, odor, vibration, electrical or microwave disturbance or cause any other objectionable impact, nuisance or safety hazard beyond the subject property.

7. All new or added electrical transmission projects shall have an EMF mitigation plan to eliminate to the greatest extent possible any potential health risk or nuisance.

§ 27-1149. Quarries and Other Extractive Industries. [Ord. 35, 11/11/1999, § 1149]

1. The zoning permit application submitted shall identify:

   A. The ownership and acreage of the land which is the site of quarrying operations, including all lands held under contract or lease.

   B. The type of material being quarried.

   C. The depth of excavations.

D. The probable effect of blasting and other excavation methods upon existing and permitted uses in the areas surrounding the quarry site.

E. A map at any scale acceptable to the Board of Supervisors showing:

(1) All land owned under option, contract or lease.

(2) Lot or land to be quarried.

(3) Internal private access drives and streets abutting the property.

(4) Contour information of sufficient detail to evaluate areas beyond the site to the nearest abutting public streets.

(5) Location of all structures.

(6) Location of stockpiles and waste piles.

(7) Title, scale, north point and date.

(8) Fencing and screen planting.

2. The applicant shall demonstrate that the proposed quarry operation:

A. Does not substantially injure or detract from the lawful existing or permitted use of neighboring properties.

B. Does not adversely affect any public or private water supply source.

C. Does not adversely affect the logical, efficient and economical extensions of public services, facilities and utilities throughout the Township.

D. Does not create any significant damage to the health, safety or welfare of the Township and its residents and property owners.

E. Complies with all applicable State regulations.

3. A substantial fence measuring at least 10 feet in height must be placed around the area of actual quarrying to prevent unauthorized person from entering the area.

4. Trees and shrubs shall be provided or earth barriers with a suitable, stabilized ground cover erected to screen the operation where it is adjacent to a residential or a public street or where the operation will substantially impair the beauty and character of the surrounding countryside.

5. The applicant shall demonstrate that the operation allows for the safe and efficient movement of all vehicles associated with the operation.

6. All proposed entrances and exits to the operation shall be designed and improved in a manner which does not allow mud or gravel to be deposited or accumulate on or along abutting public streets.

7. Where the subject lot or parcel of land is adjacent to a residential zone, no stockpiles, waste piles or processing equipment shall be closer than 1,000 feet to the residential zone and no part of the quarry pit, internal private access drive, truck parking area or operational equipment shall be closer than 500 feet to the residential zone.

8. No part of a quarry pit, stockpiles, waste piles, processing equipment scales, operational equipment or truck parking area shall be closer than 100 feet to a public street line.

9. Except for the setbacks specified above, no part of a quarry pit, stockpiles, waste piles or processing equipment shall be closer than 200 feet to a property.

10. The applicant shall provide quarry rehabilitation information and include a plan which indicates that:

    A. Within two years after the termination of quarrying operations, the area of actual quarrying operations must be rehabilitated to a condition of reasonable physical attractiveness and, as practical, restored.

    B. The slope of earth material in any excavated pit shall not exceed the angle of slippage.

    C. When the filling of any portion of the pit is desirable and economically feasible, such fill material must be able to sustain a vegetative cover of grass, plants and trees and such must be provided.

    D. To prevent any silt, erosional debris or other loose material from filling any existing drainage course or encroaching on existing public roads or private property, all surface drainage exiting or developing by or through the top soil shall be controlled by dikes, barriers or drainage structures. All measures to control natural drainage or flood water must meet with approval of the Board of Supervisors.

    E. Within two years after termination of operations, all plant and equipment shall be removed, except where the plant and equipment is being utilized for processing earth material from other properties. Foundations and piers from any structure may remain in the ground if substantially covered.

11. No quarry shall operate without a certificate of use, which upon payment of the fee to be determined, from time to time, by the Board of Supervisors shall be issued for a period of one year and shall be subject to annual renewal thereafter.

12. Operation of the facility shall at all times comply with all applicable State and Federal statutes and regulations. This shall include, but not be limited to, the Non-Coal Surface Mining Conservation and Reclamation Act of December 19, 1984, P.L. 1093, No. 219, as amended, 52 P.S. § 3301 et seq., or any subsequent amendment or enactment of the Pennsylvania General Assembly regulating mining and the regulations of DER implementing such statutes.

13. The minimum lot area shall be 50 acres.

14. The operator shall limit access to the site to those posted times when an attendant is on duty. In order to protect the public health, safety and welfare, access drives shall be secured by fences, locks, gates and other means to deny access at unauthorized times.

15. All access drives onto the site shall be paved to a cartway width of 35 feet for a distance of at least 200 feet from the street right-of-way line.

§ 27-1150. Recreation and Entertainment Facilities. [Ord. 35, 11/11/1999, § 1150]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial and collector street design and improvement standards.

2. Uses involving extensive outdoor activities shall provide sufficient screening and/or landscaping measures to prevent any reasonable harm on adjoining properties.

3. Any structures exceeding the maximum permitted height may be permitted so long as they are setback from all property lines at least the horizontal distance equal to their height, plus an additional 50 feet. Such structures shall not be used for occupancy.

4. Required parking shall be based upon the requirements of Part 10 of this Chapter. When deemed necessary, the Board of Supervisors may require an unimproved grassed overflow parking area for peak period use, located and designed in a manner which prohibits vehicles from crossing adjoining properties and directly accessing adjoining roads.

5. All entrances to the recreation facility shall be designed so that vehicle back-up on abutting roads does not occur.

6. The zoning permit application shall be accompanied by a working plan for the clean-up and disposal of litter and the prevention of loitering on the subject property.

7. The area to be used for recreational purpose must be set back at least 50 feet from any property or street line.

8. The minimum lot size shall be five acres.

9. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads.

10. Any outside pedestrian waiting lines shall be provided with a means of shade.

11. Any accessory eating or retail use must be assessed through the main entertainment or clubhouse building.

12. Public sewer service and public water service shall be provided.

§ 27-1151. (Reserved)[25]

§ 27-1152. Recycling and Resource Recovery Facilities. [Ord. 35, 11/11/1999, § 1152]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. Operation of the facility shall at all times comply with applicable State and Federal statutes and regulations. This shall include, but not be limited to, the Municipal Waste Planning, Recycling and Waste Reduction Act or any subsequent amendment or enactment of the Pennsylvania General Assembly regulating waste recycling and recovery and the regulations of the Department of Environmental Protection implementing such statutes.

3. The minimum lot area shall be 10 acres.

4. A fence measuring eight feet high shall enclose the facility. The fence shall have openings less than three inches in any dimension, if any. A vegetative screen must be provided along the outside of the fence, facing away from the facility, with plantings at least 36 inches high and placed in a double-staggered row with no more than five feet between plants. The vegetation shall be of a variety to obtain a height of at least eight feet at maturity. The use shall be screened completely from normal view.

5. The applicant shall assure regular maintenance of the site to assure the immediate collection of stray debris. Litter control measures shall be

25. Editor's Note: Former § 27-1151, Recreation Vehicle and Recreation Vehicle Parks, Ord. 35, 11/11/1999, § 1151, was repealed Ord. No. 2021-02-73, 5/13/2021.

implemented to prevent scattering of materials and a plan for the clean-up of litter shall be submitted to the Township.

6. No recycling center shall operate without a certificate of use, which upon payment of the feet to be determined, from time to time, by resolution of the Board of Supervisors, shall be issued for a period of one year and shall be subject to annual renewal thereafter.

7. The applicant shall demonstrate that the water supplies for neighboring properties shall not be adversely affected by the proposed use. In order to fulfill this requirement, the applicant shall submit a hydrogeologic study performed by a qualified hydrogeologist or other similar professional. Such study shall be prepared in accordance with accepted hydrogeological standards and practices, shall contain the sources of all test data including, but not limited to, wells evaluated as a part of the study and shall clearly set forth the conclusions and recommendations of the professional.

8. The applicant shall provide an explanation of the scope of operation and any measures used to mitigate problems associated with noise, fumes, dust and litter.

9. Sufficiently-long vehicle stacking lanes into the facility shall be provided so that vehicles waiting to be weighted will not back upon onto public roads.

10. All driveways onto the site shall be paved to a cartway width of 35 feet for a distance of at least 200 feet from the street right-of-way line. In addition, a one-hundred-foot long crushed stone section of access drives shall be placed just beyond the preceding two-hundred-foot paved section to help collect any mud that may be attached to a vehicle's wheels.

11. The operator shall provide the Township with copies of notices of violation received from DEP or EPA within two weeks from the date such notice of violation was received by the operator.

12. There shall be no operations on Sunday or legal holidays and no operation between 7:00 p.m. and 7:00 a.m. on other days.

13. No structures or parking areas shall be located closer than 100 feet to any property line.

14. The unloading, transfer and disposition of materials shall be continuously supervised by a qualified facility operator. Vibrations and emissions into the air shall not be permitted outside the property. All regulations relating to the control of noise shall be observed.

§ 27-1153. Research Laboratory. [Ord. 35, 11/11/1999, § 1153]

1. The minimum lot size shall be two acres.

2. Access shall be via an arterial or collector street.

3. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

4. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare and vibration smoke). Toxic materials may only be stored or disposed of in a manner that will not be a public health hazard or a public nuisance.

§ 27-1154. Restaurants, Taverns and Eating Establishments. [Ord. 35, 11/11/1999, § 1154]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. Adequate off-street parking spaces shall be provided.

3. The applicant shall provide a working plan, which demonstrates that the proposed land use will not create excessive light, noise, litter and loitering with respect to abutting properties.

4. The applicant shall furnish evidence identifying how the use will be controlled and will not constitute a nuisance due to noise, light or loitering outside the building.

5. A working plan for the clean up of litter shall be furnished and implemented by the applicant.

6. Any proposal for an existing restaurant to provide for the sale of alcoholic beverages or for an existing restaurant or tavern to provide live entertainment, such proposal shall require the approval of conditional use by the Board of Supervisors.

7. Adequacy of the water and sewer facilities shall be attested to by the U.S. Public Health Service and Pennsylvania Department of Environmental Protection.

8. All exterior seating areas shall be completely enclosed by a fence or a landscape screen.

§ 27-1155. Retail Stores, Sales and Office. [Ord. 35, 11/11/1999, § 1155; as amended by Ord. 2012-01-58, 5/10/2012; and by Ord. No. 2021-02-73, 5/13/2021]

1. The proposed structure shall be connected to and use public water and public sewer. Applicant shall present evidence that sewer and water capacity has been obtained or reserved from the applicable provider.

2. The lot shall directly abut and gain access from an arterial road or a rural major collector road.

3. Standard straight curbs and pedestrian walkways shall be installed surrounding the perimeter of the parking areas and within all public rights-of-way abutting the parking areas according to the specifications for curbs and walkways in the Subdivision and Land Development Ordinance [Chapter 22].

4. A buffer yard shall be provided along all property lines (except for necessary access drives) which shall be at least 80 feet in depth for building(s), whether initially or cumulatively, in excess of 50,000 square feet of gross floor area and at least 50 feet in depth for building(s) between 10,001 and 50,000 square feet of gross floor area.

5. Traffic Control and Access Requirements.

   A. At least two separate points of ingress and egress shall be provided from an arterial road or a major rural collector road.

   B. Applicant shall demonstrate that the road network providing access to and from the site can accommodate the volume of traffic reasonably expected to be generated by the proposed use in a safe and convenient manner or that the applicant will make all improvements necessary to the road network to provide for safe and convenient access to and from the site.

   C. Applicant shall demonstrate that the proposed use will not create unusual traffic patterns or movements which will jeopardize the traveling public.

   D. Applicant shall demonstrate that the location and design of the proposed access ways to and from the site are designed in a manner that will provide the least detrimental impact upon traffic capacity, level of service and safety upon abutting roads. Applicant shall install all traffic control signals and devices necessary to mitigate any detrimental impact.

   E. If reduction of the speed limit, installation of traffic control signals and devices or similar measures are required to mitigate traffic impacts upon Township or State highways, the applicant shall present traffic studies performed in accordance with PennDOT regulations, guidelines and procedures to support the imposition of such traffic regulations or the installation of such traffic control signals and devices. If the enactment of an ordinance is necessary to effectuate traffic regulations, the applicant shall reimburse the Township for all expenses incurred in the preparation and enactment of the necessary ordinance.

F. Applicant shall make all improvements necessary to maintain an adequate level of service and to eliminate any unsafe conditions on all intersections and streets within the area and shall make all improvements required by the applicable subdivision and land development ordinance, any other Township ordinance and the regulations, guidelines and procedures of PennDOT.

6. Interior access ways shall be designed so as to prevent the blocking of vehicles entering or leaving the site, stacking and cross-over traffic. Areas provided for loading and unloading of trucks and/or other vehicles or for servicing of stores, offices or shops or for trash removal or recyclable collection or other services shall be adequate in size and shall be so arranged that they may be used without blocking or interfering with internal circulation.

7. Minimum front yard: 200 feet for all building(s), whether initially or cumulatively, in excess of 50,000 square feet of total gross floor area, 100 feet for all building(s) between 10,001 and 50,000 square feet of total gross floor area.

8. Minimum side yard: 100 feet for all building(s), whether initially or cumulatively, in excess of 50,000 square feet of total gross floor area, 75 feet for all building(s) between 10,001 and 50,000 square feet of total gross floor area.

9. Minimum rear yard: 100 feet for all building(s), whether initially or cumulatively, in excess of 50,000 square feet of total gross floor area, 75 feet for all building(s) between 10,001 and 50,000 square feet of total gross floor area.

10. Outdoor storage shall be limited to plants, nursery and garden supplies, soil, peat moss and similar materials. Such outdoor storage shall not utilize off-street parking spaces. Outdoor storage of other goods and inventory shall not be permitted.

11. Applicant shall present elevation drawings of all sides, including elevation drawings from prominent approach points. Applicant shall provide drawings which shall set forth the essential architectural elements of the design of the structure.

12. All stormwater facilities shall be located on the subject property and shall be designed and constructed in accordance with the Huntington Township Stormwater Ordinance.[26]

26. Editor's Note: See Chapter 17, Stormwater Management.

§ 27-1156. Retirement or Age-Restricted Community. [Ord. 35, 11/11/1999, § 1156; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The site shall front on and gain access from a rural major collector or any arterial road.

2. Public water service and public sewer service shall be provided.

3. The subject tract shall contain a minimum area of three acres.

4. Off-street parking lots and loading areas shall be screened from adjoining residentially-zoned or used lands.

5. At least 20% of required parking spaces shall be designed for handicapped persons. Notwithstanding the foregoing, all requirements of the Americans with Disabilities Act and the regulations promulgated thereunder shall be met.

6. The building, off-street parking lots and loading areas shall be set back at least 75 feet from all adjoining residentially-zoned or used land.

7. The building shall have fire sprinklers and require verification from the local fire chief that adequate firefighting protection is available.

8. All licenses and approvals from all Federal, State and other agencies having jurisdiction to license this facility, including the Pennsylvania Department of Labor and Industry and others must be presented to the Township prior to the issuance of permits under this Chapter.

9. A fire hydrant shall be located within 200 feet of the building.

10. Sidewalks and straight standards curbs shall be constructed around the perimeter of the parking area (with the area for access by the handicapped) and abutting all public rights-of-way.

11. Lighting shall not cast glare offsite.

12. A community shall primarily serve the needs of retirement aged persons.

13. The community shall achieve a balanced residential/medical environment which cannot be achieved through the use of conventional zoning techniques.

14. Residences shall be functionally, physically and architecturally integrated with medical service and recreational centers.

15. Commercial and recreational uses shall be grouped together and located near the populations being served.

16. The minimum land area devoted to a community shall be 10 acres.

17. All buildings or structures, off-street parking lots and loading areas shall be set back at least 75 feet from all adjoining residentially-zone or used land and 75 feet from all lot lines of the community property.

18. No more than 55% of the subject property shall be covered with buildings, parking and loading areas and/or other impervious surfaces. Building coverage shall not exceed 30% of the total site coverage.

19. Off-street parking spaces shall be located throughout the community in such a manner to be conveniently accessible to the buildings/uses for which they are required and curbs and pedestrian walks shall be throughout the community and linked with adjoining development by safe and convenient walkways.

20. Only those uses which provide a harmonious, balanced mix of medical, residential, limited commercial and recreational uses, primarily serving community residents and public, quasi-public and medical services for the off-community retirement aged community will be permitted. Uses may include, but need not be limited to, the following:

    A. Dwellings, nursing homes and congregate living facilities for the elderly or physically handicapped.

    B. Commercial uses which are strictly related and subordinate to the residential/medical character of the community and which directly serve the residents dents and employees of or visitors to the center. The uses should be chosen to reflect their local orientation the immediate community vicinity and should be a size and scope so as not to interfere with existing or proposed retail uses located in the off-community area. No outdoor storage shall be permitted.

    C. Recreational and social uses, such as athletic facilities, community centers and assembly halls, limited to use only by community residents, employees or their visitors.

§ 27-1157. Riding School, Riding Club, Horse Boarding Stable or Equestrian Center. [Ord. 35, 11/11/1999, § 1157; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. All animals except while exercising or pasturing shall be kept within a completely enclosed building which was erected or maintained for that purpose.

2. No building or stable shall be located less than 100 feet from any lot line, nor closer than 200 feet from the nearest existing dwelling, other than that of the owner. A minimum lot size of one acre per 1 1/2 animals maintained shall be provided.

3. All areas used for exercise and pasturing shall be securely fenced. A pasture fence shall be located a minimum distance of six feet from the property line.

4. No manure storage facility or area shall be established closer than 150 feet to any property line.

5. Adequate off-street parking shall be provided.

6. Minimum lot area shall be five acres.

7. No more than 10 equine may be kept with the exception that one additional equine may be kept for each additional acre of land over 10 acres.

8. All parking and unimproved overflow parking areas shall be set back at least 25 feet from adjoining lot lines. Unimproved overflow parking areas shall also provide a fence delineating such occasional parking facilities and preventing the parking and/or movement of vehicles across neighboring properties.

§ 27-1158. Agricultural Equipment, Sales and Service. [Ord. 35, 11/11/1999, § 1158; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. Activities and services provided by this use should address the needs of those engaged in local farming. The facility should be directed at providing materials and services needed to farm rather than the distribution of goods produced on the farm.

2. Minimum lot areas shall be two acres.

3. Vehicular and pedestrian traffic to and from the use shall not create undue congestion or hazards within the general neighborhood.

4. Structures shall be located at least 50 feet from all property lines.

5. The maximum lot coverage shall be not greater than 20%.

6. Screening and/or landscaping will be required where the use abuts a residential zone or use.

7. Adequate parking and loading areas shall be provided and shall not be permitted on or along any public road.

§ 27-1159. Sawmill Operations. [Ord. 35, 11/11/1999, § 1159]

1. No saw or other machinery shall be less than 100 feet from any property or street line.

2. All power saws and machinery will be secured against tampering and locked when not in use.

3. The facility shall front upon and gain access from a rural major collector or any arterial road.

4. No parking area, loading area or access to the sawmill shall be within 250 feet of the nearest residence not owned by the sawmill owner.

5. Where a sawmill is located adjacent to any residential use, all cutting shall be conducted within a structure with a closed side facing such residential use.

6. A plan for the periodic disposal of sawdust shall be provided.

§ 27-1160. Semidetached Buildings in a Commercial-Industrial District. [Ord. 35, 11/11/1999, § 1160]

1. The Board of Supervisors may allow the elimination of adjacent side or rear yards on two or more adjacent lots in the C-I — Commercial-Industrial District provided the following conditions and standards are adhered to:

   A. The owners of the adjacent lots jointly request the elimination.

   B. The buildings to be constructed will be built at the same time and will be physically connected to each other and have uniform facades and roof lines.

   C. Fire walls are to separate the buildings from basement to 1 1/2 foot above the roofline.

2. No more than one side yard or rear yard per lot can be eliminated.

§ 27-1161. (Reserved)[27]

§ 27-1162. Solid Waste Disposal and Processing Facilities (Landfills and Mass Burn Facilities). [Ord. 35, 11/11/1999, § 1162]

1. Such facility shall be established and operated only under the strict supervision of a duly appointed Huntington Township municipal authority specifically ordained for purpose of operating such facility.

2. All sanitary landfills, waste disposal sites, incinerators shall have a minimum lot area of 40 acres.

27. Editor's Note: Former § 27-1161, Shopping Centers or Malls in Excess of 50,000 Square Feet of Gross Floor Area, Ord. 35, 11/11/1999, § 1161, as amended, was repealed Ord. No. 2021-02-73, 5/13/2021.

3. All solid waste processing operations shall be conducted within a wholly enclosed building.

4. No refuse shall be deposited or stored and no building or structure shall be located within 500 feet of any property line and 1,000 feet of any residential zone or use.

5. Any area used for the unloading, transfer, storage, processing, incineration or deposition of refuse must be completely screened from ground level view at the property line. The use of an earthen berm is recommended whenever possible. 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.

6. The applicant must demonstrate compliance through a written statement and continue to comply with all applicable State and Federal standards and regulations.

7. The use shall be screened from all roads and adjoining properties.

8. All uses shall provide sufficiently long stacking lanes into the facility so that vehicles waiting to be weighed will not back-up onto public roads.

9. All driveways into the site shall be paved for a distance of at least 200 feet from the street right-of-way line. In addition, a fifty-foot long gravel section of driveway should be placed beyond the preceding paved section to collect any mud that may have accumulated on the wheels of any vehicles.

10. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other means to prohibit access to the area at unauthorized times or locations.

11. Hazardous waste as identified by the Pennsylvania Department of Environmental Protection shall not be disposed of within the subject property.

12. The application shall be accompanied by a working plan to prevent the scattering of debris and litter as well as the clean-up of the same.

13. The facility shall employ qualified facility operators responsible for supervising all unloading, processing, transfer and deposition activities of solid waste.

14. Leak and vector proof containers shall be provided for the storage of any waste that cannot be used in any disposal process or material that is to be recycled. Such containers shall be designed to prevent their being carried by wind and/or water and shall be stored within a wholly enclosed building.

15. No more solid waste shall be stored on the property than what is necessary to keep the facility in constant operation, but in no circumstances shall such waste be stored for greater than 72 hours.

16. A contingency plan for the disposal of solid waste shall be submitted to the Township in the event of a facility shutdown.

17. Leachate from the solid waste shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the Department of Environmental Protection's regulations.

18. The applicant shall submit an analysis of raw water needs (ground water 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, a water feasibility study will be provided to enable the Township to evaluate the impact of the proposed development on the ground water supply and on existing wells. The purpose of the study will be to 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 Township 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 ground water recharge considering the water withdrawn by the proposed development shall not be approved by the Township. A water feasibility study shall include the following information:

    A. Calculations of the projected water needs.

    B. A geologic map of the area with a radius of at least one mile from the site.

    C. 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.

    D. The location of all existing onlot sewage disposal system within 1,000 feet of the site.

    E. The location of all streams within 1,000 feet of the site and all known point sources of pollution.

    F. Based on the geologic information(s) underlying the site, a determination of the long term safe yield.

G. A determination of the effects of the proposed water supply system on the quantity and quality of waters in nearby wells, streams and the ground water table.

H. A statement of the qualifications and the signature(s) of the person(s) preparing the study.

19. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on the current traffic flows on this road system and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to ensure safe turning movements to and from the site and safe through movements on the existing road.

20. A minimum of one-hundred-foot wide landscape strip shall be located along all property lines. No structures, storage, parking or any other related activity or operation shall be permitted within this landscape strip. Any fences or other screening erected on the site must not be located within this landscape strip.

§ 27-1163. (Reserved)[28]

§ 27-1164. Truck, Bus or Motor Freight Terminal. [Ord. 35, 11/11/1999, § 1164]

1. The subject tract shall front on and gain access from either an arterial or major collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or major collector street design and improvement requirements.

2. Minimum lot area shall be 10 acres.

3. The terminal shall not be within 200 feet of a dwelling not owned by the business owner.

4. Light from the lot shall not cast glare outside the property lines.

5. A buffer yard at least 50 feet wide must be located on the terminal site in all situations where the site adjoins a residential use. This yard shall be naturally landscaped, have no impervious cover and shall not be used for parking, building, loading or storage purposes.

6. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration and smoke).

28. Editor's Note: Former § 27-1163, Storage Services, Areas, Ord. 35, 11/11/1999, § 1163, was repealed Ord. No. 2021-02-73, 5/13/2021.

7. If hazardous materials are stored (even temporarily) the applicant shall demonstrate compliance with any regulations for the storage of such materials promulgated by DEP or the Environmental Protection Agency.

§ 27-1165. Automobile and Agriculture Equipment Service Station and Repair Facility. [Ord. 35, 11/11/1999, § 1165; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The subject tract shall front on and gain access from either an arterial, major collector or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. All service and/or repair activities shall be conducted within a single, wholly-enclosed building.

3. The subject property shall be at least 500 feet from the property line of any parcel containing a school, day care facility, hospital, playground, library or nursing, rest or retirement home.

4. All vehicles shall be repaired and removed from the premises as promptly as possible. Any vehicle not receiving repair work within the preceding seven days shall be removed.

5. Gasoline pump islands shall be at least 50 feet from the street right-of-way line.

6. Entrances and exits shall be a minimum of 30 feet in width.

7. All ventilation equipment associated with fuel storage tanks shall be at least 100 feet from any adjoining residential property or residentially-zoned property.

8. All uses involving drive-through service shall provide sufficient onsite stacking lanes to prevent vehicle back-ups on adjoining roads.

9. All exterior vehicle storage areas shall be screened from adjoining residential and residentially-zoned property.

10. The storage of unlicensed vehicles on the property is prohibited.

11. The demolition or storage of junked vehicles is prohibited.

§ 27-1166. Warehouse and Wholesale Trade Establishment. [Ord. 35, 11/11/1999, § 1166; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. The subject tract shall front on and gain access from either an arterial, major collector or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

3. Lighting shall not cast glare beyond the property lines.

§ 27-1167. Echo Housing.

This Section describes and provides restrictions for echo housing and cottages on lots with a principal dwelling.

A. The total building coverage for the principal dwelling, any existing accessory structures and the echo cottage together shall not exceed the maximum requirement for the zoning district in which the echo cottage is located.

B. The echo cottage may not exceed 900 square feet of floor area.

C. The echo cottage shall be occupied by either an elderly, handicapped or disabled person related to the occupants of the principal dwelling by blood, marriage, or adoption.

D. The echo cottage shall be occupied by a maximum of two people.

E. Utilities.

(1) For sewage disposal and water supply and all other utilities, the echo cottage shall be physically connected to those systems serving the principal dwelling. No separate utility systems or connections shall be constructed or used. All connections shall meet the applicable utility company standards; and

(2) If on-site sewer or water systems are to be used, the applicant shall submit evidence showing that the total number of occupants in both the principal dwelling and the echo cottage will not exceed the maximum capacities for which the one-unit systems were designed, unless those systems are to be expanded, in which case the expansion approvals must be submitted to the Township. Any connections to or addition to an existing on-site sewer system shall be subject to the review and approval of the Sewage Enforcement Officer.

F. A minimum of one paved off-street parking space shall be provided for the echo cottage.

G. The echo cottage shall be constructed and located only in the side or rear yards, and shall adhere to all side and rear yard setback requirements for principal uses.

H. The echo cottage shall be removed from the property within 90 days after it is no longer occupied by a person who qualifies for the use.

I. Upon the proper installation of the echo cottage, the Zoning Officer shall issue a temporary building permit. Such permit shall be reviewed every 12 months until such time as the echo cottage is required to be removed. A fee, in the amount to be set by the Board of Supervisors, shall be paid by the landowner upon each renewal of the temporary building permit. Such fee shall be based upon the cost of the annual review of the permit.

J. The landowner must post a $5,000 bond with the township to ensure that the echo housing building is removed within 90 days after it is no longer occupied by a person who qualifies for the use. If it is not removed within 90 days, the Township will remove the building and charge the actual cost against the bond. If the cost of removal exceeds the bond, the balance will be charged to the landowner. If payment is not received within 30 days of removal, a lien will be placed against the landowner's property.

§ 27-1168. Forestry.

A. Clearcutting on tracts of land less than two acres in size is prohibited.

B. On all tracts of land larger than two acres, at least 30% of the forest cover (canopy) shall remain. The residual or remaining trees shall be comprised of higher value species and well distributed.

C. Clearcutting on areas with slopes greater than 25% or within a one-hundred-year floodway is prohibited.

§ 27-1169. Private Solar Energy Systems. [Added by Ord. 2012-01-58, 5/10/2012]

1. Zoning approval is required for the construction of any solar energy system.

2. The applicant shall demonstrate through project planning and proposed mitigation that the proposed project's impact will be minimized for surrounding properties. This may include, but not be limited to, information regarding site selection, facility design, appearance, buffering, glare control, and screening of ground-mounted electrical and control equipment.

3. Noise from any solar energy system shall not exceed 15 decibels at the lot lines, unless all affected adjacent property owners shall have executed a nondisturbance easement, covenant, or consent.

4. Construction of any solar energy system shall comply with all applicable rules, laws, and regulations of the Federal Aviation Administration.

5. All solar energy systems shall comply with the PA Uniform Construction Code.[29]

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29. Editor's Note: See 35 P.S. § 7210.101 et seq.

6. All electrical components of any solar energy system shall conform to relevant and applicable local, State and National codes.

7. Solar energy systems shall not be artificially lighted, except to the extent required by the Federal Aviation Administration.

8. Solar energy systems shall not display any advertising.

9. (Reserved)[30]

10. No solar energy system, when combined with existing impervious cover, may exceed the percent of impervious cover for the zoning district.

11. Solar energy systems shall meet the accessory structure setbacks that may apply in the zoning district within which they are constructed.

12. No solar energy system shall be attached to a tree, any other natural object, or any structure not intended to support such a system.

13. No solar energy system shall be installed immediately adjacent to a swimming pool or other open body of water.

14. A solar energy system mounted on a roof shall conform to the height regulations of the zoning district.

§ 27-1170. Commercial Solar Energy Systems. [Added by Ord. 2012-01-58, 5/10/2012]

1. The applicant shall demonstrate through project planning and proposed mitigation that a proposed project's impact will be minimized for surrounding properties. This may include, but not be limited to, information regarding site selection, facility design, appearance, buffering and screening of ground-mounted electrical and control equipment.

2. A commercial solar energy system is considered a land development, and, therefore, a land development plan must be submitted that meets all the requirements of the Huntington Township Subdivision and Land Development Ordinance.[31]

3. Noise from any commercial solar energy system shall not exceed 50 decibels at the lot line adjacent to any nonresidential lot or zoning district, and not exceed 15 decibels at the lot line adjacent to any residential lot or zoning district.

4. Construction of any commercial solar energy system shall comply with all rules, laws and regulations of the Federal Aviation Administration.

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30. Editor's Note: Former Subsection 9, requiring transmission, plumbing and power lines to be placed underground, was repealed Ord. No. 2021-02-73, 5/13/2021.

31. Editor's Note: See Chapter 22, Subdivision and Land Development.

5. Commercial solar energy systems shall comply with the PA Uniform Construction Code.[32]

6. All electrical components of commercial solar energy systems shall conform to relevant and applicable local, State, and National codes, such as, but not limited to, NEC, Underwriters' Laboratories, IEEE, Solar Rating and Certification Corporation and ETL.

7. Commercial solar energy systems shall not be artificially lighted, except to the extent required for safety or by any applicable Federal or State Authority, and shall meet the requirements of § 27-1175 of this Part.

8. Commercial solar energy systems shall not display any advertising. Commercial solar energy systems shall be constructed with panels using nonglare glass or coverings on the solar collector units.

9. On-site transmission, power, and plumbing lines shall be placed underground.

10. The following project information shall be submitted to the Township for every proposed commercial solar energy facility:

    A. A project narrative including the following: an overview of the project, project location, the approximate generating capacity, the number, representative types and heights of facilities to be constructed, including their generating capacity, dimensions, and respective manufacturers, and description of any ancillary facilities to the solar energy system.

    B. An affidavit or similar evidence of agreement between the property owner and the solar energy facility owner or operator, demonstrating permission to apply for necessary permits for construction and operation of a solar energy facility.

    C. Identification of the properties on which the proposed facility will be located and the properties adjacent to the proposed location.

    D. A site plan showing the planned location of each proposed solar energy facility, property lines, setback lines, access roads and the location of any ancillary structures, including equipment, cabling, buildings, structures, transmission lines, and substations.

    E. A viewshed impact analysis illustrating views of the proposed facility from multiple angles.

    F. A design certification by a professional engineer licensed in Pennsylvania, consisting of the proposed foundation design and analysis of soil conditions.

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32. Editor's Note: See 35 P.S. § 7210.101 et seq.

11. Commercial solar energy facilities shall not exceed a maximum height of 15 feet, measured from ground level to the tallest point on the facility.

12. All commercial solar energy systems and any associated accessory equipment shall comply with all area, dimensional, buffering, parking, landscaping, and yard setbacks for the zoning district in which the facility is located, as well as any other zoning provisions that apply.

13. All commercial solar energy systems must be buffered with a vegetative screen equal to the height of the solar collector units.

14. Secure perimeter fencing shall be installed around a commercial solar energy facility. The fencing shall not be constructed within any required setback or landscape buffer. The fencing shall be of chain-link construction with rubberized coating in neutral earth tone colors such as black, brown, tan, or green.

15. Decommissioning funds shall be posted and maintained with the Township in an amount equal to 125% of the estimated decommissioning costs for as long as the facility exists, regardless of change of ownership of the facility or property on which it sits.

16. Decommissioning shall include removal of all solar energy systems, buildings, cabling, electrical components, roads, foundations and any other associated appurtenances. 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.

17. An independent and professional engineer licensed in Pennsylvania shall estimate the total cost of decommissioning, without regard to salvage value of the equipment.

18. Decommissioning funds shall be posted and maintained with a bonding company, provided that the bonding company is authorized to conduct such businesses within Pennsylvania and approved by the Township. The bond shall be a form acceptable to the Township Solicitor.

19. If a commercial solar energy system is unused for a period of 12 consecutive months, the owner or landowner shall, at his/her expense, complete the decommissioning of the system within six months.

20. If the owner, operator, or landowner of a commercial solar energy system fails to appropriately complete decommissioning, the Township may take such action as necessary to complete the decommissioning.

21. The entry into and submission of evidence of a participating landowner agreement with or 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.

§ 27-1171. Geothermal System, Closed Loop. [Added by Ord. 2012-01-58, 5/10/2012; as amended by Ord. No. 2021-02-73, 5/13/2021]

1. No construction, drilling, digging, reconstruction, major repair or other change of or for any geothermal well shall commence unless the property owner, or authorized agent, acquires a zoning permit.

2. Geothermal wells shall be located on the property with respect to the following minimum isolation distances:

   A. Delineated wetlands, floodplains, lakes, ponds, or other surface waters: 50 feet.

   B. Stormwater pits, storm drains, retention basins, stormwater stabilization ponds: 25 feet.

   C. Hand-dug potable water well: 50 feet.

   D. Drilled/cased potable water well: 25 feet.

   E. Subsurface sewage absorption areas, elevated sandmounds, cesspools, sewage seepage pits: 100 feet.

   F. Spray irrigation site perimeter, sewage sludge, and seepage disposal site: 100 feet.

   G. Septic tanks, aerobic tanks, sewage pump tanks, holding tanks: 50 feet.

   H. Private sewer lines: 50 feet.

   I. Public sewer laterals: 10 feet.

J. Preparation area or storage area of hazardous spray materials, fertilizers or chemicals, salt piles: 300 feet. (If borehole is cased and grouted inside and out: 150 feet.)

K. Surface or subsurface containers or tanks greater than 1,000 gallons used for storage of materials that cannot be properly renovated by passage through soil. This includes, but is not limited to, gasoline and all other petroleum products: 300 feet. (If borehole is cased and grouted inside and out: 150 feet.)

3. Closed-loop geothermal boreholes shall be located, drilled and finished in a manner that will protect the borehole structure from damage from surface activities or other natural occurrences so that the quality of the local groundwater will not be affected.

4. Casings are not required for closed-loop systems. When a casing is used (open-loop system), grouting the annular space is required.

5. The pipe loop system must be installed by a contractor who is certified in the proper method of heat fusion specified by the pipe manufacturer. The well contractor shall be responsible for ensuring that the pipe loop is installed in accordance with the specifications of the ground source heat pump system manufacturer, the pipe manufacturer, the International Ground Source Heat Pump Association (IGSHPA) and the National Ground Water Association.

6. If the closed-loop borehole penetrates bedrock, it must be grouted from a depth of 15 feet into the bedrock to the top of the borehole.

7. Backfilling material for the boreholes shall be bentonite or its performance equivalent.

8. The space between the vertical loop piping and the borehole from the bottom up to the ground surface shall be sealed with an appropriate low-permeability grout, as recommended by the ground source heat pump system manufacturer.

9. Surface or streambed discharge of water is strictly prohibited. No open-loop geothermal system shall be constructed on property underlain with karst topography.

10. For any proposed open-loop system, an impact analysis on existing wells within a one-quarter-of-a-mile radius will be required.

§ 27-1172. Commercial Greenhouses. [Added by Ord. 2012-01-58, 5/10/2012]

1. Commercial greenhouses that are intended to raise, grow, or produce products for off-site whole or retail sales as a principal use shall be considered a conditional use within the Agricultural-Conservation District.

2. Commercial greenhouses shall be subject to the following requirements:

A. A minimum of 20 contiguous acres of land area shall be required to accommodate any commercial greenhouse. All such uses shall be located on a conforming lot, which shall comply with the following minimum and maximum dimensional requirements.

(1) The minimum lot width requirement for the use shall be 200 feet.

(2) All buildings and structures utilized for the use shall be located at least 100 feet from any property line or street right-of-way line.

(3) The maximum height of all buildings and structures utilized for the commercial greenhouse uses shall not exceed 30 feet.

(4) A greenhouse shall be considered as a structure which shall be accounted for as a part of the building coverage and lot coverage requirements for the lot. The total building coverage for commercial greenhouse use shall not exceed 50% of the lot area. Total lot coverage for commercial greenhouse use shall not exceed 60% of the lot area.

B. Commercial greenhouses shall be serviced by public, private or on-lot sanitary sewer facilities. All sewerage disposal facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of the Huntington Township Sewerage Enforcement Officer and Department of Environmental Protection.

C. Commercial greenhouses shall be served by public, private or on-lot water supply facilities, which shall be consistent with any plans and ordinances adopted by Huntington Township. All water supply facilities shall be designed with sufficient capacities, which shall be subject to the review and approval of Huntington Township and the PA Department of Environmental Protection. Every effort must be made to utilize and recycle storm runoff to limit the impact on groundwater supplies. All water impoundments must be of sufficient capacity and number to contain and exceed the anticipated average rainfall for the area and must meet the requirements of the Huntington Township Stormwater Ordinance.[11]

D. Outside storage of merchandise, materials or waste shall be in proper containers, shall be screened from public view and shall be located at least 100 feet from any property line or street right-of-way.

E. No exterior storage of any substance which has the potential to contaminate groundwater or surface water shall be permitted.

[11] **Editor's Note: See Chapter 17, Stormwater Management.**

F. Off-street parking for the commercial greenhouse must be provided for and conform to the requirements of Chapter 27, Part 10, § 27-1019, of the Huntington Township Code of Ordinances.

G. Off-street loading and unloading for the commercial greenhouse must be provided for and conform to the requirements of Chapter 27, Part 10, § 27-1019, of the Huntington Township Code of Ordinances.

H. All driveways from Township- or State-owned roads must conform to the requirements of Chapter 27, Part 10, § 27-1019, Subsections 3, 4, and 5, of the Huntington Township Code of Ordinances.

I. All signage must conform to the requirements of Chapter 27, Part 10, § 27-1023 of the Huntington Township Code of Ordinances.

J. The transparent walls and roof of the commercial greenhouse shall be constructed of glass or other suitable solid material.

K. Buffering and landscaping shall be according to § 27-1005 of this Part, any conditions as a result of a conditional use decision, and when the proposed greenhouse abuts a residential use property at the time of conditional use.

L. A traffic impact study shall be completed according to the requirements of § 510 of the Huntington Township Subdivision and Land Development Ordinance.[12]

§ 27-1173. Greenhouses. [Added by Ord. 2012-01-58, 5/10/2012]

1. A greenhouse that is intended to grow or produce products primarily for on-Site sales as an accessory use to an agricultural operation shall be considered a permitted use by right in the Agricultural-Conservation District.

2. Greenhouses shall be subject to the following requirements:

   A. A minimum of four contiguous acres of land area. Such a use shall be located on a conforming lot which shall comply with the following minimum and maximum dimensional requirements:

      (1) Minimum lot width for the use shall be 200 feet.

      (2) All buildings and structures shall be located at least 50 feet from any property line or street right-of-way.

      (3) Maximum height for the greenhouse shall not exceed 30 feet.

[12]**Editor's Note: See Chapter 22, Subdivision and Land Development, § 510, Traffic Impact Studies.**

(4) The greenhouse shall be considered as a structure which should be counted as a part of the building and lot coverage of the lot. Total coverage from all uses shall be 10%.

B. Off-street and parking and unloading areas should conform to the requirements of Chapter 27, Part 10, § 27-1019 of the Huntington Township Code of Ordinances.

C. Signage must conform to the requirements of Chapter 27, Part 10, § 27-1023 of the Huntington Township Code of Ordinances.

D. The transparent walls and roof of the greenhouse shall be constructed of glass or other suitable material. If sheet plastic is used, it must be maintained, repaired and/or replaced to avoid shredding that would contaminate the environment.

E. If the greenhouse structure(s) covers more than 1,000 square feet of land, a conservation plan approved by the Adams County Conservation District or a stormwater plan must be submitted and approved by the Huntington Township Engineer.

§ 27-1174. High-tunnel Greenhouses. [Added by Ord. 2012-01-58, 5/10/2012]

1. High-tunnel greenhouses that are intended to protect already established high-quality fruit trees and fruit-producing bushes from pests and excessive rain are an accessory to an established permitted agricultural use, subject to the following requirements:

A. Plastic sheeting, if damaged, must be repaired and maintained to avoid littering and contaminating the environmental landscape.

B. Plastic sheeting which has been sprayed with pesticide must be disposed of properly to avoid contaminating groundwater and the environment.

§ 27-1175. Lighting.

These lighting requirements provide appropriate standards to ensure adequate nighttime safety and security while minimizing the spillover of light and glare on operators of motor vehicles, pedestrians and land uses near the light source. It is the safety, welfare, nuisance, and hazardous aspects of lighting that form the basis of these regulations.

A. Lighting shall be required in subdivisions and land developments.

B. Streetlights shall be provided with the construction of all new streets. A plan for streetlights, approved by the local utility company, shall be provided by the applicant upon submission of final subdivision or land development plans.

C. Streetlights shall be provided at locations designated by the local utility company, consistent with current policy, at all street intersections and all other locations considered necessary for safety reasons, as approved by the governing body.

D. A proposed lighting plan shall be submitted for approval as part of subdivision and land development process. The plan shall show the proposed footcandles on a ten-foot by ten-foot grid work. There shall be no light or glare spillover onto adjacent properties.

E. Exterior lighting shall be provided in parking areas, pedestrian sidewalks and walkways, and nonresidential driveway intersections in accordance with the following standards. Lighting used for security purposes shall also conform to the following standards. Exterior lighting shall meet one of the following standards:

(1) When the light source or luminaire has no cutoff:

Maximum Permitted Illumination (footcandles)	**Maximum Permitted Height of Luminaire (feet)**
Residential equals 0.2	10
Nonresidential equals 0.3	20

(2) When a luminaire has a total cutoff angle greater than 90°, the maximum illumination and the maximum permitted luminaire height shall be:

Zoning District	**Maximum Permitted Illumination (footcandles)**	**Maximum Permitted Height at Illumination (feet)**
Residential	0.75	25
Residential Multifamily	1.0	30
Commercial	1.5	35
Manufacturing/ Industrial	2.0	40

(3) When a luminaire has a total cutoff of light at an angle less than 90° and is located so that the bare lightbulb, lamp or light source is completely shielded from the direct view of an observer five feet above the ground at the point where the cutoff angle intersects the ground, then the maximum permitted illumination and maximum permitted height of the luminaire shall be:

Zoning District	Maximum Permitted Illumination (footcandles)	Maximum Permitted Height at Illumination (feet)
Residential	1.5 to 2.0	25
Residential Multifamily	2.0	35
Commercial	3.0	40
Manufacturing/ Industrial	5.0	60

F. Exemption for specified uses.

(1) Because of their unique requirements for nighttime visibility and their limited hours of operation, public and private recreational uses such as ball diamonds, playing fields, tennis courts, and volleyball courts are exempt from the above requirements.

(2) Outdoor public and private recreational uses specified above shall not exceed a maximum permitted post height of 80 feet.

(3) Outdoor public and private recreational uses may exceed a total cutoff angle of 90°, provided that the luminaire is shielded to prevent any light and glare spillover to adjacent uses. The maximum permitted illumination at the interior buffer yard line shall not exceed two footcandles.

(4) Low-level pedestrian lighting for sidewalks should be provided as necessary for safety.

(5) Additional requirements.

(a) Flickering or flashing lights shall not be permitted.

(b) Light sources or luminaires shall not be located within buffer yard areas except for pedestrian walkways.

(c) The location and type of lighting required by this chapter shall be shown on the site plan submitted for development.

(d) Low-level sidewalk illumination for nonresidential uses shall be between 0.5 to 1.0 footcandle. Low-level sidewalk illumination for residential uses shall be between 0.2 and 0.3 footcandle.

§ 27-1176. Commercial Sports Facilities. [Added by Ord. No. 2019-01-69, 3/14/2019]

1. The subject property shall have the following dimensional requirements:

A. Minimum lot width shall be 200 feet as measured from the street right-of-way line.

B. Minimum lot size of 20 acres.

C. Setbacks:

(1) Front Yard, Depth: 50 feet. Such setback shall apply to any permanent structure as well as to bleachers or any outdoor seating.

(2) Side Yards, Width: 50 feet. Such setback shall apply to any permanent structure as well as to bleachers or any outdoor seating.

(3) Rear Yard, Depth: 50 feet. Such setback shall apply to any permanent structure as well as to bleachers or any outdoor seating.

D. Lot Coverage: 70% maximum lot coverage by all buildings and impervious surfaces, including artificial turf fields.

E. Building Height. No building or structure shall be erected to a height in excess of 50 feet; provided, however, that this shall not apply to any opaque domes for outdoor fields and courts.

2. The subject property may contain more than one principal structure. This may include opaque domes for outdoor field and court sports.

3. The subject property must be within one mile of an arterial road as designated by the Township Road Map.

4. Accessory Uses.

A. Accessory uses may include only the following listed uses:

(1) Retail sales of goods.

(2) Day-care facilities.

(3) Stand-alone outdoor food and beverage concession stands.

(4) Small group meeting/event rooms, provided that the maximum capacity of each room does not exceed 50 persons.

(5) Indoor arcades, provided that the total number of game machines do not exceed 50.

(6) Accessory alternative energy sources (must be located on the roof of the principal structure or structures).

(7) Restroom/bathhouse/locker room buildings.

(8) Picnic/group shelters.

(9) Playgrounds.

(10) Private sports schools/camps.

B. All such uses must be accessory to or subordinate to the principal use of the property as a commercial sports facility. The total area for accessory uses shall not exceed 35% of the aggregate total building/field uses.

5. Lighting.

A. All outdoor lighting for sports activities and sports fields, excluding required building lights and/or parking lot lights, must be turned off no later than 10:30 p.m. on weekdays (Monday through Thursday) and 10:30 p.m. on weekends (Friday through Sunday) and holidays. When outdoor fields are not in use, all lighting thereupon must be turned off. Timers must be installed to prevent outdoor lights from being left on outside the hours previously specified in this subsection.

B. At the time of submission of a land development plan, a lighting design plan must be submitted to the Township for approval. Such plan must provide that all outdoor light fixtures will be fully shielded/fully cut off to prevent light from rising above a ninety-degree angle of the light fixture.

C. Artificial light generated by the commercial sports facility shall not exceed 0.1 footcandle at any property boundary during the hours specified in Subsection (5)(A) of this section. Light levels shall be measured on the vertical plane of any property boundary at a height of three feet above grade level.

D. The maximum height of an outdoor lighting fixture shall be 50 feet.

6. Public Address (PA) Systems. Any outdoor public address (PA) system must comply with § 27-806.4 and shall be turned off no later than 10:30 p.m. on weekdays (Monday through Thursday) and 10:30 p.m. on weekends (Friday through Sunday) and holidays. Noise levels generated by any public address (PA) system shall not exceed 45 decibels between the hours of 7:00 a.m. and 7:00 p.m. and 40 decibels between the hours of 7:00 p.m. and the times previously specified in this subsection for public address (PA) system shutoff. Noise levels shall be measured at the property boundary line.

7. On-site Parking. No on-street parking shall be permitted. The minimum number of parking spaces required shall be in accordance with the following schedule:

A. Indoor Sports: 50 spaces per field in game use at one time, plus spaces as required for other accessory uses at the commercial sports facility.

B. Outdoor Sports: 20 spaces per sports field or practice diamond.

C. Spectator Seating: one space per three fixed seats of bleacher seating.

D. Employees: one space per 1.5 employees on the largest shift.

E. Accessory Uses: spaces as required elsewhere in the Zoning Ordinance.

F. Uses not provided for: to be determined as part of the design review process and acceptable to the Board of Supervisors based on requirements for similar uses specified elsewhere in the Zoning Ordinance.

8. Landscaping/Screening. Vegetative buffers shall be provided for parking areas and access drives in accordance with § 27-1005.

9. Traffic Impact Study. A traffic impact study shall be required and completed in accordance with § 27-1030.

10. Service, Loading and Trash Disposal Areas. All service, delivery, loading and outdoor storage and trash disposal areas shall be screened by the use of fences, walls, enclosures, or a combination of these not less than six feet in height. Trash areas must be located at least 50 feet from the nearest property line boundary and shall be screened by a vegetative buffer. Service, loading and removal of trash must take place on the subject property and not in any adjacent road or cartway.

11. No overnight accommodation, live outdoor concerts or theatrical performances shall be permitted.

12. Restroom facilities and available potable water shall be provided for the use of guests and visitors.

§ 27-1177. Convenience Store. [Added by Ord. No. 2023-01-74, 9/14/2022]

A convenience store shall comply with the following requirements:

1. Site Circulation Plan. A site circulation plan shall be devised that separates those patrons awaiting fueling service from those patrons awaiting other services. The plan shall include the following information:

A. Location and dimensions of all structures and fuel pumps.

B. Landscaping areas, signage; and location and dimensions of parking, including a loading and unloading templet for suppliers and vendors.

C. Description of internal circulation and external access.

2. Automated car washes, if used, shall conform with the standards outlined in § 27-1113.

3. Buffer.

   A. Planting Strip. When a commercial property abuts a residential property, there should be a twenty-foot-wide planting strip.

   B. The planting strip shall include a green screen of trees and shrubs consisting of at least 75% evergreens and shrubs arranged so as to provide an immediate, staggered so you cannot see through the screen.

   C. The green screen must be at least six feet high.

   D. All existing vegetative view shield shall be retained, which shall include the retention of all wooded areas between the use and: 1) neighboring residential properties; and 2) U.S. Route 15.

   E. If there is a conflict between this section and § 27-1005, the standards in this section shall be controlling and supersede § 27-1005.

4. Arterial Street and Lot Size. The lot must front or abut an arterial street and have a minimum lot size of two acres with a minimum road frontage of 200 feet.

5. Accessory Components. Convenience store may include accessory components such as lottery sales, food counter sales, and other uses that are clearly accessory to the function of the convenience store.

6. Outdoor Displays. The outdoor display of products for sale at the establishment shall not be permitted except for under the following conditions:

   A. Propane tank display, ice machines, and DVD kiosks shall be permitted year-round.

   B. One parking spot shall be required for every 150 square feet of gross floor area.

   C. The required number of parking spaces for the convenience store use shall be maintained at all times. Under no circumstances shall temporary sale events reduce the available number of parking spaces below the minimum amount required.

   D. A site circulation plan shall be devised that separates those vehicles awaiting fueling service from those awaiting other services.

7. Lighting.

   A. Lighting features at the convenience store must meet the requirements of the Lighting Ordinance, § 27-1175, especially at the property lines.

B. Artificial light generated by the commercial facility shall not exceed 0.1 footcandle at any property boundary during the hours specified in Subsection 5(A) of this section. Light levels shall be measured on the vertical plane of any property boundary at a height of three feet above grade level.

PART 12

NONCONFORMING USES

§ 27-1201. General. [Ord. 35, 11/11/1999, § 1200]

All lawful uses of land or of a building or other structure existing on the effective date of this Chapter may be continued, altered, restored, reconstructed, 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, providing such nonconforming uses shall comply with the provision of this Part.

§ 27-1202. Alterations and Reconstruction. [Ord. 35, 11/11/1999, § 1201]

1. Repairs and structural alterations, not constituting an extension, expansion or enlargement, may be made to a nonconforming building or to a building occupied by a nonconforming use.

2. A nonconforming building which is damaged by fire, explosion or natural disaster, may be rebuilt and used for the same purposes, provided that:

   A. The reconstruction of the building is commenced within two years from the date of the destruction of the building and is carried to completion within three years, unless an extension is granted as a conditional use by the Township Supervisors.

   B. The reconstructed building does not exceed in height, area and volume that of the building destroyed.

   C. The reconstructed building shall comply with the area regulations of the district in which it is located; provided, however, reconstruction may be carried out upon existing sound foundations.

   D. The reconstruction reduces the nonconformity of the structure to the maximum extent feasible.

§ 27-1203. Extensions, Expansions and Enlargement. [Ord. 35, 11/11/1999, § 1202]

1. The Board of Supervisors may authorize, as a conditional use, the following types of extension, expansions and enlargements for nonconforming uses and buildings existing on the effective date of this Chapter:

   A. A nonconforming use of an existing building may be extended throughout the building if not structural alterations are made therein.

   B. A nonconforming use may be extended upon a lot occupied by such use and held in single and/or separate ownership.

(1) Such an extension cannot replace a conforming use and cannot violate the yard requirements of the zone in which the nonconforming use exists.

(2) The expense of the extension cannot exceed 80% of the fair market value of the building or structure existing at the time of enactment of this Chapter.

(3) The proposed expansion cannot exceed 50% of the square foot area of any unenclosed area in use at the time the lot or use became nonconforming.

C. The proposed expansion shall not cause an increased detrimental effect on surrounding properties.

2. The foregoing extension, expansions and enlargements of such nonconforming buildings or uses shall be subject to the following conditions:

A. The extension, expansion or enlargement shall conform to the height, area, yard and coverage regulations of the district in which the use would be permitted as a matter of right.

B. The entire building or use shall be provided with off-street parking and loading spaces as required by this Chapter.

C. The extension, expansion or enlargement does not replace a conforming use.

D. The extension, expansion or enlargement of the nonconforming building or use shall not be permitted to extend into land adjacent to the initial parcel of existing and occupied on the effective date of this Chapter.

§ 27-1204. Change of Use. [Ord. 35, 11/11/1999, § 1203]

Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

§ 27-1205. Discontinuance. [Ord. 35, 11/11/1999, § 1204]

If a nonconforming use of a building or land ceases or is discontinued for a continuous period of two years or more, the nonconforming status thereof shall be lost and subsequent use of such building or land shall be in conformity with all the provisions of this Part except in cases where the cessation or discontinuance was caused by circumstances beyond the control of the owner.

§ 27-1206. Nonconforming Lots. [Ord. 35, 11/11/1999, § 1205]

Any lot held in single and separate ownership at the effective date of this Chapter which does not conform to one or more of the applicable area regulations in the

district in which it is located shall be considered nonconforming. A building may be erected upon any vacant nonconforming lot provided a conditional use is approved by the Board of Supervisors and further provided that the applicant does not own or control other adjoining property sufficient to comply with the provisions of this Chapter. Such development shall comply with the following provisions:

A. The proposed use is permitted by right within the district in which it is located.

B. The proposed building shall comply with all applicable area, height and bulk regulations including, but not limited to, applicable district requirements and yard requirements.

§ 27-1207. Nonconforming Signs. [Ord. 35, 11/11/1999, § 1206]

1. Signs in existence at the effective date of this Chapter may be continued subject to the requirements contained in this Chapter.

2. If and when a nonconforming sign is replaced, the new sign shall comply with the requirements of this Chapter. "Replacement" shall not only include simply revising the text or color of the sign, but shall also refer to structural replacement and/or relocation of the sign.

PART 13

ADMINISTRATION AND ENFORCEMENT

§ 27-1301. Appointment and Powers of the Zoning Officer. [Ord. 35, 11/11/1999, § 1300]

For the administration of this Chapter, a Zoning Officer, who shall 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.

§ 27-1302. Enforcement. [Ord. 35, 11/11/1999, § 1301]

It shall be the duty of the Zoning officer and the Zoning Officer is hereby given the power and authority, to enforce the provisions of this Chapter. 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 Township may require. Special exceptions uses, construction permits associated with special exceptions uses and variances to be requirements of this Chapter shall be issued only upon approval of by the Zoning Hearing Board. Conditional use and construction permits associated with conditional uses shall be issued only upon approval by the Board of Supervisors.

§ 27-1303. Permits. [Ord. 35, 11/11/1999, § 1302]

1. Requirements of Permits. A zoning permit shall be required prior to the erection, addition or alteration of any building or portion thereof, prior the use or change of use of a building or land, prior to the change or extension of a nonconforming use. It shall be unlawful for any person to commence work for the erection or alteration of any building or for a change in land use, until a permit has been duly issued therefore. No such zoning permit shall be required in case of normal maintenance activities, minor repairs and alterations which do not structurally change a building or structure.

2. Application for Permits. All applications for permit shall be accompanied by three sets of plans, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location of any building existing on the lot, the lines within which the proposed building or structure shall be erected or altered, the existence and intended use of each building or part of a building, the number of 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. A copy of such plans shall be returned to the applicant when such plans have been reviewed and acted upon by the Zoning Officer. All applications with accompanying plans and documents shall become 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 applicable provisions of this Chapter, as well as the provisions of all other applicable ordinances.

   B. The Zoning Officer shall act upon request within 30 days following the submission of the application.

   C. A permit issued hereunder shall become void after 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.

§ 27-1304. Fees. [Ord. 35, 11/11/1999, § 1303]

1. The Board of Supervisors shall establish a schedule of fees, charges and expenses, as well as a collection procedure, for zoning permits, appeals, variances, special exceptions, conditional uses, amendments, bonds and other matters pertaining to this Chapter. The schedule of fees shall be posted in the Township office and may be amended only by the Board of Supervisors.

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 and no action shall be taken on the applications.

3. Any fee paid by a party to appeal an enforcement notice to the Zoning Hearing Board shall be returned to the appealing party by the Township of Huntington if the Zoning Hearing Board or any court in a subsequent appeal, rules in the appealing party's favor.

§ 27-1305. Inspection by the Zoning Officer. [Ord. 35, 11/11/1999, § 1304]

It shall be the duty of the Zoning Officer, Building Permit Officer or other qualified individual authorized by the Township Supervisors, to make the following minimum number of inspections of property for which a permit has been issued:

A. Beginning of Construction. 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 approval permit application. If the actual construction does not conform to the application, a written notice of violation shall be issued by the Zoning Officer and such violation shall be discontinued. Upon proper correction of the violation and receipt of written notice from the Zoning Officer, construction shall proceed.

B. Completion of Construction. A record shall be made indicating the time and date of inspection and the findings of the Zoning Officer in regard to conformance with this Chapter.

§ 27-1306. Certificate of Nonconformance. [Ord. 35, 11/11/1999, § 1305]

A certificate of nonconformance may be issued by the Zoning Officer upon the request of the owner of any property which is identified as containing a non conforming 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. The certificate of nonconformance shall set forth in detail all of the nonconforming conditions of said property.

B. A copy of the certificate of nonconformance shall be retained and filed by the Zoning Officer.

C. The certificate shall be for the purpose of insuring the owner the right to continue a nonconforming use in accordance with the regulations of this Chapter.

§ 27-1307. Conditional Uses, Application. [Ord. 35, 11/11/1999, § 1306]

1. Where provided for in this Chapter, the Board of Supervisors shall hear and decide requests for conditional uses in accordance with stated standards and criteria. In granting a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter. The Board may grant approval of a conditional use; provided, that the applicant complies with the following standards for conditional uses as set forth in this Chapter and that the proposed conditional use shall not be detrimental to the health, safety or welfare of the neighborhood.

2. The applicant shall submit three copies of a site plan, containing the required information, as part of the application for conditional use. Said site plans shall remain with the Board of Supervisors and in the Township's files for its use and review as necessary. The site plan shall contain sufficient information, studies and other data to demonstrate compliance with all applicable regulations.

3. Unless otherwise specified by the Board of Supervisors or by law, a conditional use shall expire if the applicant fails to obtain a zoning permit and a building permit where applicable, within one year from the date of authorization thereof by the Board of Supervisors or by the court. Unless otherwise specified by the Board of Supervisors or by law, a conditional use shall expire within two years from the date of authorization thereof by the Board of Supervisors or by the court, if the applicant fails to complete any erection, construction, reconstruction, alteration or change in the use authorized by said conditional use approval. Under either of the above circumstances or for any good and reasonable cause, the Board of Supervisors may extend the approval of a conditional use for any additional period up to one year upon the written request of the applicant.

§ 27-1308. Hearings on Conditional Use Applications. [Ord. 35, 11/11/1999, § 1307]

The Board of Supervisors shall conduct hearings and make decisions on conditional use applications in accordance with the following:

A. The Board of Supervisors shall conduct hearings and make decisions in regard to applications for conditional use in accordance with the Pennsylvania Municipalities Planning Code, Act 170 of 1988. Public notice shall be given of such hearing. In addition, notice shall be given to the applicant, the land owner, all owners of adjacent property, the Zoning Officer, such other persons as the Board of Supervisors shall designate and any person who has made timely requests for the same. Such notices shall be in writing and shall be given not more than 30 days nor less than seven days prior to the and time set for such hearing. In addition, written notice shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.

B. The Supervisors may establish reasonable fees for the holding of such hearing. Fees may include compensation for the secretary, the cost of advertising and giving notice and other necessary administrative overhead connected with the hearing. The cost shall not include legal expenses in regard to the hearing or expenses for engineering, architectural or other technical consultants or expert witness costs.

C. The hearing shall be scheduled within 60 days from the date of the applicant's request, unless the applicant has agreed, in writing, to an extension of time.

D. The parties to the hearing shall be the applicant, Zoning Officer, any person affected by the application who has made timely appearance of record before the Board of Supervisors and any other person, including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors shall have the power to require that all persons who wish to be considered parties enter appearances in writing.

E. The chairpersons or acting chairpersons of the Board of Supervisors shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

F. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and to cross exam adverse witnesses on all relevant issues.

G. Formal rules of evidence shall not apply. However, irrelevant, immaterial or unduly repetitious evidence may be excluded.

H. The Board of Supervisors shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared by the

applicant and the Board of Supervisors. The cost of the original transcript shall be paid by the Board of Supervisors if the transcript is ordered by them or shall be paid by the person appealing from the decision of the Board of Supervisors if such an appeal is made. In either event, the cost of additional copies shall be paid by the person or persons requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

I. The Board of Supervisors shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before the Board of Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefore. Conclusions based on any provisions of the Pennsylvania Municipalities Planning Code or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. When the Board of Supervisors fails to render a decision within the period required by this Section or fails to hold the required hearing within 60 days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board of Supervisors to meet or render a decision as hereinabove provided, the Board of Supervisors shall give public notice of the decision within 10 days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of the Pennsylvania Municipalities Planning Code. If the Board of Supervisors shall fail to provide such notice, the applicant may do so.

J. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him or her not later than the day following it date. To all other persons who have filed their name and address with the Board of Supervisors shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

K. Nothing in this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

§ 27-1309. Appeals and Applications. [Ord. 35, 11/11/1999, § 1308]

An appeal or application for amendment, special exception, conditional use or variance from the terms of this Chapter shall be filed with the Zoning Officer and shall contain the following information:

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, Board of Supervisors and/or Zoning Officer, as appropriate to their individual authorities set forth in this Part.

§ 27-1310. Violations. [Ord. 35, 11/11/1999, § 1309]

Failure to comply with any provision of this Chapter or failure to secure permit or Zoning Hearing Board certification, when required, shall be violations of this Chapter.

A. Enforcement Notice.

(1) If it appears to the Township that a violation of any zoning ordinance provisions has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice as provided by § 616.1 of the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

(2) The enforcement notice shall be sent to the owner of the record of the tract on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding said tract and to another person requested in writing by the owner of record.

(3) An enforcement notice shall state at least the following:

(a) The name of the owner of record and any other person against whom the Township intends to take action.

(b) The location of the property in violation.

(c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.

(d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

(e) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within 30 days of the date of the termination.

(f) The failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

B. Causes of Action. In case any building, structure or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the Township or any aggrieved owner or tenant of real property who shows that his or her property or person will 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 of land or to prevent in or about such premises any act, conduct, business or use constitute a violation. Such action is instituted by a landowner or Township at least 30 days prior to the time the action is begun by serving a copy of the complaint of the Board of Supervisors.

C. Enforcement Remedies.

(1) 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 therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of or 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 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 person, partnership or corporation violating this Chapter to be believed that there was no 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 shall be paid over to the Township of Huntington.

(2) The Court of Common Pleas, upon petition, may grant an order of stay, upon cause show, tolling the per diem fine pending a 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.

§ 27-1311. Appointment of a Zoning Hearing Board. [Ord. 35, 11/11/1999, § 1310]

The Huntington Township Board of Supervisors shall, by resolution and in accordance with § 903 of Act 170 of 1988 (the Pennsylvania Municipalities Planning Code) appoint a Zoning Hearing Board consisting of three members, and in accordance with § 906 of Act 170 of 1988, one alternate member. Said Zoning Hearing Board shall have such duties, powers, jurisdiction and authority as set forth in Article IX of Act 170 of 1988. Members and alternative members of the Zoning Hearing Board shall be residents of Huntington Township and shall hold no other elected or appointed office in Huntington Township.

§ 27-1312. Organization of the Zoning Hearing Board. [Ord. 35, 11/11/1999, § 1311]

1. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the board, but the board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the board as provided in § 908 of Act 170 of 1988.

2. If, by reason of absence or disqualification of a member, a quorum is not reached, the chairperson of the Board shall designate as many alternate members of the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case. Designation of an alternate pursuant to this section shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

3. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Township and laws for the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the Township and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

§ 27-1313. Hearings. [Ord. 35, 11/11/1999, § 1312]

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

A. The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the Pennsylvania Municipalities Planning Code, Act 170 of 1988. Notice shall be given to the public, the applicant, the land owner, the Zoning Officer, such other persons as the Zoning Hearing Board shall designate and any person who has made timely request from the same. Notices shall be given at such time and in such manner prescribed by adopted rules of the Zoning Hearing Board. In addition to the written notice provided herein, a written notice of said shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.

B. The Township Supervisors may establish reasonable fees for the holding of such hearings. Fees may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.

C. The hearing shall be held within 60 days from the date of the applicant's request, unless the applicant has agreed, in writing, to an extension of time.

D. The hearing shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision or where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the Township, may prior to the decision of the hearing officer, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

E. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board and any other person, including civic or community organizations permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter appearances, in writing, on forms provided by the Board for that purpose.

F. The chairperson or acting chairperson of the Board or the hearing officer presiding shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and paper, including witnesses and documents requested by the parties.

G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and to cross-examine adverse witnesses on all relevant issues.

H. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

I. Unless otherwise required by this Chapter or Act 170 of 1988, as amended (the Pennsylvania Municipalities Planning Code) the Township shall have the responsibility of presenting its evidence first.

J. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee of a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

K. The Board or the hearing officer, as the case may be, shall render a written finding on the application within 45 days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this Act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his or her decision or findings are final, the Board shall make the hearing officer's report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the Board prior to final decisions or entry of findings and the Board's decision shall be entered no later than 30 days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this Section or fails to hold the required hearing within 60 days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in § 27-1013(1). Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him or her not later than the day following it date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or

findings and a statement of the place at which the full decision or findings may be examined.

§ 27-1314. Jurisdiction. [Ord. 35, 11/11/1999, § 1313]

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudication in the following matters, set forth in the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

A. Substantive challenges to the validity of a zoning ordinance, except those brought before the governing body pursuant to § 609.1(a)(2) of the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

B. Challenges to the validity of a zoning 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 effective date of said ordinance.

C. Appeals from the determination of the Zoning Officer including, but not limited to, the granting or denial of any permit or failure to act of the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure, or lot.

D. Applications for variances from the terms of this Chapter pursuant to § 910.1 of the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

E. Applications for special exceptions under this Chapter pursuant to § 912.1 of the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

F. Appeals from the determination of any officer or agency charged with the administration of any performance density provisions of this Chapter.

G. Appeals from the Zoning Officer's determination pursuant to § 916.2 of the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

H. 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 applications under Article V and VII of the Pennsylvania Municipalities Planning Code, Act of 170 of 1988.

§ 27-1315. Variances.

The Zoning Hearing Board shall hear requests for variances where it is alleged that the provision of this Chapter inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary

application to the Zoning Officer. The Board may grant a variance, provided that all of the following findings are made where relevant in a given case.

A. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape or exceptionally topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provision of this Chapter in the neighborhood or district in which the property is located.

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provision of this Chapter and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code, Act 170 of 1988, and this Chapter of the Township of Huntington.

§ 27-1316. Parties Appellant Before the Zoning Hearing Board. [Ord. 35, 11/11/1999, § 1315]

Appeals under §§ 909.1(a)1), (2), (3), (4), (7), and (9) of Act 170 of 1988 may be filed with the Board in writing by the landowner affected, any officer or agencies of the Township or any person aggrieved. Requests for a variance under § 910.2 of Act 170 of 1988 and for special exception under § 912.1 of Act 170 of 1988 may be filed with the Board by any landowner or any tenants with the permission of such landowner.

§ 27-1317. Time Limitations. [Ord. 35, 11/11/1999, § 1316]

No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final has been approved by the Township if such proceeding is designed to secure reversal or limit the approval in any matter unless such person alleges and proves that he or she failed to receive adequate notice of such approval. If such person has succeeded to his or her interest after such approval, adequate notice to his or her predecessor in interest shall be deemed adequate notice to him or her. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan or from an adverse decision by the Zoning Officer on a challenge to the validity of this Chapter or an amendment thereto shall preclude an appeal from a final approval except in the case where the final subdivision substantially deviates from the approved

tentative approval. All appeals from determinations adverse to the landowner shall be filed by the landowner within 30 days after notice of the determination is issued.

§ 27-1318. Stay of Proceedings. [Ord. 35, 11/11/1999, § 1317]

Upon filing of any appeal proceeding before the Zoning Hearing Board and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Hearing Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Zoning Hearing Board by persons other than the applicant, the applicant may petition to court having jurisdiction of zoning appeals to order such person to post bond as condition to continuing the proceedings before the Board in accordance with § 915.1 of the Pennsylvania Municipalities Planning Code, Act 170 of 1988.

PART 14

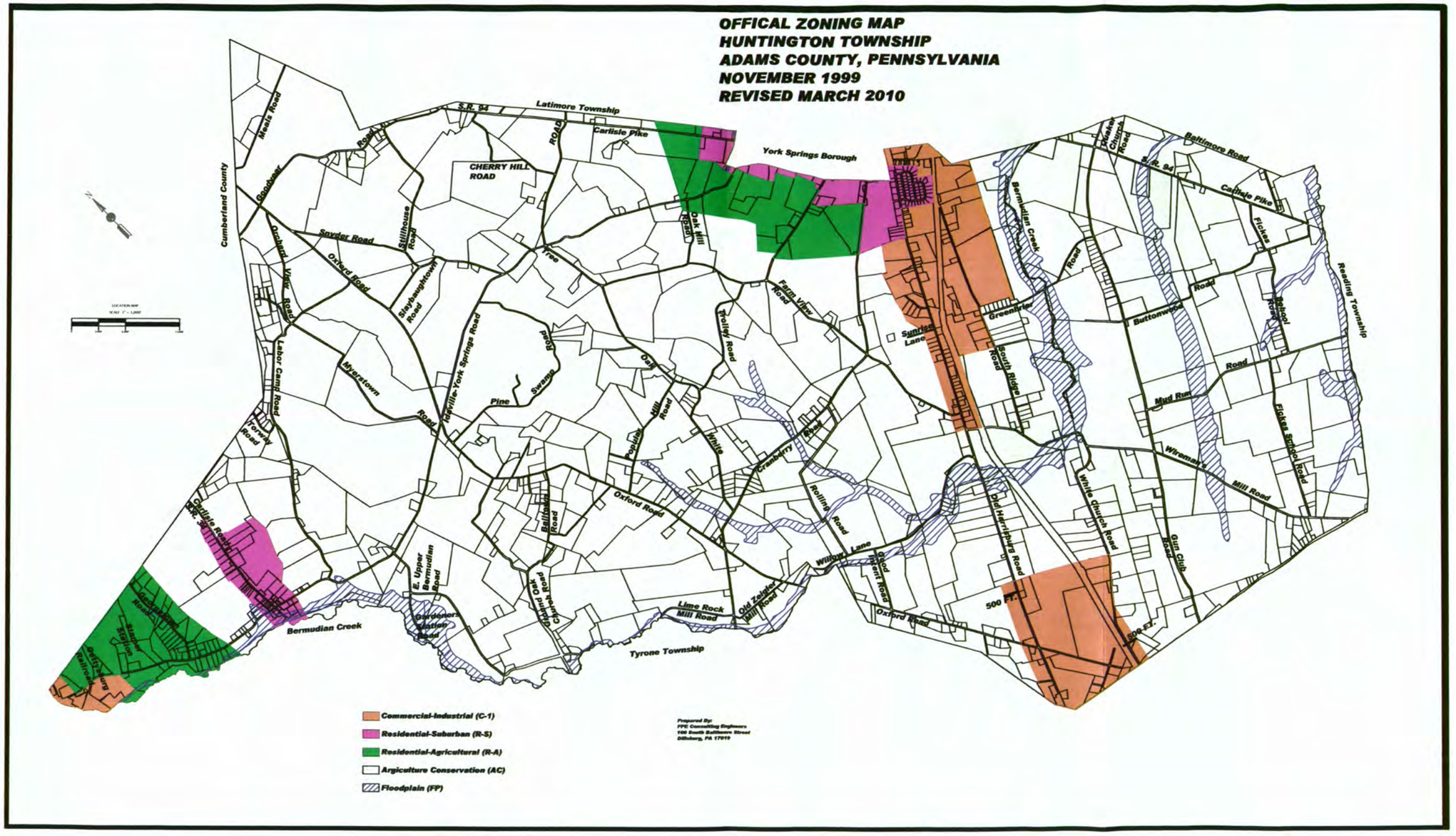
LEGAL PROVISIONS

§ 27-1401. Interpretation. [Ord. 35, 11/11/1999, § 1401]

In interpreting and applying the provisions of this Chapter, all provisions shall be held to the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of this Chapter impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Chapter shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Chapter, the provisions of such statute, other ordinance or regulation shall be controlling. This Chapter is not intended to interfere with, abrogate or annul any easement, covenant or other agreement between any party, including the Township. However, where this Chapter imposes greater restrictions than those imposed by such easement, covenant or agreement, the provisions of this Chapter shall govern. Where such easement, covenant or agreement imposes greater restrictions than those imposed by this Chapter, the provisions of such easement, covenant or agreement shall govern.

27 Attachment 1

Township of Huntington



APPENDIX

The following ordinances and resolutions are no longer of general interest, primarily because their provisions were carried out directly after their enactment. Since they are mainly of historical or administrative interest, it has not been considered necessary to include their entire text. Instead, they are arranged in groups, according to subject matter, and within each group listed by title in chronological order. The annual budget and tax ordinances have been listed only in the "Key to the Disposition of Ordinances." Any person who desires to read the full text of any of the ordinances or resolutions may do so by consulting the original Ordinance Books on file in the Township Offices.

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

D.....Governmental and Intergovernmental Affairs

E.....Plan Approval

F.....Public Property

G.....Sewers

H.....Streets and Sidewalks

I.....Water

J.....Zoning; Prior Ordinances

APPENDIX A
ANNEXATION OF TERRITORY

[Reserved to accommodate future enactments]

APPENDIX B

BOND ISSUES AND LOANS

§ B-101. Bond Issues and Loans.

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§ B-101. Bond Issues and Loans.

Ord./Res.	Date	Subject
Res. 111	3/9/1972	Authorizing the Township to borrow $24,000 from the Adams County National Bank.

APPENDIX C

FRANCHISES AND SERVICES

§ C-101. Franchises and Services.

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§ C-101. Franchises and Services.

Ord./Res.	Date	Description
Res. 160	8/10/1989	Authorizing the transfer of the cable television system and franchise from Pennsylvania Classic Cable, L.P., to Masada Cable Partners II, L.P.
Res. 189	1/10/1994	Consenting to the assignment of a cable franchise from Pennsylvania Classic Cable, L.P. to GS Communications, Inc.
Res. 215	8/10/2000	Approving the assignment application and the assignment to Adelphia GS Cable, LLC of the cable television system franchise.
Res. 243	10/13/2005	Consenting to assignment and change of control of the cable television system franchise to Comcast.

APPENDIX D

GOVERNMENTAL AND INTERGOVERNMENTAL AFFAIRS

§ D-101. Governmental and Intergovernmental Affairs.

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§ D-101. Governmental and Intergovernmental Affairs.

Ord./Res.	Date	Description
Res. 65	2/27/1964	Designating the First National Bank of York Springs as the official depository of all funds of the Township.
Res. 67	5/28/1964	Authorizing that $1,500 be transferred from the construction item of Township Funds to that of purchase of new machinery.
Res. 68	9/13/1964	Authorizing the transfer of any surplus appropriated funds from one account to another, as needed, under the sum of $1,000.
Res. 69	9/24/1964	Authorizing that the amount of $4,500 be transferred from the construction account to maintenance and repair of roads and bridges fund.
Res. 75	7/8/1965	Authorizing the transfer of any surplus appropriated funds from one account to another, as needed, under the sum of $1,000.
Res. 76	9/9/1965	Authorizing that the sum of $5,000 be transferred from the construction account to maintenance and repair of roads account.
Res. 77	10/14/1965	Adopting the Adams County Civil Defense Emergency Operational Plan as the official Civil Defense Emergency Operational Plan for the Township.
Res. 80	7/14/1966	Authorizing that unappropriated funds in the general account be used to increase various other funds.
Res. 82	10/13/1966	Authorizing that the surplus funds in the road maintenance account be used to increase the amount of the compensation-supervisors account, compensation-solicitor account, compensation tax collector account, social security payments account and the wage tax account.
Res. 84	5/11/1967	Authorizing the Township Solicitor to demand, recover and receive, give receipts and other satisfactions for sum or sums of money due the Township on account of delinquent debts, tax liens and other similar actions.

Ord./Res.	Date	Description
Res. 85	8/10/1967	Authorizing that $275 be transferred from unappropriated funds to the account of health and sanitation and that the sum of $750 be transferred from removal of snow account to construction of roads account.
Res. 86	10/12/1967	Authorizing that the contribution to the firemen's relief fund be increased from $250 to $508.17.
Res. 88	6/13/1968	Authorizing the Township to request the State Tax Equalization Board to perform an assessment of nontaxable parcels in the Township.
Res. 89	9/-/1968	Authorizing that $500 be removed form the equipment repair account and that $700 be removed from the road maintenance account and be transferred to various other accounts.
Res. 90	9/12/1968	Authorizing the Township Secretary to advertise a 1946 KB 6 International truck for sale and request that bids be submitted.
Res. 91	10/10/1968	Authorizing the Township to increase the contribution to the firemen's relief fund from $500 to $688.40.
Res. 92	10/10/1968	Designating the Adams County Planning Commission to be the representative agency to continue area-wide planning for the Township and adjoining municipalities, to perform planning in the Adams County area and to act as the area-wide review agency.
Res. 93	12/12/1968	Authorizing that $50 be transferred from advertising and printing fund and that $100 be transferred from snow removal fund and be distributed to various other funds in the Township.
Res. 95	5/8/1969	Authorizing the transfer of $100 from the snow removal account to the equipment purchase account.
Res. 96	6/12/1969	Authorizing that the Township transfer $200 from the snow removal account to the advertising and printing account.
Res. 97	6/12/1969	Authorizing that $1,333.34 be transferred from the maintenance account to the construction account.

Ord./Res.	Date	Description
Res. 98	7/10/1969	Authorizing the Township to file an application for an Urban Planning Assistance Grant.
Res. 99	10/19/1969	Requesting that the Adams County Planning Commission prepare a County-wide solid waste management plan which will satisfy the requirements of Act 241 and provide plans for adequate solid waste management in Adams County.
Res. 100	11/13/1969	Authorizing that previously appropriated funds which are now in surplus be utilized for the deficits appearing in other budget items and for the paying of items in account 4.6.
Res. 102	9/10/1970	Authorizing the Township to apply to the Pennsylvania Department of Community Affairs for assistant in preparing a comprehensive plan for the Township.
Res. 104	2/11/1971	Authorizing the Township to participate in the Countywide solid waste planning program and contribute an amount not to exceed $90.52 as a prorated share of the cost not covered by State funds and County planning office services.
Res. 105	2/11/1971	Adopting the Adams County Sewage Facilities Plan.
Res. 107	6/10/1971	Authorizing that $550 be transferred from the road maintenance account to the equipment purchase account for the purpose of purchasing a chip spreader.
Res. 108	8/12/1971	Authorizing that $150 be transferred from the planning account to the postage account.
Res. 112	7/13/1972	Authorizing the Township to take such actions as are necessary in order to comply with the requirements of the National Flood Insurance Program.
Res. 116	4/18/1973	Authorizing the Chairman of the Board and the Treasurer to sell, assign and endorse for transfer, certificates representing stocks, bonds or other securities now registered in the name of the Township.
Res. 117	7/12/1973	Authorizing that $5,000 be transferred from the police protection account to that of debt retirement, making the latter figure total of $10,000.
Res. 118	11/8/1973	Authorizing that a total $16,000 be transferred from various other accounts to the road maintenance account.
Res. 122	7/11/1974	Adopting the Pennsylvania Sewage Facilities Plan, pursuant to the Pennsylvania Sewage Facilities Act, for the Township.

Ord./Res.	Date	Description
Res. 129	8/12/1976	Sending a letter of intent to the North East Adams Council of Governments authorizing said agency to proceed with an application to the Pennsylvania Department of Community Affairs for assistance in preparing joint code enforcement programs, with the understanding that the Supervisors will not be committed to any financial or other obligation unless authorized by them.
Res. 130	9/29/1976	Authorizing the Township to send a letter of intent to the North East Adams Council of Governments authorizing said agency to proceed with an application to the Pennsylvania Department of Community Affairs for assistance in establishing a police force. However, the Supervisors will not be committed to any financial or other obligation unless authorized by them.
Res. 131	12/9/1976	Adopting an addendum to the Liquid Waste Disposal plan for the Township of Huntington.
Res. 148	5/8/1980	Authorizing the transfer of $8,370.75 from the Township revenue sharing savings account to the Huntington Township general fund savings for the bills which were paid previous to having available funds in the revenue sharing account.
Res. 151	-/-/-	Authorizing an increase of 3% to 5% on the Tax Collectors commission.
Res. 152	2/12/1981	Authorizing the transfer of $5,950 from the Township revenue sharing account to the Township general fund for the truck bill which was paid previous to having available funds in the revenue sharing.
Res. 153	2/12/1981	Authorizing an amendment to the revenue sharing budget.
Res. 159	2/9/1989	Authorizing the Township to place on the May 16, 1989 primary ballot, the question "Do you favor the issuance of licenses to conduct small games of chance in the Township of Huntington"?
Res. 164	9/13/1990	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. 166	4/11/1991	Granting permission for the Latimore Township Police Department to patrol the campus of the Bermudian Springs School.

Ord./Res.	Date	Description
Res. 166	4/11/1991	Granting permission for the Latimore Township Police Department to patrol the campus of the Bermudian Springs School.
Res. 167	6/13/1991	Applying to the Department of Transportation for allocation of liquid fuels tax.
Res. 168	4/8/1991	Authorizing the Township to make application to the Pennsylvania Department of Transportation for the installation of a flashing warning device on Baltimore Road T582 — T610 located at the Bermudian Springs Elementary School.
Res. 169B	10/10/1971	Adopting and placing into immediate effect the Emergency Operations Plan of Huntington Township.
Res. 171	2/13/1992	According to a list provided by the Aspers Fire Company, that a list of certain individuals have received enough training to become certified as first responders at the operational level.
Res. 175	6/11/1992	Granting permission to the Latimore Township Police Department to patrol and exercise full police powers on the campus of the Bermudian Springs School.
Res. 176	6/11/1992	Authorizing the Township to make application to the Adams County Commissioners for an allocation of County Liquid Fuel Tax Funds in the amount of $2,604.50 in order to pave 0.98 miles on Farmview Road. 1.67 miles on Trolley Road., 0.17 miles on Township Line Road and 0.38 miles on Baltimore Road.
Res. 177	9/10/1992	Authorizing the Township to take the necessary steps to comply with the regulations of the National Flood Insurance Program.
Res. 179	1/4/1993	Authorizing the Township to join with other local government units as a settlor of the Pennsylvania Local Government Investment Trust for the purpose of purchasing shares of the trust.
Res. 180	2/11/1993	According to a list provided by the Adams County Emergency Management Agency, Philip Bream has become certified to handle hazardous material accidents.
Res. 182	6/10/1993	Authorizing the Township to apply to the Adams County Commissioners for an allocation of County Liquid Fuel Tax Funds in the amount of $2,604.50 from 1992 and $619.70 from 1993 for the purpose of applying a binder and wear coat on 0.98 miles of Farmview Road and 1.67 miles on Trolley Road.

Ord./Res.	Date	Description
Res. 184	11/11/1993	Authorizing the Township to take whatever steps are necessary in order to comply with the regulations of the National Flood Insurance Program.
Res. 186	1/13/1994	Authorizing the Township to offer for sale to the public a blacktop and stone spreader (not operable) and two fuel pumps. Total value determined to be less than $200.
Res. 188	3/10/1994	Approving the revised 1993 Municipal Solid Waste Plan official adopted by the Adams County Commissioners on January 19, 1994.
Res. 193	4/13/1995	Applying to the County for an allocation of County liquid fuels tax funds in the amount of $2,398.50 to replace faulty tiles on various Township Roads.
Res. 195	12/14/1995	Authorizing the Township to join the PSATS CDL drug and alcohol testing program.
Res. 198	4/15/1996	Approving an application for financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
Res. 199	6/13/1996	Approving an application for County aid for road improvements.
Res. 200	11/14/1996	Approving rules and regulations for the collection of earned income and net profits taxes proposed by the York Area Earned Income Tax Bureau.
Res. 202	2/13/1997	Authorizing and directing the emergency succession of municipal officers and the continuity of municipal government pursuant to §§ 779.6 and 779.7 of the Emergency Interim Executive and Judicial Succession Act of 1959, 71 P.S. § 779.1 et seq.
Res. 205	11/13/1997	Recommending to approve a proposed joint resolution between York Springs Borough and Huntington Township for petitioning the common court to alter the boundary line between the two municipalities.
Res. 210	11/11/1997	Supporting the initiative of the Grant Facilitating Sub-committee of the Gettysburg-Adams County Area Chamber of Commerce.
Res. 211	11/11/1999	Supporting the mission of the Grant Facilitating Sub-committee of the Gettysburg-Adams County Area Chamber of Commerce to establish a cooperative program that will utilize grant funding to implement joint intermunicipal projects and activities.

Ord./Res.	Date	Description
Res. 214	7/13/2000	Requesting permission to participate in the Common-wealth of Pennsylvania Cooperative Purchasing Program.
Res. 217	8/9/2001	Agreeing to participate in the funding of the Adams County Emergency Services Training Facility.
Res. 218	9/13/2001	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with additions and modifications.
Res. 224	3/14/2002	Appointing certain persons to transact any and all business with respect to funds owned by Huntington Township and invested with Protective Life Insurance Company.
Res. 226	4/10/2003	Authorizing the Secretary/Treasurer to apply for financial assistance on behalf of Huntington Township under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
Res. 227	9/11/2003	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
2005-02-43	7/14/2005	Authorizing and intermunicipal agreement creating a shared Adams County UCC Board of Appeals.
Res. 229	1/5/2004	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
Res. 230	6/10/2004	Appointing a UCC Building and Municipal Code Official (Inspector) and establishing their fee schedule.
Res. 231	6/10/2004	Agreeing to utilize the Shared Adams County UCC Board of Appeals and to authorize the Adams County Building Officials Association to oversee the Board of Appeals as agent of the Township.
Res. 235	8/14/2004	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with additions and modifications.
Res. 236	9/9/2004	Adopting the Adams County Hazard Vulnerability Assessment and Mitigation Plan.
Res. 240	6/9/2005	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with an addition.
Res. 241	9/8/2006	Approving a developers escrow agreement form.
Res. 242	10/13/2005	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with an addition.

Ord./Res.	Date	Description
Res. 244	11/10/2005	Approving the legal fees charged by Attorney Robert E. Campbell for services to the Township.
Res. 245	12/8/2005	Ratifying a joint agreement with the York Adams Tax Bureau, appointing the Bureau as the Collector of Taxes and approving the Bureau's bylaws.
Res. 247	2/9/2006	Approving the legal fees charged by George E. Miller Financial Services for services to the residents of the Township.
Res. 248	4/3/2006	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
Res. 249	7/13/2006	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with an addition.
Res. 251	8/10/2006	Authorizing the Secretary/Treasurer to apply for financial assistance on behalf of Huntington Township under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
Res. 256	4/12/2007	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
Res. 257	4/12/2007	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
Res. 258	5/10/2007	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
260	8/9/2007	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with an addition.
Res. 261	9/13/2007	Adopting the National Incident Management System (NIMS).
Res. 262	11/8/2007	Adopting and approving Huntington Township Agricultural Security Area No. 1 proposal with an addition.
Res. 264	12/11/2008	Emergency Operations Plan for Huntington Township.
Res. 265	1/7/2008	Emergency Operations Plan for Huntington Township.
Res. 266	1/7/2008	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.
Res. 269	4/11/2008	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township.

Ord./Res.	Date	Description
Res. 271	9/11/2008	Authorizing the York County Planning Commission to make application for a grant on behalf of the Township
Res. 273	12/11/2008	Authorizing the Chairman to sign an agreement
Res. 277	6/11/2009	Adopting an addition to Agricultural Security Area No. 1
Res. 278	6/11/2009	Authorizing joint legal advertisement for an ordinance regarding the Adams County Council of Governments
2009-03-53	8/13/2009	Authorizing membership in the Adams County Council of Governments
Res. 279	10/8/2009	Appointing delegates to the Adams County Tax Collection Committee
Res. 282	2/11/2010	Agreeing to use the dotGrants on-line reporting system to file required liquid fuels forms annually
Res. 283	5/13/2010	Designating an agent to execute all necessary forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 284	7/8/2010	Authorizing certain persons to transact business with Adams County National Bank on behalf of the Township
Res. 286	8/12/2010	Expressing opposition to forced local government mergers and consolidations in Pennsylvania
Res. 287	11/11/2010	Authorizing the purchase of a certificate of deposit in the name of the Huntington Township Parks and Recreation Board
Res. 288	12/9/2010	Establishing a new distribution for the foreign fire insurance premium tax money received from the state
Res. 289	3/10/2011	Emergency Operations Plan for Huntington Township
Res. 290	4/14/2011	Declaring an employer matching contribution for the PSATS Townships 457 Plan
Res. 291	4/14/2011	Adopting the Adams County Hazard Mitigation Plan as the official hazard mitigation plan for the Township
Res. 292	5/12/2011	Adopting an addition to Agricultural Security Area No. 1
Res. 293	4/14/2011	Authorizing certain persons to transact business with ACNB Bank on behalf of the Township

Ord./Res.	Date	Description
Res. 295	9/8/2011	Adopting an addition to Agricultural Security Area No. 1
Res. 297	10/13/2011	Supporting renewing the Growing Greener Program
Res. 298	10/13/2011	Authorizing certain persons to transact business with ACNB Bank on behalf of the Township
Res. 299	1/3/2012	Authorizing certain persons to transact business with ACNB Bank on behalf of the Township
Res. 300	2/9/2012	Designating an agent to execute all necessary forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 301	4/12/2012	Supporting a joint study by the Adams County Council of Governments and the Adams County Volunteer Emergency Services Association of the funding and equipment needs of the emergency service providers of Adams County
Res. 302	4/12/2012	Adopting an addition to Agricultural Security Area No. 1
Res. 303	5/10/2012	Supporting reforms to the Prevailing Wage Act
Res. 304	5/10/2012	Adopting a drug and alcohol testing personnel policy for the Township
Res. 305	5/9/2013	Emergency Operations Plan for Huntington Township
Res. 307	1/6/2014	Authorizing certain persons to transact business with ACNB Bank on behalf of the Township
Res. 308	3/13/2014	Authorizing the destruction of certain municipal records
Res. 309	2/13/2014	Adopting the Emergency Operations Plan
Ord. 2014-01-60	12/11/2014	Authorizing Township participation in the Pennsylvania Municipalities Pension Trust
Ord. 2014-02-61	12/11/2014	Authorizing Township participation in the PSATS Unemployment Compensation Group Trust
Ord. 2014-03-62	12/11/2014	Authorizing Township participation in the Pennsylvania Townships Health Insurance Cooperative Trust
Res. 310	8/14/2015	Authorizing the destruction of certain municipal records
Res. 311	3/12/2015	Adopting the Adams County Hazard Mitigation Plan as the official hazard mitigation plan for the Township

Ord./Res.	Date	Description
Res. 312	1/14/2016	Adopting an agreement with the York Adams Tax Bureau for the collection of delinquent per capita taxes
Res. 313	1/22/2016	Adopting a declaration of disaster emergency for Winter Storm Jonas
Res. 314	4/14/2016	Designating an agent to execute all necessary forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act
Res. 316		Authorizing the destruction of certain municipal records
Res. 317	3/9/2017	Approving Agricultural Security Area No. 1 proposal with an addition
Res. 318	9/14/2017	Tax Collector Fee Schedule amendment
Res. 319	10/23/2017	Corporate authorization (ACNB Bank)
Res. 320	11/9/2017	Prohibiting the location of a Category 4 licensed facility in the Township
Res. 321	3/29/2018	Proclaiming April 2018 "Pennsylvania 811 Safe Digging Month"
Res. 322	9/13/2018	Expressing support for maintaining the collection of earned income tax at the county level and opposing statewide earned income tax collection
Res. 324	3/23/-2020	Declaring local disaster emergency – COVID-19
Res. 325	7/9/2020	Adopting Emergency Operations Plan
Res. 326	12/10/2020	Adopting Adams County 2020 Hazard Mitigation Plan
Res. 327	12/16/2020	Declaring disaster emergency — Winter Storm Gail
Res. 328	8/12/2020	Supplemental appropriations for 2021 budget
Ord. 2021-01-72	1/14/2021	Approving an intergovernmental cooperation agreement for the Northern Adams Regional Emergency Management Agency
Res. 329	8/12/2021	Adopting Huntington Township, Adams County, Pennsylvania Agricultural Security Area #1
Res. 330	8/12/2021	Authorizing destruction of municipal records
Res. 331	9/9/2021	Fees for services of Tax Collector
Res. No. 332	7/14/2022	Restating Qualified Retirement Plan
Res. No. 333	7/14/2022	Supporting the Pennsylvania Commission for the United States Semiquincentennial
Res. No. 335	11/10/2022	Fees for services of Tax Collector

Ord./Res.	Date	Description
Res. No. 336	8/10/2023	Establishing rules and regulations for the submission of items to be included on the agenda of the Planning Commission and Supervisors meetings
Res. No. 337	4/11/2024	Adopting meeting recording policy
Res. No. 338	5/9/2024	Adopting and approving Agricultural Security Area No. 1 proposal with an addition
Res. No. 339	5/9/2024	Providing for Auditor compensation

APPENDIX E

PLAN APPROVAL

§ E-101. Plan Approval.

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§ E-101. Plan Approval.

Ord./Res	Date	Subject
Res. 172	2/13/1992	Approving the Yost and Black planning module for submission to the DER.
Res. 173	2/13/1992	Approving the Sara Griest subdivision for submission to DER.
Res. 207	11/12/1998	Approving J. Paul Lehman, et al, submission for submission to DEP.
Res. 209	8/12/1999	Approving Peakview subdivision for submission to DEP.

APPENDIX F

PUBLIC PROPERTY

§ F-101. Public Property.

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§ F-101. Public Property.

Ord./Res.	Date	Description
Res. 78	2/10/1966	Accepting the deed of dedication by John and Ellen Mansberger and D. Harold and Mable Grove said land to become a Township Road.
Res. 123	11/14/1974	Authorizing the Township to make application to the State Tax Equalization Board to obtain benefits as a result of loss of land within said Township due to Project 70, Land Acquisition and Borrowing Act and that the Board requests payments in lieu of taxes for the property that was removed from the Township Tax Rules by virtue of the Project 70 Land Acquisition.
Res. 136	1/12/1978	Authorizing the Township to purchase a tract of land approximately 1/8 of an acre from Ester R. Keefer in the amount of $300 and a tract of land approximately 1/2 of an acre from Charles Lory for the amount of $3,000. The Township also agrees to sell back to Ester B. Keefer a fifty-foot improved right-of-way for the sum of $1.

APPENDIX G

SEWERS

§ G-101. Sewers.

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§ G-101. Sewers.

Ord./Res.	Date	Description
Res. 119	11/18/1973	Authorizing the Northeast Adams Council of Governments to select the firm of Boyer Price Surveys, Inc., to act as inspectors under the Pennsylvania Sewage Facilities Act
Res. 128	5/13/1976	Approving Rebeca Stenger land development for a mobile home park to be served by individual sewer systems
Res. 139	2/25/1978	Appointing Richard C. Price and Robert A. Pelc and Jerry D. LaRue as Sewage Enforcement Officers for the Township
Res. 143	1/27/1979	Appointing Richard C. Price and Robert A. Pelc and Richard C. Price as Sewage Enforcement Officers for the Township
Res. 154	-/-/____	Appointing Ed Mort of Brown Associates as an additional Sewage Enforcement Officer for the Township
Res. 157	2/12/1988	Approving that the Bermudian Springs School District be served by individual sewage systems
Res. 162	2/8/1988	Approving that the Barry Rauhauser subdivision be served by community sewage systems
Res. 174	3/12/1992	Authorizing the Wilmer G. Keckler subdivision be served by individual on lot systems
Res. 181	4/18/1993	Authorizing that Richard L. Ross land does not require sewage disposal facilities because it is to be used for agricultural purposes
Res. 183	11/11/1993	Authorizing that the Crestmont Orchard, Inc., be served by the sewer system
Res. 187	1/13/1994	Authorizing that the subdivision of Wayne Ogburn be served by individual on lot sewage systems
Res. 192	11/10/1994	Authorizing that the Kathleen B. Smith subdivision be served by sewer tap-ins
Res. 192	1/3/1995	Authorizing that Ernest E. Wishard subdivision be served by existing systems

Ord./Res.	Date	Description
Res. 196	1/2/1996	Authorizing that Kimson, Inc., and Harry H. Fox, Jr., (The Meadows), subdivision of lots 1, 2, 4 and 5 be served by individual on-lot systems
Res. 197	1/2/1996	Authorizing that Kimson, Inc., and Harry H. Fox, Jr., (Huntington Fields), subdivision of lots 1, 2, 4 and 5 be served by individual on-lot systems
Res. 204	11/13/1997	Authorizing that the Troy E. Anderson subdivision be served by individual on-lot sewer systems
Res. 233	7/8/2004	Authorizing that the Jairus F. Kuntz subdivision be served by individual on-lot sewer systems
Res. 234	7/8/2004	Authorizing that the Fremont S. Kuntz and Ethel G. Kuntz subdivision be served by individual on-lot sewer systems
Res. 237	9/9/2004	Authorizing that the Fred C. Showers subdivision be served by individual on-lot sewer systems
Res. 238	4/14/2005	Authorizing that the Fremont S. Kuntz subdivision does not require sewer services
Res. 239	4/14/2005	Authorizing that the Jairus F. Kuntz et al subdivision does not require sewer services
Res. 259	5/10/2007	Authorizing that the Fletcher subdivision be served by a small flow treatment facility
Res. 267	1/7/2008	Authorizing that the Robert K. Van Vliet development be served by a new treatment facility
Res. 272	10/9/2008	Authorizing that the Dorothy M. McLauslin development be served by individual on-lot systems
Res. 294	8/11/2011	Authorizing an alternate peat-based at-grade bed wastewater disposal system at the Ronald G. and Carolyn L. Decker property.
Res. 296	8/31/2011	Authorizing an individual residential spray irrigation wastewater disposal system at the Kurt Hermansen property
Res. 306	7/11/2013	Adopting an Official Sewage Facilities Plan for the Township
Res. 315	4/14/2016	Authorizing the Crystal Imagery, Inc., subdivision to be served by individual on-lot sewer systems
Res. 323	1/6/2020	Adopting a sewage facilities plan

APPENDIX H

STREETS AND SIDEWALKS

§ H-101. Streets and Sidewalks.

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§ H-101. 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
Buttonwood Road (T-638)	Vacating	From Gunclub Road to Greenbriar Road	20	6/12/1975
Goodintent Road (T-584)	Vacating	From Oxford Road to Willow Lane (T-585)	21	5/13/1976
Limerock Mill Road	Vacating	From Cranberry Road through land of Jack C. Asper	2005-01-42	6/9/2005
Pine Swamp Road (T-591)	Vacating	From the intersection with Oxford Road (T-590) to the intersection of the Idaville-York Springs Road (SR 1020), for a total length of 8,996.05 feet	2015-01-63	12/10/2015
Smith Road (T-568)	Vacating	From its intersection with Oxford Road to the right-of-way line of U.S. Route 15	28	2/9/1989
Tammy Drive	Opening	Located in the Flowing Springs Phase I Development	2002-01-38	2/14/2002
Tammy Drive	Accepting	As shown on the final subdivision plan for Berd Realty known as Flowing Springs Phase I	Res. 223	12/13/2001
Tammy Drive	Accepting	As shown on the final subdivision plan for Berd Realty known as Flowing Springs Phase II	Res. 254	12-14-2006

Name	Activity	Location	Ord./Res.	Date
Tammy Drive	Accepting	As shown on the final subdivision plan for Berd Realty known as Flowing Springs Phase II	Res. 255	12-14-2006
Township Route 568	Vacating	Beginning at State Route 94 and extending in a westerly direction to a point on the southwest corner of concrete head wall located on the west side of the south lane of State Route 15	Res. 71	9/24/1964
Township Route 611	Vacating	From the intersection of Route 94 and Township Route 611 east 513.80 feet to a point in the center of said Township Route 611 east 365.50 feet to a point at the intersection of Legislative Route 01050 and Township Route 611	4	2/1/1965
Township Route 597	Vacating	Beginning at Legislative Route 02022 and extending thence in a southeasterly direction to a point on Township Route 597 by lands of Guy Tanger	Res. 73	1/4/1965
Township Road T-568	Relocating	From a point in Township Road T-568 northeast 598.3 feet from the corner of land of Fred Hopper, to a point in Legislative Route 01042	13	5/5/1970

Name	Activity	Location	Ord./Res.	Date
Township Route 611	Vacating	Beginning at State Route 94 and extending southeasterly to its intersection with Legislative Route 01050	Res. 72	1/4/1965
Township Road T-568	Vacating	From the northern edge of the proposed relocation of Township Road T-568 southeast 127.5 feet to a point on the southern right-of-way lie of Legislative Route 01042	13	5/5/1970
Township Rt. 585	Vacating	From station 0 + 09 to station 13 + 50 a total of 1,341 linear feet	9	10/13/1966
Township Rt. 597	Vacating	From Legislative Route 01011 and Township Route 597 southeast 571.15 feet to a point in the center of said Township Route 597	3	2/11/1965
Township Route 585	Vacating	Beginning at the center line of Bermudian Creek on the boundary line of Tyrone and Huntington Townships and extending thence in a easterly direction to its intersection with a relocated and new Township Route 585	Res. 81	8/11/1966
Township Route 568	Vacating	From station 706 + 76.90 to the west side of South lane of new State Highway Route 15	2	11/27/1964
Tracy Drive	Opening	Located in the Flowing Springs Phase I Development	2002-01-38	2/14/2001

Name	Activity	Location	Ord./Res.	Date
Tracy Drive	Accepting	As shown on the final subdivision plan for Berd Realty known as Flowing Springs Phase I	Res. 221	12/13/2001
Tracy Drive	Accepting	As shown on final subdivision plan for Bred Realty known as Flowing Springs Phase II	Res. 253	12/14/2006
Wierman's Mill Road	Correcting spelling	Entire length	Res. 250	8/10/2006
Wendy Drive	Accepting	As shown on the final subdivision plan for Berd Realty known as Flowing Springs Phase I	Res. 222	12/13/2001
Wendy Drive	Opening	Located in the Flowing Springs Phase I Development	2002-01-38	2/14/2002
White Oak Tree Road	Vacating	From the intersection of Cloverdale Farm Road 465.78 feet to the center line intersection of Cherry Hill Road west a distance of 538.81 feet to place of beginning	17	9/25/1974

APPENDIX I
WATER

[Reserved to accommodate future enactments]

APPENDIX J

ZONING MAP AMENDMENTS

§ J-101. Zoning Map Amendments.

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§ J-101. Zoning Map Amendments.

Ord./Res.	Date	Description
2005-04-45	9/8/2005	Rezoning approximately 52 acres used in connection with Knouse Foods' Peach Glen Plant from Residential-Agricultural to Commercial-Industrial.
2010-01-55	3/11/2010	Rezoning approximately 76.5 acres of land of the Hershey Family Limited Partnership from Agricultural-Conservation to Commercial-Industrial.

CHAPTER KO

KEY TO THE DISPOSITION OF ALL ORDINANCES

§ KO-101. Key to the disposition of all ordinances.

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§ KO-101. Key to the disposition of all ordinances.

Ordinance	Disposition	Number	Subject
1	Superseded by	32	Nuisances
2	Appendix	H	Streets and Sidewalks
3	Appendix	H	Streets and Sidewalks
4	Appendix	H	Streets and Sidewalks
5	Chapter 1	§§ 1-201 – 1-208	Planning Commission
6	Repealed by	22	Building Permits
7	Superseded by	4/12/1990	Subdivision
8	Repealed by	32	Sewage Disposal
9	Appendix	H	Streets and Sidewalks
10	Superseded by	4/12/1990	Mobile Homes
11	Repealed by	32	Sewage Disposal
12	Chapter 1	§§ 1-201, 1-204, 1-206, 1-208	Planning Commission
13	Appendix	H	Streets and Sidewalks
14	Missing		
15	Chapter 13	§§ 13-201 – 13-216	Junkyard Regulations
16	Chapter 21	§§ 21-201 – 21-206	Street Openings
17	Appendix	H	Streets and Sidewalks
18	Chapter 21	§§ 21-101 – 21-106	Driveway Construction
18A	Chapter 21	§§ 21-104, 21-106	Driveway Construction
19	Superseded by	26	Floodplain Regulations
20	Appendix	H	Streets and Sidewalks
21	Appendix	H	Streets and Sidewalks
22	Repealed by	26	Building Permits

Ordinance	Disposition	Number	Subject
23A	Superseded by	4/12/1990	Subdivision
23B	Superseded by	4/12/1990	Subdivision
24	Chapter 13	§§ 13-101 – 13-106	Cable Television
25	Chapter 6	§§ 6-101 – 6-105	Pornography
26	Repealed by	30	Floodplains
27	Chapter 1	§ 1-101	Compensation; Board of Supervisors
28	Appendix	H	Streets and Sidewalks
29	Superseded by	2008-03-49	Subdivision
30	Repealed by	2016-02-66	Floodplains
31	Chapter 18	§§ 18-101 – 18-110	Sewage Disposal
32	Introduction		Adopting Ordinance
33	Chapter 1	§§ 401-403	Tax Certification/Returned Check Policy
34	Chapter 20	§§ 20-101 – 20-110	Solid Waste
35	Chapter 27	§§ 27-101 – 27-1401	Zoning
36	Chapter 15	§§ 15-101 – 15-301	Motor Vehicles and Traffic
37	Chapter 4	§§ 4-101 – 4-105	Buildings
2002-01-38	Appendix	H	Streets and Sidewalks
2003-01-39	Chapter 1	§§ 1-101, 1-202	Administration and Government
2003-02-40	Chapter 24	§ 24-202	Earned Income Tax
2004-01-41	Chapter 5	§§ 5-101 – 5-106	Uniform Construction Codes
2005-01-42	Appendix	H	Streets and Sidewalks
2005-02-43	Appendix	D	Governmental Affairs
2005-03-44	Chapter 24	§ 24-205	Earned Income Tax
2005-04-45	Chapter 27	§ 27-803	Zoning
	Appendix	J	Zoning Map Amendment

Ordinance	Disposition	Number	Subject
2007-01-46	Chapter 27	§§ 27-302, 27-504, 27-505, 27-603, 27-604, 27-703, 27-704, 27-803, 27-804, 27-805, 27-1010, 27-1013, 27-1016, 27-1033, 27-1127, 27-1129, 27-1137, 27-1144	Zoning
2008-01-47	Chapter 15	§ 15-202	Motor Vehicles and Traffic
2008-02-48	Chapter 1	§§ 1-501 – 1-508	Recreation Board
2008-03-49	Chapter 22	§§ 22-101 – 22-1104	Subdivision and Land Development
2008-04-50	Repealed by	2016-02-66	Floodplains
2009-01-51	Chapter 17	Superseded by Ord. No. 2023-02-75	Stormwater Management
2009-02-52	Chapter 27	§ 27-805	Zoning
2009-03-53	Appendix	D	Governmental Affairs
2009-04-54	Chapter 17	Superseded by Ord. No. 2023-02-75	Stormwater Management
2010-01-55	Chapter	27	Zoning Map
	Appendix	J	Zoning Map Amendment
2010-01-55-1	Chapter 15	§ 15-202	Motor Vehicles and Traffic
2010-02-56	Chapter 15	§ 15-202	Motor Vehicles and Traffic
2011-01-57	Chapter 24	§§ 24-201 – 24-216	Earned Income and Net Profits Tax
2012-01-58	Chapter 27	§§ 27-302, 27-503 – 27-505, 27-603, 27-605, 27-703 – 27-705, 27-803 – 27-805, 27-1006, 27-1009, 27-1010, 27-1012, 27-1019, 27-1120, 27-1133, 27-1155, 27-1161, 27-1169 – 27-1175	Zoning
2013-01-59	Chapter 27	§§ 27-302, 27-503, 27-504, 27-1137	Zoning

Ordinance	Disposition	Number	Subject
2014-01-60	Appendix	D	Governmental Affairs
2014-02-61	Appendix	D	Governmental Affairs
2014-03-62	Appendix	D	Governmental Affairs
2015-01-63	Appendix	H	Streets and Sidewalks
2015-02-64	Chapter 26	Part 1	Wells
2016-01-65	Chapter 27	§ 27-505	Zoning
2016-02-66	Chapter 8	Parts 1 – 8	Floodplains
2017-10-67	Chapter 27	§ 27-1023	Zoning
2018-01-68	Chapter 13	Part 3	Licenses, Permits and General Business Regulations
2019-01-69	Chapter 27	§§ 27-302, 27-804, 27-1176	Zoning

Ord. No.	Adoption Date	Subject	Disposition	Supp. No.
2020-01-70	3/12/2020	Zoning	Ch. 27	9
2020-02-71	8/13/2020	Floodplains	Ch. 8	9
2021-01-72	1/14/2021	Governmental and Intergovernmental Affairs	Apx. D	9
2021-02-73	5/13/2021	Zoning	Ch. 27	9
2023-01-74	9/14/2022	Zoning	Ch. 27	10
2023-02-75	9/14/2023	Stormwater Management	Ch. 17	10
2023-03-76	10/12/2023	Motor Vehicles	Ch. 15	10
2024-01-77	6/13/2024	Fire Prevention and Fire Protection	Ch. 7	10

CHAPTER KR

KEY TO THE DISPOSITION OF SIGNIFICANT RESOLUTIONS

§ KR-101. Key to the disposition of significant resolutions.

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§ KR-101. Key to the disposition of significant resolutions.

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67	Appendix	D	Governmental Affairs
68	Appendix	D	Governmental Affairs
69	Appendix	D	Governmental Affairs
70	Chapter 24	§§ 301-317	Realty Transfer Tax
71	Appendix	H	Streets and Sidewalks
72	Appendix	H	Streets and Sidewalks
73	Appendix	H	Streets and Sidewalks
74	Tax Rate	1966	
75	Appendix	D	Governmental Affairs
76	Appendix	D	Governmental Affairs
77	Appendix	D	Governmental Affairs
78	Appendix	F	Public Property
79	Tax Rate	1967	
80	Appendix	D	Governmental Affairs
81	Appendix	H	Streets and Sidewalks
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83	Tax Rate	1968	
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86	Appendix	D	Governmental Affairs
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92	Appendix	D	Governmental Affairs
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104	Appendix	D	Governmental Affairs
105	Appendix	D	Governmental Affairs
106	Chapter 24	§§ 201-211	Wage Tax
107	Appendix	D	Governmental Affairs
108	Appendix	D	Governmental Affairs
109	Tax Rate	1972	
110	Budget	1972	
111	Appendix	B	Bond Issues and Loans
112	Appendix	D	Governmental Affairs
113	Chapter 24	§§ 101-105	Per Capita Tax
114	Tax Rate	1973	
115	Budget	1973	
116	Appendix	D	Governmental Affairs
117	Appendix	D	Governmental Affairs
118	Appendix	D	Governmental Affairs
119	Appendix	G	Sewers
120	Budget	1974	
121	Tax Rate	1974	
122	Appendix	D	Governmental Affairs
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124	Budget	1975	
125	Tax Rate	1975	
126	Missing		
127	Missing		
128	Appendix	G	Sewers
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130	Appendix	D	Governmental Affairs
131	Appendix	D	Governmental Affairs
132	Tax Rate	1977	
133	Budget	1977	
134	Tax Rate	1978	
135	Budget	1978	
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137	Superseded by	138	Sewage Fees

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140	Superseded by	32	Fee Resolution
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142	Budget	1979	
143	Appendix	G	Sewers
144	Superseded by	32	Fee Resolution
145	Repealed	8, 11	Sewers
146	Superseded by	32	Fee Resolution
147	Tax Rate	1980	
148	Appendix	D	Governmental Affairs
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150	Superseded by	32	Fee Resolution
151	Appendix	D	Governmental Affairs
152	Appendix	D	Governmental Affairs
153	Appendix	D	Governmental Affairs
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155	Budget	1982	
156	Chapter 24	§ 204	Earned Income Tax
157	Appendix	G	Sewers
158	Tax Rate	1989	
159	Appendix	D	Governmental Affairs
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161	Tax Rate	1990	
162	Appendix	G	Sewers
163	Superseded by	32	Fee Resolution
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167	Appendix	D	Governmental Affairs
168	Appendix	D	Governmental Affairs
169A	Tax Rate	1992	
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170	Tax Rate	1992	
171	Appendix	D	Governmental Affairs
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173	Appendix	E	Plan Approval
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192	Appendix	G	Sewers
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199	Appendix	D	Governmental Affairs
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202	Appendix	D	Governmental Affairs
203	Superseded by	276	Fee Resolution
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207	Appendix	E	Plan Approval
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209	Appendix	E	Plan Approval
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211	Appendix	D	Governmental Affairs
212	Tax Rate	2000	
213	Superseded by	276	Fee Resolution
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215	Appendix	C	Franchises and Services
216	Tax Rate	2001	
217	Appendix	D	Governmental Affairs
218	Appendix	D	Governmental Affairs

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223	Appendix	H	Streets and Sidewalks
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229	Appendix	D	Governmental Affairs
230	Appendix	D	Governmental Affairs
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232	Superseded by	276	Fee Resolution
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247	Introduction		Fee Resolution
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253	Appendix	H	Streets and Sidewalks
254	Appendix	H	Streets and Sidewalks
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257	Appendix	D	Governmental Affairs
258	Appendix	D	Governmental Affairs

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261	Appendix	D	Governmental Affairs
262	Appendix	D	Governmental Affairs
263	Tax Rate	2008	
264	Superseded by	305	Governmental Affairs
265	Superseded by	305	Governmental Affairs
266	Appendix	D	Governmental Affairs
267	Appendix	G	Sewers
268	Superseded by	276	Fee Resolution
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270	Superseded by	276	Fee Resolution
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272	Appendix	G	Sewers
273	Appendix	D	Governmental Affairs
274	Tax Rate	2009	
275	Chapter 1	Part 6	Open Records Policy
276	Introduction		Fee Resolution
277	Appendix	D	Governmental Affairs
278	Appendix	D	Governmental Affairs
279	Appendix	D	Governmental Affairs
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281	Tax Rate	2010	
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287	Appendix	D	Governmental Affairs
288	Appendix	D	Governmental Affairs
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291	Appendix	D	Governmental Affairs
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293	Appendix	D	Governmental Affairs
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311	Appendix	D	Governmental Affairs
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Res. No.	Adoption Date	Subject	Disposition	Supp. No.
332	7/14/2022	Governmental and Intergovernmental Affairs	Apx. D	10
333	7/14/2022	Governmental and Intergovernmental Affairs	Apx. D	10
334	10/13/2022	Taxation, Special: Property Tax Penalty Waiver	Ch. 24, Pt. 4	10

Res. No.	Adoption Date	Subject	Disposition	Supp. No.
335	11/10/2022	Governmental and Intergovernmental Affairs	Apx. D	10
336	8/10/2023	Governmental and Intergovernmental Affairs	Apx. D	10
337	4/11/2024	Governmental and Intergovernmental Affairs	Apx. D	10
338	5/9/2024	Governmental and Intergovernmental Affairs	Apx. D	10
339	5/9/2024	Governmental and Intergovernmental Affairs	Apx. D	10

INDEX

DEFINITIONS NOTE: For the convenience of the Code user, all terms defined in this Code are included in the Index under the heading "Definitions and Abbreviations."

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— A —

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